

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 5 December 2022 at 10.00 am

PRESENT IN CHAMBER:

Alderman J Tinsley (Chairman)

Councillor John Palmer (Vice-Chairman)

Aldermen W J Dillon MBE, D Drysdale, O Gawith and A Grehan

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

IN ATTENDANCE IN CHAMBER:

Director of Service Transformation
Head of Planning & Capital Development
Senior Planning Officers (RT, MB and MCO'N)
Member Services Officers
Technician
IT Officer

IN ATTENDANCE IN REMOTE LOCATION:

Mr S Masterson (Cleaver Fulton Rankin) – Legal Advisor
Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

Commencement of Meeting

At the commencement of the meeting, the Chairman, Alderman J Tinsley, welcomed those present to the Planning Committee. The Chairman pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

1. **Apologies** (00:00:17)

There were no apologies.

2. **Declarations of Interest** (00:00:22)

At this point in the meeting, the Chairman, Alderman J Tinsley, advised that, in respect of Planning Application LA05/2020/1039/O, he had been in contact with both the applicant and objector. There had been no pre-determination and his contact had been purely to give general advice on the planning process; however, he stated that he would complete a declaration of interest form.

2. Declarations of Interest (Contd)

Councillor A Swan left the meeting at this point (10.01 am). Alderman D Drysdale arrived to the meeting at 10.01 am and Alderman A Grehan and Councillor M Gregg arrived at 10.02 am.

During the meeting, Alderman A Grehan declared an interest in Planning Application LA05/2021/1034/F, given that she was a Board member of the Northern Ireland Housing Executive.

3. Minutes of Meeting of Planning Committee held on 7 November, 2022 (00:01:16)

It agreed that the minutes of the meeting of Committee held on 7 November, 2022 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

4.1.1 Applications to be Determined (00:05:09)

The Legal Advisor, Mr S Masterson, 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.

- (i) LA05/2022/0749/F – Construction of 1 no. general industrial unit (class B3) and 1 no. industrial unit with offices (Class B1 and B3) with associated access and parking facilities along with other ancillary works on a site 50m south west of 4 Ferguson Drive, Knockmore Hill Industrial Estate (00:08:02)

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

No requests for speaking rights had been received in respect of this application.

A number of Members' queries were responded to by Planning Officers.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve the application.

The Chairman, Alderman J Tinsley, put on record his thanks to Planning Officers for having dealt with this application in such an expeditious manner. The proposed development was very positive for the Lisburn & Castlereagh City Council area. Alderman D Drysdale echoed the sentiments of the Chairman.

- (ii) LA05/2021/0017/F – Proposed stable block (domestic) including tack room/feed store, approximately 40m from 33 Glen Road, Hillsborough (00:20:13)

Alderman A Swan returned to the meeting during consideration of this item of business (10.26 am) and Mr B Martyn (legal advisor in lieu of Mr Masterson) joined the meeting (10.33 am).

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

The Committee received Mr A Stephens in order to speak in support of the application and he addressed a number of Members' queries.

There were no queries raised with Planning Officers.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to refuse the application. Not having been present for the entire consideration of this matter, Councillor A Swan did not participate in the vote.

- (iii) LA05/2021/1034/F – Proposed social and affordable residential development comprising a mix of 103 no. dwelling houses and 17 no. apartments with public open space, children's play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Ballinderry Road (120 no. units in total) on lands 40 metres south of 27-27 Crescent Business Park west of 11-17 Iniscarn Close and east of Enterprise Crescent Ballinderry Road, Lisburn (00:41:26)

Having declared an interest in this application, Alderman A Grehan left the meeting at this point (10.43 am). Mr B Martyn had left the meeting at this point.

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

The Committee received Mr S McKee (accompanied by Mr P Donnelly and Ms R Mitchell) in order to speak in support of the application and a number of Members' queries were addressed.

A number of Members' queries were responded to by Planning Officers.

The Head of Planning & Capital Development agreed that a condition be included that 'the park shall be erected before the occupation of the seventy-fifth dwelling in the scheme'.

- (iii) LA05/2021/1034/F – Proposed social and affordable residential development comprising a mix of 103 no. dwelling houses and 17 no. apartments with public open space, children’s play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Ballinderry Road (120 no. units in total) on lands 40 metres south of 27-27 Crescent Business Park west of 11-17 Iniscarn Close and east of Enterprise Crescent Ballinderry Road, Lisburn (Contd)

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve the application.

The Chairman and Members of the Committee commended Apex Housing Association for bringing forward this application to provide much-needed social and low-cost housing in the Lisburn & Castlereagh City Council area. Planning Officers were also commended for their efforts in processing the application in a timely manner.

Adjournment of Meeting

The Chairman, Alderman J Tinsley, declared the meeting adjourned for a comfort break at this point (11.24 am).

Resumption of Meeting

The Chairman, Alderman J Tinsley, declared the meeting resumed (11.35 am).

Alderman A Grehan returned to the meeting at this point.

Given that the meeting was ahead of schedule, it was agreed that items 4.2 to 6 on the agenda would be considered at this point.

4.2 Statutory Performance Indicators – October 2022 (01:23:13)

It was agreed that the Statutory Performance Indicators for October 2022, together with the explanatory narrative in this regard, be noted.

4.3 Submission of Pre-Application Notice (PAN) for Environmental Improvement Works throughout Hillsborough Village comprising footpath, resurfacing, street lighting upgrade and tree and shrub planting with the rationalisation of on-street village centre car parking (01:25:22)

It was agreed that the Pre-Application Notice in relation to the above application be noted and submitted in accordance with the relevant section of the legislation and related guidance.

The Director of Service Transformation provided a verbal update to the Committee during which he advised that Hillsborough residents were keen for this application to be progressed.

- 4.4 Submission of Pre-Application Notice (PAN) for proposed industrial buildings, storage yard, landscaping and ancillary site works on land approximately 130 metres north east of 20 Glenavy Road, Moira (01:30:05)

It was agreed that the Pre-Application Notice in relation to the above application be noted and submitted in accordance with the relevant section of the legislation and related guidance.

- 4.5 Submission of Pre-Application Notice (PAN) for a residential development comprising 81 dwellings including open space and landscaping and all associated site and access works south of Mealough Road west of Saintfield Road to the rear and west of no. 615 Saintfield Road and c.200 metres north of Blenheim Park Carryduff (amendment to previously approved application Y/2009/0114/F) (01:31:16)

It was agreed that the Pre-Application Notice in relation to the above application be noted and submitted in accordance with the relevant section of the legislation and related guidance.

- 4.6 Consultation on Review of Permitted Development Rights (01:32:08)

It was noted that a response to the above consultation had been reported to the Development Committee at its meeting held on 1 December, 2022 and that the proposed changes to the GDPO were welcomed for the reasons outlined in the report.

- 4.7 Draft Planning Fees (Deemed Planning Applications and Appeal) (Amendment) Regulations (NI) 2022 (01:34:30)

It was noted that a response to the above consultation had been reported to the Development Committee at its meeting held on 1 December, 2022 and that the proposed changes to the Regulations were delayed to allow for further consultation between DfI Planning and DoJ for the reasons outlined in the report.

Further to comments by Councillor M Gregg regarding the submission of a combined council response, the Head of Planning & Capital Development stated that the response prepared was on behalf of this Council only; however, there was an opportunity for this to be raised at meetings with the Department through the Strategic Planning Group and through the Heads of Planning Forum. He was unsure if SOLACE would be providing a response to the consultation.

- 4.8 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights (01:37:38)

Members noted from the report, information regarding notification by telecommunication operators to utilise Permitted Development Rights at a number of locations.

4.9 Replacement of the Northern Ireland Planning Portal – Newsletter
(01:38:56)

Members noted an update in relation to the implementation of the new planning portal system.

5. Confidential Business

The matter contained in the confidential report would be dealt with “In Committee” due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

“In Committee”

It was proposed by Councillor John Palmer, seconded by Councillor M Gregg and agreed that the following item be considered “in committee”, in the absence of members of the press and public being present (11.59 am).

5.1 Planning Application Fees Uplift
(Report would be available after March 2023)

Members noted from the report, information regarding an uplift in planning fees.

Verbal Matters

5.2 Purchase of Lands by Telecommunication Operators
Alderman D Drysdale

The Director of Service Transformation and Head of Planning & Capital Development noted comments by Alderman D Drysdale regarding the purchase of lands by telecommunication operators.

5.3 Planning Appeal Withdrawal
Councillor John Palmer

The Head of Planning & Capital Development provided an update in relation to the withdrawal of a planning appeal, as referred to by Councillor John Palmer.

5.4 Permitted Development Regulations
Councillor D J Craig and Councillor A Swan

The Head of Planning & Capital Development agreed to respond directly to Councillors D J Craig and A Swan in relation to the application of permitted development regulations in respect of the erection of telegraph poles and green boxes.

Resumption of Normal Business

It was proposed by Councillor D J Craig, seconded by Alderman O Gawith and agreed to come out of committee and normal business was resumed (12.10 pm).

6. Any Other Business

There was no other business.

Adjournment of Meeting

The Chairman, Alderman J Tinsley, declared the meeting adjourned for lunch (12.12 pm).

Resumption of Meeting

The Chairman, Alderman J Tinsley, declared the meeting resumed (1.18 pm).

The remainder of planning applications under item 4.1 were considered at this point.

- (iv) LA05/2020/1039/O – Site for a dwelling, garage and associated site works (infill opportunity as per CTY8 of PPS21) at land between 5 and 5a Crewe Road, Ballinderry Upper, Lisburn (01:48:10)

The Head of Planning & Capital Development stated that a late email had been received from the agent acting on behalf of the above applicant advising that he was unable to attend today's meeting but he was content for the application to continue, with consideration being given to the written submission he had made.

Prior to any presentation of the above application, Councillor M Gregg proposed that it be deferred to allow a site visit to take place. Given that drawings provided by the Planning Officers and evidence submitted by other parties indicated different boundaries, he considered it would be worthwhile to visit the site. It would also allow the agent, who was unable to be present today, to make representation at the next meeting. This proposal was seconded by Alderman O Gawith and, on a vote being taken, agreed, the voting being 5 in favour and 4 against.

Given that the meeting was running ahead of schedule, the meeting was adjourned from 1.23 pm to 1.33 pm to allow the speakers on the next application to arrive. The Head of Planning & Capital Development addressed comments by Alderman W J Dillon in respect of this.

- (v) LA05/2021/0947/O – Site for dwelling and garage at site 2 immediately west of 161 Ballynahinch Road, Hillsborough
and
(vi) LA05/2021/0948/O – Site for dwelling and garage at site 1 approximately 80m west of 161 Ballynahinch Road (01:56:04)

The Senior Planning Officer (MB) presented the above applications as outlined within the circulated report.

- (v) LA05/2021/0947/O – Site for dwelling and garage at site 2 immediately west of 161 Ballynahinch Road, Hillsborough (Contd)
and
(vi) LA05/2021/0948/O – Site for dwelling and garage at site 1 approximately 80m west of 161 Ballynahinch Road (Contd)

The Committee received Ms C Millar in order to speak in support of the applications and a number of Members' queries were addressed by Ms Millar.

A number of Members' queries were responded to by Planning Officers.

Vote

Having considered the information provided within the reports of the Planning Officer, the Committee agreed, on a vote being taken for each application separately, to adopt both recommendations to refuse the above applications, the votes being 8 in favour and 2 against in each case.

- (vii) LA05/2021/1358/O – Proposed dwelling and garage on lands between 21 and 25 Mill Road West, Belfast (02:45:30)

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

The Committee received the following to speak in support of the application and answer queries raised by Members:

- Ms C Millar
- Councillor F Cole
- Councillor N Anderson

A number of Members' queries were responded to by Planning Officers.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed, on a vote being taken, to adopt the recommendation to refuse the above application, the voting being 9 in favour and 1 against.

There being no further business, the meeting was terminated at 3.12 pm.

Chairman/Mayor