

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 8 January, 2024 at 10.00 am

PRESENT IN CHAMBER:

Alderman M Gregg (Chairman)

Councillor U Mackin (Vice-Chairman)

Aldermen O Gawith and J Tinsley

Councillors D Bassett, S Burns, P Catney, D J Craig, A Martin and N Trimble

IN ATTENDANCE:

Director of Regeneration and Growth
Head of Planning & Capital Development
Principal Planning Officer (RH)
Senior Planning Officers (RT, MB and PMcF)
Member Services Officers

Mrs K Blair (Cleaver Fulton Rankin) – Legal Advisor

Commencement of Meeting

At the commencement of the meeting, the Chairman, Alderman M Gregg, welcomed those present to the Planning Committee. He pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. He went on to outline the evacuation procedures in the case of an emergency.

1. **Apologies** (00:02:06)

It was agreed to accept an apology for non-attendance at the meeting on behalf of Councillor G Thompson.

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

2. **Declarations of Interest** (00:03:04)

The following declarations of interest were made:

- in respect of planning applications LA05/2021/1245/F and LA05/2019/1077/F, Councillor P Catney stated that, during his time as an MLA, he had met with residents, Roads Service representatives and Translink representatives to discuss these proposals. He was not a Councillor at that time, no decisions had been made, he had expressed no opinions and had not spoken to anyone since;

2. Declarations of Interest (Contd)

- in respect of planning applications LA05/2021/1245/F and LA05/2019/1077/F, Alderman O Gawith stated that he had met and had conversations with applicants, objectors and interested politicians. He had listened to concerns and aspirations but had expressed no opinions.

3. Minutes of Meeting of Planning Committee held on 4 December, 2023 (00:05:23)

It proposed by Alderman J Tinsley seconded by Alderman O Gawith and agreed that the minutes of the meeting of Committee held on 4 December, 2023 be confirmed and signed.

4. Report from the Head of Planning & Capital Development (00:05:57)

4.1 Schedule of Applications (00:06:03)

The Chairman, Alderman M Gregg, advised that there were 1 major application and 10 local applications on the schedule for consideration at the meeting. However, at his request, application LA05/2022/1081/F had been removed from the schedule.

4.1.1 Applications to be Determined (00:06:53)

The Legal Advisor, Mrs K Blair, 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) LA05/2021/1245/F – Proposed Park and Ride facility including tarmacked parking area, landscaping, boundary fencing, CCTV and floodlighting (powered by solar panel array and associated battery storage building), cycle shelter building, storm water retention pond and widening of Station Road to facilitate right hand turning lane into site and footpath provision for pedestrian access to train station. Provision of drop off lay by and turning circle at existing train station car park at lands 65 metres north of (and including) Moira Train Station, Moira (between 4 and 6 Station Road)

and

- (ii) LA05/2019/1077/F – Proposed park and ride car park (126 car parking spaces) and all associated lighting, drainage, landscaping, site access off the A26, pedestrian link to existing Translink car park and all associated site works on Lands adjacent to and south east of Moira Train Station, Station Road, Moira, adjacent to and west of the A26 and between the Belfast to Dublin railway line to the north and the Lagan Navigation Canal to the south (00:08:42)

It was proposed by Councillor P Catney, seconded by Alderman O Gawith and, on a recorded vote being taken, agreed that the above applications be deferred for a site visit, preferably at a busy time of day so that traffic flows could be observed. The recorded vote was as follows:

Vote

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman O Gawith and Councillor A Martin
(6)

Against: Councillor U Mackin, Alderman J Tinsley and the Chairman, Alderman M Gregg **(3)**

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned at this point (10.15 am) to enable Officers to adjust the schedule and to make contact with speakers for subsequent applications and agree revised timings.

Resumption of Meeting

The meeting was resumed at 10.47 am.

- (iii) LA05/2020/0303/F - Demolition of existing dwelling and construction of a pair of semi-detached houses and 1 row of 4 terraced houses with associated site works and landscaping at 32 Lurgan Road, Moira and adjacent lands north west at Linen Fields, Lurgan Road, Moira (00:13:44)

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

There was no-one registered to speak in respect of this application.

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

Debate

During debate, Alderman O Gawith welcomed this application and thanked Officers and the developer for having resolved the issue around Affordable Housing.

Vote

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

- (iv) LA05/2023/0078/F – Public realm scheme to resurface all bituminous public footways between the addresses provided on Ballynahinch Road, Anahilt. New roads kerbs to be laid, where applicable. Provision of a puffin crossing adjacent to Anahilt Primary School. Construction of two public use 'on street' contiguous parking bays adjacent to 255 Anahilt Road, Ballynahinch (00:34:10)

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

There was no-one registered to speak in respect of this application.

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

Debate

During debate:

- Councillor U Mackin welcomed this application which, he stated, would provide improvement to the roads infrastructure in the area and resolve ongoing problems right along the road, but particularly in front of the primary school; and
- Councillor D J Craig welcomed this application, particularly the provision of a puffin crossing adjacent to the primary school.

Vote

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

- (v) LA05/2023/0345/F – Proposed new public access path from Lagan Towpath to Navigation House adjacent to Blaris Road, Lisburn on Lands to rear of 148 Hillsborough Road, Lisburn and 2 Blaris Court and 5 Blaris Court, Lisburn. The site extends along the Lagan Towpath starting at the access point on Blaris Road and finishing on a line to the rear of Navigation House, 148 Hillsborough Road, Lisburn (00:49:00)

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

There was no-one registered to speak in respect of this application.

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

Debate

During debate, Councillor A Martin welcomed this application, which would be a great asset for the users of Navigation House.

- (v) LA05/2023/0345/F – Proposed new public access path from Lagan Towpath to Navigation House adjacent to Blaris Road, Lisburn on Lands to rear of 148 Hillsborough Road, Lisburn and 2 Blaris Court and 5 Blaris Court, Lisburn. The site extends along the Lagan Towpath starting at the access point on Blaris Road and finishing on a line to the rear of Navigation House, 148 Hillsborough 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 this application.

The Chairman, Alderman M Gregg, advised that report items 4.2 to 4.5 would be considered at this stage.

4.2 Planning Application LA05/2022/0861/F (00:59:52)

The Head of Planning & Capital Development reported that the decision to grant planning permission to the above application, subject to agreement to an affordable housing contribution, had not changed; only the mechanism for securing and processing the agreement had altered.

“In Committee”

It was proposed by the Chairman, Alderman M Gregg, seconded by Councillor D J Craig and agreed to go ‘into committee’ in order that legal advice could be sought on this application. Those members of the public in attendance left the meeting.

Advice was provided by the Legal Advisor in respect of this application.

Councillor P Catney left, and returned to, the meeting (11.36 am and 11.38 am respectively).

Resumption of Normal Business

It was proposed by Alderman J Tinsley, seconded by Councillor P Catney and agreed to come out of committee and normal business was resumed.

It was proposed by Councillor D Bassett, seconded by Alderman O Gawith and agreed that the information set in out in the report in respect of planning application LA05/2022/0861/F be noted.

4.3 Appeal Decision – LA05/2018/0655/F (01:02:32)

It was proposed by Councillor D Bassett, seconded by Councillor P Catney and agreed to note the information set out in the report in respect of the decision of the Planning Appeals Commission regarding the above planning application.

4.4 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights (01:04:02)

It was proposed by Councillor D J Craig, seconded by Councillor D Bassett and agreed to note from the report, information regarding notifications by telecommunication operators to utilise Permitted Development Rights at several locations.

4.5 Update Report in Relation to Older Applications (01:05:01)

The Head of Planning & Capital Development set out in his report, an update on progress made in relation to older planning applications. He also provided a further verbal update on the current number of live applications. It was proposed by Councillor U Mackin, seconded by Alderman O Gawith and agreed that this information be noted.

Alderman J Tinsley thanked Officers for their efforts in respect of the progress made in this regard. The Chairman, Alderman M Gregg, concurred with these sentiments.

Consideration of the schedule of applications would now continue.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned at this point (11.50 am) to allow time for the speakers on the next application to arrive.

Resumption of Meeting

The meeting was resumed at 12.15 pm.

(vi) LA05/2022/0883/O – Proposed replacement dwelling at 49c Waterloo Road, Lisburn (01:09:33)

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

The Committee received:

- Mr G Long, accompanied by Ms L Johnson, in order to speak in support of this application; and
- Mr D Honeyford MLA in order to speak in support of the application.

A number of Members' queries were responded to.

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

(vi) LA05/2022/0883/O – Proposed replacement dwelling at 49c Waterloo Road, Lisburn (Contd)

During discussion, comments were made regarding a copper beech tree on the site being protected by law. It was proposed by Alderman O Gawith and seconded by Councillor P Catney that the application be deferred to afford the applicant the opportunity to submit a horticultural report on this matter. The proposal was put the meeting and, on a recorded vote being taken, was declared 'lost', the voting being as follows:

Vote

In favour: Councillor D Bassett, Councillor P Catney and Alderman O Gawith **(3)**

Against: Councillor S Burns, Councillor D J Craig, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley and the Chairman, Alderman M Gregg **(6)**

Debate

During debate:

- Alderman O Gawith stated that, whilst he had a certain amount of sympathy with the applicant, having been presented with a proposal with such a tightly drawn curtilage and no consideration being given to an alternative style of building, he was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor U Mackin stated that he had sympathy for the applicant, however he considered there was an opportunity to site a replacement dwelling within the curtilage of 49c; therefore, he was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor A Martin stated that he too had sympathy for the applicant and suggested that a future application be submitted for a redesigned building on the site of 49c; and
- Councillor P Catney stated that he was not in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

In favour: Councillor D Bassett, Councillor S Burns, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley and the Chairman, Alderman M Gregg **(8)**

Against: Councillor P Catney **(1)**

The Chairman, Alderman M Gregg, declared that the recommendation of the Planning Officer to refuse planning permission was 'carried'.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for lunch (1.15 pm).

Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (1.49 pm).

At this point, the Chairman Alderman M Gregg advised that application LA05/2021/0099/F had been removed from the schedule to allow for exploration of its building control history, following receipt of a late representation.

- (vii) LA05/2022/0106/O – Demolition of all structures on site and erection of 10 detached dwellings and associated site works at lands at 17 Glebe Manor, Annahilt (02:09:53)

Councillor N Trimble arrived at the meeting during consideration of this application (2.17 pm).

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

The Committee received:

- Mr G Beattie in order to speak in opposition to the application; and
- Mr W Wallace in order to speak in support of the application.

A number of Members' queries were addressed by the speakers.

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

Debate

During debate, Councillor D J Craig pointed out that a previous application had been presented to the Planning Committee for rounding-off on the opposite side of the road and, at that time, the Committee had agreed that there would be no further rounding-off in Annahilt. In order to ensure consistency, Councillor Craig stated that he was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

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

Not having been present for the entire consideration of this application, Councillor N Trimble did not participate in the vote.

- (viii) LA05/2019/1062/F – Proposed demolition of existing dwelling (no. 104) and erection of residential development consisting of 10 semi-detached dwellings, new access, car parking, landscaping and all associated site works at 104 Pond Park Road, Lisburn (02:42:28)

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

The Committee received Mr A Stephens to speak in support of the application. A number of Members' queries were responded to by Mr Stephens.

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

Debate

There was no debate.

Vote

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

- (ix) LA05/2021/0582/F – Development of infill dwelling on lands between 12 and 14 Ballinderry Road, Aghalee (03:04:00)

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

The Committee received Mr D Rooney to speak in support of the application. A number of Members' queries were responded to by Mr Rooney.

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

Debate

During debate:

- Councillor N Trimble stated that, whilst he could understand the agent's interpretation of policy wording, he was in support of the recommendation of the Planning Officer to refuse planning permission; and
- Alderman O Gawith stated that, given that the site was not large enough to accommodate two dwellings, he was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

Abstain: Alderman J Tinsley **(1)**

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin and the Chairman, Alderman M Gregg **(8)**

- (ix) LA05/2021/0582/F – Development of infill dwelling on lands between 12 and 14 Ballinderry Road, Aghalee (Contd)

Against: Councillor D J Craig (1)

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to refuse the application was 'carried'.

- (x) LA05/2022/1081/F – Infill dwelling and garage between 15 and 15a Crumlin Road, Upper Ballinderry, Lisburn (00:08:15)

As advised earlier in the meeting by the Chairman, Alderman M Gregg, this application had been removed from the schedule at his request.

- (xi) LA05/2021/0099/F – Replacement dwelling and detached garage and retention of existing structure as a store at 30m north west of 730 Saintfield Road, Carryduff (02:09:20)

As advised earlier in the meeting by the Chairman, Alderman M Gregg, this application had been withdrawn from the schedule to allow further consideration of planning history information following receipt of a late representation.

5. Any Other Business (03:31:44)

- 5.1 Planning Applications LA05/2021/1245/F and LA05/2019/1077/F (03:31:50)
Alderman J Tinsley

Alderman J Tinsley referred to the above applications having been deferred earlier in the meeting to allow for a site visit to take place and asked that representatives from Roads Service be requested to attend. The Head of Planning & Capital Development agreed to invite representatives, but pointed out that they could not be compelled to attend the visit.

- 5.2 Date of Future Meetings (03:32:33)
Chairman, Alderman M Gregg

The Chairman, Alderman M Gregg, advised that the next meeting of the Committee would take place on Monday, 5 February, 2024.

The Chairman having pointed out that first Monday in April was Easter Monday and the first Monday in May was May Day, the following dates were agreed for those months:

- 8 April, 2024
- 13 May, 2024

5.3 Planning Applications LA05/2021/1245/F and LA05/2019/1077/F
(03:33:00)
Councillor P Catney

In response to comments by Councillor P Catney, the Head of Planning & Capital Development stated that Officers would endeavour to facilitate the site visit at an early date to allow the applications to be reconsidered at the next meeting of the Committee. He further drew Members' attention to the benefit of receiving the presentation on any application before deciding if a site visit was necessary.

Conclusion of the Meeting

At the conclusion of the meeting, the Chairman, Alderman M Gregg, thanked those present for their attendance.

There being no further business, the meeting was terminated at 3.16 pm.

Chairman/Mayor