

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 5 August, 2024 at 10.00 am**

**PRESENT IN CHAMBER:**

Alderman M Gregg (Chair)

Councillor S Burns (Vice-Chair)

Aldermen O Gawith and J Tinsley

Councillors D Bassett, P Catney, A Martin and G Thompson

**IN ATTENDANCE:**

Head of Planning & Capital Development

Principal Planning Officer (RH)

Senior Planning Officer (MB)

Senior Planning Officer (GM)

Member Services Officers (CR and CH)

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**Commencement of Meeting**

At the commencement of the meeting, the Chair, 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**

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

2. **Declarations of Interest**

Councillor P Catney declared an interest in planning application LA05/2023/0953/F. He stated that, in respect of the original application, he had met with local residents and the developer to help address issues; however, at no time had he spoken on or given his views on the proposed development.

At the conclusion of the meeting, Alderman J Tinsley submitted a written declaration in respect of planning application LA05/2022/0079/F due to having set up a meeting with the applicant and Planning Officers. He had informed them that he was on the Planning Committee and would not take part in the meeting as he was required to remain neutral.

3. Minutes of Meeting of Planning Committee held on 1 July, 2024

It was proposed by Alderman O Gawith, seconded by Councillor S Burns and agreed that the minutes of the meeting of Committee held on 1 July, 2024 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chair, Alderman M Gregg, advised that there were 5 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) LA05/2022/1005/F – Erection of 19 dwellings (revision to layout and house types previously approved under Y/2009/0303/RM, landscaping and all other associated site works on lands approximately 44 metres west of 32 Millmount Village Crescent, and 9 metres west of 9 Millmount Road, Dundonald

and

- (ii) LA05/2022/1006/F – Erection of 19 dwellings (revision to layout and house types previously approved under Y/2009/0303/RM, landscaping and all other associated site works on lands approximately 88 metres west of 32 Millmount Village Crescent and 45 metres west of 9 Millmount Road, Dundonald

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

The Committee received Mr N Salt to speak in support of the applications and a query raised by the Chair, Alderman M Gregg, was responded to.

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

Debate

During debate:

- the Chair, Alderman M Gregg, thanked Officers for clarification provided regarding the flood plain. He welcomed works that had commenced in respect of the wider site, ie. traffic lights. With these applications being considered under the new Local Development Plan, he welcomed the provision of affordable housing in the area. Alderman Gregg was in support of the recommendation of the Planning Officer to approve planning permission.

Vote

- (i) LA05/2022/1005/F – Erection of 19 dwellings (revision to layout and house types previously approved under Y/2009/0303/RM, landscaping and all other associated site works on lands approximately 44 metres west of 32 Millmount Village Crescent, and 9 metres west of 9 Millmount Road, Dundonald

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

- (ii) LA05/2022/1006/F – Erection of 19 dwellings (revision to layout and house types previously approved under Y/2009/0303/RM, landscaping and all other associated site works on lands approximately 88 metres west of 32 Millmount Village Crescent and 45 metres west of 9 Millmount Road, Dundonald

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) LA05/2023/0953/F – Residential development comprising of 8 affordable units for the over 55's with associated and ancillary site works on lands off Old Kilmore Road, Moira, Down. Located to the immediate west of residential properties (1, 3, 5, 7, 9, 11, 15, 17, 19) of Danesfort and to the immediate north of Fitzwilliam House

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

The Committee received Ms C Doyle, accompanied by Mr A Larkin, to speak in support of the application. There were no queries raised by Members.

There were no Members' queries put to Planning Officers.

Debate

During debate:

- Councillor P Catney stated that, having engaged with the developer and local residents, all concerns had been addressed. He welcomed the over 55's element of the application and was in support of the recommendation of the Planning Officer to approve planning permission; and
- Alderman O Gawith welcomed the fact that any queries raised in respect of the original application had been dealt with and he was in support of the recommendation of the Planning Officer to approve planning permission.

- (iii) LA05/2023/0953/F – Residential development comprising of 8 affordable units for the over 55's with associated and ancillary site works on lands off Old Kilmore Road, Moira, Down. Located to the immediate west of residential properties (1, 3, 5, 7, 9, 11, 15, 17, 19) of Danesfort and to the immediate north of Fitzwilliam House (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.

In response to a query raised by Councillor P Catney at this point, the Head of Planning & Capital Development agreed to provide him with an update on the timeline in respect of the discharge of a condition relating to archaeological investigations that had been attached to an earlier application.

#### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (11.01 am).

#### Resumption of Meeting

The meeting was resumed at 11.06 am.

- (iv) LA05/2022/0079/F – Proposed 1 infill dwelling with detached garage and all other associated site works on lands approximately 44 metres north east of 173 Ballycoan Road, Belfast

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

The Committee received Mr D Donaldson, accompanied by Mr G Marshall and Mr D Law, 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:

- Alderman J Tinsley stated that the timing of this application was unfortunate. The Committee had to take cognisance of the LCCC Local Development Plan. The application did not meet with the required policies relating to infill or clusters. Alderman Tinsley did not consider that there was a social community building present. He was in support of the recommendation of the Planning Officer to refuse planning permission;

(iv) LA05/2022/0079/F – Proposed 1 infill dwelling with detached garage and all other associated site works on lands approximately 44 metres north east of 173 Ballycoan Road, Belfast (Contd)

- Councillor P Catney stated that, having considered the application from a historical point of view, having listened to the comments made by Mr Marshall about the past community uses of the barn and taking account of the painting by Tom Carr that depicted the historical significance of the area, he was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith stated that the Council had policies it was required to follow when making decisions. With a great deal of reluctance and a huge amount of sympathy for the applicant, procedurally and policy-wise Alderman Gawith considered that the correct decision had been made and he was in support of the recommendation of the Planning Officer to refuse planning permission; and
- Councillor G Thompson stated she did not consider the barn as a social community building used in the sense of what the policy required, which she deemed would have been a community centre, Orange Hall or the likes. Whilst she sympathised with the applicant, she was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

In favour: Councillor D Bassett, Councillor S Burns, Alderman O Gawith, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and the Chair, Alderman M Gregg **(7)**

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

Councillor P Catney advised that he was leaving the meeting at this point (12.12 pm). Prior to his departure, the Chair, Alderman M Gregg, expressed condolences on the recent death of Councillor Catney's father-in-law.

(v) LA05/2022/0226/O – Site for dwelling on land between 6 Ballykeel Road and 1 Glebe Road, Hillsborough

Prior to this application being presented, Alderman O Gawith proposed that it be deferred to allow for a site visit to take place. This proposal was seconded by Councillor A Martin and, on a vote being taken, agreed, the voting being 6 in favour and 1 against.

Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (12.14 pm).

Resumption of Meeting

The meeting was resumed at 12.19 pm.

4.2 Housing Development Comprised of 121 Dwellings (all social housing) on Land to the Immediate West of 29 Enterprise Crescent, and to the Immediate East of Home Bargains, Ballinderry Road, Lisburn (PAN)

It was proposed by Councillor D Bassett, seconded by Councillor G Thompson and agreed that the information on the content of the Pre-Application Notice be noted and that it be submitted in accordance with the relevant section of the legislation and related guidance.

4.3 Non-compliance with Condition 1 of Appeal Decisions 2000/A277 and 2000/A278 to Create Two Units with Associated Elevational Changes at Unit 5 Drumkeen Retail Park, Upper Galwally, Belfast (PAN)

It was proposed by Alderman O Gawith, seconded by Councillor D Bassett and agreed that the information on the content of the Pre-Application Notice be noted and that it be submitted in accordance with the relevant section of the legislation and related guidance.

4.4 Statutory Performance Indicators – June 2024

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

4.5 Draft Procedure for Dealing with Section 76 Planning Agreements for Affordable Housing

It was proposed by Alderman O Gawith, seconded by Alderman J Tinsley and agreed that the draft procedure for dealing with Section 76 Planning Agreements be noted and that a report be presented to the September meeting of the Regeneration and Growth Committee for agreement.

4.6 Appeal Decision – LA05/2021/0069/O

It was proposed by Councillor S Burns, seconded by Councillor D Bassett and agreed to note the decision of the Planning Appeals Commission in respect of the above appeal.

4.7 Appeal Decision – LA05/2021/1178/F

It was proposed by Alderman O Gawith, seconded by Councillor G Thompson and agreed to note the decision of the Planning Appeals Commission in respect of the above appeal.

4.8 Appeal Decision – LA05/2020/0971/F

It was proposed by Alderman O Gawith, seconded by Councillor D Bassett and agreed to note the decision of the Planning Appeals Commission in respect of the above appeal.

4.9 Update to DAERA Website regarding Advice on its Consultation Procedure and the Use of Checklists

It was proposed by Alderman O Gawith, seconded by Councillor S Burns and agreed to note the update to the DAERA website regarding advice on its consultation procedure and the use of checklists.

4.10 Letter from Natural Environment Division (NED) of DAERA Providing Update on Planning Consultations for Agricultural Development

It was proposed by Councillor S Burns, seconded by Councillor G Thompson and agreed to note the update provided by the Director of NED in relation to planning consultations for Agricultural Development.

4.11 NI Water Wastewater Capacity Update

It was proposed by Alderman J Tinsley, seconded by Alderman O Gawith and agreed to note the detail of the capacity update from NI Water.

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

It was proposed by Alderman J Tinsley, seconded by Councillor S Burns and agreed to note from the report, information regarding notifications by telecommunication operators to utilise Permitted Development Rights at locations in the Council area.

In response to comments by Alderman O Gawith regarding tree removal in respect of the works to be carried out at Castlereagh Motors, the Head of Planning & Capital Development agreed to refer this matter to the Council's Tree Officer.

5. Any Other Business

5.1 Pre-Application Notice for Cemetery Site Chair, Alderman M Gregg

The Chair, Alderman M Gregg, referred to the recently published list of planning applications validated and the fact that a further Pre-Application Notice (PAN) had been submitted for a cemetery at Quarterland Road. The Head of Planning & Capital Development confirmed that this was the case. He stated that Officers had expressed some frustration with the applicant, through the agent, in relation to the quality of submissions received previously. There was utter confusion in the local community about what was being proposed and when the application would come forward. It was hoped that this latest submission was a reset of the previous two processes. Officers had highlighted that any pre-application community

5.1 Pre-Application Notice for Cemetery Site (Contd)  
Chair, Alderman M Gregg

consultation process report that came forward must resolve that there were two failed consultation processes previously and this must be taken account of as part of the overall community consultation exercise.

The Chair, Alderman M Gregg, asked that, given the confusion that existed within the local community, could the Council ensure that any responses to previous PANs were carried forward in consideration of this PAN and an indication given as to how issues had been addressed or were no longer relevant due to whatever changes had been made. The Head of Planning & Capital Development stated that Officers had made clear that the applicant should take account that there had been two failed consultations so that people could understand the chronology. The community would then know why the two previous consultations had failed and that what the public had said had been taken account of.

5.3 Date of Next Meeting

The Chair, Alderman M Gregg, advised that the next meeting of the Planning Committee would be held on Monday, 2 September.

Conclusion of the Meeting

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

There being no further business, the meeting was terminated at 12.58 pm.

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Chair/Mayor