

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 October 2022 at 10.00 am

PRESENT IN CHAMBER:

Alderman J Tinsley (Chairman)

Councillor John Palmer (Vice-Chairman)

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

Councillors D J Craig, M Gregg, U Mackin and A Swan

IN ATTENDANCE IN CHAMBER:

Head of Planning & Capital Development

Principal Planning Officer (RH)

Senior Planning Officers (RT and MB)

Member Services Officers

Technician

IT Officer

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 which, in line with Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020, was being live streamed to enable members of the public to hear and see the proceedings. The Chairman pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be broadcast live online and members of the public should be aware that they were likely to be captured on the livestream. Data captured on the livestream was processed in the exercise of official authority which covered public functions and powers which were set out in law and to perform a specific task in the public interest.

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

The Head of Planning & Capital Development advised on housekeeping and evacuation procedures.

Councillors John Palmer and U Mackin arrived to the meeting at this point (10.02 am).

1. **Apologies**

It was agreed to accept an apology for non-attendance at the meeting on behalf of the Director of Service Transformation.

The Chairman, Alderman J Tinsley, advised that both Alderman A Grehan and the Legal Advisor would be joining the meeting late.

2. Declarations of Interest

A declaration of interest was made as follows:

- Councillor D J Craig in respect of item 4.1 (i), Planning Application LA05/2022/0295/F, given that he was Chair of Laurelhill Sports Zone and Chair of Laurelhill Community College Board of Governors.

The Chairman, Alderman J Tinsley, pointed out that all Members of the Planning Committee, by virtue of being Members of Council, would have an interest in this application. However, section 6.6 of the Northern Ireland Local Government Code of Conduct for Councillors provided dispensation for Members to speak, and vote on, this application. Alderman Tinsley understood Councillor Craig having declared an interest in this application as he was more directly involved than other Members.

In respect of Planning Application LA05/2021/0228/F, Alderman W J Dillon stated that it had been suggested to him by an unspecified third party he may be compromised as he had discussed the application with the agent. Alderman Dillon did not consider this to be the case; however, he stated that he would err on the side of caution and take no part in consideration of this application.

Mr B Martyn, Legal Advisor, arrived to the meeting (10.06 am).

3. Minutes of Meeting of Planning Committee held on 5 September, 2022

It was proposed by Councillor U Mackin, seconded by Alderman W J Dillon and agreed that the minutes of the meeting of Committee held on 5 September, 2022 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

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) LA05/2022/0295/F – Refurbishment works comprising replacement of the existing shale athletics pitch with a new 3g pitch, new floodlighting, new fencing, new ball catch netting, reconfiguration of existing car park, car park lighting, access improvements and all associated works at Laurehill Sports Zone, 22 Laurehill road, Lisburn BT28 2UH

Having declared an interest in this item, Councillor D J Craig left the meeting (10.10 am).

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

Speakers

No requests had been received for speaking rights.

Questions to Planners

- The Chairman, Alderman J Tinsley, referred to condition 3 “The development hereby approved shall not be operated between 22:00 and 09:00 hours Monday to Sunday unless otherwise agreed in writing with the Council”. He stated that, on occasion there were events ran outside of those hours, eg. PSNI Midnight Soccer events. Alderman Tinsley enquired if operating hours could be deviated from to facilitate such events. In response, the Head of Planning & Capital Development advised that conditions were generally worded to protect the amenity of residents in close proximity. The original pitch was a shale pitched used for hockey. The all-weather surface allowed for extended opening hours for soccer. Most noise tended to be generated by players or fans shouting or by the referee blowing a whistle. What the Chairman had referred to were special events not frequently occurring. For such one-off events, it would be helpful and useful for organisers to let residents know in advance and to then make the Planning Unit aware.
- Alderman D Drysdale welcomed this application as it addressed needs around health and wellbeing. He referred to policy around open space and sought clarification in respect of whether the fencing to be provided would affect access to facilities. In response, the Principal Planning Officer explained that, in order to protect pedestrians from any potential impact from the activities being played on the pitch, there were different layers of fencing proposed, including a 6m high welded mesh paladin ball-stop fence to form complete enclosure around the entire site, 2m high fencing behind the goals and 1.5m wide gate openings and associated fencing at points within the site.
- Alderman D Drysdale enquired if gates at the site would be open at all times or whether they would be locked. The Head of Planning & Capital Development, having consulted with the Head of Sports Services on this matter, confirmed that this would be a managed space, operated on the basis of a booking system. That constraint, together with the need to

- (i) LA05/2022/0295/F – Refurbishment works comprising replacement of the existing shale athletics pitch with a new 3g pitch, new floodlighting, new fencing, new ball catch netting, reconfiguration of existing car park, car park lighting, access improvements and all associated works at Laurehill Sports Zone, 22 Laurehill road, Lisburn BT28 2UH (Contd)

protect the asset, would mean gates would remain locked when the facility was not in use. The Head of Planning & Capital Development stated that it had been accepted that the existing pitch was no longer fit for purpose and the Council was seeking to invest in a new surface that would give the public access to a bookable open space over an extended period of time and over an extended number of months and, given that floodlights were also proposed, meant it could be used all year round. Despite the requirement to lock up the facility outside normal operating hours, it would still have significant value as open space.

- Councillor U Mackin having commented on possible inconsistency in relation to gates being locked at different facilities, the Head of Planning & Capital Development agreed to provide clarity to Members on this matter following the meeting.
- In response to a query by Alderman D Drysdale as to whether hockey would still be played at this location, the Head of Planning & Capital Development confirmed that hockey could continue to be played on the existing adjacent site.
- In response to a query by Councillor M Gregg regarding the provision of Electric Vehicle (EV) Charging Points, the Principal Planning Officer stated that the Planning Unit had not been made aware of any intention to provide EV Charging Points at this time. The Head of Planning & Capital Development advised that the Council was bound by parking standards. He appreciated that there was a wider issue around EV Charging Points and their availability in the future. This was something that could be discussed more broadly with the Sports Services Unit in terms of the delivery of the overall project and outside of the current planning application process.

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, by a unanimous show of hands, to adopt the recommendation of the Planning Officers to approve the application.

Councillor D J Craig returned to the meeting at this point (10.37 am).

- (ii) LA05/2021/0288/F – Proposed “dutch barn style” hay shed at Site 88m east of no. 75 Grove Road, Dromore, BT25 1QY

The Chairman, Alderman J Tinsley, referred to an email that had been received earlier this morning seeking a further deferment of this application. The Head of Planning & Capital Development confirmed receipt of an email from the agent acting on behalf of the applicant asking that the application be postponed to allow further time for it to be considered. In accordance with the Protocol for the Operation of the Planning Committee, the Head of Planning & Capital Development had consulted on this matter with the Chairman. In the absence of any substantive reason being provided, and no request having been received within the specified time for speaking rights, it had been agreed by the Chairman that consideration of the application would proceed.

The Principal Planning Officer presented the application as outlined within the circulated report and drew attention to the following:

- This application had been deferred twice previously to allow for a site meeting (which had taken place on 21 July) and to allow further clarification to be provided by the applicant team in relation to matters raised by the Committee; and
- Consideration of the additional information provided, and the planning advice previously offered that planning permission should be refused, had not changed.

Speakers

No requests had been received for speaking rights.

Questions to Planners

- Councillor U Mackin asked if any evidence had been produced to show that this site was within the farm boundaries as he recalled from previous discussion that it was outwith the boundary plans of the farm. The Head of Planning & Capital Development stated that it was his understanding from a meeting that had taken place that land was not mapped in the name of Roger Wilson, but rather in the name of his brother, Alan Wilson. It was proposed to have that remapped with DAERA. At the time of bringing the application back to Committee, that had not yet occurred.
- Alderman O Gawith referred to the Principal Planning Officer having stated that “it was considered on balance it will open up frontage” and asked that she explain her use of the term ‘on balance’. The Principal Planning Officer advised that, to facilitate access onto the site, quite a bit of vegetation would require to be removed. For that reason, it was considered on balance that the site would be opened up and in doing so would cause harm to the rural character.

(ii) LA05/2021/0288/F – Proposed “dutch barn style” hay shed at Site 88m east of no. 75 Grove Road, Dromore, BT25 1QY (Contd)

- From a time point of view with regard to changes required to the boundary, Councillor D J Craig asked if Officers considered that they had given a reasonable amount of time for that to have taken place and if any reason had been given as to why the proposed building was not to be located beside existing farm buildings. The Head of Planning & Capital Development advised that a meeting had taken place approximately one week after the Committee had deferred the application. Additional clarification had been provided regarding the speaking note provided by the applicant. Planners had subsequently sought additional clarification on a further three matters (the extent of activity on the farm, the covenant associated with the land and site levels). All those matters had been resolved either through consultation with the applicant/agent at the meeting, through subsequent correspondence and submission of further drawings.

Debate

During debate, the following comments were made:

- Councillor A Swan stated that, as no reason had been given as to why the proposed building was located so far away from the existing farm, he was in support of the Planning Officer’s recommendation in respect of this application.

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 of the Planning Officers to refuse the application, the voting being 8 in favour, none against and 1 abstention.

(iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereagh

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

Mr G Thompson, Registered Speaker (accompanied by Mr T Dobbin)

The Committee received Mr G Thompson (accompanied by Mr T Dobbin) to the meeting in order to speak in support of the application. A written submission had been provided to the Committee in advance of the meeting.

- (iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereagh (Contd)

Questions to the Speaker

- Councillor A Swan sought details on how the existing bungalow was constructed and what would make it difficult to drop switches, etc. Mr Thompson stated that the bungalow, which was of block construction, was around 70 years old; it had narrow doorways, steps up to the access, no space for turning a wheelchair.
- Alderman W J Dillon referred to the Planning Officer's report indicating that the application did not comply with policies CTY 1, CTY 6, CTY 8 or CTY 14. He asked Mr Thompson how he would suggest there was compliance with these policies. Mr Thompson stated that getting the existing building suitable for a wheelchair would be virtually impossible. In respect of CTY 6, there was a raft of medical evidence regarding the condition of Mr Gareth Dobbin, including information on falls from his wheelchair and a neurology report indicating that "should a proposal for such not be forthcoming there is no doubt genuine hardship and stress on the Dobbin family could have dire consequences". Mr Thompson stated that this was compliance with CTY 6.
- Councillor D J Craig stated that Planning Officers had indicated the existing building could be modified or extended to meet Mr Dobbin's needs. He asked if Mr Thompson could provide evidence to the contrary. Mr Thompson confirmed that a letter had been sent to the Planning Unit in August advising the existing building was too old and would not easily convert. An extension would mean that access and egress to the existing home could not be provided for Mr Dobbin in his wheelchair and, therefore, he would be discriminated against. In addition, there was not a lot of scope at the rear of the existing dwelling for a suitable extension. Mr Thompson also made reference to the access to the existing dwelling being hazardous, given that it was on a blind hill and on the bend of the road. If the existing dwelling was modified or extended, there would be intensified use of the existing access by medical professionals. For this reason, there was a long driveway provided for in the proposal, in order to comply with DfI requirements.
- Councillor Swan referred to the plans for access to the proposed new dwelling, which was beside the existing dwelling, and asked if this proposed new access could be used if the existing dwelling was modified or converted. Mr Thompson stated that the proposed access to the dwelling was 100m away from the existing dwelling.
- Alderman O Gawith stated the proposal was described as a modest two bedroom bungalow; however, it included a carport and a double garage. Mr Thompson explained that the carport was to allow for wheelchair access into the dwelling. The double garage was to accommodate Mr Gareth Dobbin's car, as well as his brother's car when he was temporarily residing with him.

- (iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereaigh (Contd)

Councillor N Anderson, Registered Speaker

The Committee received Councillor N Anderson in order to speak in support of the application. A written submission had been provided to the Committee in advance of the meeting.

Questions to the Speaker

- Alderman W J Dillon referred to Councillor Anderson having stated that the application met with policy tests. However, the Planning Officer's report indicated that the application did not comply with policies CTY 1, CTY 6, CTY 8 or CTY 14. Councillor Anderson stated that the application did meet with CTY 6 requirements in that hardship would be caused if planning permission was refused, therefore issues relating to the other CTY policies fell.
- Councillor D J Craig asked for the opinion of Councillor Anderson on whether an extension to the existing building would meet the needs of Mr Dobbin without the requirement for a new dwelling. Councillor Anderson stated that the existing dwelling on the site was built many years ago when access would not have been considered as a major feature. It would not be possible to amend the internal workings of the dwelling from an architectural perspective. Mr Dobbin would not be able to access the existing dwelling from the extension, which would require to be sizeable to meet his needs. In addition, Councillor Anderson reiterated earlier comments regarding the intensification of traffic which would require to use the existing access, leading to potentially hazardous conditions. A new dwelling would create a greater degree of independent living for Mr Dobbin.
- Councillor M Gregg asked if Councillor Anderson could elaborate on why he considered the application complied with CTY 8 and CTY 14. Councillor Anderson stated that the proposal met with CTY 8 in that it did not create ribbon development and, given that it met CTY 6, it did not impact on CTY 14.
- Alderman O Gawith drew attention to reference within CTY 6 that "all permissions granted under policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents". Whilst he understood the necessity for a second bedroom for those caring for the applicant, he enquired as to the need, as proposed in the application, for a carport and a double garage, which had been stated would be used by the applicant's brother who lived only 25m away. Councillor Anderson stated that Mr Dobbin's condition was a degenerative one. It was necessary to ensure future safeguarding of his needs. The provision of a carport would meet his access needs whilst affording him some protection from the elements, which could impact on his physical wellbeing.

- (iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereaigh (Contd)

Questions to Planners

- Councillor D J Craig asked that Planning Officers indicate why they considered an extension to the existing dwelling would be possible and suitable to meet the needs of Mr Dobbin. The Head of Planning & Capital Development stated that the aerial photograph on display for Members did not show the full extent of the land owned by the applicant in this context. The existing dwelling at 66 Knockbracken Road was a chalet bungalow. He was unsure whether that was a design typical of buildings erected 70/80 years ago. It had windows and gable elevation. There was what appeared to be a single-storey project to the rear which may have a flat roof, an outbuilding and a driveway that fronted onto Knockbracken Road. There was significant vegetation behind the dwelling. The established curtilage of the site was masked by trees to the back and side. The matter in question was whether the curtilage was large enough to accommodate an extension. An extension would require to meet DDA standards and there must be shared accommodation between the existing dwelling and the extension. The Head of Planning & Capital Development stated that the site was sufficiently large enough to accommodate an extension to the existing building. No evidence had been provided to the Planning Unit to demonstrate why the inside of the existing dwelling could not be brought up to DDA requirements in terms of shared accommodation. If it was too expensive to upgrade the existing dwelling, another alternative would be to replace the existing dwelling. The CTY6 policy was clear in that planning permission could only be granted if both criteria were met – (a) the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused; and (b) there are no alternative solutions to meet the particular circumstances of the case, such as an extension or annex attached to the existing dwelling. No evidence had been submitted to demonstrate that a retrofit to bring the existing dwelling up to DDA standards was not possible, nor that replacement of the existing dwelling was not possible. In terms of access from the road, a new access could be created to the existing dwelling to facilitate a standard of access that would be acceptable.
- Councillor D J Craig stated that, from the photograph on display for Members, it appeared that the existing dwelling could not be extended from the side or access to the garage would be blocked. An area would require to be cleared at the back of the property to provide what would be quite an extensive extension. He also asked if Officers had taken account of the economic viability of retrofitting the existing dwelling. The Head of Planning & Capital Development stated that Councillor Craig had raised a separate point about ribbon development and something that impacted on the rural character of the area. The key question was whether the curtilage was so restrictive that the existing dwelling could not be extended. The Head of Planning & Capital Development had not been provided with a set of drawings indicating that the curtilage was so

(iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereagh (Contd)

restrictive that the building could not be extended. He accepted the point that, if Mr Dobbin moved from his current home to this existing dwelling, he should have the opportunity to have access to his father and brother in their own home. The question was, should Mr Dobbin's father and brother upgrade their accommodation to allow him access to the property or was the purpose of the extension to facilitate the care of Mr Dobbin. They could go to the extended part of the dwelling where care could be offered and there could still be a family relationship where Mr Dobbin's quality of life was extended and he had access to all the amenities he required.

- Councillor U Mackin asked how CTY 8 and CTY 14 linked back to the key criteria of CTY 6. The Head of Planning & Capital Development stated that there were 8 buildings to the right hand side of the existing dwelling; the application was for a dwelling that extended along the front of the road, extending the ribbon of development. The Planning Officer was required to reconcile if the proposed site was the only one on which a new dwelling could be located. The site chosen for the new dwelling was not the only one available. It was considered that the proposal would cause harm to rural character of the area irrespective of whether the principle of a dwelling to meet the special and domestic circumstances of the applicant had been demonstrated.
- In response to a query by Alderman D Drysdale, the Head of Planning & Capital Development confirmed that Planning Officers had visited the site and were satisfied that there was sufficient curtilage to accommodate an extension.

Debate

During debate, the following comments were made:

- Councillor A Swan, whilst sympathising with the circumstances of the Dobbin family, stated that it was his view that there was no reason to build a new dwelling as opposed to converting part of the existing building and providing an extension. He was in support of the Planning Officer's recommendation in respect of this application.
- Alderman W J Dillon stated that, whilst sympathising with Mr Dobbin, the granting of planning permission for this application would result in the continuation of ribbon development. He was in support of the Planning Officer's recommendation in respect of this application.
- Alderman D Drysdale stated that he did not dispute in any way that Knockbracken Road was a dangerous one. However, he had not been convinced around work not being possible in the current dwelling to facilitate Mr Dobbin. He was in support of the Planning Officer's recommendation in respect of this application.

(iii) LA05/2020/0496/F – Erection of a dwelling adjacent and south west of 66 Knockbracken Road, Lisnabreeny, Castlereagh (Contd)

- Councillor M Gregg empathised with the Dobbin family around its individual circumstances. However, information had not been provided to the Committee nor to Planning Officers to satisfy CTY 6 and he had not heard anything compelling that would allow CTY 8 and CTY 14 to be overcome. He was in support of the Planning Officer's recommendation in respect of this application.
- Alderman O Gawith referred to the two conditions of CTY 6 (as cited earlier in the minutes) that must be met in order for planning permission to be granted and stated that no compelling evidence had been submitted that there were no alternative solutions. He was in support of the Planning Officer's recommendation in respect of this application.
- Councillor John Palmer stated that he was not convinced of the need for a new building as opposed to extending the existing dwelling. He was in support of the Planning Officer's recommendation in respect of this application.

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 of the Planning Officers to refuse the application, the voting being 8 in favour and 1 against.

Alderman A Grehan arrived to the meeting at this point (12.14 pm).

Adjournment of Meeting

The Chairman, Alderman J Tinsley, declared the meeting adjourned for a comfort break at this point (12.14 pm).

Resumption of Meeting

The Chairman, Alderman J Tinsley, declared the meeting resumed and the livestream was recommenced (12.26 pm).

(iv) LA05/2022/0331/O – Site for dwelling at Clogher Road approximately 40m northwest of 58 Clogher Road and immediately north of 115a Saintfield Road, Lisburn

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

- (iv) LA05/2022/0331/O – Site for dwelling at Clogher Road approximately 40m northwest of 58 Clogher Road and immediately north of 115a Saintfield Road, Lisburn (Contd)

Mr A McCready, Registered Speaker

The Committee received Mr A McCready to the meeting in order to speak in support of the application. A written submission had been provided to the Committee in advance of the meeting.

Questions to the Speaker

- Alderman W J Dillon stated that the Planning Officer reported that this application did not comply with CTY 1, CTY 8 and CTY 9. He asked Mr McCready to explain why he did not consider that to be the case. Mr McCready referred to a photograph he had submitted of a 'bookend' building that had received planning permission at an approved infill site at Dromara Road, Hillsborough. This roofless structure, which did not have a floor and whose walls were not plastered, had been deemed by the Planning Unit to be a building; therefore, he considered the stable block, which had been built up to roof level, with 3 walls, should also be deemed to be a building. The application complied with CTY 8 as it was an exception to ribbon development, given that it was an infill opportunity site.

Questions to Planners

- Councillor U Mackin asked why the site at Dromara Road, Hillsborough had been deemed satisfactory yet this one had not. The Senior Planning Officer explained how the Dromara Road site was distinguishable from this one and the two were not comparable. She referred to two previously approved planning applications at that site, one of which was for a garden store and veranda. This was under construction and was a building in terms of being completely enclosed, having a door, a veranda and a pitched roof. What was being considered today was a 3-sided breeze block structure.
- Councillor A Swan enquired if the Planning Committee was obliged to take account of precedent in terms of decisions made previously. The Head of Planning & Capital Development stated that a precedent could only be deemed to have been set if two sets of circumstances could be directly compared. He confirmed that the photograph submitted by Mr McCready had shown the building at Dromara Road, Hillsborough had in fact been completed; whilst it had no roof, it was enclosed on all four sides with door openings; therefore, no precedent had been set. The proposed structure at Clogher Road was against the boundary of a menage. Part of a fence had been removed. Planning Officers did not deem the removal of a fence and the construction of three sides of a stable block sufficient to demonstrate there was a building with frontage onto the road.

- (iv) LA05/2022/0331/O – Site for dwelling at Clogher Road approximately 40m northwest of 58 Clogher Road and immediately north of 115a Saintfield Road, Lisburn (Contd)

Debate

During debate, the following comments were made:

- Councillor U Mackin stated that he had no doubt that the proposed dwelling faced onto the Clogher Road and that there was a menage in front of it. He stated that CTY 8 referred to buildings rather than houses and he considered the structure on the site to be a building, whether open-fronted or not. There was a gap there and he saw no reason why a dwelling could not be located there. He was not in support of the Planning Officer's recommendation in respect of this application.
- Alderman W J Dillon stated that the stable block had required planning permission to be there in the first place. He stated that buildings without roofs had been accepted before and he did not understand why it did not meet the criteria. He was not in support of the Planning Officer's recommendation in respect of this application.
- Councillor M Gregg referred to previous planning permission granted for the stable block which required there to be a corrugated roof and for the boundaries of the site to be retained. He stated that if those had been removed to give the stable block frontage onto the road, that would constitute a breach of planning permission. He also stated that the proposed dwelling would contribute to ribbon development. He was in support of the Planning Officer's recommendation in respect of this application.
- Councillor A Swan stated that most houses on Clogher Road fronted onto the Saintfield Road. He was in support of the Planning Officer's recommendation in respect of this application.
- Alderman D Drysdale stated that if this planning application were to have been presented at a future date, when the structure had a roof, the outcome may have been different. He was not in support of the Planning Officer's recommendation in respect of this application.

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 of the Planning Officers to refuse the application, the voting being 6 in favour and 4 against.

Adjournment of Meeting

The Chairman, Alderman J Tinsley, declared the meeting adjourned for lunch (1.03 pm).

Resumption of Meeting

The Chairman, Alderman J Tinsley, declared the meeting resumed and the livestream was recommenced (1.45 pm).

- (v) LA05/2021/0206/O – Demolition of existing building, construction of 4 detached two storey dwellings with garages at 14a Feumore Road, Ballinderry Upper, Lisburn

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

Mr P Donnelly, Registered Speaker

The Committee received Mr P Donnelly to the meeting in order to speak against the application. A written submission had been provided to the Committee in advance of the meeting.

Questions to the Speaker

- Alderman W J Dillon having asked if there was any other backland development in the area, Mr Donnelly stated there was not and that this application would set a dangerous precedent.
- Alderman W J Dillon referred to Mr Donnelly having advised that site visibility splays could not be achieved; however, DfI Roads Service had approved the application. Mr Donnelly suggested there had been insufficient detail for DfI to consider.
- The Chairman, Alderman J Tinsley, referred to Mr Donnelly having stated that some drawings were incorrect and he asked if that had been pointed out to Planning Officers. Mr Donnelly stated that this had been pointed out when objections had first been submitted.
- Alderman O Gawith asked Mr Donnelly, in his opinion, should the application proceed, what would constitute a less intensive development. Mr Donnelly stated that a significant reduction in development would help. More importantly, no backland development behind the frontage houses. If the developer could accommodate 3/4 houses across the frontage, that would be acceptable. The impact of the houses on the rear of the site, where it was clear countryside, would be major – not only for Feumore Road but for the wider area where there were many rural sites like this one.

Councillor R T Beckett, Registered Speaker

The Committee received Councillor R T Beckett to the meeting in order to speak against the application. A written submission had been provided to the Committee in advance of the meeting.

- (v) LA05/2021/0206/O – Demolition of existing building, construction of 4 detached two storey dwellings with garages at 14a Feumore Road, Ballinderry Upper, Lisburn (Contd)

Questions to the Speaker

- Alderman D Drysdale having asked Councillor Beckett to give his opinion in relation to the roads aspect of the application, Councillor Beckett stated the proposed development would add more traffic to the area. Coming out of the development onto the main Feumore Road would be difficult. Sand lorries used that road going to the lough.

Mr D Donaldson, Registered Speaker (accompanied by Mr J Caithness)

The Committee received Mr D Donaldson (accompanied by Mr J Caithness) to the meeting in order to speak in support of the application. A written submission had been provided to the Committee in advance of the meeting.

Questions to the Speaker

- At the request of Alderman W J Dillon, Mr Donaldson confirmed that there was currently planning permission in place for two dwellings and the current application was seeking to accommodate a further two dwellings to the rear of those. This was backland development in the context that it proposed to site two dwellings behind two dwellings. The important thing was the depth of the site, which was a brownfield site that had accommodated a former primary school. It was not backland development in terms of unacceptable backland development; it was a residential development within a settlement.
- Alderman W J Dillon asked Mr Donaldson if he considered this would set a dangerous precedent by opening up the back of houses for future development. Mr Donaldson stated that this would not create a precedent in that it was the deepest site on Feumore Road. It was a carefully designed concept, developing houses on the site of a former primary school.
- In response to a query by Councillor A Swan as to whether each of the four houses would have comparable meterage, Mr Donaldson advised that each of the four dwellings would sit on a ¼ acre plot, which he deemed entirely reasonable.
- In response to a query by Councillor D J Craig, Mr Donaldson stated that the proposed density was approximately 10 dwellings per hectare. Reference had been made by objectors to the fact that the density in recent approvals had been 7/8 dwellings per hectare. Mr Donaldson did not consider a move from 7/8 dwellings to 10 dwellings to be significant. He further stated that four dwellings within a settlement was entirely reasonable and sustainable.

(v) LA05/2021/0206/O – Demolition of existing building, construction of 4 detached two storey dwellings with garages at 14a Feumore Road, Ballinderry Upper, Lisburn (Contd)

- Councillor D J Craig asked Mr Donaldson if he considered the pattern of development was in keeping with the overall character of the area. Mr Donaldson accepted that the general pattern on Feumore Road was houses ribboned along both sides of the road. In this case, the site was at least twice as deep as others, having accommodated the former primary school, which was located further back on the site. The site being considered could comfortably accommodate four houses.
- Alderman D Drysdale asked if the proposed development could use the existing network for sewerage, drainage, etc. Mr Donaldson stated that there was capacity within the existing networks. Both NI Water and the Rivers Agency had been consulted and had raised no objections.
- The Chairman, Alderman J Tinsley, asked if the houses on the opposite side of the road were all single road frontage. Mr Donaldson stated that several planning permissions had been granted on the opposite side of the road. As the settlement plan was only around 30-40m depth, that only accommodated single fronted properties on that side of the road.

Questions to Planners

- The Chairman, Alderman J Tinsley, asked that the Head of Planning & Capital Development provide more information on the settlement limit. The Head of Planning & Capital Development stated that Feumore was made up largely of road frontage sites. On one side of the road, plots were much shallower. The site being considered was a deeper plot than was found elsewhere within the settlement. This proposal was for the redevelopment of a brownfield site as opposed to backland development. The plot was distinguishable and different to others found in the settlement of Feumore as it was much deeper. In relation to precedent being set, there was limited opportunity for this, given that other plots were much shallower.

At this point, it was proposed by Alderman O Gawith, seconded by Alderman W J Dillon and, on a vote being taken, agreed that this application be deferred for a site visit. The voting was 5 in favour and 5 against; the Chairman then used his casting vote in favour of the site visit.

4.2 Statutory Performance Indicators – August 2022

It was agreed that the Statutory Performance Indicators for August 2022, together with the explanatory narrative in this regard, be noted.

The Head of Planning & Capital Development reminded Members of the forthcoming introduction of a new planning portal. Whilst it was hoped that this would not impact on performance, it was highlighted that there would be a process of bedding in of the new system.

4.3 Appeal Decision in respect of Planning Application LA05/2021/0079/O

It was agreed that the decision of the Planning Appeals Commission in respect of the above planning application be noted.

4.4 Submission of Pre-Application Notice (PAN) for a proposed residential development on lands north of Ballymaconaghy Road including 14 and 22-24 Ballymaconaghy Road, Castlereagh

It was agreed that the Pre-Application Notice in relation to the above application be noted and submitted in accordance with the relevant section of the legislation and related guidance.

4.5 Notification by telecommunications operator(s) of intention to utilise permitted development rights

Members had been provided with information in regarding to notification by Cornerstone to utilise Permitted Development Rights at the following locations:

- Land to rear of Sion Mill; and
- Upper Newtownards Road, outside 1031 Upper Newtownards Road, Belfast (upgrade of existing equipment).

5. Any Other Business

5.1 New Planning Portal
Chairman, Alderman J Tinsley

The Chairman, Alderman J Tinsley, stated that Officers had been working hard in preparation for the introduction of the new planning portal and asked when it was expected this would go live. The Head of Planning & Capital Development advised that no specific date had been confirmed. Work was ongoing in respect of internal communications; when the portal could be released would be guided by the Project Team. The Head of Planning & Capital Development acknowledged and accepted that there was still work to be done in terms of communication with the public. A meeting was to be held on 14 October that would provide a steer on when the 'go live' date would be. Members would be kept updated on this matter.

5.2 Planning Appeals Portal
Chairman, Alderman J Tinsley

The Chairman, Alderman J Tinsley, referred to the Planning Appeals Portal and communications having been down for a time. The Principal Planning Officer advised that there was now some functionality – the portal had been updated with appeals issued from July onwards but no information was given in relation to pending appeals. The Head of Planning & Capital Development agreed to write to the Planning Appeals Commission seeking an update on when the Planning Appeals Portal would be fully functional.

5.2 Planning Appeals Portal (Contd)
Chairman, Alderman J Tinsley

Councillor M Gregg enquired if the letter to the Planning Appeals Commission could also seek an update on the planning appeal in respect of an application in Dundonald on a protected route. The Head of Planning & Capital Development confirmed that questions could be put forward in respect of individual appeals on which decisions were pending; however, he did not anticipate that a response would be received indicating a date by which a decision would be made.

5.3 Knockmore Link Road
Councillor A Swan

Councillor A Swan enquired if any update was available from the Department in relation to the Knockmore Link Road. The Head of Planning & Capital Development advised that there was no update other than the application had gone in; the Department had not indicated that it was close to making a decision.

There being no further business, the meeting was terminated at 2.43 pm.

Mayor