

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 4 March, 2024 at 10.00 am

PRESENT IN CHAMBER:

Alderman M Gregg (Chairman)

Councillor U Mackin (Vice-Chairman)

Aldermen O Gawith and J Tinsley

Councillors S Burns, P Catney, D J Craig, A Martin and G Thompson

PRESENT IN REMOTE LOCATION:

Councillor D Bassett

IN ATTENDANCE:

Director of Regeneration and Growth (present remotely)
Head of Planning & Capital Development
Principal Planning Officers (RH and LJ)
Senior Planning Officers (RT, MB and PMcF)
Member Services Officers (CR and CH)

Mr B Martyn (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**

There were no apologies.

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**

The following declarations of interest were made:

- in respect of planning application LA05/2023/0085/F, Alderman J Tinsley stated that he knew the applicant. The applicant had spoken to him; however, Alderman Tinsley had advised that he was a member of the Planning Committee and had not commented one way or another;

2. Declarations of Interest (Contd)

- in respect of planning application LA05/2021/1245/F, Councillor P Catney stated that he had previously spoken in favour of the application when he was an MLA and, at that stage also, had spoken to residents and the Minister for Infrastructure. He had sought and received speaking rights to address the meeting in relation to this application;
- in respect of planning application LA05/2022/0094/O, Councillor U Mackin stated that he had been contacted by a planning consultant on behalf of the agent. He had listened but had not commented one way or another;
- in respect of planning application LA05/2022/0018/F, Councillor D Bassett stated that he had been contacted by consultants; however, he had advised that he was a member of the Planning Committee and was not able to provide any information; and
- in respect of planning application LA05/2023/0662/F, Councillor D Bassett stated that this application was within his constituency, although he had not been contacted by anyone in relation to it.

3. Minutes of Meeting of Planning Committee held on 5 February, 2024

It was proposed by Councillor U Mackin seconded by Councillor D J Craig and agreed that the minutes of the meeting of Committee held on 5 February, 2024 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chairman, Alderman M Gregg, advised that there were 1 major application and 7 local applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined

The Legal Advisor, Mr B Martyn, 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)

Having declared an interest in this application, Councillor P Catney left the meeting (10.10.am).

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

The Committee received Mr R Agus, accompanied by Mr E Loughrey and Mr R McEvoy to speak in opposition to the application. Arising from discussion, during which the speakers indicated that they had not had sight of additional information submitted since the last meeting of the Committee, it was agreed to adjourn the meeting for a short period to allow the information to be circulated and the speakers to have time to consider the content of that correspondence.

Adjournment of Meeting

The meeting was adjourned at 10.33 am.

Resumption of Meeting

The meeting was resumed at 11.04 am.

Having considered the contents of the additional submission, the speakers were afforded a further opportunity to address the Committee and responded to a number of queries raised by Members.

At this stage, the Committee received the following:

- Councillor P Catney (having returned to the Chamber following presentation of the application by the Senior Planning Officer) to speak in support of the application; and
- Mr A Stott, accompanied by Mr A Larkin, Mr S Warke and Mr K Hannah, to speak in support of the application.

A number of Members' queries were responded to by the speakers.

During discussion, Mr Stott stated that Translink would be content for planning permission, should it be granted, to include a condition requiring that, prior to any work commencing on the park and ride facility, works associated with the widening of the road, provision of a safe vehicular entrance, street lighting, footpaths would be carried out.

- (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)
(Contd)

In response to comments regarding safety issues at the Glenavy Road/Station Road junction, Mr Stott stated that Translink would be willing to work with colleagues in Roads Service to provide any technical assistance required in any works that may be forthcoming. Members welcomed this, whilst noting that it would not form part of the decision-making process on this application.

A number of queries were responded to by Planning Officers, as well as Roads Service representatives who were in attendance – Mr W Cardwell and Mr B Finlay.

During discussion:

- Mr Cardwell confirmed that, since the last meeting of the Committee, he had met with the Senior Traffic Engineer and the issue of providing a right-hand turning lane at the Station Road/Glenavy Road junction was being further considered by the Department;
- in response to a request that consideration be given to reducing the speed limit on Glenavy Road in the vicinity of its junction with Station Road, Mr Cardwell agreed to pass that request to the relevant Officer within DfI Roads;
- in response to a request that consideration be given to imposing a speed limit on Station Road in the vicinity of the proposed park and ride facility, Mr Cardwell agreed to pass that request to the relevant Officer within DfI Roads.

“In Committee”

It was proposed by Councillor D J Craig, seconded by Councillor A Martin and agreed to go ‘into committee’ in order that legal advice could be sought on this application. Those members of the public in attendance, including Councillor P Catney, left the meeting (12.06 pm).

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

Resumption of Normal Business

It was proposed by Alderman J Tinsley, seconded by Councillor D J Craig and agreed to come out of committee and normal business was resumed (12.33 pm).

At this stage, questions to Planning Officers and Roads Service representatives resumed.

- (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)
(Contd)

Given the short notice objectors had had to have sight of additional information submitted, the Chairman, Alderman M Gregg, afforded them the opportunity to rebut anything they had heard since receiving this correspondence earlier.

Mr Stott having requested an additional opportunity to speak, similar to the objectors, the Chairman, Alderman M Gregg, declined the request as he explained that the objectors had only been afforded this opportunity given that they had not had sight previously of the additional submission provided since the last meeting.

Any additional queries raised after this were dealt with by the Planning Officers.

Debate

During debate:

- Alderman J Tinsley stated that this application had been thoroughly debated, with many concerns having been raised and responded to by those both in opposition to and in support of the application. On balance, and given that the general commuter would welcome the park and ride facility being proposed, Alderman Tinsley would be supporting the recommendation of the Planning Officer to grant planning permission;
- Alderman O Gawith stated that he was reassured that DfI Roads was now reviewing the provision of a right-hand turning lane on Glenavy Road and that Translink would offer any technical assistance required, although he acknowledged that that was outwith this planning application. On balance, whilst not perfect the application was the best it could be and Alderman Gawith would be supporting the recommendation of the Planning Officer to grant planning permission;
- Councillor D J Craig stated that parking on Station Road had been a major road safety issue for many years and the provision of additional parking at the park and ride to take cars off Station Road, as well as the turning facility, could only result in improved road safety. On balance, despite his concerns regarding the junction at Glenavy Road/Station Road, he would be supporting the recommendation of the Planning Officer to grant planning permission. He welcomed comments regarding Roads Service reviewing the right-hand turning lane at this junction, whilst acknowledging it was not part of the application. Councillor Craig further stated that he would be keen to have a condition applied requiring safety measures to be implemented prior to any work commencing on the park and ride facility, as alluded to earlier by Mr Stott;

(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)
(Contd)

- Councillor A Martin stated that he too was encouraged by comments made by Roads Service representatives. The proposed facility would be a benefit not only to Moira village, but to Northern Ireland as a whole, and he would be supporting the recommendation of the Planning Officer to grant planning permission;
- Councillor G Thompson stated that she was encouraged by comments made by Roads Service representatives, as well as Translink representatives, and would be supporting the recommendation of the Planning Officer to grant planning permission; and
- the Chairman, Alderman M Gregg, also welcomed comments by Roads Service representatives regarding the right-hand turning lane at the Glenavy Road/Station Road junction, as well as comments by Translink representatives regarding a condition to ensure the implementation of safety measures prior to commencement of work at the park and ride facility. Alderman M Gregg would be supporting the recommendation of the Planning Officer to grant permission to this application, which represented a step towards sustainable transport.

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.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for lunch (1.09 pm).

Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (1.47 pm).

- (ii) LA05/2022/0018/F – Demolition of existing dwelling and construction of residential development consisting of 24 dwelling units (12 detached, 4 semi-detached and 8 apartments), garages, associated access, internal road, parking, landscaping and associated works on lands at 126 Hillsborough Road, Lisburn

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 D J Craig commended the developer for having taken on board the request made previously by the Committee that the development should include an element of affordable housing. He also welcomed ecological elements of the application in relation to the protection of bats and other species. Councillor Craig would be supporting the recommendation of the Planning Officer to grant planning permission;
- Councillor P Catney echoed that he too appreciated that the developer had taken account of the Committee's previous request around affordable housing and he would be supporting the recommendation of the Planning Officer to grant planning permission;
- Alderman O Gawith stated that he would be supporting the recommendation of the Planning Officer to grant planning permission;
- Councillor A Martin stated that he appreciated that the developer had taken account of the Committee's previous request around affordable housing and stated this set a good example for other developers in the future. Councillor Martin would be supporting the recommendation of the Planning Officer to grant planning permission; and
- the Chairman, Alderman M Gregg, concurred with the sentiments expressed by other Members regarding the developer and would be supporting the recommendation of the Planning Officer to grant planning permission.

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.

- (iii) LA05/2023/0662/F – Amendments to planning permission reference Y/2009/0160/F: change of apartment type and plot boundary amendments to approved apartments on plots 106 to 117 inclusive to provide 12 CAT1 apartments. Retention of roads/footways and open space as approved by Y/2009/0160/F with minor amendments to landscape proposals at Baronsgrange Development (under construction) at Comber Road, Carryduff

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

The Committee received Mr D Worthington in order to speak in support of the application and answered a number of queries raised by Members.

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

During his address, Mr Worthington had indicated a degree of pressure to commence this development before the end of March. The Head of Planning & Capital Development stated that, should planning permission be agreed today, a Section 76 Agreement would then be required to be put in place. Whilst the Council was in receipt of a draft Agreement, there were a number of steps to be taken before the Agreement would be ready to be presented to full Council for ratification and he could not commit to being a position to present this at the March Council meeting.

Debate

There were no comments made at the debate stage.

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) LA05/2022/0493/F – Erection of 4 detached and 6 semi-detached dwellings with single storey garages, car parking, landscaping, associated site works and access arrangements from Ballynahinch Road, Lisburn (10 residential units in total) on lands approximately 100 metres southwest of 56 Saintfield Road and approximately 100 metres southeast of 147 Ballynahinch Road, Lisburn

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

The Committee received Dr J Bronte and Mr S McKee to speak in support of the application and a number of Members' queries were responded to.

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

- (iv) LA05/2022/0493/F – Erection of 4 detached and 6 semi-detached dwellings with single storey garages, car parking, landscaping, associated site works and access arrangements from Ballynahinch Road, Lisburn (10 residential units in total) on lands approximately 100 metres southwest of 56 Saintfield Road and approximately 100 metres southeast of 147 Ballynahinch Road, Lisburn (Contd)

Debate

There were no comments made at the debate stage.

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.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (2.54 pm).

Resumption of Meeting

The meeting was resumed at 3.00 pm.

- (v) LA05/2021/1169/F – Demolition of existing public house and construction of residential development of 12 apartments and associated car parking and landscaping as previously approved under S/2006/1608/F at 7-9 Rathfriland Road, Dromara

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 P Catney stated that, given that the proposed development did not have an impact on the village-scape, he would be supporting the recommendation of the Planning Officer to grant planning permission.

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.

- (vi) LA05/2023/0024/F – Erection of a dwelling on lands north and adjacent to 55D Balliesmills Road, Lisburn

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

The Committee received Mr G Thompson, accompanied by Mr Martin, to speak in support of the application and a number of Members' queries were responded to.

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

Debate

During debate, the Chairman, Alderman M Gregg, stated that, whilst he had sympathy with the applicant, this application did not meet with policy COU16 and he would be supporting the recommendation of the Planning Officer to refuse planning permission.

Vote

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and the Chairman, Alderman M Gregg **(9)**

Against: None **(0)**

Abstain: Councillor D J Craig **(1)**

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

- (vii) LA05/2022/0094/O – Erection of storey and a half farm dwelling and garage including paired access and laneway at a site approximately 140 metres south of 23 Corcreeny Road, Hillsborough

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

The Committee received Mrs B Erwin, accompanied by Mr R Magee, to speak in support of the application and a number of queries raised by Members were responded to.

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

Following discussion, it was proposed by Councillor D J Craig, seconded by Alderman O Gawith and agreed that this application be deferred for one month to allow for the submission of verified revenue accounts which could demonstrate that a horticultural enterprise had continued on the farm holding for the entire period of time since outline planning permission had been granted.

At this point, the Chairman, Alderman M Gregg, indicated that he had to leave the meeting early. He referred to the fact that this was the last meeting at which Mrs Rachel Taylor, Senior Planning Officer, would be in attendance as she was leaving the Council to take up employment with the Planning Appeals Commission. Alderman Gregg thanked Mrs Taylor for her service to the Council and wished her well in her new post.

Councillor D Bassett left the meeting (4.59 pm).

The Chairman asked that item 4.2 on the agenda be considered at this point, before his departure from the meeting.

4.2 Notification Direction – LA05/2021/0033/F

It was proposed by Alderman J Tinsley, seconded by Councillor P Catney and agreed that, having considered the advice contained in the Officer's report, the test of the Regulations for the Department for Infrastructure to be notified of the Committee's decision on the above application not be met.

The Chairman, Alderman M Gregg, left the meeting at this point (5.06 pm) and the Vice-Chairman, Councillor U Mackin, took the chair.

Adjournment of Meeting

The Acting Chairman, Councillor U Mackin, declared the meeting adjourned at this point for a comfort break.

Resumption of Meeting

The meeting was resumed at 5.11 pm.

The remaining planning application was considered at this point.

- (viii) LA05/2023/0085/F – Erection of dwelling on a farm including garage, outbuilding, animal pen and all associated site works at 16c Tansy Road, Drumanduff, Lisburn

Prior to presentation of the above application, it was proposed by Alderman J Tinsley, seconded by Alderman O Gawith and agreed that the application be deferred for a site visit as Members would benefit from physically viewing the site and getting clarification from Planning Officers in relation to existing buildings and previous planning approvals.

The Acting Chairman, Councillor U Mackin, advised that items 4.10 and 4.11 from the agenda would be considered at this point.

4.10 LDP Quarterly Update

Members noted from the Officer's report, next steps on the preparation of the Local Development Plan. The updated timetable had been presented to the Regeneration and Growth Committee for approval and the programme of work accorded with the Planning Act (NI) 2011 and the Planning (LDP) Regulations (NI) 2015.

4.11 Enforcement Quarterly Update

Members noted the contents of an update in respect of the Planning Enforcement caseload.

It had been agreed previously that a workshop would be held to discuss enforcement issues with Members. Following discussion, it was agreed that:

- (a) as the Head of Planning & Capital Development, as well as the Principal Planning Officer, were required to attend proceedings in the High Court on the next scheduled date of the Planning Committee, i.e. 8 April, 2024, that meeting would be rescheduled, in consultation with the Chairman; and
- (b) the enforcement workshop would take place on the morning of the rescheduled meeting and that the Planning Committee meeting would commence in the afternoon, with the schedule of applications being drawn up to reflect this.

The remaining items on the agenda would be considered at this point.

4.3 Pre-Application Notice (PAN) – Proposed Battery Energy Storage System (BESS) 600MW, landscaping and ancillary development on lands approximately 230 metres east of 2 Moneybroom Road, Lisburn

Members having been provided with a copy of the above PAN, and the Head of Planning & Capital Development having responded to comments regarding a legal challenge in respect of a previous similar application, it was proposed by Councillor D J Craig, seconded by Councillor P Catney and agreed that the PAN be noted and submitted in accordance with the relevant section of the legislation and related guidance.

4.4 Appeal Decision – LA05/2023/0062/O

It was proposed by Alderman O Gawith, seconded by Alderman J Tinsley 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.

4.5 Appeal Decision – LA05/2020/0496/F

It was proposed by Councillor G Thompson, 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.

4.5 Appeal Decision – LA05/2020/0496/F (Contd)

In response to a query from Councillor D J Craig, the Head of Planning & Capital Development agreed to provide information for next month's meeting on whether or not the neurologist's report provided to the Planning Appeals Commission had been made available to the Planning Committee prior to it making a decision on this planning application.

4.6 Statutory Performance Indicators – January 2024

It was proposed by Councillor D J Craig, seconded by Councillor G Thompson and agreed that information relating to Statutory Performance Indicators for January 2024 be noted.

At this point, Councillor D J Craig, congratulated Mrs Taylor on her new appointment.

4.7 Update on DAERA Actions to Improve Planning Consultation Response Timeframes and Engagement on the Need to Facilitate Prioritisation Requests

It was proposed by Alderman O Gawith, seconded by Councillor P Catney and agreed to note an update from the Head of Natural Environment Division in relation to actions taken to improve planning consultation response timeframes and engagement on the need to facilitate prioritisation requests.

4.8 Letter from Department in Relation to Buildings of Special Architectural or Historic Interest – Blaris Radio Transmitter

It was proposed by Councillor D J Craig, seconded by Councillor S Burns and agreed to note the contents of the letter from the Department for Communities in relation to the above matter. The Council was currently investigating the need for a building preservation notice but would keep this under review with the Department.

4.9 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights

It was proposed by Alderman J Tinsley, seconded by Alderman O Gawith and agreed to note from the report, information regarding notifications by telecommunication operators to utilise Permitted Development Rights at several locations.

It was further agreed, at the request of Alderman Tinsley, that the Head of Planning & Capital Development write to Openreach to request if contact had been made with Dundrod Motorcycle Club to ascertain if the two locations in Dundrod where fixed line broadband apparatus was to be installed were part of the Ulster Grand Prix race circuit.

5. Any Other Business

5.1 Date of Next Meeting

The Acting Chairman, Councillor U Mackin, advised that, as considered under item 4.11, the date of the next meeting would be notified to Members in due course.

The Acting Chairman also expressed his best wishes to Mrs Taylor in her new position with the Planning Appeals Commission.

Conclusion of the Meeting

At the conclusion of the meeting, the Acting Chairman, Councillor U Mackin, thanked those present for their attendance.

There being no further business, the meeting was terminated at 5.51 pm.

Chairman/Mayor