

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 April, 2023 at 11.05 am**

**PRESENT IN CHAMBER:**

Alderman J Tinsley (Chairman)

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

Councillors D J Craig and A Swan

**IN ATTENDANCE:**

Director of Service Transformation  
Head of Planning & Capital Development  
Principal Planning Officer (RH)  
Senior Planning Officer (MB)  
Member Services Officers

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. He pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. The Head of Planning & Capital Development outlined the evacuation procedures in the case of an emergency.

1. **Apologies**

It was agreed to accept apologies for non-attendance at the meeting on behalf of the Vice-Chairman, Councillor John Palmer, and Councillors M Gregg, U Mackin and J McCarthy.

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**

There were no declarations of interest.

3. **Minutes of Meeting of Planning Committee held on 6 March, 2023**

It agreed that the minutes of the meeting of Committee held on 6 March, 2023 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chairman, Alderman J Tinsley, advised that there two 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) LA05/2022/0195/F – Proposed Change of Use from Agricultural Outbuildings to Remote Document Storage Facility including New Access to Lisnabreeny Road East at lands 20m South of 20 Lisnabreeny Road, Belfast

Alderman D Drysdale left the meeting during consideration of this item of business (11.40 am).

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

The Committee received Mr C O’Callaghan in order to speak in support of the application. A number of Members’ queries were addressed.

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

It was proposed by Councillor D J Craig that the application be deferred for one month to allow for the submission of additional information in respect of the need for a document storage facility in this area and the extent of changes required to be made to the existing building to facilitate such a use. There was no seconder for this proposal.

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 application, the voting being 5 in favour, 1 against and no abstentions.

It was noted that Alderman D Drysdale, having unexpectedly had to leave the meeting during consideration of the above application, was not present to participate in the vote.

- (ii) LA05/2022/0958/O – Proposed Infill Dwelling and Garage at Site Adjacent to 7 Yewtree Hill Road, Maghaberry

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

- (ii) LA05/2022/0958/O – Proposed Infill Dwelling and Garage at Site Adjacent to 7 Yewtree Hill Road, Maghaberry (Contd)

The Committee received Mr C Cochrane in order to speak in support of the application. A number of Members' queries were addressed.

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 refuse the application.

#### Adjournment of Meeting

The Chairman, Alderman J Tinsley, declared the meeting adjourned for a comfort break at this point (12.29 pm).

#### Resumption of Meeting

The Chairman, Alderman J Tinsley, declared the meeting resumed (12.36 pm).

#### 4.2 Statutory Performance Indicators – February 2023

It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed to note information set out in the report in respect of statutory performance indicators for February 2023.

In response to comments regarding a delay in reports being provided on the planning portal, even though a decision on an application may already have been made, the Head of Planning & Capital Development advised that there was a known issue that was being looked at by the Planning Portal Project team.

With difficulties around the public accessing information on the new planning portal, Officers were being required to triage a lot of phone calls. Members were advised that discussions had taken place to streamline administration and free up time for Officers to focus on assessing planning applications.

The Head of Planning & Capital Development reiterated comments made at the previous meeting of the Committee that training in the use of the new planning portal would be provided to Members. This was being arranged in consultation with Human Resources and Members would be provided with details in due course. Training would likely be provided in the new term.

#### 4.3 Appeal Decision – LA05/2019/0118/F

It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed to note the information set out the report in respect of the decision of the Planning Appeals Commission regarding the above planning application.

4.4 Misinterpretation of Information in Support of Planning Applications for Anaerobic Digesters and Agricultural Livestock Houses

Members were provided with a copy of a letter from the Director of Regional Planning Governance & Legislation in respect of an issue identified by the Water Management Unit of the Northern Ireland Environment Agency highlighting that technical information submitted in support of planning applications specific to the spreading of nutrient on land for anaerobic digesters and agricultural livestock houses was misrepresented. It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed to note the contents of the letter and the actions by Officers of the service to manage applications both currently in the system and anticipated in the future.

4.5 Planning Fraud Risk – NIAO

It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed to note the contents of the Planning Fraud Risk document recently published by the Northern Ireland Audit Office.

At the request of a Member, the Head of Planning & Capital Development agreed that this document would be made available to Members as part of the induction pack provided following the forthcoming Local Government Elections.

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

It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed to note from the report, information regarding notification by telecommunication operators to utilise Permitted Development Rights at a number of locations. The Head of Planning & Capital Development agreed to provide Members with information in relation to whether pole erection at these locations referred to a single pole or a number of poles.

Discussion ensued regarding the erection of poles in unsuitable locations and the unnecessary erection of poles where underground infrastructure was already in place. It was proposed by Councillor A Swan, seconded by Councillor D J Craig and agreed that a letter be sent to the Chief Planner requesting that, as part of the overall improvement to planning, consideration be given to concerns raised by Members in relation to the visual impact of poles, particularly in rural landscapes, and, in urban areas, the opportunity for operators to share equipment or connections for equipment.

4.7 DfI Letter to Councils – Planning Fees

It was proposed by Alderman O Gawith, seconded by Councillor A Swan and agreed that the contents of a letter from the DfI detailing a planned uplift in planning fees be noted.

5. Any Other Business

5.1 Date of Next Meeting  
Head of Planning & Capital Development

The Head of Planning & Capital Development pointed out that the next meeting of the Committee would be due to be held on 1 May, which was a Bank Holiday, as was the following Monday. That being the case, Members were asked to keep their diaries free for a potential special meeting of the Committee on 24 April, 2023.

Should there not be another meeting before the forthcoming Local Government Elections, Alderman A Grehan thanked Alderman J Tinsley for the manner in which he had chaired the Planning Committee meetings during the past year. She also put on record her thanks to the Vice-Chairman, Councillor John Palmer, and wished him a speedy recovery from his current sickness. A number of other Members joined in thanking both the Chairman and Vice-Chairman for their work over the past year.

Tributes were paid to Alderman W J Dillon and Councillor John Palmer who would not be returning to the Council after the elections. They had served both the Council and their constituents well over many years and Members wished them all the best in the future.

5.2 Update on Blaris Development/Knockmore Link  
Councillor A Swan

Councillor A Swan having sought an update on the above matter, the Head of Planning & Capital Development stated that he understood the Department was awaiting the applicant providing clarification on information linked to the response by the Council's Environmental Health Service that the Noise Impact Assessment had not taken into account one of the neighbours. Further consultation was required internally with the Environmental Health Service. When information was received, a further update would be provided to Members.

The Council's Local Development Plan was currently with the Department for adoption, but the Head of Planning & Capital Development stated that this was a separate issue to the Blaris Development. He agreed to write to the Department reminding it that it had been in receipt of the Plan for more than 12 weeks.

5.3 Moira Park and Ride Facility  
Alderman W J Dillon

Alderman W J Dillon stated that there had been two applications submitted in relation to the Moira Park and Ride facility and sought an update on the current position of those. The Head of Planning & Capital Development confirmed that two applications had been received – one from Translink and one from a private developer. Both would be presented to the Committee at the same time and, given that assessment was nearing completion, it was expected this would happen soon after the new Council term commenced.

5.4 Traffic Issues at Lisburn Health Centre  
Chairman, Alderman J Tinsley

The Chairman, Alderman J Tinsley, referred to difficulties being experienced by vehicles leaving the new Lisburn Health Centre, particularly at peak times, and asked that a meeting be facilitated by the Council with DfI Roads and Health Trust representatives in an endeavour to find a resolution. The Head of Planning & Capital Development advised that discussions could be entered into with DfI Roads but, should any upgrade be required to the main public road, a proposal would have to be brought forward by the Trust. Councillor A Swan, as a member of the Local Commissioning Group, stated that this matter had already been raised, but he agreed to raise it again at the next meeting.

Alderman A Grehan asked that, at the meeting referred to above, consideration also be given to difficulties experienced by vehicles exiting Woodland Park onto the main road.

At the conclusion of the meeting, the Chairman, Alderman J Tinsley, thanked Members of the Planning Committee for their support over the year, as well as Council Officers. He also joined in paying tribute to Alderman W J Dillon and the Vice-Chairman, Councillor John Palmer.

There being no further business, the meeting was terminated at 1.24 pm.

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Chairman/Mayor