

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 6 November, 2023 at 10.04 am**

**PRESENT IN CHAMBER:**

Alderman M Gregg (Chairman)

Councillor U Mackin (Vice-Chairman)

Aldermen O Gawith and J Tinsley

Councillors S Burns, P Catney, D J Craig, A Martin, G Thompson and N Trimble

**IN ATTENDANCE:**

Director of Regeneration and Growth  
Head of Planning & Capital Development  
Principal Planning Officer (RH)  
Senior Planning Officers (MCO'N, MB and PMcF)  
Member Services Officers

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**Commencement of Meeting**

At the commencement of the meeting, the Chairman, 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** (00:02:14)

It was agreed to accept an apology for non-attendance at the meeting on behalf of Councillor D Bassett.

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

2. **Declarations of Interest** (00:03:24)

The following declarations of interest were made:

- in respect of planning application LA05/2022/0018/F, Councillor U Mackin stated that he was a member of the Board of Lagan Valley Regional Park, which was mentioned in the Planning Officer's report, but confirmed that this matter had not been discussed in his presence;
- in respect of planning application LA05/2022/0922/F, Councillor A Martin stated that he was Chaplain at Lisburn Rangers Football Club and that he would step out when this item was being presented;

2. Declarations of Interest (Contd)

- in respect of planning application LA05/2022/0018/F, Councillor A Martin stated that he was a member of the Board of Lagan Valley Regional Park, which was mentioned in the Planning Officer's report, but confirmed that he had not discussed the application with anyone.

3. Minutes of Meetings of Planning Committee held on 2 and 9 October, 2023 (00:06:08)

It proposed by Councillor U Mackin, seconded by Councillor G Thompson and agreed that the minutes of the meetings of Committee held on 2 and 9 October, 2023 be confirmed and signed.

4. Report from the Head of Planning & Capital Development (00:06:36)

4.1 Schedule of Applications (00:06:43)

The Chairman, Alderman M Gregg, advised that there were one major application and eight local applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined (00:06:57)

Councillor G Thompson sought an update on the decision taken at the last Planning Committee meeting that the Corporate Services Committee be requested to consider an amendment to Standing Orders that, in the interest of openness and transparency, all votes at Planning Committee meetings be 'recorded'. The Director of Regeneration and Growth confirmed that this matter had been discussed with the Director of Finance and Corporate Services, as well as the Chairman of the Corporate Services Committee; however, a report had not yet been presented to that Committee. It was agreed, at the request of Councillor G Thompson, that, until this matter was considered by the Corporate Services Committee, votes on all applications would be recorded.

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) LA05/2022/0922/F – Existing football pitch and sectional buildings/ Clubhouse of Stanley Park to be redeveloped to provide a facility with a new Community Hub building, associated parking and an improved playing surface that complies with Irish Football Association (IFA) standards. Development will also include floodlighting to playing surface. In addition, small caged training area/play area to be created to west boundary of site at Stanley Park, Lisburn Leisure Park, Lisburn (00:09:42)

Having declared an interest in this item of business, Councillor A Martin left the meeting (10.14 am).

- (i) LA05/2022/0922/F – Existing football pitch and sectional buildings/ Clubhouse of Stanley Park to be redeveloped to provide a facility with a new Community Hub building, associated parking and an improved playing surface that complies with Irish Football Association (IFA) standards. Development will also include floodlighting to playing surface. In addition, small caged training area/play area to be created to west boundary of site at Stanley Park, Lisburn Leisure Park, Lisburn (Contd)

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

The Committee received Mr B Crawford in order to speak in support of the application. A number of Members' queries were responded to by Mr Crawford.

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

#### Debate

During debate, Alderman O Gawith, Alderman J Tinsley, Councillor N Trimble, Councillor D J Craig, Councillor P Catney, Councillor G Thompson and the Chairman, Alderman M Gregg, all welcomed this application and stated that they were in support of the recommendation to approve. The football club was commended for its work in relation to the application and for investing in the local community.

#### Vote

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

Councillor A Martin returned to the meeting (10.46 am).

#### Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (10.46 am).

#### Resumption of Meeting

The meeting was resumed at 10.54 am.

- (ii) LA05/2021/0420/O – Site for a dwelling, garage and associated site works 35m due north of 68 Gregorlough Road, Dromore

and

- (iii) LA05/2021/0421/O – Site for a dwelling, garage and associated site works 65m due north of 68 Gregorlough Road, Dromore (00:43:54)

The Principal Planning Officer (RH) presented the above applications as outlined within the circulated report.

The Committee received:

- Mr G Duff and Ms M Wright to speak in opposition to the applications; and
- Mr N Coffey to speak in support of the applications.

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

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

#### Debate

During debate:

- Councillor U Mackin referred to the recently adopted Local Development Plan and stressed that the new policies must be adhered to, rather than straying back into old policies and old court judgements. He considered the shed at 68 Gregorlough Road to be an agricultural building which did have a frontage to the road. Councillor Mackin was in support of the recommendation of the Planning Officer to approve this application;
- Alderman O Gawith stated that, having attended the site visit at this location and taking into account the professional advice of the Planning Officers, he was in support of the recommendation to approve this application; and
- Councillor N Trimble stated that he was of the opinion that the gap did represent a significant visual break and did not constitute a ribbon of continuous built-up frontage, although he believed the site was not most conducive to development given the layout of the road. Councillor Trimble did not consider this application to be a clear-cut approval under COU8 and was not in support of the recommendation of the Planning Officer to approve.

#### Vote

LA05/2021/0420/O – Site for a dwelling, garage and associated site works 35m due north of 68 Gregorlough Road, Dromore

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and the Chairman, Alderman M Gregg **(9)**

Against: Councillor N Trimble **(1)**

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to approve the application was 'carried'.

LA05/2021/0421/O – Site for a dwelling, garage and associated site works  
65m due north of 68 Gregorlough Road, Dromore

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and the Chairman, Alderman M Gregg **(9)**

Against: Councillor N Trimble **(1)**

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to approve the application was 'carried'.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (11.55 am).

Resumption of Meeting

The meeting was resumed at 12.05 pm.

(iv) LA05/2022/0247/F – Reconfiguration of public open space on Baronsgrange Park and erection of 9 additional dwellings (6 semi-detached and 3 detached dwellings) to enable connection to Carryduff Park to Baronsgrange development (under construction – planning Permission reference Y/2009/0160/F), Comber Road, Carryduff

and

(v) LA05/2022/0249/F – Construction of foot-bridge across the Carryduff River between Baronsgrange Park and Carryduff Park and erection of one dwelling at Baronsgrange development (under construction – planning permission reference Y/2009/0160/F), Comber Road, Carryduff (01:42:30)

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

The Committee received:

- Mr D Worthington to speak in support of the applications; and
- Alderman M Guy to speak in support of the applications. The Alderman did however refer to a number of concerns local residents had drawn to her attention.

- (iv) LA05/2022/0247/F – Reconfiguration of public open space on Baronsgrange Park and erection of 9 additional dwellings (6 semi-detached and 3 detached dwellings) to enable connection to Carryduff Park to Baronsgrange development (under construction – planning Permission reference Y/2009/0160/F), Comber Road, Carryduff

and

- (v) LA05/2022/0249/F – Construction of foot-bridge across the Carryduff River between Baronsgrange Park and Carryduff Park and erection of one dwelling at Baronsgrange development (under construction – planning permission reference Y/2009/0160/F), Comber Road, Carryduff (Contd)

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

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

During the question and answer session, Members welcomed confirmation from Mr Worthington that:

- (a) the bridge would be constructed prior to any housing;
- (b) the social housing element of this application was in addition to the 15 units approved in the original application; and
- (c) no more than 7 dwellings would be constructed prior to the confirmation that planning permission was secure for the development at the alternative location and development was commenced on the site.

### Debate

During debate:

- Alderman O Gawith stated that any concerns he had had been allayed and he was in support of the recommendation of the Planning Officer to approve these applications;
- Councillor U Mackin stated that, given what he had been told about how potential flooding could be alleviated into the underground system separately from the sewerage system and storm drains, he was prepared to accept that. Whilst having reservations, these were not enough to disagree with the entire development; and
- the Chairman, Alderman M Gregg, stated that there were a lot of good elements in the applications, in particular the commitment to provide affordable housing, and the bridge would be of significant benefit. He shared the concerns of Councillor Mackin around waste water but, as long as the negative condition was included, as indicated in the Officer's report, and also given the commitment by the agent (outlined at (c) above), he was content to support the recommendation of the Planning Officer to approve the applications.

Vote

LA05/2022/0247/F – Reconfiguration of public open space on Baronsgrange Park and erection of 9 additional dwellings (6 semi-detached and 3 detached dwellings) to enable connection to Carryduff Park to Baronsgrange development (under construction – planning Permission reference Y/2009/0160/F), Comber Road, Carryduff

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

LA05/2022/0249/F – Construction of foot-bridge across the Carryduff River between Baronsgrange Park and Carryduff Park and erection of one dwelling at Baronsgrange development (under construction – planning permission reference Y/2009/0160/F), Comber Road, Carryduff

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

The Chairman, Alderman M Gregg, referred to construction having surpassed the 100<sup>th</sup> dwelling and asked if some urgency could be applied to the Section 76 Agreement to provide access to the play park. In response, the Head of Planning & Capital Development advised he would seek to expedite the Section 76 Agreement as soon as possible. However, he pointed out that were a number of issues to be resolved through the Council's normal governance procedure before this could happen.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for lunch (1.08 pm).

Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (1.45 pm).

- (vi) LA05/2021/0738/O – Replacement dwelling on land opposite and 80 metres south west of 149 Hillsborough Road, Dromara (02:39:13)

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

The Committee received Mr A McCready to speak in support of the application. There were no Members' questions.

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

- (vi) LA05/2021/0738/O – Replacement dwelling on land opposite and 80 metres south west of 149 Hillsborough Road, Dromara (Contd)

Debate

During debate:

- Councillor N Trimble stated that he was not in support of the recommendation of the Planning Officer to refuse this application. He was of the opinion that the application was compliant with COU3. Additional information from Stafford Construction that had been submitted by Mr McCready was very useful. Councillor Trimble considered the majority of the building to have been intact and he was content that works carried out were of a repair nature and not a rebuilding of structure;
- Councillor U Mackin stated that the site visit had been very useful. The application was being recommended for refusal due to being contrary to COU3 in that the building identified to be replaced was not an original structure, nor did it exhibit the essential characteristics of a dwelling. Councillor Mackin stated that the definition of essential characteristics included original features such as door and window openings of a domestic scale, chimneys or fireplaces, internal walls defining separate rooms. At the site visit, Councillor Mackin had observed all of that. Of the 4 walls of the building that he observed, he estimated that more than 60-70% was original stone, without any work having been done. In light of this, Councillor Mackin was not in support of the recommendation of the Planning Officer to refuse this application;
- Alderman O Gawith stated that, at the site visit, he too had observed a substantially intact building. He did note that there had been repair and restoration carried out, some recently and some longer ago. He was not in support of the recommendation of the Planning Officer to refuse this application;
- Councillor P Catney stated that, having visited the site, there was no doubt that substantial repairs had carried out to the walls, but there was no doubt this had been a residence. He was not in support of the recommendation of the Planning Officer to refuse the application;
- Councillor G Thompson echoed previous comments. She had observed a building that had had some work done, but in terms of COU3 there were definitely 4 walls and the building was definitely a dwelling. Councillor Thompson was not in support of the recommendation of the Planning Officer to refuse this application;
- Alderman J Tinsley stated that this case was finely balanced. There was no doubt that the building had been a dwelling but there had been substantial work carried out. If this was to be approved, it could create a very dangerous precedent. Alderman Tinsley was in support of the Planning Officer's recommendation to refuse the application;
- Councillor A Martin concurred with the comments of Alderman Tinsley and, given the precedent that could be set, he was in support of the recommendation of the Planning Officer to refuse this application;



(vi) LA05/2021/0738/O – Replacement dwelling on land opposite and 80 metres south west of 149 Hillsborough Road, Dromara (Contd)

- Alderman O Gawith stated that, whilst Alderman Tinsley and Councillor Martin made a valid point, the Committee was required to consider each application on its own merits. There was a policy failure in that COU3 allowed this situation to arise. Councillors Trimble and Martin agreed that there was a weakness in COU3 in that it provided no guidance on the level of repairs or rebuilding that was acceptable and this was something that should be looked at going forward;
- Councillor D J Craig stated that this building had definitely been a dwelling house. There was a problem in that policy COU3 was ill-defined by not dictating how much of the original building was required to be retained. Given that, at the site visit, Councillor Craig had observed 4 substantial external walls, as well as evidence of internal walls and a fireplace, he was not in support of the recommendation of the Planning Officer to refuse this application;
- the Chairman, Alderman M Gregg, stated that there was no doubt this building had been a dwelling; however it had fallen into such state of disrepair and abandonment that it could no longer be considered that all walls were substantially intact, hence why considerable repairs had been carried out, with one wall in particular having been rebuilt. In concurring with previous comments regarding the setting of precedent, Alderman Gregg was in support of the recommendation of the Planning Officer to refuse the application.

Vote

In favour: Councillor S Burns, Councillor A Martin, Alderman J Tinsley, Chairman, Alderman M Gregg **(4)**

Against: Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor G Thompson and Councillor N Trimble **(6)**

The Chairman, Alderman M Gregg, declared that the recommendation of the Planning Officer to refuse planning permission was 'lost'.

Given that the Officer recommendation to refuse planning permission had fallen, it was proposed by Councillor P Catney and seconded by Councillor N Trimble that the application be approved with the following reasons being offered:

- the application was compliant with COU3 which required the building to exhibit the essential characteristics of a dwelling, as evidenced by windows and doors of a domestic scale, internal walls, a fireplace and chimney. All 4 external walls were considered to be substantially intact and it appeared that the majority of the structure was the original building. It was apparent there had been repair work – approximately 50% on one gable wall and a similar section of the adjacent gable wall had been repaired. The repair work had been conducted using original materials from the original building. Works carried out had been of a repair nature rather than a rebuild;

(vi) LA05/2021/0738/O – Replacement dwelling on land opposite and 80 metres south west of 149 Hillsborough Road, Dromara (Contd)

- if the requirements of COU3 were met, then COU1 was met by default; and
- the application met with COU15 and COU16 in that it would not be a prominent feature on the landscape and was a replacement rather than new dwelling;

On a recorded vote being taken, it was agreed to approve the granting of planning permission to this application, the voting being as follows:

In favour: Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor G Thompson and Councillor N Trimble **(6)**

Against: Councillor S Burns, Councillor A Martin, Alderman J Tinsley, Chairman, Alderman M Gregg **(4)**

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the precise wording of conditions to be applied to the application be delegated to the Head of Planning & Capital Development.

(vii) LA05/2022/0018/F – Demolition of existing dwelling and construction of residential development comprising 19 detached dwellings (13 detached and 6 semi-detached), garages, associated access with right hand turning lane, internal road, parking, landscaping and associated works on lands at 126 Hillsborough Road, Lisburn (03:48:00)

The Senior Planning Officer (MCO'N) presented the above application as outlined within the circulated report. It was pointed out that notification had been received earlier this morning from DfI Roads that whilst it was content with the proposal in principal, its Traffic Management Section did not consider that the right hand turning pocket was necessary as it was normally for schemes containing 50 or more houses and this proposal was for 19 houses. The agent had been made aware of this and it had no impact on access or car parking on site.

The Committee received Mr A Larkin, accompanied by Mr P Clelland and Mr D Diamond, in order to speak in support of the application. A number of Members' queries were addressed.

A number of Members' queries were responded to by Planning Officers. Following discussion, it was proposed by Alderman O Gawith and seconded by Councillor N Trimble that this application be deferred to allow for further clarification to be sought from DfI Roads in relation to the right hand turning pocket, the voting being 7 in favour and 3 against. Councillor N Trimble also encouraged that a conversation take place with the agent regarding a potential redesign to make the proposed location compliant with HOU10 in terms of the provision of affordable housing.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (4.08 pm).

Resumption of Meeting

The meeting was resumed at 4.17 pm.

- (viii) LA05/2020/0106/O – Proposed dwelling and demolition of existing shed required to provide access to the site on land to the rear of 54 Crumlin Road, Upper Ballinderry (05:00:56)

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

The Committee received Mr P McAreavey, accompanied by Ms L Johnston, in order to speak in support of the application. A number of Members' queries were addressed.

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

Debate

During debate:

- Alderman O Gawith sympathised with the applicant; however, considering that the application required to adhere with policy, he was in support of the recommendation of the Planning Officer to refuse this application;
- Councillor N Trimble stated that this location was more a ribbon of development than a cluster and he was in support of the recommendation of the Planning Officer to refuse this application;
- the Chairman, Alderman M Gregg, stated that there was very clear evidence of a cluster around the crossroads and extending down the Crumlin Road. He considered the application complied with COU15 and with Building on Tradition and he was not in support of the recommendation of the Planning Officer to refuse the application

Vote

In favour: Councillor S Burns, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and Councillor Trimble **(8)**

Against: Councillor P Catney and the Chairman, Alderman M Gregg **(2)**

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to refuse the application was 'carried'.

- (ix) LA05/2021/0946/O – Site for a dwelling, garage and ancillary site works to replace existing commercial buildings, yard and previously/last use as a Horticultural Nursery/Garden Centre at 40 metres east of 20 Mullaghcarron Road, Ballinderry Upper, Lisburn (05:24:07)

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

The Committee received Mr N Coffey to speak in support of the application. There were no Members' questions.

A number Members' queries were responded to by Planning Officers. During discussion, it was pointed out by the Head of Planning & Capital Development that the last sentence of paragraph 94 of the Officers' report should read "Criteria (f) is not capable of being met".

#### Debate

There was no debate.

#### Vote

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and the Chairman, Alderman M Gregg **(9)**

Against: Alderman O Gawith **(1)**

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to refuse the application was 'carried'.

At this point, the Chairman, Alderman M Gregg, advised that agenda items 4.2 to 4.7 would be deferred for consideration at the next meeting of the Committee, due to be held on Monday, 4 December, 2023. (05:44:34)

#### 5. Any Other Business (05:44:59)

There was no other business.

#### Conclusion of the Meeting

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

There being no further business, the meeting was terminated at 5.01 pm.

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Chairman/Mayor