

LISBURN CITY & CASTLEREAGH DISTRICT COUNCIL

Minutes of Meeting of the Planning Committee held in the Chestnut Room, Lisburn City Council offices, Island Civic Centre, The Island, Lisburn on Monday 11th May 2015 at 6.00 pm

PRESENT:

Alderman M Henderson MBE (Chairman)

Councillor A Girvin (Vice-Chairman)

The Right Worshipful the Mayor, Councillor T Beckett

Aldermen : D Drysdale, G Rice MBE

Councillors: U Mackin, L Poots, John Palmer, R Butler, P Catney
M Tolerton

OTHER MEMBERS:

IN ATTENDANCE:

Director of Development and Planning
Area Planning Manager
Principal Planning Officers (RH and LJ)
Senior Planning Officers (RD; MO'N)
Assistant Director of Corporate Services (CC)
PCSP Manager
Committee Secretaries
Attendance Clerk

Cleaver Fulton & Rankin
Kate McCusker (Legal Advisor)

Commencement of Meeting

The Chairman, Alderman M Henderson, welcomed everyone to the meeting.

Introductions were made by the Chairman and some Housekeeping and Evacuation announcements were made by the Director of Development and Planning.

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.

The Chairman also advised that the Members of the Planning Committee (by virtue of being Members of the Council) had a significant private or personal non-pecuniary interest in Planning Application S/2015/0046/F however the dispensation under paragraph 6.6 of the Code of Conduct applies and therefore Members may speak and vote on the Application.

It was further noted that as all Members had the same interest in this case it was not considered necessary for each Member to individually declare their interest.

The following Declarations of Interest were made:

- Councillor U Mackin declared an interest in item S/2011/0218/F, he stated that he had been involved with objectors and would be speaking in support of the Officer's recommendation. He further advised that he would be withdrawing during discussions.
- Councillor U Mackin also declared an interest in item 2 of the Director's Report (Transitional Arrangements for Handling Current Appeals) on the basis that he had been involved with some of the appeals listed.
- Councillor L Poots declared an interest in item S/2011/0218/F, he stated that he had been involved with objectors and would be withdrawing from the meeting during discussions.

3. Minutes of Meeting of the Planning Committee held on 13 April 2015.

It was proposed by Councillor P Catney seconded by Councillor M Tolerton and agreed that the Minutes of the Meeting of the Planning Committee held on 13 April 2015 be adopted as an accurate record of proceedings and be signed.

4. Report of The Director of Development and Planning

It was agreed that the report and recommendations of the Director be adopted, subject to any decisions recorded below:-

4.1 Schedule of Applications to be Determined:

Councillors Mackin and Poots left the meeting (6.10 pm)

(Presented by the Senior Planning Officer (RT))

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

4.1.1 S/2011/0218/F – Major Planning Application - Proposed new build cat adoption centre incorporating rehoming, administrative, education and veterinary facilities at 81 Carnbane Road.

The Cats Protection League have submitted an application for a new build cat adoption centre incorporating rehoming, administrative, education and veterinary facilities at 81 Carnbane Road. It was highlighted within the Report of the Senior Planning Officer that there had been 50 objections and 2 petitions.

The recommendation from the Senior Planning Officer (RT) was that the proposal was contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there were no overriding reasons why this development was essential in this rural location and could not be located within a settlement.

Councillor U Mackin then entered the meeting to speak in support of the Officer's recommendation (6.16 pm).

Councillor Mackin stated that he felt there could be no other conclusion than the recommendation made. He referred to points 60 – 64 within the Report stating that he did not agree with Transport NI's conclusion that traffic arrangements would be safe. He stated that the passing bays were not evident to him.

He stated that he had been extensively involved with objectors and outlined some of the history to the application emphasising that he considered that the scale of the operation was out of keeping with the area.

He stated that it was his opinion that the recommendation of the Senior Planning Officer was the correct one.

(Councillor Mackin then left the meeting at 6.20 pm)

The Committee, having considered all of the information provided within the Report of the Senior Planning Officer and by Councillor U Mackin supported the recommendations within the Report to refuse to approve the application for the following reasons stated:

- The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

4.1.2 S/2015/0046/F – Local Planning Application (exception applies as per Scheme of Delegation) Relocation of existing play area and new ball stop fence at Barbour Memorial Playing Fields, Saintfield Road, Lisburn

Lisburn City Council have submitted an application for the relocation of existing play area and new ball stop fencing at Barbour Memorial Playing Fields, Saintfield Road, Lisburn. There have been no representations.

The Committee, having considered the information provided within the Report of the Senior Planning Officer, supported the recommendations within the Report to approve the application subject to the following condition:

- As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason – Time limit

Councillor Mackin and Councillor Poots returned to the meeting (6.24 pm)

4.2 Development Management

4.2.1 Transitional Arrangements for Handling Current Appeals

(Presented by The Area Planning Manager)

Members had been provided with a copy of a Report setting out the arrangements for handling planning appeals during the transition period together with details of all live appeals associated with the Lisburn & Castlereagh City Council area as of 23 April 2015.

It was proposed by Alderman D Drysdale, seconded by Councillor P Catney and agreed that the above information be noted.

4.2.2 Decisions Issued in March 2015

Members had been provided with a copy of Decisions Issued in respect of applications during the month of March 2015 and were advised that arrangements would be made for this information to be placed on the Planning Portal website.

It was proposed by Councillor R Butler, seconded by Councillor U Mackin and agreed that the above information be noted.

4.3 Item 'In Committee'

(Presented by the Area Planning Manager)

The Chairman advised that this item would be discussed 'in Committee' as it referred to information relating to an individual, was likely to reveal the identity of an individual and related to legal proceedings.

It was proposed by Councillor P Catney, seconded by Councillor M Tolerton and agreed to go "in committee" to discuss the following item in the absence of the press or public being present:-

Enforcement

Members had been provided with information on Enforcement Cases with Court Proceedings for May 2015 together with updates from previous months.

The Area Planning Officer provided an update on one of the items on the list which was now compliant and would not be progressing.

The Right Worshipful the Mayor referred to Enforcement Letters issued by the Council to residents of a housing development in Hillsborough in respect of unfinished works by the developer. In response to Members' queries, the Area Planning Manager advised that, in line with the Department's recommendation, the Council had delegated enforcement powers to Officers. She advised that the Scheme of Delegation was due for review in July 2015.

In response to a query by Councillor L Poots, the Area Planning Manager advised that the level of fines was determined by the courts.

Resumption of Normal Business

After further discussion, it was proposed by Alderman D Drysdale, seconded by Councillor P Catney and agreed to come out of committee and, on the resumption of normal business, it was noted that the following decisions had been taken:-

- (i) It was proposed by Councillor P Catney, seconded by Councillor M Tolerton and agreed that the information as circulated be noted.
- (ii) Following the discussion on enforcement it was proposed by Alderman G Rice, seconded by Councillor U Mackin and agreed that a Report be prepared on the Delegation of Enforcement Powers for consideration at the forthcoming review of the Scheme of Delegation.

4.4 Development Plan

(Presented by The Principal Planning Officer (LJ))

Members had been provided with four summary papers (based on preparatory studies undertaken by DoE) consisting of Population, Housing, Economic Development and Retailing and Town Centres. The purpose of the papers were to provide an evidence base to assist members in future development of the Council area. With the aid of a Powerpoint Presentation, Ms L Jackson provided supplementary information on these areas and advised of the next stages in the process.

In response to a question from Alderman Drysdale, the Principal Planning Officer confirmed that Dundonald Village would be considered in due course together with other areas of Local Identity.

It was proposed by Councillor R Butler, seconded by Councillor P Catney and agreed that the information be noted.

4.5 Legislative Update

(Presented by The Area Planning Manager)

Members were provided with a copy of correspondence dated 10 April 2015 from the DoE Planning Policy Division advising of a number of statutory rules which came into operation on 22 April 2015.

It was proposed by Alderman G Rice, seconded by Councillor R Butler and agreed that the information be noted.

4.6 Planning Portal Training

(Presented by The Area Planning Manager)

Members were reminded that training was being organised relating to the Planning Portal. They were advised that to date fifteen Members had expressed an interest in attending and that every effort would be made to accommodate any Members who still wish to attend the session.

It was further advised that a second session would be arranged for those unable to attend the first session.

It was agreed that the above information be noted.

5. Any Other Business

There being no further business, the meeting concluded at 7.20 pm.

CHAIRMAN / MAYOR