

Derry City and Strabane District Council

Open Minutes of the reconvened Planning Committee Meeting (Wednesday 7 July 2021) which was held as a hybrid/socially distanced meeting and conducted remotely via Webex and physically in the Main Hall, Guildhall on Thursday 8 July 2021 at 2.00pm.

Present: - Councillor McKinney (Chairperson); Aldermen Hussey, Kerrigan, McClintock; Councillors J Boyle, Dobbins, Gallagher, Jackson, Mellon and Mooney.

n Attendance: - Head of Planning (Ms M Fox), Head of Planning Performance and Improvement (Mr E Molloy), Lead Legal Services Officer (Mr P Kingston), Principal Planning Officers (Mrs S McCracken, Mrs A McNee, Mr P McCaughey), Senior Planning Officers (Mr M McCarron), Business Services Officer (Mrs L McKean), Committee Services Assistant (Mrs J Short).

P144/21 Notice and Summons of Meeting

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

P145/21 Member Attendance and Apologies

The Head of Planning took the roll call and recorded apologies from Councillors J Barr, Kelly, McGuire and Alderman Bresland.

P146/21 Statement for Remote Meeting

The Chair read the Statement for Remote Meetings

P147/21 Declarations of Member's Interests

There were no declarations of interest from Members.

Open for Decision

P148/21 Planning Applications List with Recommendation for Decision

LA11/2020/0684/F - Erection of switch room and bin storage to serve Building 2 of the adjacent approved Grade A office development (Planning Ref LA11/2018/1164/RM) with associated minor alterations to adjoining footpaths and vehicular hard standing at lands 150m northeast of Waterside Roundabout, King Street, Ebrington.

The Senior Planning Officer (SPO) presented the above application, details of which was previously circulated to Members. The SPO outlined the background to the application and based on material consideration in line with planning policy, recommended an approval subject to conditions as outlined within the report.

Councillor Jackson proposed, seconded by Councillor J Boyle to support the recommendation to approve planning permission, subject to conditions as outlined within the report.

The Committee

Resolved to support the Officer's recommendation to approve planning application LA11/2020/0684/F, subject to conditions as outlined within the report.

P149/21 Consideration of Confirmation of Provisional Tree Preservation Order (pTPO) at former Church site at Beechwood Park & Clonmeen Drive, Strathfoyle, Derry

The Principal Planning Officer presented the above report, a copy of which was previously circulated to Members. The purpose of the report was to seek Members' agreement on a consideration not to confirm a Provisional TPO (pTPO) at the following address: The former Church site at Beechwood Park and Clonmeen Drive, Strathfoyle, Derry.

Councillor Dobbins expressed her concern with the unannounced tree felling at the above site in February of this year and described the action as environmental vandalism. She stated that Council had an obligation to ensure the protection of mature trees particularly during

this period of the Covid-19 pandemic, when the public are encouraged to enjoy the outdoors and nature. She referred to the recommendation outlined within the report and proposed a full protection order for the remaining trees on site, because not to do so would be contradictory to the Council's commitment towards climate change.

Councillor Jackson fully concurred with the previous speaker's comments. He acknowledged that the tree felling activity had raised widespread concern amongst the public and in particular from residents in the Strathfoyle area. He hoped that the LDP process would ensure that this type of approach is not tolerated by Council and further precautionary measures be considered. He asked that as a caveat to Councillor Dobbins proposal, that Planning section explored the replacement of the trees felled in February 2021.

The Head of Planning explained that from a legal perspective, Council had no authority to extend the emergency pTPO at this stage of the process. She suggested that Members consider the modification of the recommendation presented today in terms of the replacement of those trees categorised as dead, dying or dangerous, however there was no legal obligation to include the replacement of those trees already felled.

The PPO advised that the findings from the independent review of the tree survey carried out by the landowner identified trees that required to be felled for safety reasons, however the remaining trees whilst they were visually significant in the area they had various defects that showed signs of stress and would require significant amounts of remedial works by the landowner in order to make safe and this would result in a reduction in height and weight of existing trees on site.

Discussion ensued after which Councillor Dobbins proposed, seconded by Councillor Jackson that the current temporary pTPO be modified to include all of the healthy trees and those categorised as dead, dying and dangerous to be felled and a request for replacement of trees and remedial works to be carried out by the landowner.

The outcome of the vote was;

For; 8

Against; 0

Abstention; 1.

The proposal was carried.

The Committee

Recommended that the current temporary pTPO be modified to include all of the healthy trees and those categorised as dead, dying and dangerous be felled and a request for replacement of trees that were removed and for remedial works of existing trees for safety reasons.

P150/21 DfC Call for Evidence on a Housing Supply Strategy for NI

The Principal Planning Officer presented the above report, details of which was previously circulated to Members. The purpose of the report was to inform Members of the Call for Evidence by the Department for Communities (DfC) which represented their first formal stage in the process of developing a Housing Supply Strategy. The Call for Evidence was launched on 19 May 2021, and due to close on Friday 16 July 2021. Members are asked to agree the issuing of the draft response to the Call for Evidence.

Councillor Jackson welcomed the consultation on the Housing Supply Strategy for NI. He acknowledged the housing need within the District Council area and in particular the City. He endorsed the draft response which highlighted the housing need. He asked that the discrepancy between the Housing Growth Indicator and the Department's housing need assessment be highlighted within the consultation response from Council, however he had every confidence that the NIHE would continue to play a key role in highlighting the issue.

Alderman Hussey referred to the rural single dwelling applications and housing cluster applications and stated that these be supported because they provided an opportunity to repopulate the rural areas, rather than focusing primarily on social housing developments in the urban area.

Councillor Mellon referred to the problems associated with land banking which prevented the provision of social/affordable housing. She requested that the issue be revisited in terms of time frames and how progress can be achieved more expediently.

The Head of Planning expressed her appreciation to Members for their comments to be included in the draft response to the Call for Evidence.

The Committee

Recommended that Council note the current Call for Evidence invitation and its associated deadline and agree to issue the attached response, to be submitted before 16 July 2021.

Open for Information

P151/21 Planning Appeals Update

The Principal Planning Officer presented the above report a copy of which was previously circulated to Members. The purpose of the report was to appraise Members on planning appeals currently in the system, the status of any live appeals and any decisions made since the previous meeting.

Members noted the above report for information.

P152/21 List of Decisions Issued - June 2021

Members noted the List of Decisions issued during the month of June 2021.

The meeting went into confidential business.