

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 12 May, 2025 at 10.06 am**

**PRESENT IN CHAMBER:**

Alderman M Gregg (Chair)

Councillor S Burns (Vice-Chair)

Aldermen O Gawith and J Tinsley

Councillors D Bassett, P Catney, D J Craig, U Mackin, A Martin, G Thompson and N Trimble

**IN ATTENDANCE:**

Director of Regeneration and Growth  
Head of Planning & Capital Development  
Senior Planning Officers (MB, PMcF and GM)  
Member Services Officers (CR and CH)

Mr B Martyn (Cleaver Fulton Rankin)

**Commencement of Meeting**

At the commencement of the meeting, the Chair, Alderman M Gregg, 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. He went on to outline the evacuation procedures in the case of an emergency.

1. **Apologies**

There were no apologies.

2. **Declarations of Interest**

Alderman O Gawith declared an interest in respect of planning application LA05/2023/0932/F, given that he had spoken to both the owner of the pigeon sheds and an objector to the proposal. He had expressed no opinion but would leave the Council Chamber during consideration of this application.

3. **Minutes of Meeting of Planning Committee held on 7 April, 2025**

It was proposed by Councillor A Martin, seconded by Councillor D J Craig and agreed that the minutes of the meeting of Committee held on 7 April, 2025 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chair, Alderman M Gregg, advised that there were 6 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.

At this stage, the Chair, Alderman M Gregg, advised that a late written representation had been received this morning, a few minutes before 10.00 am, in respect of the first application on the schedule (LA05/2023/0950F) and it was necessary to go 'into committee' to receive legal advice on this matter.

"In Committee"

It was proposed by Councillor D Bassett, seconded by Councillor G Thompson and agreed to go 'into committee' to consider this matter. Those members of the public and press in attendance left the meeting (10.14 am).

Legal advice was provided by the Legal Advisor in respect of the late representation received.

Resumption of Normal Business

It was proposed by Alderman J Tinsley, seconded by Councillor D Bassett and agreed to come out of committee and normal business was resumed (10.23 am).

The Chair, Alderman M Gregg, advised that the late written representation submitted this morning would be accepted, but the meeting would be adjourned at this stage to afford Members and those in attendance at the meeting in objection to the proposal the opportunity to read and absorb its contents.

Adjournment of Meeting

The meeting was adjourned at 10.25 am.

Resumption of Meeting

The meeting was resumed at 10.40 am.

The Head of Planning & Capital Development confirmed that, having read the content of the late written representation, it did not raise any new issues that would require Officers to withdraw the application from the schedule for further reports to be drawn up. Officers were content for the application to proceed to be considered by the Committee.

- (i) LA05/2023/0950/F – Retrospective change of use from Class A1 Shop to Café for the sale of food or drink for consumption on the premises at Unit 1 Emerson House, 14b Ballynahinch Road, Carryduff

Councillor P Catney arrived to the meeting during consideration of this item of business (10.46 am).

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

The Committee received:

- Mr G Rolston, accompanied by Mrs A Ewing, in order to speak in opposition to the application; and
- Councillor T Mitchell, accompanied by Mr A Ewing, in order to speak in opposition to the application.

Councillor U Mackin queried whether he had received a written representation from Mr and Mrs Ewing, as referred to by Councillor Mitchell in his speaking note. To afford Members time to review an email submission by Mr and Mrs Ewing that had been circulated to Members on Friday afternoon, the Chair, Alderman M Gregg, advised that the meeting would be adjourned for a short time.

#### Adjournment of Meeting

The meeting was adjourned at 11.11 am.

#### Resumption of Meeting

The meeting was resumed at 11.16 am.

A number of Members' questions were responded to by the above speakers.

The Committee received Mr C Lockhart BL, accompanied by Mr M Gilchrist, in order to speak in support of the application and a number of Members' queries were addressed.

A number of Members' queries were responded to by Planning Officers and Mr A Moore, NI Water, who was in attendance remotely.

#### Debate

During debate:

- Alderman J Tinsley referred to the difficulties associated with retrospective planning applications. Should the recommendation of the Planning Officer to refuse permission be upheld, 15 people would be notified they would lose their jobs. However, the Committee could not ignore the fact that the whole area was under severe pressure with the treatment works. If the timeline for completion of upgrades was only 2 months, a solution may be able to be found, but it was expected to be 18 months. This was a difficult position but the Committee had to take account of evidence provided by the statutory body;

- (i) LA05/2023/0950/F – Retrospective change of use from Class A1 Shop to Café for the sale of food or drink for consumption on the premises at Unit 1 Emerson House, 14b Ballynahinch Road, Carryduff (Contd)
- Councillor N Trimble stated that the evidence from NI Water was compelling and the Committee could not step outside policy. There was evidence to suggest this application was contrary to policy WM2. Councillor Trimble was of the opinion that the car parking at the site was not great. The evidence given to the Committee suggested that there had been an impact caused by this. Parking to the rear of the café or shop was not clear and the access was narrow. On the basis of policy WM2, Councillor Trimble stated that he was in support of the recommendation of the Planning Officer to refuse planning permission;
  - Alderman O Gawith stated that he concurred with comments made and was in support of the recommendation of the Planning Officer to refuse planning permission;
  - Councillor D J Craig stated that this application was a prime example that planning did have an impact on peoples' lives. The decision of the Committee would have an impact on businesses and peoples' jobs. That difficulty had not been brought about by Planning Officers, but by those who had proceeded in the hope that planning approval would be granted. NI Water had pointed out the massive difficulties with regard to sewerage in this area. Calculations had been done and an engineer's report completed. As a result of the overall sewerage system, NI Water could not approve this application. This was incredibly unfortunate for this business but the Committee had to make decisions based on facts and on the advice of statutory consultees. Councillor Craig was reluctantly in support of the recommendation of the Planning Officer to refuse planning permission;
  - Councillor U Mackin stated that he sympathised with the business, which was working in a very difficult environment, but a risk had been taken without full planning approval in place and it had come unstuck. NI Water had been clear. A study had been carried out which was more concrete than just an opinion. Councillor Mackin was in support of the recommendation of the Planning Officer to refuse planning permission; and
  - the Chair, Alderman M Gregg, stated that the Council, the Committee and himself personally wanted to see successful businesses, but they needed to comply with policy. He was not in favour of retrospective applications, particularly when there were responses from statutory consultees indicating insufficient capacity and non-compliance. There was a comprehensive response from NI Water, as well as issues raised by Dfl regarding car parking. Given that NI Water had programmes in place over the next 18 months, Alderman Gregg stated that the landlord may have some issues to resolve during that period. He was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

On a vote being taken, it was agreed to adopt the recommendation of the Planning Officer to refuse planning permission, the voting being:

- (i) LA05/2023/0950/F – Retrospective change of use from Class A1 Shop to Café for the sale of food or drink for consumption on the premises at Unit 1 Emerson House, 14b Ballynahinch Road, Carryduff (Contd)

In favour: Councillor S Burns, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and the Chair, Alderman M Gregg (9)

Against: (0)

Abstain: Councillor D Bassett (1)

It was noted that, as he not been present for the entirety of consideration of this application, Councillor P Catney did not participate in the vote.

#### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (12.05 pm).

#### Resumption of Meeting

The meeting was resumed at 12.12 pm.

- (ii) LA05/2021/1007/F – Residential development consisting of one detached dwelling, two semi-detached dwelling and eight apartments in two blocks (a total of eleven residential units) plus associated site work including sewerage treatment plant and new access onto Comber Road on land to rear of 7-23 Ferndene Park, Dundonald

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

The Committee received Mr C Caves to speak in opposition to the application and a number of Members' queries were responded to.

A number of Members' queries were responded to by Mr Young, on behalf of the applicant.

#### Debate

During debate:

- Councillor N Trimble stated that he had not heard enough to change his mind from the last time this proposal had been presented to the Committee. His concerns were in relation to the blocks of flats being incredibly high. The proposed floor level was already significantly raised in respect of the road and the footpath and the flats to the boundary hedge were an addition

- (ii) LA05/2021/1007/F – Residential development consisting of one detached dwelling, two semi-detached dwelling and eight apartments in two blocks (a total of eleven residential units) plus associated site work including sewerage treatment plant and new access onto Comber Road on land to rear of 7-23 Ferndene Park, Dundonald (Contd)

to that. The concerns he had raised last time related to the significant overbearing nature and overlooking onto houses on the opposite side of the road. Given that there was no change to that situation, Councillor Trimble was not in support of the recommendation of the Planning Officer to approve planning permission;

- Councillor U Mackin stated that he had voted again granting planning permission the last time this proposal had been presented to the Committee and he had not heard anything that changed his opinion;
- Alderman O Gawith stated that he considered this to be an overbearing development. Having attended the previous site visit, he was not in support of the recommendation of the Planning Officer to approve planning permission; and
- the Chair, Alderman M Gregg, stated that when the proposal had been before the Committee previously he had not been in support of granting approval due to the overbearing nature of the apartments and their proximity to the road. They were entirely not in keeping with the local character anywhere in the area. The sites given as examples were 1.5km away and none were as close to a strategic road, or any road, as the proposed properties would be. In addition to the overbearing nature, there was a refusal from NI Water due to incomplete waste water impact assessment. He stated that the Committee would be entirely within its remit to uphold the refusal by NI Water, albeit there was a recommendation from the Planning Officer to grant approval, subject to a negative condition. Alderman Gregg did not consider that negative condition to be strong enough.

### Vote

On a vote being taken, it was agreed to adopt the recommendation of the Planning Officer to grant planning permission, the voting being:

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Councillor A Martin, Alderman J Tinsley and Councillor G Thompson (6)

Against: Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor N Trimble and Chair, Alderman M Gregg (5)

Abstain: (0)

### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for lunch (1.03 pm).

Resumption of Meeting

The meeting was resumed at 1.38 pm.

- (iii) LA05/2023/0932/F – Two pigeon sheds (retrospective and amended scheme) at 21 Little Wenham, Moira

Having declared an interest in this application, Alderman O Gawith left the meeting when it was being considered (1.39 pm).

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

Mr G Tumelty was in attendance to answer any Members' questions but no questions were asked.

There were no queries put to Planning Officers.

Debate

During debate:

- Councillor D J Craig commended Planning Officers for their efforts in relation to this planning application with the redesign of the sheds, their location and how they were now built. There had been huge improvements, not only to environmental friendliness, but for the pigeons themselves. It was good to see a resolution had been found and Councillor Craig was in support of the recommendation of the Planning Officer to approve planning permission;
- Councillor A Martin concurred with the sentiments expressed by Councillor Craig; and
- the Chair, Alderman M Gregg, stated that this was the reason the Committee could defer applications – so resolutions could be found. He welcomed this application coming back with the changes made.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve this application.

Alderman O Gawith returned to the meeting (1.51 pm).

- (iv) LA05/2023/0666/F – Change of use of Day Care Nursery (Class D1(b)) to residential dwelling (Class C1(a)) at the former Little Crickets Day Care, 2 Furze Road, Glenavy, Crumlin

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

- (iv) LA05/2023/0666/F – Change of use of Day Care Nursery (Class D1(b)) to residential dwelling (Class C1(a)) at the former Little Crickets Day Care, 2 Furze Road, Glenavy, Crumlin (Contd)

The Committee received:

- Mrs C Millar in order to speak in support of the application;
- Councillor C Kemp, in order to speak in support of the application; and
- having submitted a late request for speaking rights and this having been accepted by the Chair, Councillor G McCleave spoke in support of the application.

A number of Members' queries were addressed by the speakers.

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

### Debate

During debate:

- Councillor P Catney stated that he had sympathy with the applicant in trying to change the use of the building. He had asked if the building had genuinely been put on the market to try to find its value or a new use, but he did not consider that had been demonstrated to him. The application was contrary to COU4 and, if approved, would open the floodgates for that type of development and what defined vernacular in the countryside. Councillor Catney was in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith stated that he sympathised with the applicant. He had not heard anything today that would lead him to believe this would fit with the definition of vernacular. He referred to a comment made about a potential exception for something being brought back as more than one dwelling, which the applicant may wish to take note of. As this application was for conversion to a single dwelling, Alderman Gawith was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor N Trimble concurred with the previous speakers. The application was not compliant with COU4 and was not a vernacular building. He did not consider there was significant evidence to compel the Committee to set aside planning policy. Councillor Trimble was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor U Mackin stated that he had sympathy with the applicant. He referred to the examples given in the report of vacant properties within village settings where it had been difficult to bring them back into use. If there were difficulties turning a property in a village setting into something commercially viable, there would much less chance of this in the countryside. It would not be possible or easy to realise a sale. That being the case, this would lead to a situation where there was a relatively new building that would turn into a derelict site. In 100 years' time, it would be referred to as a vernacular building because it was used as a play school. That did not make sense to Councillor Mackin. Criteria a-e in COU4 could

- (iv) LA05/2023/0666/F – Change of use of Day Care Nursery (Class D1(b)) to residential dwelling (Class C1(a)) at the former Little Crickets Day Care, 2 Furze Road, Glenavy, Crumlin (Contd)

be met but the Committee was hidebound by policy over what made common logical sense. Councillor Mackin stated that he would abstain from voting on this application;

- Councillor D J Craig stated that he was frustrated by this application. He agreed with Councillor Mackin that criteria a-e of COU4 could be met but it did not meet the definition of the word vernacular. The property was not 100 years old. This was a fundamental problem with definitions in this policy. If everything was to be defined by its age and how it had been in a community, the Committee would become unstuck time and time again with buildings such as this. Whilst forced to follow policy, the policy did not make any sense. Policy would condemn this building to be derelict for a long period of time as, given its location and the other facilities available locally, it would not become a viable business. Councillor Craig stated that he would abstain from voting on this application; and
- the Chair, Alderman M Gregg, stated that, in his opinion, there had been a way that this application potentially could have been approved. However, that was closed with the definition in the Justification and Amplification, ie. “vernacular buildings are those that reflect the local folk tradition and are typical of a common type of building in a particular locality”. That closed out the opportunity of this property being repurposed as a single dwelling. Similar to Alderman Gawith, he noted that there was an exception in the policy that would allow for a building to be converted for multiple dwellings and, in that exception, the word vernacular was not used. Alderman Gregg had sympathy with the applicant but was constrained by policy. He was in support of the recommendation of the Planning Officer to refuse planning permission.

### Vote

On a vote being taken, it was agreed to adopt the recommendation of the Planning Officer to refuse planning permission, the voting being:

In favour: Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and Chair, Alderman M Gregg (8)

Against: (0)

Abstain: Councillor D Bassett, Councillor D J Craig and Councillor U Mackin(3)

### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (3.04 pm).

Councillor D Bassett left the meeting during the comfort break.

Resumption of Meeting

The meeting was resumed at 3.11 pm.

- (v) LA05/2022/0799/O – Site for replacement dwelling with retention of old dwelling as domestic store on lands 25 metres east of 16 Drumcill Road, Lisburn

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

The Committee received Mr N Coffey to speak in support of the application and a number of Members' queries were addressed.

Prior to questions being put to Planning Officers, it was proposed by Alderman O Gawith that this application be deferred for a site visit to take place. This was seconded by Councillor U Mackin and, on a vote being taken, agreed, the voting being 7 in favour and 3 against.

- (vi) LA05/2023/0064/F – Two storey replacement dwelling on a farm with garage on land 120m south of 4 Corrstown Road, Upper Ballinderry, Lisburn

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

The Chair, Alderman M Gregg, advised that there had been two registered speakers for this application, but both had withdrawn their requests.

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

Debate

During debate:

- Councillor A Martin stated that there was an opportunity to build closer to the buildings off the existing lane. He did not consider this application met policy and was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to refuse this application.

Councillor N Trimble left the meeting at this point (3.56 pm).

4.2 Quarter 3 Statistical Bulletin – October to December 2024

Members were provided with a copy of the Quarter 3 Statistical Bulletin, covering the period October to December 2024. It was proposed by Councillor P Catney, seconded by Alderman O Gawith and agreed that this be noted

4.3 Statutory Performance Indicators – March 2025

Members were provided with information in relation to statutory performance indicators for March 2025. It was proposed by Councillor A Martin, seconded by Councillor G Thompson and agreed that this information be noted.

4.4 Appeal Decision – LA05/2022/0236/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.5 Appeal Decision – LA05/2022/0883/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.6 Appeal Decision – LA05/2022/0958/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.7 Appeal Decision – LA05/2022/1058/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.8 Appeal Decision – LA05/2023/0174/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.9 Appeal Decision – LA05/2021/0946/O

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

Councillor U Mackin welcomed the fact that, in respect of all of the above appeals, the decision of the Planning Committee had been upheld by the Planning Appeals Commission. This demonstrated the level of thoroughness that was given to applications and Councillor Mackin commended Planning Officers for this.

- 4.10 Pre-application Notice (PAN) for the demolition of existing retail warehouse, erection of discount foodstore, building for leisure use, drive through café, drive through restaurant, and associated parking, landscaping and site works at former Homebase site, 3 Upper Galwally, Belfast

It was proposed by Councillor G Thompson, seconded by Councillor P Catney and agreed to note the information on the content of the Pre-application Notice and that it be submitted in accordance with the relevant section of the legislation and related guidance.

- 4.11 Pre-application Notice (PAN) for an application under Section 54 of the Planning Act NI 2011 to develop Phase 11 of Baronsgrange without compliance with conditions 16 and 19 of planning permission Y/2009/0160/F to provide a bus service instead of bus passes as required by condition 19 and replace it with bus infrastructure related to the new bus service at Baronsgrange development at Comber Road, Carryduff

It was proposed by Councillor P Catney, seconded by Alderman O Gawith and agreed to note the information on the content of the Pre-application Notice and that it be submitted in accordance with the relevant section of the legislation and related guidance.

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

It was proposed by Alderman J Tinsley, seconded by Councillor P Catney and agreed to note from the report, information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at a number of locations in the Council area.

Alderman J Tinsley stated that a neighbouring resident of one of the locations listed had concerns about it. The Head of Planning & Capital Development advised that the person should raise their concerns directly with the operator and also write to the Council so the Enforcement Unit could check to ensure the operator was in compliance with regulations.

- 4.13 Correspondence to Chief Executive in respect of Developer Contributions for Wastewater Infrastructure - Consultation

It was proposed by Alderman O Gawith, seconded by Councillor G Thompson and agreed that the contents of the above correspondence be noted.

## 5. Any Other Business

### 5.1 Date of Next Meeting

The Chair, Alderman M Gregg, advised that the next meeting of the Committee would be held on Monday, 2 June, 2025.

Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman M Gregg, thanked those present for their attendance.

There being no further business, the meeting was terminated at 4.11 pm.

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Chair/Mayor