

Derry City and Strabane District Council

Open Minutes of Planning Committee held in the Chamber, Guildhall, Derry on Wednesday 29 June 2016 at 4.00pm.

Present:- Councillor Boyle (Chairperson); Aldermen Bresland, M Hamilton, Kerrigan and Thompson; Councillors Gardiner, Hassan, Hastings, Jackson, D Kelly, Logue and McGuire

In Attendance:- Environment and Regeneration Director (Mrs K Phillips), Head of Planning (Ms M Fox), Principal Planning Officer (Acting) (Ms A McKnee) Lead Legal Services Officer (Mr P Kingston), Planning Officers (Mr M McCarron, Ms I McDonagh and Ms J Doherty) and Committee Services Assistant (Mrs J Short).

Non-Committee Member: Councillor P Kelly

P100/16 Notice and Summons for Meeting

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

P101/16 Apologies

Apologies were received from Councillor R McHugh.

P102/16 Declarations of Members' Interests

There were no declarations of interest from Members.

Open for Decision

P103/16 Deputations (none)

P104/16 Chairperson's Business

Planning – Local Development Plan (LDP) – Workshop Event

The Head of Planning confirmed that the next Planning – LDP workshop was scheduled to take place on Monday 4 July 2016 at 2pm – 5pm in the Green Room, Guildhall, Derry.

Pre-Determination Hearing – Special Meeting

The Head of Planning advised Members that a pre-determination meeting would be scheduled to take place next month, the date of which had yet to be confirmed. Members would be kept informed accordingly.

Invitation to Planning Appeals Commission (PAC) to present to Planning Committee.

The Committee

Recommended that PAC be invited to present to Planning Committee at a future meeting.

Planning Application Updates

The Head of Planning referred to the high level of email requests received from Members regarding Planning Application updates and advised that a generic inbox would be installed so to improve the response time from the Planning Officers. The Members would be kept informed when the facility would become available.

A Member of the SF grouping referred to the weekly lists of planning applications circulated to Members and queried the protocol in terms of referring those applications back into the system if not called-in. The Head of Planning advised that the intention is to review the timing process of referrals as part of the overall review of operation of Planning Committee and present a report to Committee in September 2016.

The Director of Environment and Regeneration suggested consideration of information from other Councils in terms of how they deal with Planning Committee protocols from a comparative perspective. This was noted.

The Committee

Recommended that the Head of Planning reports to Committee on the timing

process of planning application referrals.

Update on the Relocation of Planning Section

In response to a query from a Member of the SF grouping the Head of Planning thanked the Member for enquiring about the relocation and confirmed that all staff had worked extremely hard and were settled into the new accommodation at the Council Offices, Strand Road, Derry and were focused on the continuation of normal business. She added that the accommodation at the Council Offices, Derry Road, Strabane would become available shortly and this would provide the opportunity for some staff to work flexibly on a 1-2 days per week arrangement.

A Member of the SF grouping referred to the naming of Members on correspondence and requested that staff make no distinction of Members or advocate Members of Planning Committee on correspondence. This was noted.

P105/16 Confirmation of the Open Minutes of the Planning Committee held on Wednesday 8 June 2016

The Open Minutes of the Planning Committee held on 8 June 2016 (P86/16 – P99/16) were agreed and signed by the Chairperson.

P106/16 Matters Arising

There were no matters arising from the Minutes.

P107/6 Enforcement Action of Illegal Quarrying

A Member of the SF grouping referred to a previous Planning Committee meeting when a request was made for an update on enforcement action of illegal quarrying. The Head of Planning agreed to provide an update as requested.

P108/6 Update on the Establishment of Working Group re. Unadopted Roads

The Director of Environment and Regeneration in response to a Member of the SF grouping, advised that discussions had taken place with Officials from Transport NI and the Planning Section in relation to

the issue of unadopted roads within development sites and that a report would be presented to Committee on the outcome of the discussions in due course.

P109/6 Planning Application List with Recommendation for Decision

J/2014/0007/F – Partial change of use, alterations and extension of existing dwelling to provide day care/nursery facilities at 22A Seein Road, Sion Mills, Strabane.

The Head of Planning presented the above application, details of which had been previously circulated to Members. She reminded Members that the application was presented at the previous Planning Committee Meeting when Members agreed not to accept the recommendation to refuse planning permission. The application was therefore reviewed subject to the 6 no. conditions as outlined within the report.

The Committee

Resolved that Council agrees to approve Planning Application J/2014/0007/F and the 6 no. conditions as outlined within the report.

LA11/2015/0794/F – Proposed play area with steel play equipment, new perimeter railing, alteration of ground level to create levelled ground for the play equipment at 204 Lone Moor Road, Derry.

The Planning Officer presented the above planning application details of which had been previously circulated to Members. He referred to the background of the application as outlined within the report and having considered all material considerations, including the development plan, relevant planning policies, planning history, consultations etc. he recommended that planning permission be granted for the proposed District park.

A Member of the SF grouping welcomed the proposal for a play park facility and also welcomed other play park provision throughout the city. She further referred to the need for adequate road safety measures to be implemented at the various locations.

The Director of Environment and Regeneration agreed to ensure that discussions are held with Transport NI in terms of the implementation of road safety measures at the Play Park location. She further agreed to request the Project Officer to provide clarification to Members in relation to the provision of play equipment for disabled participants at the proposed site.

The Chairperson congratulated the staff responsible for the work achieved in play park provision in particular at Irish Street and Rose Court and he looked forward to further provision throughout the District.

The Committee

Resolved

i) that Council agrees to approve Planning Application LA11/2015/0794/F

ii) that the Project Officer liaises with Transport NI in relation to the implementation of road safety measures at the Play park location.

iii) that the Project Officer provides an update to Members on the provision of play equipment for disabled participants at the proposed location.

LA11/2015/0304/F – Construction of 2 No. boiler poultry breeding houses with a capacity of 40,000 in total and a control building at 175 meters West of 16 Carrigullin Road, Strabane.

The Planning Officer presented the above application, details of which had been previously circulated to Members. He briefed Members on the background to the application and having considered all material considerations including the development plan, planning policies, consultations, site history he recommended that full planning permission be granted.

The Planning Officer in response to a Member of the SF grouping clarified that Transport NI had no objections, subject to the implementation of the conditions outlined within the report.

The Committee

**Resolved that Planning Application:
LA11/2015/0304/F be approved.**

J/2014/0171/F – 12 span spur plus 16kva transformer and 10m of underground service cable new build 11kv at 560m north of 90A Park Road, Strabane.

The Planning Officer presented the above application, details of which had been previously circulated to Members. She briefed Members on the background to the application and based on her professional opinion the proposal complied with all relevant policy and therefore recommended an approval subject to the conditions outlined within the report.

The Committee

**Resolved that Planning Application
J/2014/0171/F be approved.**

J/2015/0056/F – Proposed change of use from farm shed to animal feed store for farm sales to include the retention of 7 No. tower meal bins and the erection of 4 No. additional tower meal bins. Retention of farm shop and loading gantry and proposed extension to gantry at 17 Shanaghy Road, Killeter, Castleberg.

The Planning Officer presented the above application details of which had been previously circulated to Members. She gave an overview of the background to the application and based on her professional opinion recommended that planning approval be granted subject to the conditions outlined within the report.

A Member of the SF grouping referred to the conditions as outlined within the report, regarding the opening hours on a Saturday and requested that the Planning Officer discusses an extension to the opening hours with the Environmental Health Department.

The Committee

- Resolved**
- i) that Planning application J/2015/0056/F be granted planning approval**
 - ii) and consideration be given to the extension of the opening hours on a Saturday to 1700 hours, subject to approval by the Environmental Health Department.**

J/2010/0319/F – Proposed extraction of sand and gravel and final restoration of the extraction area to agricultural use. Scheme to include installation of wheel-wash, settling ponds, oil interceptor, site worker office, landscape bunds, post and wire fencing and ancillary development at approx. 180 metres east of No.20 Tievenny Road, Killen, Victoria Bridge, Co. Tyrone.

The Planning Officer presented the above planning application details of which had been previously circulated to Members. She briefed Members on the background to the application and based on her professional opinion recommended that the application be granted planning permission.

The Members received a presentation from the applicant's Agent who spoke on the necessity to approve the planning application which was critical for the survival of the company that contributed towards the local economy in an area that suffered from a lack of employment opportunities.

A Member of the SF grouping in support of the application queried if the opening hours of the site could be reviewed to include Saturday opening from 0800 hours to 1300 hours. The Planning Officer agreed to seek an opinion from the Environmental Health Department regarding the extension to the opening hours.

The Committee

- Resolved** **that application J/2010/0319/F be granted planning approval and that an**

**opinion is sought from the
Environmental Health Department
regarding Saturday opening from 0800
to 1300 hours.**

P110/16 Planning Appeals

The Principal Planning Officer (Acting) 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 following the transfer of planning functions to this Council on 1st April 2015. She advised Members that no new appeals had been received by Council since the previous update to Committee on 8th June 2016.

P111/16 Major Key Legacy Applications

The Head of Planning presented the above report a copy of which had been previously circulated to Members. The purpose of the report was to appraise Members of the outstanding historic major and key applications in the system post transfer from DOE to DCSDC on 1st April 2015 and to seek approval from Members on a mechanism for Council to finalise such applications.

A Member of the SF grouping welcomed the report and commented that Members want to reach the stage whereby the planning system is as efficient as possible, however they are aware that the legacy applications will impact service delivery.

He referred to the key issues and in particular the time line given to the agents/applicants of a 4-week deadline for the submission of the correct/outstanding information and queried if an extension to the timeline of 6 weeks could be considered particularly during holiday periods. The Head of Planning agreed to give this some consideration.

A Member of the SDLP grouping thanked the Head of Planning for the comprehensive report and added that it was important that progress was achieved with the legacy applications and in particular the applications relevant to the new District Council area.

Another Member of the SF grouping referred to the H2 applications and requested an update on the progress of the applications within the system. The Head of Planning confirmed that major legacy applications were currently being reviewed and Members would be kept informed as soon as the Planning Section would receive the requested information to progress the applications.

The Head of Planning in response to a Member of the SF grouping advised that in terms of outstanding planning applications for housing they have to ensure that the application is still 'live' and the applicant is fully intent in engagement and a comprehensive approach maintained before they would progress through the system.

The Committee

Resolved i) that Council notes the report and agree a mechanism to deal with major, complex or controversial legacy applications in accordance with Best Practice.

ii) that Members agree as a 'New Council' to look at this issue afresh and allow these procedures to be put in place to reduce the legacy cases backlog. This will result in Planning Officials being in a position to process new Council applications in a more timely and efficient manner going forward.

Open for Information

P112/16 Statutory Consultation Performance Report – Guidance for Councils

The Members noted the above report a copy of which had been previously circulated. The purpose of the report was to advise Members of the statutory duty of Council to respond to consultations from Department of Infrastructure (formally Department of the Environment).

The Committee

Recommended that Council notes the contents of the above paper and a report is forwarded to the Department of Infrastructure immediately.

P113/16 List of Decisions Issued (June 2016)

The above report was presented for information to Members, details of which were previously circulated.

The Committee

Recommended that Council notes the list of Decision Issued during the month of June 2016.

The Meeting ended at 5.45pm.

Signed: _____

Chairperson

Date: _____