

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 February, 2025 at 10.04 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 (PMcF and GM)
Member Services Officers (CR and CH)

Mr S Masterson (Cleaver Fulton Rankin)

Ms L Agnew (Cleaver Fulton Rankin) – observing in chamber

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**

There were no declarations of interest made at this point.

The Chair, Alderman M Gregg, stated that, by virtue of being Members of Council, all Members of the Planning Committee would have an interest in planning application LA05/2024/0268/F. However, the dispensation under paragraph 6.6 of the Code of Conduct applied and Members were permitted to speak and vote on the application.

During the meeting, the following declarations of interest were made:

2. Declarations of Interest (Contd)

- Councillor U Mackin in respect of planning application LA05/2024/0268/F, as he was a Council representative on the Lagan Valley Regional Park Board. He confirmed that this application had never been discussed at, or reported to, any meeting he had attended and he had no knowledge of the application at all; and
- Councillor A Martin in respect of planning application LA05/2024/0268/F, as he was a Council representative on the Lagan Valley Regional Park Board. This application had not been raised at any meeting he had attended and he was not aware of it.

3. Minutes of Meeting of Planning Committee held on 6 January, 2025

It was proposed by Alderman J Tinsley, seconded by Councillor P Catney and agreed that the minutes of the meeting of Committee held on 6 January, 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 5 local applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined

The Legal Advisor, Mr S Masterson, 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) LA05/2022/0447/F – Erection of 19 dwellings, consisting of 14 detached dwellings and 5 apartments (including change of house type to sites 17-21, 26-30 & 37 of previous approval LA05/2018/0196/F), landscaping and all other associated site works on lands 62 metres southeast of 11 Woodfort Gardens and approx. 47 metres southeast of 48 Fairfields Meadow, Lisburn

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

No-one was registered to speak on this application.

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

Debate

There were no comments made at the debate stage.

- (i) LA05/2022/0447/F – Erection of 19 dwellings, consisting of 14 detached dwellings and 5 apartments (including change of house type to sites 17-21, 26-30 & 37 of previous approval LA05/2018/0196/F), landscaping and all other associated site works on lands 62 metres southeast of 11 Woodfort Gardens and approx. 47 metres southeast of 48 Fairfields Meadow, Lisburn (Contd)

Vote

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

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and Chair, Alderman M Gregg (**10**)

Against: (**0**)

Abstain: Councillor D J Craig (**1**)

- (ii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo

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

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

Reference had been made by the Senior Planning Officer that in a consultation reply dated 19 January, 2025 the Northern Ireland Environment Agency (NIEA) had requested further information before it could provide its full assessment of the application but that had not been provided. Councillor N Trimble stated that, in his view, there could be a reasoned argument made to overturn the recommendation of the Planning Officer to refuse planning permission; however, he considered it prudent to seek legal advice in this regard, given the fact that there was information not provided by the applicant that could address the outstanding matters raised by the NIEA.

“In Committee”

It was proposed by Councillor N Trimble, seconded by Councillor A Martin and agreed to go 'into committee' to consider this matter. Those members of the public and press in attendance left the meeting (11.39 am).

Legal advice was provided by the Legal Advisor in respect of this application.

Resumption of Normal Business

It was proposed by Councillor D J Craig, seconded by Councillor N Trimble and agreed to come out of committee and normal business was resumed (11.53 am).

Having been provided with legal advice, it was proposed by Councillor N Trimble and seconded by Alderman J Tinsley that this application be deferred to allow the applicant to submit the information identified in the last NIEA consultation response. On a vote being taken, this was proposal was agreed, the voting being 10 in favour and 1 against.

Following discussion around the period of time for which the application would be deferred, it was agreed that Officers write to the applicant detailing the information required and advising that it should be submitted within 28 days.

Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (12.04 pm).

Resumption of Meeting

The meeting was resumed at 12.13 pm.

- (iii) LA05/2023/0107/F – Dwelling and garage on a site between 35 and 37 Glebe Road, Annahilt

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

The Committee received Mr Wm Wallace 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.

Debate

During debate:

- Councillor N Trimble stated that he had tremendous sympathy with the applicant. There had been approval for a dwelling on the site since permission of an application in 2009. That approval had been renewed several times but expired a number of months prior to submission of this current application. Whilst Councillor Trimble considered this application could have been approved under policy CTY8, that policy no longer applied. Having listened to the argument about clustering, he did not find that terribly compelling. He did not accept that this was a rounding off of a cluster; rather it was infill development in a ribbon. The Council's new policy required 2 dwellings, not up to 2 which was the case in the old policy. In light of the current policy, Councillor Trimble could not support approval of this application. He did suggest that the current infill policy may require to be reviewed;

(iii) LA05/2023/0107/F – Dwelling and garage on a site between 35 and 37 Glebe Road, Annahilt (Contd)

- Alderman J Tinsley concurred with the comments made by Councillor Trimble. Being guided by policy, he was in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith agreed that, under the new policy, this application could not be approved;
- Councillor U Mackin stated that, under new planning policy, he struggled to overturn the recommendation of refusal. There was clearly a gap at the site that could be developed. When standing at the site, it felt part of a place. At one side of the site, there was Carricknadarriff Road and a new road on the other side of the road. Those were visual entities just as much as a crossroads. It felt part of the cluster of development. The agent had stated that he could clearly see the Church; however, Councillor Mackin could not agree with that. At the site visit, he had stood in the middle of the road and there were a considerable number of trees to his right towards the Church and those prevented him from seeing it. Councillor Mackin felt sorry for the applicant but, under the current policy, he was reluctantly in support of the recommendation of the Planning Officer to refuse planning permission. He commented similar to Councillor Trimble that the current policy may require to be addressed for the future.

Vote

On a vote being taken, it was agreed that planning permission for this application be refused, the voting being as follows:

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and Chair, Alderman M Gregg (**10**)

Against: Councillor D J Craig (**1**)

Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for lunch (12.57 pm).

Resumption of Meeting

The meeting was resumed at 1.38 pm.

- (iv) LA05/2024/0268/F – Widening of the Lagan Towpath, Lisburn where the River Lagan runs adjacent to the Laganbank Road. Works will include Construction of new concrete retaining walls on lands adjacent to Laganbank Retail Park, Lisburn

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

No-one was registered to speak on this application.

There were no questions put to Planning Officers.

Debate

There were no comments made at the debate stage.

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.

- (v) LA05/2021/1064/F – Dwelling and garage on lands approximately 110 metres south of 78 Carnbane Road (formerly 81 Carnbane Road), Hillsborough

Prior to presentation of this application by the Planning Officer, Councillor P Catney asked if there was a current application for a Certificate of Lawful Existing Use or Development (CLEUD) for this site. The Head of Planning & Capital Development confirmed that an application had been received the previous week, but it would be necessary to get clarification in respect of payment.

It was agreed that, whilst clarification was sought, the other report items on the agenda would be considered.

4.2 Appeal Decision – LA05/2020/0771/O

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

4.3 Appeal Decisions – LA05/2021/0947/O & LA05/2021/0948/O

It was proposed by Councillor N Trimble, seconded by Alderman O Gawith and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeals be noted.

4.4 Quarter 2 Statistical Bulletin – July to September 2024/25

Members were provided with information in relation to Quarter 2 planning statistics. The Head of Planning & Capital Development having answered several queries raised by Members, it was proposed by Councillor P Catney, seconded by Alderman O Gawith and agreed that the information be noted.

4.5 Statutory Performance Indicators – November & December 2024

Members were provided with information in relation to statutory performance indicators for November and December 2024. It was proposed by Councillor G Thompson, seconded by Councillor D Bassett and agreed that this information be noted.

It was agreed that consideration of planning application LA05/2021/1064/F would be resumed at this point.

- (v) LA05/2021/1064/F – Dwelling and garage on lands approximately 110 metres south of 78 Carnbane Road (formerly 81 Carnbane Road), Hillsborough

Clarification having been sought, the Head of Planning & Capital Development confirmed that the CLEUD application, together with full payment, had been received the previous Wednesday. The application had not been yet validated as the payment had not cleared through the system.

Given that the CLEUD would be a material consideration in relation to the above planning application, it was proposed by Councillor P Catney, seconded by Alderman J Tinsley and agreed that this application be deferred for one month to allow assessment of the CLEUD to take place.

- 4.6 Proposed amalgamation of units including minor amendments, reconfiguration and extension to mezzanine floor, associated plant and all other site works at Units 3 and 4 (former Argos and former Next Home), adjacent to Sainsbury's Superstore, Sprucefield Park

It was proposed by Alderman J Tinsley, seconded by Councillor D Bassett 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.

- 4.7 Proposed development of 80 dwelling units, including new access, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn

It was proposed by Councillor D J Craig, seconded by Councillor D Bassett 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.

4.7 Proposed development of 80 dwelling units, including new access, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn (Contd)

At a Member's request, the Head of Planning & Capital Development agreed to write to all Planning Committee Members this week, as well as Members of the Lisburn North District Electoral Area, to confirm what this land was zoned for in the Local Development Plan.

4.8 Access to Justice in Relation to the Aarhus Convention (a call for evidence)

It was proposed by Councillor P Catney, seconded by Councillor D Bassett and agreed to (a) note the update provided by the Department of Justice; and (b) note that a report was to be presented to the February meeting of the Regeneration and Growth Committee with a draft response recommended.

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

It was proposed by Councillor D J Craig, seconded by Alderman J Tinsley 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.

Discussion arose around there being some level of back-up electricity supply being built in when telecommunications masts were installed and then, as had happened recently during Storm Eowyn, mobile signal was lost when electricity supplies were lost. Members asked if there were any rules or regulations on what should happen in this instance. This was a matter of concern, given that in most households mobile phones were the only means of communication. The Head of Planning & Capital Development stated that it was a matter for OFCOM to ensure continuity of service, particularly in times of adverse weather conditions. He suggested that this could be a general matter, not for this Committee, but for consideration by another Committee or full Council, to contact OFCOM to seek clarification on the resilience of the mobile system, given recent experience of the severe storm.

In response to comments regarding the number of poles brought down during the storm by fallen trees and the possibility of reviewing the location of poles in the future, the Head of Planning & Capital Development explained that consideration had been given to undergrounding electricity supplies but, as well as having environmental, landscaping and other constraints, this was found to be cost prohibitive.

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, 3 March and, in his absence, would be chaired by the Vice-Chair, Councillor S Burns.

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 2.34 pm.

Chair/Mayor