

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Continuation Meeting held in the Council Chamber and in Remote Locations on Thursday, 17 October, 2024 at 2.00 pm**

**PRESENT IN CHAMBER:**

Alderman M Gregg (Chair)

Councillor S Burns (Vice-Chair)

Alderman J Tinsley

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

**IN ATTENDANCE:**

Head of Planning & Capital Development  
Principal Planning Officer (RH)  
Senior Planning Officers (PMcF and GM)  
Member Services Officers (CR and CH)

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**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**

It was agreed to accept apologies for non-attendance at the meeting on behalf of Alderman O Gawith and Councillor U Mackin.

2. **Declarations of Interest**

Councillor D J Craig declared in an interest in planning application LA05/2023/0276/F as the applicant was a close friend and neighbour. Councillor Craig stated that he would not be participating in consideration of this application.

3. **Report from the Head of Planning & Capital Development**

3.1 **Schedule of Applications**

The Chair, Alderman M Gregg, advised that there were 4 local applications on the schedule for consideration at the meeting.

3.1.1 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.

- (i) LA05/2023/0276/F – Barn conversion and single storey extension to provide a dwelling with detached garage on lands 100m north east of 12 Mullaghdrin Road East, Dromara

Having declared an interest in this application, Councillor D J Craig left the meeting (2.06 pm). Alderman J Tinsley arrived to the meeting during consideration of this item of business (3.09 pm).

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

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

A written submission had been received from Alderman A McIntyre. He was not in attendance at the meeting, but his submission had been noted by Members.

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

Following discussion, it was proposed by Councillor P Catney that this application be deferred to allow for a site visit to take place. There was no seconder for this proposal.

Debate

During debate:

- Councillor N Trimble stated that he was not in support of the recommendation of the Planning Officer to refuse planning permission. He considered that the application met COU4. It was an unlisted vernacular building and met criteria (a) to (e). It was of a permanent construction, would maintain or enhance the form, character and architectural features of the existing building. Councillor Trimble stated that, admittedly, criteria (c) was a matter of judgement, being sympathetic to the scale, massing and architectural style of the existing building. He deemed that the extension was necessary. The existing building would provide for bedrooms and a bathroom; the extension would be for a living, dining and kitchen space. It was sympathetic and would mirror it. In respect of criteria (d), Councillor Trimble could not see how the conversion/reuse would unduly affect the amenities of nearby residents. He believed that the nature and scale of the use was demonstrated to be appropriate to the countryside location. The finished product would be an enhancement to what was currently there. Further on in COU4, it was stated that, in all cases, evidence of a building's condition must demonstrate that it was reasonably capable of being made structurally sound or otherwise improved. From the pictures and the presentation, it seemed to Councillor Trimble that the structure was

- (i) LA05/2023/0276/F – Barn conversion and single storey extension to provide a dwelling with detached garage on lands 100m north east of 12 Mullaghdrin Road East, Dromara (Contd)

generally sound. There may be a disagreement on the level of remedial works required to make it sound, but the policy required that it be reasonably capable of being made sound and Councillor Trimble believed it was. He was not in support of the recommendation of the Planning Officer to refuse planning permission;

- Councillor A Martin agreed with the comments made by Councillor Trimble. He considered this was an ideal location and the development would be done well. He was not in support of the recommendation of the Planning Officer to refuse planning permission;
- the Chair, Alderman M Gregg, stated that he too agreed with Councillor Trimble. The reasons for refusal could be addressed within this application. The very nature of this development and the building of an extension would maintain and enhance the form of the barn that was there. In relation to the architectural feature, design and setting of the existing building, there was an engineering risk. Although he did not have engineering expertise, the Chair stated that, having seen the state of the building, he was of the view that it could be sympathetically restored. He did not consider the massing of the extension to be too great. This was a matter of judgement within policy. It was single storey and slightly shorter but the availability of space within the existing building was limited; what was being provided was floor space for an average sized home. In respect of criteria (e), the proposed residential use was not sympathetic to the vernacular building, this had been addressed in previous comments. When you drove around the drive, you would see the entirety of the building and how it was retained. The style of the building was retained, as per policy. If there was a way to ensure that the original material was used to try to preserve the original features, Alderman Gregg would be entirely in favour of that; and
- Councillor P Catney referred to the Officer's report advising that the proposal was contrary to COU1 in that the proposed development was not a type of development which, in principle, was acceptable in the countryside. Councillor Catney believed that the proposed development was contrary to what COU1 stated and he was not in support of the recommendation of the Planning Officer to refuse planning permission. The Chair, Alderman M Gregg, pointed out that with criteria in COU4 being met, COU1 would fall away.

#### Vote

On a vote being taken, it was agreed not to adopt the recommendation of the Planning Officer to refuse planning permission, the voting being:

In favour: Councillor D Bassett, Councillor S Burns and Councillor G Thompson **(3)**

Against: Councillor P Catney, Councillor A Martin, Councillor N Trimble and the Chair, Alderman M Gregg **(4)**

- (i) LA05/2023/0276/F – Barn conversion and single storey extension to provide a dwelling with detached garage on lands 100m north east of 12 Mullaghdrin Road East, Dromara (Contd)

Given that the Officer recommendation to refuse planning permission had fallen, it was proposed by Councillor N Trimble, seconded by Councillor A Martin and, on a vote being taken, agreed that the application be approved, the voting being as follows:

In favour: Councillor P Catney, Councillor A Martin, Councillor N Trimble and the Chair, Alderman M Gregg **(4)**

Against: Councillor D Bassett, Councillor S Burns and Councillor G Thompson **(3)**

In agreeing to approve the application, the following reasons were offered:

- the proposal met COU4 in that it was an unlisted vernacular building that would be a permanent construction and would maintain or enhance the form, character and architectural features of the original building. The extension was sympathetic in terms of scale and massing of the existing building. The conversion would not adversely impact the amenity of nearby residents. The nature and scale was appropriate to its countryside location;
- in respect of COU1, this was a type of development that would be acceptable in the countryside; it was a conversion of an existing barn;
- the building was structurally sound and was capable of restoration;
- in respect of criteria (b) of COU4, if nothing was done, the existing building would fall down. In engineering terms, there had to be a certain amount of work done to maintain it going forward; that involved a certain amount of deconstruction, reconstruction and raising the ridge height in order to comply – that was where criteria (b) would be met. As one would drive around the building, the existing building would be seen in its entirety;
- in respect of criteria (c), the new extension being sympathetic to the scale and massing of the existing building, the fact that the barn was so small meant the extension was required to make it a habitable size. The existing building was very narrow but long, the new building was shorter but somewhat deeper;
- in respect of criteria (e), there was linkage through and the architect had indicated that whatever materials could be used in that linkage would be used. This was a sympathetic conversion;
- as criteria (b), (c) and (e) were met, COU1 would fall away.

It was proposed by Councillor N Trimble, seconded by Councillor A Martin and, on a vote being taken, agreed that authority be delegated to the Head of Planning & Capital Development to formulate the precise wording of conditions relating to planning permission for this application, the voting being:

In favour: Councillor P Catney, Councillor A Martin, Councillor N Trimble and the Chair, Alderman M Gregg **(4)**

- (i) LA05/2023/0276/F – Barn conversion and single storey extension to provide a dwelling with detached garage on lands 100m north east of 12 Mullaghdrin Road East, Dromara (Contd)

Against: Councillor D Bassett, Councillor S Burns and Councillor G Thompson **(3)**

It was proposed by Councillor N Trimble, seconded by Councillor A Martin and, on a vote being taken, agreed that planning permission be granted to this application and that authority be delegated to the Head of Planning & Capital Development to formulate the precise wording of conditions relating to planning permission for this application, the voting being:

In favour: Councillor P Catney, Councillor A Martin, Councillor N Trimble and the Chair, Alderman M Gregg **(4)**

Against: Councillor D Bassett, Councillor S Burns and Councillor G Thompson **(3)**

Councillor D J Craig returned to the meeting at 3.30 pm.

At this stage, Councillor P Catney stated that, on occasions when the Planning Committee went against the recommendation of the Planning Officer, and given their reasons for that during debate, Planning Officers should then assist Members in providing suitable wording and he would prefer if that was done in private. The Chair, Alderman M Gregg, stated that if a Member was in a position where they were overturning an Officer recommendation, it was necessary for that Member to have a sound understanding of policy. If that was not the case, perhaps an extension was the correct decision to make or defer for further information. Whilst he understood the points made by Councillor Catney, he explained the reason for the lengthy process that was undertaken when an Officer recommendation was overturned. The Chair stated that, if Members wished, the Legal Advisor could provide refresher training.

#### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (3.36 pm).

#### Resumption of Meeting

The meeting was resumed at 3.46 pm.

- (ii) LA05/2023/0396/F – Dwelling on a farm on land 200m east of 75 Dromore Road, Dromara, Dromore

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

- (ii) LA05/2023/0396/F – Dwelling on a farm on land 200m east of 75 Dromore Road, Dromara, Dromore (Contd)

The Committee received Mr J Harkness 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

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 refuse this application.

- (iii) LA05/2021/0740/F – Two dwellings with garages on land between 28a and 32a Ballykeel Road (access via Ashdene Road) Moneyreagh

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

The Committee received Mr A McCreedy, accompanied by Mr M Chambers, 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.

Following discussion around the current use of the building that had received previous planning permission as a domestic garage, it was proposed by Councillor N Trimble, seconded by Councillor D J Craig and agreed that this application be deferred for one month in order that the applicant could submit further information as to the nature of the business being operated at that location. Councillor Trimble further requested that additional photographs be provided for Members as the size of the gap was also a material concern.

- (iv) LA05/2024/0106/O – Proposed replacement dwelling and garage for domestic use on land to the rear of 190 Killynure Road, Saintfield

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

There was no-one registered to speak on this application.

There were no Members' questions put to Planning Officers.

- (iv) LA05/2024/0106/O – Proposed replacement dwelling and garage for domestic use on land to the rear of 190 Killynure Road, Saintfield (Contd)

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 refuse this application.

3.2 Statutory Performance Indicators – August 2024

It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed that the information in relation to the August 2024 Statutory Performance Indicators be noted.

3.3 Appeal Decision – LA05/2022/0703/A

It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed to note the report and decision of the Planning Appeals Commission in respect of the above application.

3.4 Appeal Decision – LA05/2022/0977/F

It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed to note the report and decision of the Planning Appeals Commission in respect of the above application.

3.5 Notification by Telecommunication Operator(s) or Intention to Utilise Permitted Development Rights

It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed to note from the report, information regarding notifications by telecommunication operators to utilise Permitted Development Rights at several locations in the Council area.

3.6 Correspondence from Department for Communities – Guidance on Historic Windows

It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed to note the update provided by the Department for Communities in relation to Guidance on Historic Windows.

4. Any Other Business

4.1 Briefing on Section 76 Planning Agreements

The Head of Planning & Capital Development advised that a Teams call would be arranged with Members in advance of next week's Council meeting in order that a briefing could be provided in respect of Section 76 Planning Agreements.

4.2 Date of Next Meeting

The Chair, Alderman M Gregg, advised that the next meeting of the Planning Committee would be held on Monday, 4 November, 2024.

There being no further business, the meeting was terminated at 5.17 pm.

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Chair/Mayor