

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Meeting of the Planning Committee held remotely and in the Council Chamber, Island Civic Centre, The Island, Lisburn on Monday 3 August 2020 at 10.30 a.m.**

**PRESENT:**

Present in Chamber:

Alderman O Gawith (Chairman)

Alderman D Drysdale (Vice-Chairman)

Aldermen WJ Dillon, J Tinsley

Councillors J Craig, M Gregg, U Mackin, J Palmer and A Swan

Present in Remote Location:

Alderman A Grehan

Councillor J McCarthy

**IN ATTENDANCE:**

Present in Chamber:

Head of Planning and Capital Development

Member Services Manager

Member Services Officer

Attendance Clerk

Present in Remote Location:

Director of Service Transformation

Principal Planning Officer (RH)

Senior Planning Officer (MCO'N)

Senior Planning Officer (RT)

Department for Communities

Mr B Kirby

Legal Advisor:

B Martyn - Cleaver Fulton & Rankin

**Commencement of Meeting**

The Chairman, Alderman O Gawith, welcomed everyone to the meeting which was being live streamed to enable members of the public to hear and see the proceedings. For the benefit of those listening to the live stream he asked the Member Services Manager to announce which members were in the Chamber and which were attending remotely.

He stated that planning officers, the Council's Legal Advisor and those making representations at the meeting would also be in a remote location.

The Head of Planning and Capital Development advised on housekeeping and evacuation procedures.

1. Apologies

There were no apologies.

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. He indicated that a form would also be available for those Members attending remotely.

The following Declarations of Interest were made:

- Alderman D Drysdale declared an interest in LA05/2017/1153/F due to his position as Chair of the Inspire Business Park which was located in the same area as the application.
- Alderman J Dillon referred to LA05/2019/0103/F stating that whilst he had been contacted in connection with this application he had made no comments and had not pre-determined the decision.
- Alderman O Gawith declared an interest in LA05/2020/0278/F as the applicant was a party colleague, he said he would be leaving the meeting during its determination.

During the course of the meeting the following declarations of interest were made:

- Alderman Tinsley referred to LA05/2019/0103/F stating that he had attended a Public Consultation event on the application but had not pre-determined his decision.
- Alderman D Drysdale declared an interest in LA05/2019/1155/F stating that he was a football referee and was paid by the Irish Football Association to referee matches at this site and for that reason he would not partake in the decision.
- Alderman Grehan declared an interest in LA05/2020/0278/F as the applicant was a friend, she said he would be leaving the meeting during its determination.

The following interests were advised by way of a completed form:

- Alderman James Tinsley referred to LA05/2019/0168/F, AL05/2017/0772/F and LA05/2019/0892/F advising that he had spoken with the agent/applicant but had not formed an opinion on the merits of the application in each case.

The Chairman, Alderman O Gawith, then advised that Members of the Planning Committee (by virtue of being Members of the Council) had significant private or personal non-pecuniary interest in Planning Application LA05/2019/1155/F. However, the dispensation under paragraph 6.6 of the Code of Conduct applied and therefore Members may speak and vote on this application. He advised that, as all Members had the same interest in this case, it was not considered necessary for each Member to individually declare their interest.

3. Minutes of the meeting of the Committee held on 6 July 2020 and the resumption meeting held on Tuesday 21 July 2020

The above two sets of Minutes were proposed by Councillor J Craig, seconded by Councillor M Gregg, and it was agreed by the Committee that the above minutes be signed.

4. Report from the Head of Planning and Capital Development

4.1 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 Legal Adviser highlighted paragraphs 43 - 46 of the Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee which, he advised, needed to be borne in mind when determinations were being made.

(Alderman D Drysdale left the meeting at 10.45 am having declared an interest in the following application).

- (i) LA05/2017/1153/F – Proposed mixed use development comprising housing (119 units) and 18 industrial units (Class B1b/B1c and B2 employment uses) with associated public open space, related access improvements, parking and ancillary site works on Lands at Comber Road, Dundonald (north of Comber Road, east of Millmount Road and south of the Comber Greenway).

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

The Committee received Mr Clyde Shanks and Mr Grant McBurney who wished to speak in support of the application. Members had been provided with a written submission from Mr Shanks in advance of the meeting. He summarised as follows:

- He outlined that since this application was last considered three meetings had taken place, these had been very helpful and a consensus had been reached.

- He thanked officers for the way they had conducted the meetings.
- He endorsed the recommendation and urged the Committee to approve the application.

There were no questions from members of the committee for either Mr Shanks or for the Planning Officer.

During the debate that followed, the following comments were made:

- Councillor J Craig welcomed the fact that this stage had been reached and stated that he would be supporting the application. Alderman J Dillon concurred with those comments.
- Councillor M Gregg stated that it was disappointing that it took so long to reach a consensus however he continued to oppose the development and would be voting against it.

The Committee, having considered the information provided within the report of the Principal Planning Officer and by those making representations, agreed by a majority of 9:1 with 0 abstentions to approve the application as outlined in the Officer's report and subject to the conditions contained therein.

Councillor M Gregg sought clarification on the requirement to forward this decision to the Department for Infrastructure. The Head of Planning and Capital Development responded that a decision had been taken in respect in February and he confirmed that that decision still stood.

(Alderman D Drysdale returned to the meeting at 11.03am)

- (ii) LA05/2019/0103/F – Retention of existing HGV trailer park facility in association with two local haulage businesses. Also proposed landscaping scheme and associated site works on a site of former commercial quarry and limeworks 120 metres south east of 23 Mullaghcarton Road, Upper Ballinderry, Lisburn.

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

The Committee received Mr Coffey and Mrs Taylor who wished to speak in support of the application. Members had been provided with a written submission from Mr Coffey in advance of the meeting. He summarised as follows:

- He highlighted the importance of this application to the two relevant business entities.
- There were no alternative options available to the business.
- The use of the site was as a result of expansion of the business.
- SPPS guiding principal is that sustainable development should be approved.

- Department of the Environment (Rivers) were now content.
- Department for Infrastructure (Roads) had no objections.
- The Council's Environmental Health response on dust monitoring had been delayed and he went on to outline the acoustic survey carried out.

He then responded to questions from members when the following issues arose:

- In response to a question from Councillor J Craig, Mrs Taylor outlined the requirement for a site close to the business. There was no space for parking at the current premises. She advised that should this application be refused she would not be able to maintain the current levels of business. She advised that other options had been explored but were not suitable.
- In response to a question from Councillor U Mackin she advised that 80% of the Road Haulage business could be lost and 55% of the garage business could be lost.
- Councillor U Mackin then asked Mr Coffey how he considered that the application met the requirements of policy PPS4 PED2 and was advised that it was his opinion that this should be viewed as being an exception as there were no suitable alternative sites available. He then went on to advise members of the steps taken to consider alternative options.
- Alderman J Tinsley sought clarification on the types of lorries used by the business and Mrs Taylor advised that these were mainly refrigerated and curtain sider lorries with a few flat-bed trucks. She went on to indicate that she would be happy to carry out whatever planting might be deemed necessary by the Planning Unit to screen the site.
- Alderman J Dillon then asked Mrs Taylor to elaborate on some aspects of the business and she provided clarification on the importance of this application to one of their contracts and how it would impact the business should the application be refused. She also provided information on the history of the site stating that it was purchased as a commercial site and it had not been anticipated that there would be any issue in using it for parking. She advised that quarrying activity dated back to 1855 when it was a lime quarry and that there had always been lorries coming and going at the location.
- Councillor J Craig asked for information on the rate of vehicles coming in and out and was advised by Mrs Taylor that all of the vehicles were trackable and could be viewed by CCTV. There was also some discussion on why it had been considered by the Planning Unit that parking a trailer on a hard surface would affect rainwater run-off.
- Alderman D Drysdale asked whether information had been provided to Department for the Environment (Rivers) and NI Water as requested and was advised by Mr Coffey that this had now been provided.
- It was confirmed by Mr Coffey that there would be no physical structure erected at the site.

The Committee received Mr Edwin Poots who wished to speak in support of the application. Members had been provided with a written submission from Mr Poots in advance of the meeting. He summarised as follows:

- This type of activity goes back 150 years at the site.
- Nothing will change at the site, it is currently hard standing and commercial, this application will not change that.
- There is a history of commercial use for parking at the site.
- The applicant is seeking to promote rural business and create employment. There will be no adverse impact, the site can be screened and there have been no objections to the application for the three years it has been in the system.

He then responded to questions from members when the following issues arose:

- In response to questions from members Mr Poots outlined the activity on the site and the fact that cameras could provide supportive information. He outlined that it was his understanding that the issues raised by Department for Infrastructure (Roads) had been addressed since the report for this meeting had been produced.
- In response to a question from Councillor U Mackin, Mr Poots outlined the importance of this business and the number of people employed. He stated that Government Departments were allocating grants to support rural business development and here we have a company which is expanding, the business was established in a rural area and employed rural people. The planning decision was at odds with Economic Development aims and objectives. He emphasised that there was no demonstrable harm from approval but there could be from a decision to refuse.
- There was some discussion on whether or not the applicant could have simply continued to use the land without submitting an application for planning permission.

There then followed a question and answer session with the Planning Officers during which the following issues arose:

- Members sought clarification on the issues raised regarding flooding and it was clarified by the Head of Planning and Capital Development that subsequent to the preparation of the reports for the meeting, information had been forthcoming from Department for Infrastructure (Rivers) confirming that calculations had been received from the agent and that between now and then DfI Rivers had considered this information and had confirmed that they were now content. He went on to state that, as outlined in the verbal presentation, that particular refusal reason had now been withdrawn.
- Councillor J Palmer asked whether any consideration had been given to the surrounding area where there are existing industrial units and several lime kilns. The Head of Planning and Capital Development outlined that the site was in open countryside and that the onus was on the applicant to

demonstrate that the development was necessary at that particular location. The applicant had stated that they had considered alternative sites however no information had been provided in terms of what these were.

- Councillor U Mackin asked what efforts had been made by the Planning Officer to liaise with the Economic Development Unit on the importance of the business activity and sought clarification on the timeline for forwarding of the acoustic information to the Environmental Health Unit.  
The Head of Planning and Capital Development stated that the Planning Unit had not been provided with any information on which to consult with the Economic Development unit. The Principal Planning Officer then outlined the sequence of events and consultation which had taken place with Environmental Health. She advised that Environmental Health had responded on 8 April 2020 indicating their dissatisfaction. However information on dust was not forthcoming from the applicant and the Planning Unit had moved forward to determine the application based on the information which they had at that stage, it would appear that the information appeared to have been shared directly with the Environmental Health Unit.
- Councillor M Gregg sought clarification on PED2 and on the 2004 application which was provided by the Principal Planning Officer with the aid of slides.
- The Head of Planning and Capital Development referred to the 2004 application advising that it had now expired. He outlined the planning history at the site and illustrated this information with the aid of a map. He stated that that this was a retrospective planning application and confirmed that the only activity that could be found associated with it was the quarry. He advised that quarrying is not a business use for the purpose of assessing the policy and that it was up to members of the Committee to weigh up the potential job losses against the policy context.
- Alderman D Drysdale sought clarification on some of the refusal reasons and it was highlighted by the Principal Planning Officer that, as had been referred to in the verbal presentation, Natural Heritage had now confirmed that they were content with the application, this information had also been received subsequent to the production of the Committee reports. On further discussion it was then confirmed that the first two refusal reasons and part of the third now no longer applied however the issue of the Principle of Development still remained unresolved.
- Councillor J Craig commented that this was a commercial site, it was simply a small change of use which would be more environmentally friendly than quarrying.
- The Head of Planning and Capital Development again highlighted the planning history at the site but stated that he could find none for a related commercial use for the trailer park. He again stated that quarrying was not a business use in terms of this policy and that it was not possible to re-develop land for an employment use which does not exist in the first place.

During the debate that followed, the following comments were made:

- Councillor M Gregg said that he was disappointed that this report came before the committee without the updated information. He proposed deferring the determination of the application pending the receipt of

additional information. The proposal was seconded by Councillor J McCarthy and put to a vote, however by a majority of 8:3 the proposal fell and the Committee proceeded to determine the application.

- Alderman J Dillon stated that the Council had an opportunity to support local business. There had been commercial activity at this location for over 150 years, it would be nonsense to refuse this as most of the refusal reasons had now been addressed.
- Alderman D Drysdale concurred stating that Planning Officers had followed policy to the letter, however there were, in his opinion, grey areas. This was not about quarrying, it was about parking, he felt that the Committee understood the business and needed to support it.
- Councillor J Craig stated that it was regrettable that there had been timing issues regarding consultation responses and lessons needed to be learned from the experience. He stated that the employment opportunities needed to be retained in this rural area and confirmed that the Minister was supportive. He concluded that whilst the type of commercial activity carried out was different to those listed in the policy, it was a grey area and he would be supporting the recommendation.
- Alderman J Tinsley also felt that this was a grey area which fell between two stools and stated that issues around Covid-19 which had impacted on the receipt of requested information had not helped the situation however there were 40 letters of support and the application boosted economic growth and employment in the area and therefore he would be supporting it.
- Councillor U Mackin concurred with previous speakers stating that this was a substantial business with international contracts and were one of the few businesses expanding at this moment in time and we would not be doing the community a service by refusing it. He felt that there were exceptional circumstances in this case, the applicant had considered other sites, they were expanding, the site has previously been used for commercial activity and he felt that conditioning could address the concerns raised by Environmental Health and therefore he would be supporting it.
- Councillor M Gregg clarified that his request for a deferral was simply to allow for the application to be properly finalised in terms of administration and that he would be supporting it.
- Councillor J Palmer stated that he would be voting for approval.
- Councillor A Swan felt that there were grey areas which led him to support approval.
- Councillor J McCarthy concurred with the comments made by Councillor M Gregg and felt that there were grounds for exceptional circumstances.
- Alderman A Grehan concurred with previous speakers.

At the culmination of further discussion and ensuing debate, the decision was put to a vote and by a majority of 11:0 with 0 abstentions, it was agreed that the recommendation of the Principal Planning Officer would not be upheld.

The Chairman stated that the Professional Officer's recommendation to refuse planning permission had fallen and that a new motion was now under consideration.

It was proposed by Alderman D Drysdale, seconded by Councillor A Swan and agreed that the meeting go 'in Committee' to obtain legal advice.

Legal advice was received.

#### Adjournment of Meeting

The Chairman declared the meeting adjourned at 1.05 pm

#### Resumption of Meeting

The Chairman declared the meeting resumed at 1.10 pm

#### Out of Committee

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

It was then proposed by Councillor U Mackin, seconded by Councillor J Craig and unanimously agreed that the reasons cited for the approval of the application would be:

- Regarding Policy PED 2 of PPS4 the issue is that the trailer park does not meet with specified business uses. The policy allows however for exceptional circumstances to be considered. The standing of the local employer and the economic benefits derived retaining employment in the Council areas and the fact that this was an company with contracts with international clients and who were expanding their business were factors to be weighed against the policy. Business expansion and economic development needed to be supported. If the Council fail to do so there is a high risk of putting jobs in danger and therefore there is an economic reason to support this application which, in the opinion of the Committee, these reasons over-ride the policy objections.
- Regarding criteria (a) and (b) of policy PED9 of PPS4 the activity is compatible with the surrounding area as commercial activity has been ongoing in the area for a long time and this use is compatible with this wider activity. The actual site is part of a larger commercial area. Regarding impact on residents, there has been quarrying in the area for years and this application would not increase that, a large number of local people supported it. As a safeguard conditions could be put in place to meet the demands of Environmental Health. As the exception test in PPS4 is engaged then therefore CTY1 of PPS21 falls away particularly when alternative sites were considered but found unsuitable.

The Chairman declared the application approved for the reasons stated above.

The Chairman then highlighted that because the application had been recommended for refusal, no conditions had been drafted. It was agreed by the

Committee that the drafting of Conditions be delegated to the Planning Unit and that these meet the requirements of Environmental Health and be time bound where applicable.

Alderman O Gawith and Alderman A Grehan left the meeting at 1.30pm having declared interests in the following application.

As the Chairman, Alderman O Gawith, had withdrawn from the meeting, the position of Chairman was taken by Alderman D Drysdale, the Committee Vice-Chairman.

- (iii) LA05/2020/0278/F - Minor amendments to plans and elevations to house type B in previous approval S/2010/0936/F at 4 Dow's Road, Belfast

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

There were no representations made.

During the debate that followed, the following comments were made:

- Councillor J Craig sought clarification on the current status of construction which was provided by the Head of Planning and Capital Development.
- Councillor M Gregg asked how the application had been approved in terms of ribbon development and the Head of Planning and Capital Development outlined the policy considerations that had been engaged. This site is inside a settlement and ribbon development is considered differently..

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 9:0 with 0 abstentions to approve the application as outlined in the Officer's report and subject to the conditions outlined therein.

#### Adjournment of Meeting

The Chairman declared the meeting adjourned at 1.45 pm

#### Resumption of Meeting

The Chairman, Alderman O Gawith, declared the meeting resumed at 2.20 pm

- (iv) LA05/2019/1155/F - Proposed construction of new 3G pitch, spectator stand, car park modifications, floodlighting, fencing, paths, children's playground and all other associated works at Hydebank Playing Fields, 191 Newtownbreda Road, BT8 6QB.

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

There were no representations in respect of this application.

During the debate that followed, the following comments were made:

- Councillor M Gregg sought clarification on the location of the pitch and whether there was accommodation for referees, the Head of Planning and Capital Development responded that accommodation for referees had not been mentioned but may come at a later stage, with the aid of a map he outlined the location of various facilities on the 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 10:0 with 0 abstentions to approve the application as outlined in the Officer's report and subject to the conditions contained therein.

Alderman D Drysdale was unable to vote having declared an interest in this application.

- (v) LA05/2019/0168/F – Proposed dwelling and detached garage on a vacant site 25 metres south west of 33 Carnreagh, Hillsborough.

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

The Committee received Mr Edwin Poots MLA who wished to speak in support of the application. Members had been provided with a written submission from Mr Poots in advance of the meeting. He summarised as follows:

- He had consulted with many people who do not see a consistent development pattern in Carnreagh so he questioned the fact that that this application had been deemed not to be in keeping with the surrounding area.
- Mr Coulter had faced considerable injustice from the Planning Unit over a number of years. He alluded to the reasons behind this which were outlined in his submission and verbally by him at the meeting.

He then responded to questions from members when the following issues arose:

- In response to a question from Councillor J Craig, Mr Poots described the houses on the road and outlined why he did not feel there was a set pattern, he gave examples of plots of various sizes and housing of various types on the road.
- Alderman J Dillon asked whether he did not agree that this was a large house on a small site and that it was out of keeping to which Mr Poots responded that the topography on site lent itself to what was being built, it

was a corner site and was akin to the opposite corner. He outlined some other developments by this applicant in the area describing them as tasteful and in no way shoddy.

There then followed a question and answer session with the Planning Officers during which the following issues arose:

- Alderman J Tinsley asked to revisit one of the presentation slides and asked for areas of vegetation to be highlighted. This was carried out by the Principal Planning Officer as requested and clarification was also provided on a pedestrian access point and on trees that would be remaining on the site.

During the debate that followed, the following comments were made:

- Councillor J Craig felt that the two refusal reasons were subjective and used a small number of properties to set the characteristics of an entire area. He stated that he had always been struck by the lack of consistency of development in Carnreagh and he therefore found himself at odds with the recommendation.
- Councillor A Swan felt there was an element of greyness however he found himself concurring with the recommendation, He felt that the distance from the road was consistent along the road however this application differed.
- Alderman J Dillon had mixed opinions however he felt the area needed to be protected. He felt that this development would be 'shoe-horned in' and he found himself concurring with the planners' recommendation.
- Alderman J Tinsley said that he had found the site meeting helpful, he felt that the amended house type was a major reduction from the previous option and so, on balance, he leaned towards approval.
- Councillor J Palmer felt the reduced house size was more acceptable however he was still unsure how he would vote.
- Councillor U Mackin stated that the Committee was between the devil and a hard place. A refusal would lead to an appeal whereas overturning the recommendation could lead to a Judicial Review. The updated drawings vastly reduced the house size, however there were plot sizes on the road which were much bigger than this and therefore it was out of character. He stated that along both sides of the road there were various house sizes but none were orientated as this proposal was, that also makes it out of character and therefore he reluctantly would be voting in favour of the recommendation.
- Councillor M Gregg concurred with comments made by Councillor U Mackin on plot size and stated that he felt this would set a dangerous precedent and that he therefore would be voting in favour of the recommendation.

The Committee, having considered the information provided within the report of the Principal Planning Officer and by those making representations, agreed by a majority of 8:2 with 0 abstentions to refuse the application as outlined in the Officer's report.

Councillor J McCarthy was unable to vote as he had indicated that he had been unable to hear all of the presentation on the application.

- (vi) LA05/2017/0772/F - Proposed retention of replacement agricultural building (marked A) and proposed agricultural quarantine building (marked B) and retention of all hardstanding on land To the rear of 36, 36A and 38 Halftown Road and 320 metres north west of 32 Halftown Road, Lisburn.

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

The Committee received Mr M Johnston who wished to speak in support of the application. Members had been provided with a written submission from Mr Johnston in advance of the meeting. He summarised as follows:

- The shed was built five years ago to replace a sixty year old shed, the character and scale were the same.
- There would be no detrimental impact from the development.
- The building was not visible from the road and there were no objections.
- Statutory Consultees were content.
- There is no change from what has been there previously and this is an improvement on the previous dilapidated tin shed.

He then responded to questions from members when the following issues arose:

- Alderman J Dillon asked why this did not have the appearance of an agricultural shed and was advised that the applicant wanted it to integrate better than the traditional form would.
- Councillor A Swan asked for clarification on the extent of the farm and was advised that the active farm building was located on the Moira Road and that the owner was in the process of integrating this site into the farm and confirmed that he had thirty to forty cattle.
- Councillor A Swan then asked for the height of the garage door and was advised that this was 2.4 metres.
- Councillor A Swan responded that this would not accommodate a tractor and was advised that the owner had a hobby tractor.
- Councillor D Drysdale asked Mr Johnston some questions around the designing of the building and was advised that it had been built before he became involved.

The Committee received Mr Edwin Poots MLA who wished to speak in support of the application. Members had been provided with a written submission from Mr Poots in advance of the meeting. He summarised as follows:

- The farmer keeps close to one hundred cattle and advised that the main farm was on the Moira Road.
- It was a viable farm.
- The application could be strictly conditioned and was not doing any demonstrable harm.

He then responded to questions from members when the following issues arose:

- Councillor U Mackin asked if any proof of active farming had been established and Mr Poots responded that if there were cattle there would be a herd number which could be ascertained. The issue was the nature of the building and the use of it could be conditioned.
- Alderman D Drysdale asked if Mr Poots had ever seen an agricultural building like this one before and did it resemble what was there before. Mr Poots responded that he had not seen what was there before and stated that there were lots of building of various types around the countryside. Alderman D Drysdale responded that this appeared to be a very expensive agricultural building.

There then followed a question and answer session with the Planning Officers during which the following issues arose:

- Councillor J Craig asked whether this was a retrospective application and was advised that it arrived with the Planning Unit as a result of a complaint.
- Alderman J Dillon asked whether Building Control approval had been obtained and was advised that enforcement action was ongoing and had been held in abeyance pending the result of the planning application however he was unaware whether or not Building Control approval had been sought or obtained.
- Councillor A Swan asked whether the planning officer knew what was inside the building and was advised that, when viewed through the window, the building resembled the carcass of a house and that there was wedding paraphernalia inside which appeared to be connected to a wedding/craft business.
- Alderman J Tinsley asked whether approval would have been given to the construction of a traditional barn and the Head of Planning and Capital Development outlined the various scenarios that might have applied if this had been the case.

During the debate that followed, the following comments were made:

- Councillor A Swan stated that he would be supporting the recommendation as there was little evidence of farming.
- Alderman J Dillon, Councillor J Palmer and Councillor J Craig stated in turn that they would be supportive of the recommendation.

The Committee, having considered the information provided within the report of the Principal Planning Officer and by those making representations, agreed by a

majority of 11:0 with 0 abstentions to refuse the application as outlined in the Officer's report.

#### Adjournment of Meeting

The Chairman declared the meeting adjourned at 4.00 pm

#### Resumption of Meeting

The Chairman declared the meeting resumed at 4.10 pm  
Alderman D Drysdale and Alderman J Dillon did not return to the meeting.

- (vii) LA05/2019/0892/F - Replacement of existing barn plus extension for keeping of domestic and agricultural machinery and equipment at 65 Drumlough Road, Hillsborough.

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

The Committee received Mr Andrew McCreedy who wished to speak in support of the application. Members had been provided with a written submission from Mr McCreedy in advance of the meeting. He summarised as follows:

- He advised that the farm consisted of twenty one and a half acres as outlined on a map.
- He outlined the holding and the farm ID.
- He outlined the machinery and the active work carried out.
- He described the proposal with the aid of photographs previously submitted.
- He stated that the replacement house would mask the view.

He then responded to questions from members when the following issues arose:

- Councillor J Craig asked what farming activities were carried out and was advised that this was activity such as maintaining hedges, clearing ditches etc and that he intended to have livestock.
- Councillor M Gregg asked how long the farm number had been in existence and was advised that it was in existence in December 2019 but he was not sure when it had been acquired.
- Alderman J Tinsley asked if evidence had been submitted in respect of this and was advised that it had not. Mr McCreedy offered to show receipts for a tractor but the Chairman advised that this request could not be acceded to.

At this juncture Councillor J Craig stated that it would appear that what Mr McCreedy was saying was at odds with what was outlined in the Planning

Officer's Report and he proposed deferring the determination of this application pending the receipt of further information. The proposal was seconded by Councillor U Mackin and agreed by a majority of 9:0:0.

- (ix) LA05/2017/0187/F - Proposed demolition of existing storage building to rear of site, construction of new three storey building that includes storage retail and coffee shop facilities, associated site works at 2A-8 Lisburn Street, Hillsborough, Co. Down.

The Principal Planning Officer (RH) presented this application as outlined within the circulated report and the Committee was advised that a representative from the Department for Communities (HED) was present remotely to respond to questions members may have.

The Committee received Mr David Donaldson who wished to speak in support of the application. Members had been provided with a written submission from Mr Donaldson in advance of the meeting. He summarised as follows:

- He supported the recommendation as outlined in the report and was happy to respond to any questions member might have.

He then responded to questions from members when the following issues arose:

- Councillor J Palmer stated that he was unaware where the ninety three parking spaces could be as it was very difficult to find parking in Hillsborough. Mr Donaldson responded that there were two elements to this, car parks and on street parking. He went on to outline the surveys which had taken place and stressed that it was not envisaged that this development would add to parking but would enhance the current retail offering and compliment what was already there. In response to a further question from Councillor J Palmer Mr Donaldson confirmed that there was a service area behind the shops.
- Alderman J Tinsley asked whether the applicant would be in control of the maintenance of the access road and was advised that the applicant had right of way and that the objection made in connection with this had since been withdrawn.

There then followed a question and answer session with the Planning Officers during which the following issues arose:

- Councillor J Palmer asked why the Planning Unit were approving this application given the response received from HED. The Head of Planning and Capital Development responded that the advice had been considered but planning officers had weighed it up against the contribution the development would make to Hillsborough and on balance had considered there to be insufficient justification to sustain a refusal on the basis of the

advice. He confirmed that the difference in height between old and new was only 1.8 metres.

- Mr McKervey from the Department for Communities then responded stating that the HED did not feel that the proposal was appropriate in terms of scale and mass. He said that it no longer looked like a return building and emphasised that the rear of the building was as protected as the front. He said he felt that the new building blotted out a rear dormer however they fully accepted that the Council may decide to approve the application.

During the debate that followed, the following comments were made:

- Councillor M Gregg said that he had been reasonably content, however the comments from Mr McKervey had made him question that. Given the importance of this site he said that he would be cautious in making a decision contrary to advice from the HED.
- Councillor J Palmer stated that he had no issues in developing the site but would prefer HED to be content. He had concerns at parking issues and was not therefore content with the application being approved.
- Councillor A Swan stated that he was not sure which way to vote, he said he would appreciate a site visit to assist the decision making process .
- Alderman J Tinsley said that the proposal would be best viewed on a plan as there was nothing constructed to view.
- Alderman A Grehan said she also had concerns regarding the HED report and the impact it would have on views. She seconded the proposal by Councillor Swan to hold a site meeting. The proposal was therefore put to a vote and by a majority of 6:3 it fell and the committee proceeded to determine the application.

The Committee, having considered the information provided within the report of the Principal Planning Officer and by those making representations, agreed by a majority of 5:3 with 1 abstentions to approve the application as outlined in the Officer's report and subject to the conditions outlined therein.

Due to the time of day (5.10 pm) the Chairman declared the meeting adjourned stating that the date on which it would be resumed would be advised to members as soon as possible.

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CHAIRMAN / MAYOR