

Derry City and Strabane District Council

Minutes of Meeting of the Planning Committee (Open) held in the Guildhall, Derry on Tuesday 20 March 2018 at 4.00 pm

Present: - Councillor D Kelly (Chair); Aldermen Bresland, M Hamilton, McClintock and Kerrigan; Councillors Hastings, Jackson, Logue, R McHugh, McGuire, Dobbins, Gardiner, Boyle and McCauley.

In Attendance:- Mr E Molloy (Development Officer), Mrs S McCracken (Principal Planning Officer), Mrs M Fox (Head of Planning) and Mrs L McKean (Business Services Officer); Miss L Bell (Committee Services Assistant)

SP7/18 Notice and Summons of Meeting

The Head of Planning read the Notice and Summons for the Meeting.

SP8/18 Apologies

The Head of Planning completed the roll call. There were no apologies received from Members.

SP9/18 Declarations of Member's Interests

There were no declarations of Member's interest.

Chairperson's Business

SP10/18 New Committee Member

The Chair welcomed Councillor McCauley who was replacing Councillor Hassan onto the Committee.

SP11/18 Local Development Plan Update

The Head of Planning advised Members that a further email will be sent to Members to gauge their availability for a round table discussion for LDP which will take place next week on the Local Development Plan. She stated that she would like as many Members of the Planning

Committee as possible to take part in these discussions and therefore was keen to receive feedback surrounding possible timing of this.

SP12/18 Planning Application List with Recommendation for Decision

New Applications:

LA11/2017/0842/F – Construction of 43 No. social housing units to include 5p3b general needs houses, 30 No. 3p2b general needs houses, 1 No.3p2b complex needs bungalow, 1 No. 5p3b complex needs bungalow, 1 No. 2p1b complex needs apartment, and 5 No.2p1b general needs apartments together with associated site works, road network, car parking and landscaping facilities. Lands to the South of Caw Close and to the West of Caw Mews, Waterside, Derry.

Alderman M Hamilton joined the meeting at this point.

The Planning Officer presented the above application, details of which had been previously circulated to Members. She provided a synopsis of the background of the application and based on consideration of the proposal against relevant planning policy recommended the application be approved planning permission, subject to the conditions as outlined within the report.

Mr Kelly (Turley Planning Consultants) addressed the Committee on behalf of the applicant in support of the application.

Councillors Jackson and Gardiner welcomed the application, however they voiced concerns that this development only addressed a small proportion of the projected social housing need in the Waterside area. In response to a question from Councillor Gardiner, the Head of Planning clarified that the phasing of proposals by the developer while usually used in larger scale applications, was not uncommon in smaller scale applications and used to manage delivery of infrastructure and layout.

The Chair stated that the concerns had been noted and acknowledged Mr Kelly's remarks of thanks to the planning department for their work. Councillor Gardiner moved, seconded by Alderman McClintock, to support the recommendation.

The voting was unanimous in support of the Planning Officer's recommendation.

The Committee

Resolved that planning application LA11/2017/0842/F be approved planning permission subject to the conditions as outlined within the report.

LA11/2017/0912/F- Construction of 8 no social housing units to include together with associated site works, road network, car parking and landscaping facilities. Lands to the east of Caw Mews, Waterside, Derry.

The Planning Officer presented the above application, details of which had been previously circulated to Members. An outline of the application was provided and based on material consideration in-line with planning policy a recommendation was given to approve the application, subject to the conditions as outlined within the report. Councillor Gardiner commented that this second phase at this location, appeared to place complex need housing separately from other housing. She stated she felt this would segregate these tenants and would not promote inclusivity. She highlighted the need for this to be considered within future applications.

The Chair stated that this comment would be more relevant to the Local Area Plan and would be forwarded to that team.

Councillor Jackson moved, seconded by Alderman McClintock to support the recommendation and approve planning permission.

The voting was unanimous in favour of the Planning Officer's recommendation.

The Committee

Resolved that planning application LA11/2017/0912/F be approved planning permission subject to the conditions as outlined within the report.

LA11/2017/1064/F- Proposed Housing Development consisting of 7 No. 4 person 2 bedroom general needs houses, 3 No. 2 person 1 bedroom general needs houses, 2 No.5 person 3 bedroom general needs houses, 1 No 5 person 3 bedroom complex needs houses and 1 No. 3 person 2 bedroom complex needs house (14 units in total). Lands to the east of 1-3 Lismore Park, Sion Mills Co Tyrone.

The Planning Officer presented the above application, details of which had been previously circulated to Members. A summary of the application was provided and based on analysis of the facts against relevant planning policy, a recommendation was given to approve the application, subject to the conditions as outlined within the report.

Councillor R McHugh moved, seconded by Alderman Bresland to support the recommendation and approve planning permission. The voting was unanimous in support of the Planning Officer's recommendation.

The Committee

Resolved that planning application LA11/2017/1064/F be approved planning permission subject to the conditions as outlined within the report.

LA11/2015/0821/O – Proposed residential development of 24 No. 3P 2B and 20 No 2P 1B apartments with associated car parking. Lands at 44-52 John Street, Derry.

The Planning Officer presented the above application, details of which had been previously circulated to Members. An overview of the application was given and based on material consideration against relevant planning policy a recommendation was given to approve the application, subject to the conditions as outlined within the report. Councillors Logue, Boyle and Alderman M Hamilton welcomed the application to the Committee, expressing their delight to see the regeneration of this site at the gateway to the City.

In response to a question from Alderman McClintock, the Head of Planning confirmed the application would re-appear before the Committee in the future, either in the form of a reserved matter or as a full planning application.

Councillor Gardiner questioned if the Council would have the opportunity to guide the progress of the application and ensure an appropriate finish.

The Head of Planning replied that throughout the planning process Planning Officers would guide the applicant through discussion of the application. She also confirmed that advice on finish had been received from the Historical Environment Division and stated that if granted, planning permission would be subject to conditions which would control features affecting the appearance of the building. She also indicated that in the case of an application not being of an acceptable quality/standard it could be refused planning permission, highlighting the previous refusal of a previous application for the scale and design of an office development proposal on this site as an example of this.

Councillor Hastings commented on the similarity of the artist's impression of the plans to the original factory which was situated at the site, stating he felt they were in keeping with the surrounding buildings. Councillor Boyle agreed that the finish must be acceptable because of this building's location.

The Development Officer informed Members that one of the recommendations in the planning service review which was currently being implemented would address this issue.

Councillor Logue moved, seconded by Councillor Boyle to support the recommendation and approve planning permission.

The voting was unanimous in support of the application.

The Committee

Resolved that planning application LA11/2015/0821/O be approved planning permission subject to the conditions as outlined within the report.

LA11/2017/0634/F- New building to accommodate a Learning Disability Centre on lands adjacent to the Foyle Valley Railway Museum. Provision of new hard and soft landscaping around the new building including grassed areas, paving, a café terrace and play area. Provision of parking spaces and a one way entry and exit utilising access points at lands immediately adjacent to and including 1 Foyle Road, Londonderry.

Councillor Dobbins joined the Meeting at this point.

The Principal Planning Officer presented the above application, details of which had previously been circulated to Members. A summary of the application was provided and after analysis of the facts alongside relevant planning policy a recommendation was given to approve the application, subject to the conditions as outlined within the report.

In response to a query from Councillor Logue, the Principal Planning Officer confirmed that following a flood risk assessment, the length of free board that floor levels would provide had been changed from 300mm to 600mm. She clarified that the site was more at risk of flooding from storm surge rather than fluvial flooding and indicated that an evacuation plan had been constructed for the safety of the vulnerable clients who would benefit from the proposal. She added that these clients would not stay at the site overnight and the facility would be staffed at all times, as advised by the operators.

Alderman McClintock and Councillors Gardiner and Dobbins raised concerns surrounding the proximity of the entrance to the proposal to the junction at the end of the Craigavon Bridge.

The Head of Planning informed Members that the Department of Infrastructure had been consulted for advice and had relayed no concerns regarding this issue.

In response to a query from Councillor Dobbins, the Principal Planning Officer suggested that concerns surrounding the ratio of disabled parking spaces could be raised with the applicant.

Following the suggestion of a deferral of the application to address this issue from Councillor Dobbins, the Chair reminded Members that the funding for the application expired at the end of the financial year. Councillor Dobbins stated that she appreciated the funding issue but was wary of setting a precedence by ignoring this issue.

Councillor Logue suggested that the rationale behind the approval of the car parking by Transport NI may have been that many of the users of this service would travel to the proposed site by minibus or taxi and would not avail of disabled spaces. She also referred to the entrance of the site stating that it was currently in use and Transport NI would likely assess the situation further if difficulties arose. She added that the need for a pedestrian crossing could not be assessed by Transport NI until the proposal had been constructed.

The Head of Planning clarified that the entrance to the site was one-way which would mean no egress of traffic in the opposite direction. She added that large numbers of disabled parking spaces were not required for the proposal and that Planning Officers were content with the parking proposed.

Councillor Boyle questioned the ownership of the car park to determine who had responsibility for it.

The Chair replied that the answer to this was not available and would require the lease and asset transfers to be checked.

Councillor Dobbins acknowledged the urgency of this application due to funding restrictions and suggested conditions be put in place to address the safety and parking issues.

The Chair reminded Members that a planning application could not be amended within the chamber.

The Head of Planning also referred to a Certificate P2 which was completed by the applicant. This form indicated that the applicant had served notice on Derry City and Strabane District Council.

After e-mail consultation with the Lead Legal Services Officer, the Development Officer informed Members that whilst some land surrounding the building was the property of Destined, the car park remained the property of Derry City and Strabane District Council.

Councillor Boyle moved, seconded by Councillor Dobbins to support the recommendation and approve planning permission.

The voting was unanimous in support of the application.

The Committee

Resolved that planning application LA11/2017/0634/F be approved planning permission subject to conditions as outlined within the report.

The Meeting ended at 5.20 pm.

The meeting ended at Time Not Specified

The Meeting went into Confidential Business