

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Meeting of the Planning Committee held in the Council Chamber, Lisburn & Castlereagh City Council Offices, Island Civic Centre, The Island, Lisburn on Monday 2 March at 10.30 a.m.

PRESENT:

Councillor JD Craig (Chairman)

Councillor O Gawith (Vice-Chairman)

Aldermen D Drysdale, A Grehan and W.J. Dillon

Councillors M Gregg, U Mackin, J McCarthy, C McCready, John Palmer and A Swan

OTHER MEMBERS:

Alderman J Tinsley

Councillors N Anderson, M Guy, D Honeyford, J Lavery and S Skillen

IN ATTENDANCE:

Director of Service Transformation
Head of Planning and Capital Development
Principal Planning Officer (RH)
Senior Planning Officer (MB)
Senior Planning Officer (RT)
Member Services Officer
Attendance Clerk

Legal Advisor:

B Martyn - Cleaver Fulton & Rankin

Department for Infrastructure, Roads Service

Mr C Dickinson

Commencement of Meeting

The Chairman, Councillor JD Craig, welcomed everyone to the meeting.

Introductions were made by the Chairman and some housekeeping and evacuation announcements were made by the Director of Service Transformation who also highlighted to those in the public gallery that information on the procedures of the Committee was available at the rear of the Council Chamber.

1. **Apologies**

There were no apologies. The Chairman advised that Alderman A Grehan had indicated that she would be arriving later in the meeting.

2. Declarations of Interest

The Chairman sought Declarations of Interest from Members and reminded them to complete the supporting forms which had been left at each desk.

The following Declarations of Interest were made:

- The Chairman advised that Alderman A Grehan, who would be arriving later in the meeting, had indicated that she wished to declare an interest in Item 5.1(a) LAO5/2018/0512/F on the basis that she was a member of the Board of the NI Housing Executive.
- Councillor M Gregg declared an interest in Item 5.1(a) LAO5/2018/0512/F on the basis that he had previously expressed an opinion on the signalisation of road junctions which are proposed as part of this application. He indicated that he would be removing himself from the decision making process but would be speaking against the application.
- Alderman D Drysdale declared an interest in Item 5.1(a) LAO5/2018/0512/F on the basis that he had expressed in opinion on the spine road and supported the residents.
- The Deputy Mayor, Councillor J McCarthy, referred to Item 5.1(a) LAO5/2018/0512/F and advised that he had spoken with the applicant and with objectors but had not formed an opinion on the application.
- The Chairman, Councillor J Craig, referred to Item 5.1(a) LAO5/2018/0512/F and advised that he had received correspondence on the application and several people had spoken to him about it but he had not expressed an opinion and had directed the correspondence to the Planning Unit.
- The Chairman stated that, with reference to Item 5.1(g) LAO5/2019/1147/F, where the applicant was the Council, all members had the same interest and therefore paragraph 6.6 of the Code of Conduct applied and it was not necessary for individual declarations of interest to be made.
- Councillor M Gregg referred to Item 5.1(c) LAO5/2019/0750/F and advised that he had drawn attention to this application but only because it was located within the Castlereagh East DEA and he had not expressed an opinion on it.

3. Minutes of the meeting of the Committee held on Monday 3 February 2020

It was proposed by Councillor A Swan, seconded by Alderman WJ Dillon, and agreed that the Minutes of the Committee Meeting held on Monday 3 February 2020 as circulated be confirmed and signed subject to the following amendment:

- At Page 11, 3rd paragraph, 4th line, after “same vernacular style” the addition of the words “and on the same footprint”.

4. Report from the Director of Service Transformation

4.1 Review into the efficiency and effectiveness of the Planning System in Northern Ireland with particular focus on the Role of the Statutory Consultee

The Committee was provided with copy and it was agreed to note correspondence dated 19 November 2019 from the Permanent Secretary to the Department for Infrastructure (DfI) together with copy of the review report into the Efficiency and Effectiveness of the Planning System in Northern Ireland with particular focus on the Role of the Statutory Consultee.

5. Report from the Head of Planning and Capital Development

5.1 Schedule of Applications

The Chairman reminded Members that they needed to be present for the entire determination of an application. If absent for any part of the discussion they would render themselves unable to vote on the application.

The Chairman advised that there were a number of speakers in attendance making representation on some of the applications and therefore the Schedule of Applications would be taken out of order to enable these applications to be taken first.

(Alderman D Drysdale and Councillor M Gregg left the meeting at 11.00 am)

- (a) LA05/2018/0512/F – Erection of 49 apartments and 244 dwellings, realignment of Spine Road granted approval under Y/2009/0303/RM, access arrangements, signalisation of Newtownards Road / Old Mill Meadows and Comber Road / Millmount Road junctions car parking, landscaping and associated site works (293 residential units in total) on lands surrounding 9 Millmount Road, comprising lands northeast of Comber Greenway, east of Millmount Road and 150 metres west and southwest of 60 Greengraves Road, Dundonald

The Senior Planning Officer (MB) presented this application as outlined within the circulated report.

The Committee received Mr Jonathan Bradshaw who wished to speak in opposition to the application highlighting the following:

- Objectors were not opposed in principle to residential development at this location; they were however opposed to piecemeal development.
- The plan had been amended but had not been re-advertised.
- Main concern was the failure of the application to comply with PPS7.
- Issues arising included buffer planting, transport assessment and the Article 40 agreement.
- There was no amendment to infrastructure or services to take account of the change in the design plan.

- PPS7 provided for quality residential development; the separation distances fell short of those outlined in Creating Places and there was no increased provision for local neighbourhood facilities.
- Local primary schools were either at full capacity or had limited capacity left
- The proposal did not support walking, cycling and public transport.
- 2 travel cards per household for 5 years would be more appropriate in order to comply with PPS7 QD1.
- The buffer zone was only 5 metres wide at places and included a cycle path
- The Council's Parks Unit had indicated concerns regarding the impact of the development on the Billy Neill facility.
- The transport assessment was fatally flawed as it had been carried out in 2015 and could not be deemed to be valid and robust.
- The glider had been introduced since 2015 and had had a major impact on the road network.
- The planning system should operate in the public interest.
- The Council was asked not to approve this application given the flaws within it.

There then followed a question and answer session during which Mr Bradshaw responded to Members' queries as follows:

- The Article 40 agreement required a 10 metre buffer zone along the boundary and it was supposed to be tree planted; there had been a reduction in the width to 5 metres at places and the buffer zone included a cycle path. It therefore did not comply with either the Article 40 agreement or with PPS7.
- Overdevelopment had meant more houses on the site at the expense of the buffer zone.
- Since June 2019 he had been asking to see the planning file but had not been allowed to do so.
- There was no record of consultation with the Council's Parks Unit
- The impact that increased traffic could have on the Comber Road had not been assessed.
- The transport assessment referred to trains in Dundonald but the village did not have access to a train network.
- With regard to a query regarding car parking provision, Mr Bradshaw referred to errors in the modal split and stated that the provision of travel cards to households was inadequate.
- If adequate buffer zones were provided, that would mean 10-20 less houses in the development.
- With regard to community facilities, Mr Bradshaw referred to the limited capacity in local schools and stated that provision of local community facilities had been included in the Article 40 agreement.

At the conclusion of his presentation, Mr Bradshaw raised a query regarding a possible conflict of interest on the part of a Council employee who had previously been employed in the private sector.

The Director of Service Transformation advised that this matter had been considered by the Council that there was no conflict of interest.

The Committee received Councillor M Gregg who wished to speak in opposition to the application highlighting the following points:

- DfI was currently operating under pressure and errors had been made in respect of this application.
- He outlined a wish list for the development that included travel cards for every property and speed limits on the Comber Road.
- He stated that it was not entirely accurate to claim that NIHE was supportive of the application as NIHE had indicated that 20% of any development should comprise affordable housing and there was no such provision within this application.
- NI Water had outlined to the Council the pressures to sewerage and drainage in the area.
- DfI Roads traffic assessment was worthless as sample size should be at least 20 and this was based on a sample size of 12.
- DfI peak times data did not match with data provided by TRICS Consortium Ltd.
- The traffic assessment was carried out 5 years ago and did not take account of changes in traffic flow.
- The creation of the protected route as outlined in BMAP would alleviate residents' concerns regarding traffic issues.
- The existing problems with traffic flow in Dundonald would be made worse
- The job of planners was to plan rather than to react.

There then followed a question and answer session and Councillor Gregg responded to Members' queries as follows:

- While DfI had found that traffic levels on the Upper Newtownards Road had not changed over 5 years, the introduction of the glider had changed the dynamics of traffic in Dundonald and traffic previously using the Newtownards Road had changed to other routes. DfI Roads would need to measure traffic levels on other roads such as the Comber Road, Grahamsbridge Road and the Old Dundonald Road past DIIB.
- Both the Article 40 agreement and the Council's local development plan referred to the protected route and, if this were completed, it would substantially reduce residents' concerns.
- While planners must consult with the statutory agencies, the Planning Committee brought local knowledge to the table and, where local knowledge indicated that the statutory consultees were wrong, then their evidence needed to be queried.
- TRICS Consortium held that a sample size of under 20 should not be used in traffic assessments.

The Committee received Councillor S Skillen who wished to speak in opposition to the application highlighting the following:

- Councillor Skillen indicated that she was speaking on behalf of herself and Councillor J Lavery.

- This development had been part of a piecemeal approach to development in the area and promised facilities and infrastructure improvements had not been provided.
- The increased housing density meant that the development did not comply with PPS7.
- No account had been taken of changes that had occurred in Dundonald since 2015 including the introduction of the glider.
- NI Water had indicated to the Council that Dundonald village was red zoned
- A substantial investment of ratepayers' money had gone into the Billy Neill facility which would be adversely impacted by the development.
- There were concerns about flooding and bio-diversity.
- Schools in the area were at or near capacity.
- The issue of bats had been raised but had not been taken into account; there was a video showing bat activity.
- The spine road in the development should only be for internal use and the protected route needed to be completed to allay concerns regarding traffic issues.

There then followed a question and answer session and Councillor Skillen responded to Members' queries as follows:

- With regard to the potential increase in vehicular movements arising from the development, Councillor Skillen stated that residents were concerned about current traffic levels. She stated that a 5 minute journey in the area was taking about 20 minutes. She stated that the traffic assessment was extremely out of date and took no account of the impact of the glider.
- The traffic issues meant that people avoided Dundonald village even though it was a direct route. There was a possibility that the spine road in the development could be used as a short cut to avoid traffic.

The Committee received Mr Conor Mulligan, Mr Brendan Daly, Mr Conor O'Hara, Mr Michael Gordon and Mr Sam McKee who wished to speak in support of the application highlighting the following issues:

- The applicant's representatives welcomed the planning recommendation to approve the application and stated that it was on land zoned for housing and there were no objections from statutory consultees.
- Housing density had increased but was of similar density to other housing developments that had been approved.
- This was one of the most sustainable housing developments.
- It was served by 26 bus services per day and there would be provision of a shuttle service to link in with the glider route.
- The plan for the spine road had been modified to include a bus layby.
- The plan allowed for synchronisation of Comber Road and Newtownards Road junctions.
- The transport assessment was based on an engineered scoping mechanism agreed with DfI Roads.
- No detailed transport analysis had been supplied that would support the views of the objectors.
- Draining and sewerage provision was in line with requirements.

- The buffer zone between the development and the Billy Neill facility ranged from 9.5 to 17 metres.
- The Committee was asked to support the planning recommendation to approve the development.

There then followed a question and answer session and the applicant's representatives responded to Members' queries as follows:

- The applicant's Traffic Consultant outlined the timeline in respect of the transport assessment which had been produced in 2018 and was based on data that was less than 3 years old at that stage. Further measurements indicated that there had been no increase in traffic on the Newtownards Road since then and that the glider service had reduced traffic levels.
- He advised that the focus was on trying to get people away from private cars and to increase walking, cycling and the use of public transport.
- It was noted that Translink was enthusiastic about extending its bus service into the development which included providing a shuttle bus to link in with the glider service.
- An assumption of a 12.5% modal shift had been made but it was likely that the shift would be even greater than that.
- The Comber Greenway linked in with the development and provided options of walking and cycling paths.
- The Comber and the Newtownards Road met halfway and there was no reason for the spine road to be used as a rat run between the two roads
- Traffic signals had not been required as part of the traffic assessment but they were being provided and would improve access from and to the development from the Comber and Newtownards Roads and would control traffic speeds on those roads.
- With regard to sewerage and drainage, the house designs complied with NI Water requirements.
- With regard to capacity of the glider service, Translink had indicated that it could increase frequency or bus size as needed.
- While other developments would have to use the park and ride facility to access public transport, the benefit of this development would be that the bus service came right into the development.
- One travel card per unit per year would be offered to householders.
- The developer was required to complete the spine road before the 60th house but the plan was to complete it well before that stage.
- Any financial issues that Translink were facing should not impact on the proposed bus plans for the development as these were financially viable routes.
- The average width of the buffer zone was 12.5 metres which was in excess of the 8 – 10 metres specified in planning guidelines.

There then followed a question and answer session during which the Planning Officers and DfI Roads representative responded to Members' queries as follows:

- They confirmed that the information regarding buffer widths provided by the applicant's agents was correct and these ranged from 9.5 to 15 metres.

- The Head of Planning and Capital Development provided clarification on the route of the spine road and that of the protected route. The DfI Roads representative outlined the background to the issue and advised that the spine road was an internal road to serve the development and would not rank as a trunk or outer ring road. The protected road line was still to be constructed.
- The DfI Roads representative advised that overall the best thing for the development was to achieve as good a public transport system to the site as possible. With regard to whether the spine road was acceptable for both buses and vehicles, he stated that it was less than the standard width of 6.7 metres but was considered acceptable for an urban area. He clarified that the width would be deemed to be sub-optimal but still acceptable.
- With regard to a query whether traffic assessments were required on the Comber Road and at DIIB, the DfI Roads representative advised that this was a pre-glider and post-glider issue. He stated that pre-glider there had been no significant changes to traffic on the Newtownards and Comber Roads. The introduction of the BRT system would have significant impact on traffic movements but it would be of questionable value to survey the network in the period immediately after that change and such a survey should await a settling in period of 1-2 years.
- He advised that, since measurements indicated that there had been no significant change in traffic levels on Newtownards or Comber Road and, on that basis, the view was taken that the 2015 data was acceptable.
- With regard to the issue of hierarchy of roads versus network of spaces, the Head of Planning and Capital Development advised that issues considered in relation to this development included pedestrian links, play spaces, distributor road routes and the opportunity for people to use alternative transport modes other than private vehicles.

In the debate that followed, Members expressed the following views:

- The Chairman, Councillor J Craig, expressed the view that the key issue was the spine road and this had received approval under previous planning authorities. He suggested that the Committee should consider approving the application but including a stipulation that the through link was for public transport only in the form of a bus gate and he suggested that there was a precedent for this in another local development.
- Councillor A Swan doubted that such a restriction would work in this case. He felt that, if approval was refused, the applicant would win at appeal. He indicated he was inclined to support the recommendation.
- Councillor A McCready agreed with the Chairman's suggestion regarding the spine road.
- Alderman WJ Dillon stated that he considered that the applicant's representatives had supported their case with facts and figures. The land was zoned for housing development and, if the application was refused, there would be an appeal and it would be difficult to sustain this position. He indicated that he was not sure about the spine road condition that had been suggested and he would be supporting the planning recommendation.
- Councillor O Gawith stated that he would not want traffic coming through the development and he would support a condition that would restrict this.

- Councillor U Mackin indicated he was not sure which way to take this application. He did not feel that the restriction on use of the spine road was suitable for this development. He indicated concerns regarding the transport assessments and he noted that the original road plan had been retained but there were no plans for it to be constructed.
- Councillor John Palmer indicated that he was concerned about the impact of the development on traffic in the Comber Road and the Newtownards Road.
- The Deputy Mayor, Councillor J McCarthy stated that, in terms of planning policy, he could not see a reason to go against the recommendation. He stated that the spine road would allow traffic from the Coopers Mill development to access the Comber Road.

In response to a query by the Chairman, the Head of Planning and Capital Development advised that the spine road would facilitate public transport as well as access to neighbourhood facilities that had not yet been provided. He indicated that there would have to be some evidence provided to suggest that the proposed restriction was an appropriate measure in these circumstances.

He advised that speed limits were imposed through separate legislation by DfI Roads and that a planning condition could not be imposed that would apply outside the application site. He advised that residents could ask DfI Roads to introduce traffic calming measures and this would involve a public consultation process.

The DfI Roads representative stated that the proposal for a bus gate would compromise the rationale for the spine road which was there to serve the entirety of the housing development. Traffic calming measures were an option and could be introduced through a Roads Order and these should apply to the whole development.

In Committee

It was then proposed by Councillor A Swan, seconded by Councillor C McCreedy and agreed to go into committee in order to receive legal advice.

Legal advice was received.

Resumption of Normal Business

It was proposed by Councillor A Swan, seconded by Councillor C McCreedy, and agreed to come out of Committee and normal business was resumed.

In response to a query by the Deputy Mayor, Councillor J McCarthy, the Head of Planning and Capital Development provided clarification on provisions in the Article 40 agreement relating to the protected road line.

The Committee, having considered the information provided within the Report of the Senior Planning Officer and by those making representations, agreed by a majority of 7:1 with 0 abstention to approve the application as outlined in the Officer's report and subject to the conditions contained therein.

(Alderman A Grehan arrived and Councillor M Gregg returned to the meeting at 1.51 pm; the Dfl Roads representative left the meeting at 1.51 pm)

Adjournment of Meeting

The Chairman, Councillor JD Craig, declared the meeting adjourned at 1.51 pm

Resumption of Meeting

The Chairman, Councillor JD Craig, declared the meeting resumed at 2.33 pm

(Alderman D Drysdale did not return to the meeting at 2.33 pm)

In Committee

It was then proposed by Councillor O Gawith, seconded by Councillor A Swan, and agreed to go into committee in order to receive legal advice.

Legal advice regarding conflicts of interest was received.

Resumption of Normal Business

It was proposed by Councillor A Swan, seconded by Councillor C McCready, and agreed to come out of Committee and normal business was resumed.

- (c) LA05/2019/0750/F – Replacement of redundant non-residential building with a single dwelling in compliance with planning policy statement 21 CTY3 on lands 45 metres east of 54 Lisnabreeny Road, Lisnabreeny, Castlereagh

The Principal Planning Officer (RH) presented this application as outlined within the circulated report.

The Committee received Councillor N Anderson who wished to speak in support of the application highlighting the following:

- The predisposition of planning was to approve where there was no demonstrable harm.
- Three separate neighbours had indicated their support for the application
- The applicant wished to make the dwelling his residence so that he could live beside his only daughter and her family.
- There were no objections from statutory consultees.
- The main issues were whether this was a commercial building and whether the proposal would bring environmental improvements.
- There were written statements from local residents and from the estate agent confirming that the property had been in commercial use.
- The sales brochure from 2018 when the applicant purchased the house was circulated to Members and referred to outbuildings producing an investment income.
- The building has been used as a workshop for many decades.
- There was oil contamination on the site and asbestos in the roof and the proposal would involve the removal of these toxic substances.

- There were a number of children living in adjacent houses and neighbouring families were concerned about asbestos.
- A house at this location would bring demonstrable benefits and would improve the visual amenity of the area.

There then followed a question and answer session and Councillor N Anderson responded to Members' queries as follows:

- Although asbestos was only dangerous when being removed, in this instance the roof was in a poor condition with broken and missing roof tiles.
- In response to a request for an example of a previous commercial outbuilding being replaced by a dwelling, he indicated that he was not in a position to give a specific example.
- Nearby residents had stated that they would much prefer the building to be replaced by a dwelling rather than commercial units.

The Committee received Councillor M Guy, who wished to speak in support of the application highlighting the following:

- The proposal was for the replacement of a non-residential building.
- The applicant had to prove that the building was not agricultural and that its replacement would deliver significant environmental improvements.
- The presumption that the building was agricultural was made without any supporting evidence.
- The sales brochure stated that the building was formerly a farm building but was now producing an income.
- A statement from the estate agent confirmed that the building was in commercial use.
- Signed statements from neighbours stated that the building operated as a mechanical workshop for a number of years.
- There were old chassis and other evidence of a mechanic's workshop in and around the building.
- The environmental benefits aspect was very clear cut
- As it stood, the building represented an environmental hazard with oil contamination and a deteriorating asbestos roof.
- There were signed statements from neighbours supporting the redevelopment.
- In the case referred to in the planning report there was no equivalent environmental damage and it was not therefore relevant.

There then followed a question and answer session and Councillor Guy responded to Members' queries as follows:

- She did not have other evidence of commercial use such as rates bills or invoices but she stated that, if you visited the building, you could see visual evidence that it had been used as a workshop.
- The planning report referred to the absence of any evidence of commercial usage but this evidence was now being provided.
- The applicant had no alternative motive other than to create a home for himself.

- The applicant purchased the property on the understanding that the outbuilding was a commercial unit rather than an agricultural building.
- While there were a number of outbuildings on the site which could have had an agricultural use, the visual evidence indicated that this building had been used as a mechanics workshop.

The Committee received Mr Gary Thompson and Mr Floyd who wished to speak in support of the application highlighting the following:

- This application for replacement of a non-residential building complied with PPS21 CTY3.
- The redevelopment would bring significant environmental benefits.
- This was a single storey building with an asbestos roof that was not listed and made no contribution to the amenity of the area.
- The roof was in a poor condition and the surrounding ground was also contaminated with asbestos from the roof.
- Removal and proper disposal would have a marked environmental benefit to those living nearby.
- The planning report stated that this was a domestic building but it was much bigger than a standard domestic garage.
- Reference was made to a comparable application approved in January 2017 and this application was considered to have much more merit than the one approved.

There then followed a question and answer session and Mr Thompson and Mr Floyd responded to Members' queries confirming that the evidence that the building was a workshop included car body parts and oil contamination and that there was no evidence that the building had been in agricultural use.

It was then proposed by the Chairman, Councillor J Craig, seconded by Councillor U Mackin, and agreed that the application be deferred to allow a site visit to be held.

(d) LA05/2019/0945/O – Dwelling and garage on lands adjacent and south of 2 Braithwaites Road, Lisburn.

The Senior Planning Officer (RT) presented this application as outlined within the circulated report.

The Committee received Mr Andrew McCready who wished to speak in support of the application highlighting the following:

- The application was located in a cluster of at least 8 dwellings in a fairly large hamlet at a crossroads. The aerial view highlighted the existing dwellings in the cluster.
- The aerial view showed that the site was bounded to the north by driveways and a substantial dwelling; across the road there were two buildings.
- The site was enclosed by mature road side hedging which minimised any intrusion into the countryside.

- If the cluster were accepted to include the site, then the issue of ribbon development did not arise.
- The proposal would not create any detrimental change to the character of the countryside.

There then followed a question and answer session and Mr McCready responded to Members' queries as follows:

- He outlined how he considered the site to lie within the cluster.
- He confirmed that a previous application at another site within the cluster had received approval in December 2019.
- He advised that the area to the north-west of the site was the garden of No. 2 Braithwaites Road.

The Committee then received Alderman J Tinsley who wished to speak in support of the application highlighting the following:

- Alderman Tinsley indicated that he knew the site very well.
- He stated that the application complied with PPS21 CTY2 in that it was part of a cluster consisting of 4 or more buildings.
- He stated that the other buildings included a chip shop, a garage, a building store, a tyre depot and several residential dwellings and further along the road there was an Orange Hall.
- The site had an acceptable degree of enclosure and he pointed out that Braithwaite Road was a dead end.
- The site was well screened and would have no detrimental impact on the countryside.

There were no questions for Alderman J Tinsley.

The Committee received Councillor D Honeyford who wished to speak in support of the application highlighting the following:

- The full case for the application had been laid out by the applicant's agent.
- He outlined the 4 segments of land around the crossroads and stated that it had already been assessed that there was a cluster established at this location.
- The cluster of buildings including the applicant's site appeared as a visual entity in the countryside when approached from any direction.
- The Orange Hall further along with road had recently received funding to develop further community facilities.
- The crossroads was the focal point for the cluster.
- The site was bounded on at least 2 sides by other buildings and was enclosed on 3 sides.
- He considered that the proposal should be allowed to proceed.

There were no questions for Councillor D Honeyford.

The Planning Officers then responded to Members' queries as follows:

- The Senior Planning Officer advised that the application was being considered first and foremost under PPS21 CTY2a and, in the event that it did not comply with that policy, then CTY8 and CTY14 require to be assessed.
- Clarification was provided by the Head of Planning and Capital Development regarding the location a previous application that had received planning approval and how it could be distinguished from this site in terms of meeting the requirement of the policy.
- In respect of a query as to whether approving a dwelling at this location could create an infill opportunity each application must be considered on its own merits and it was not possible to speculate what might come forward in the future. This should not form part of the members consideration of this case.

In the ensuing debate, Members commented as follows:

- Alderman WJ Dillon advised that he had recently visited the site and was not convinced that it formed part of the cluster.
- Councillor A Swan stated that he was familiar with the site and he considered that the cluster was to the other side of the crossroads. He indicated that he would support the planning recommendation.
- Councillor U Mackin stated that the site was located at a crossroads and it was clearly possible to develop all four corners around the crossroads as part of the cluster and that it viewed as a cluster. He stated that if you accepted the previous application approved last year as part of the cluster, then the same applied to this application.
- Councillor J Palmer stated that he agreed with Councillor Mackin and that the site was in the area of the crossroads.
- Councillor M Gregg indicated that he had investigated samples of sites that would be considered acceptable or unacceptable as part of a cluster and he felt that this site fell into the category of an unacceptable site.

The Committee, having considered the information provided within the Report of the Senior Planning Officer and by those making representations, agreed by a majority of 7:3 with 0 abstention to refuse the application as outlined in the Officer's report.

Adjournment of Meeting

The Chairman, Councillor JD Craig, declared the meeting adjourned at 4.19 pm

Resumption of Meeting

The Chairman, Councillor JD Craig, declared the meeting resumed at 4.42 pm

- (e) LA05/2019/0624/F – Proposed two storey extension to side of dwelling at 49 Grove Park, Culcavy, Hillsborough

The Senior Planning Officer (RT) presented this application as outlined within the circulated report subject to an amendment on the title page of the report in that the District Electoral Area should be listed as Downshire West and not Castlereagh East.

The Committee welcomed Mr Paul Skelly who wished to speak in support of the application. Mr Skelly advised that he did not intend to make a presentation but was available to answer any Members' queries. In response to a query, he confirmed that he was the applicant's agent.

There then followed a question and answer session with the Planning Officers who responded to Members' queries as follows:

- The Head of Planning and Capital Development advised that the application had been called in on the grounds that there had been a number of objections by neighbours.
- The Senior Planning Officer provided clarification regarding the size and scale of comparable properties in the area.
- It was confirmed that the roof to the building to the side and rear of the existing building that was visible in a photograph was an ancillary outbuilding.
- It was also confirmed that the application did not involve the removal of any trees or any other significant vegetation.

Members indicated that they had no further comment to make.

The Committee, having considered the information provided within the Report of the Senior Planning Officer agreed by a majority of 10:0 with 0 abstention to approve the application as outlined in the Officer's report and subject to conditions contained therein.

(f) LA05/2019/0970/O - Proposed site for new dwelling and garage on lands between No. 38 & 40 Scroggy Road, Glenavy, Crumlin

The Principal Planning Officer (RH) presented this application as outlined within the circulated report.

The Committee received Mr Ryan McBirney who wished to speak in support of this application highlighting the following:

- The Planning Office had an issue with the application on the basis that they considered that there were only two buildings fronting onto the lane.
- The site was located between two residential properties at 38 and 40 Scroggy Road.
- No 40 Scroggy Road had an outbuilding that had been discounted from the assessment on the basis that it was situated behind the dwelling.
- The outbuilding was not wholly behind the dwelling and had 7 metres clear frontage to the lane.
- The outbuilding met the definition of a building.
- No 36 Scroggy Lane at the end of the lane had been discounted based on the fact that it did not have frontage to the lane. No 36 was visible from the public road and from the lane and it should have been taken into consideration.
- The general objective of the policy was to allow development in the countryside where there was a small gap and where in-filling the gap would not create any greater impact on the environment.
- No 36 was an element in the visual entity.

- If the site was accepted as an infill opportunity, any other issues under CTY14 would fall by the wayside.

There then followed a question and answer session and Mr McBirney responded to Members' queries as follows:

- He considered that it was a judgement call as to whether part of a building set back in the site could be taken into consideration; in this case the outbuilding did have a degree of frontage to the lane.

There then followed a question and answer session with the Planning Officers who responded to Members' queries as follows:

- The Head of Planning and Capital Development advised that the critical issue with regard to the outbuilding was the distance of its set-back from the lane; he stated that there was no obvious gap between the buildings to the rear and that it could not be counted as a building in the built up frontage.
- He provided clarification of the location of a building shown in one of the photographs in the presentation.
- He also provided clarification that an infill site on a private laneway can be approved and that planning permission had been granted elsewhere but this is not the case with this site.
- He also clarified that the policy is not clear but it is interpreted that the definition of accompanying development would be development that lay outside the curtilage of a dwelling and behind the site.

In the ensuing debate, Councillor O Gawith commented that his reading was that the application did not meet the requirements of an infill site and he would be supporting the planning recommendation.

The Committee, having considered the information provided within the Report of the Principal Planning Officer and by those making representation agreed by a majority of 9:0 with 1 abstention to refuse the application as outlined in the Officer's report.

(Alderman A Grehan left the meeting at 5.22 pm)

- (b) LA05/2017/0632/O – Site for a replacement dwelling, garage and associated site works on lands 120 metres west of St Patrick's RC Church, 23a Barnfield Road, Lisburn.

The Principal Planning Officer (RH) presented this application as outlined within the circulated report.

There were no speakers to the application.

In response to a Members' query, the Principal Planning Officer advised that less than 50% of the external walls could be considered to be intact.

In the ensuing debate, Councillor A Swan indicated that he would be supporting the planning recommendation.

The Committee, having considered the information provided within the Report of the Principal Planning Officer agreed by a majority of 9:0 with 0 abstention to refuse the application as outlined in the Officer's report.

(Alderman WJ Dillon left the meeting at 5.32 pm)

- (g) LA05/2019/1147/F – Environmental Improvement Scheme including provision of new footpaths, amended road layout around existing war memorial, landscaping and traffic calming measures on a section of public road and footpath to north of 30 Crumlin Road, Glenavy; section of public footpath to west of 9 Belfast Road, Glenavy; section of public road and footpath to north of 19 Gobrana Road; public road and footpaths from south of Glenavy Bridge, Crumlin Road, Glenavy to north of 2 Glen Road, Glenavy

The Senior Planning Officer (RT) presented this application as outlined within the circulated report.

There were no speakers to this application; no questions for the Planning Officers and Members had no further comment to make.

The Committee, having considered the information provided within the Report of the Senior Planning Officer agreed by a majority of 7:1 with 0 abstention to approve the application as outlined in the Officer's report and subject to the conditions contained therein.

5.2 Statutory Performance Indicators – January 2020

The Committee had been provided with information on Statutory Performance Indicators for January 2020 and it was proposed by Councillor A Swan, seconded by Councillor M Gregg, and agreed that this information be noted.

5.3 Appeal Decisions in respect of planning applications LA05/2018/0161/O, LA05/2018/1123/O & LA05/2018/0664/F

The Committee was provided with copy and it was proposed by the Deputy Mayor, Councillor J McCarthy, seconded by Councillor M Gregg, and agreed to note the above appeal decisions, the first of these having been allowed subject to conditions and the second and third having been dismissed.

5.4 Submission of Pre-application Notice (PAN) - Development of Hillsborough Golf Resort to include 18-hole golf course, hotel, tourist accommodation and housing on lands at Millvale Road, bounded by Moira Road Trench Road and Culcavy Road and adjacent and west of the A1, Hillsborough

The Committee was provided with copy of the report, proposal form and site location plan and it was proposed by Councillor C McCready, seconded by Councillor M Gregg, and agreed to note the information provided in relation to the above Pre-Application Notice.

6. Any Other Business

There were no items of any other business.

There being no further business, the meeting concluded at 5.42 pm.

CHAIRMAN / MAYOR