

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 November, 2025 at 10.00 am**

**PRESENT IN CHAMBER:**

Councillor G Thompson (Acting Chair)

Aldermen O Gawith and M Gregg

Councillors S Burns, P Catney, D J Craig, J Lavery BEM, A Martin and N Trimble

**PRESENT IN REMOTE LOCATION:**

Councillor D Bassett

**IN ATTENDANCE:**

Director of Regeneration and Growth  
Head of Planning & Capital Development  
Principal Planning Officer (PS)  
Senior Planning Officers (MB, PMcF and GM)  
Member Services Officers (CR, EW and FA)

Cleaver Fulton Rankin

Mr B Martyn, Legal Advisor  
Ms C McPeake (remote attendance)  
Mr P Lockhart (remote attendance)

**Commencement of Meeting**

In the absence of the Chair, Alderman J Tinsley, the Vice-Chair, Councillor G Thompson, took the chair and conducted the business on the agenda.

At the commencement of the meeting, the Acting Chair, Councillor G Thompson, welcomed those present to the Planning Committee. She pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. The Head of Planning & Capital Development outlined the evacuation procedures in the case of an emergency.

1. **Apologies**

It was agreed to accept an apology for non-attendance at the meeting on behalf of the Chair, Alderman J Tinsley.

2. **Declarations of Interest**

There were no declarations of interest.

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

It was proposed by Councillor A Martin, seconded by Councillor P Catney and agreed that the minutes of the meeting of Committee held on 6 October, 2025 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Acting Chair, Councillor G Thompson, advised that there were 3 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.

(i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee

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

The Committee received Mr I Mossman 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

At the discretion of the Acting Chair, Councillor G Thompson, the Head of Planning & Capital Development was permitted to address a number of Members' queries raised at the debate stage.

During debate:

- Councillor D J Craig stated that, reluctantly, he was in agreement with the advice of Officers. The decision hinged around the transfer of land in 2023. Having sought clarification as to whether the older business applied to the new business, the answer had been that it did not meet the criteria in COU10. Therefore, Councillor Craig was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor N Trimble was in agreement with the advice of Officers. Having looked at Google Street View for 2023, around the time the land was transferred to the other farm holding, the site had been full of rubble and there was an old shed that had been dismantled. He did not consider this had been an active farm;

(i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee (Contd)

- Councillor P Catney stated that he was in support of the recommendation of the Planning Officer to refuse planning permission. The application did not meet the criteria of the farm business being established for at least 6 years;
- Alderman O Gawith referred to paragraph 52 of the Officer's report which quoted the Planning Appeals Commissioner's comments on a previous appeal that "...it could not possibly be part of an active and established farm business...". Alderman Gawith stated that the Commissioner did not say part of 'the' active farm. Members had been informed that the particular piece of land in the application being considered had come from one active and established business into another active and established business. At all times it was being farmed and was part of an established farm business. Members did not have details of the land in the appeal case. The Justification and Amplification in COU10 stated that permission would be granted for a dwelling where a rural business was artificially divided solely for the purpose of obtaining planning permission. Alderman Gawith did not believe that to be the case on this occasion. He stated that he could not support the recommendation of the Planning Officer to refuse planning permission. He did not consider he had enough information to make an accurate decision;
- Alderman M Gregg was in support of the recommendation of the Planning Officer to refuse planning permission. This recommendation gave weight to the judgement of the Planning Appeals Commissioner on a previous appeal and was fully in line with policy. If planning permission was granted for this application, a dangerous precedent would be set. Should a similar application come forward in 4 years' time, it would be considered on its own merits at that time; and
- Councillor N Trimble agreed that, if permission was granted, a precedent would be set for farmers to purchase an adjacent site and build on it on the basis that the site had been an active farm for 6 years. Councillor Trimble had difficulty believing that the site in question on this occasion was being actively farmed, given that the Justification and Amplification of COU10 stated that agricultural activity referred to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes or maintaining the land in good agricultural and environmental condition. He referred again to the 2023 Google Street View when the site appeared to be full of rubble. Councillor Trimble reiterated that 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 D Bassett, S Burns, Councillor P Catney, Councillor D J Craig, Alderman M Gregg, Councillor J Lavery, Councillor A Martin, Acting Chair, Councillor G Thompson and Councillor N Trimble (9)

- (i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee (Contd)

Against: None (0)

Abstain: Alderman O Gawith (1)

Adjournment of Meeting

The Acting Chair, Councillor G Thompson, declared the meeting adjourned at this point for a comfort break (11.05 am).

Resumption of Meeting

The meeting was resumed at 11.15 am.

- (ii) LA05/2024/0799/F – Farm building for livestock and farm machinery located 90 metres southwest of 135 Pond Park Road, Lisburn

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

The Committee received Mr A McCreedy, accompanied by Mr R Belshaw, 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.

At this stage, it was proposed by Councillor N Trimble, seconded by Councillor D J Craig and agreed that this application be deferred for one month to allow the further information described by the applicant in their speaking note and in response to questions from the Members to be submitted.

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

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

The Committee received Mr N Reid and Councillor U Mackin 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.

During questions to the Planning Officers, a query was raised in respect of the history of enforcement action. The Principal Planning Officer was asked to get the information from the file, so a comfort break was called at 12.41 pm. The meeting was resumed at 12.47 pm.

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

Debate

During debate:

- Alderman M Gregg stated that he was not in support of the recommendation of the Planning Officer to refuse planning permission and offered the following reasons:
  - (i) with the fulfilling of other criteria, COU1 would fall away;
  - (ii) in respect of COU12 (a), the applicant had demonstrated that the agricultural holding was active for more than 6 years;
  - (iii) in respect of COU12 (b), he considered that the size of the building was a requirement for the breeding of cattle and that this criteria was met with the evidence provided;
  - (iv) in respect of COU12 (c), he considered that the character and scale were necessary and were appropriate to the location;
  - (v) he considered COU12 (d) to be met as the building integrated into the local landscape in its current location;
  - (vi) COU15 (a) fell away in light of the detail given above;
  - (vii) he considered COU15 (c) and (e) to be met as the building did integrate into the landscape and was difficult to see from a number of locations;
  - (viii) in respect of COU15 (f), he considered the design was appropriate for the development of the herd and appropriate in its current location;
  - (ix) with COU12 and COU15 being met, COU16 (a), (b) and (e) were also met; the building was located with the property at 112 Back Road, was not prominent in the landscape and was situated in a hollow

Alderman Gregg referred to the weight of evidence given to the agricultural use of the land and, with bulls having been in the field beforehand, he considered that to demonstrate that the farm holding had been in place for over 6 years;

- Councillor N Trimble concurred with Alderman M Gregg's comments. Mention had been made that the Justification and Amplification in COU12 referred back to COU10 regarding what was an established business. Having read the Justification and Amplification of COU10, Councillor Trimble quoted "the applicant will, therefore, be required to provide the farm's business ID supplied by DAERA along with other evidence to prove active farming over the required period". He then referred to Mr Reid having a receipt for the purchase of a bull. He considered that to be credible information to indicate that farming activity was established and that this application absolutely met the 6 year requirement. Councillor Trimble added that, should the application be refused and an appeal lodged with the PAC, by the time it was heard the application would have met the 6 year requirement, so there would be no merit to refuse it on those grounds. The shed was necessary by virtue of being used as it was full of cattle. In relation to the scale of the building and its location, Councillor Trimble stated that was sited as sympathetically as possible, as evidenced by the

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

depression in the land. The applicant had built the shed without the benefit of planning permission; however, he had done so under the false assumption that it would be allowed under Permitted Development Rights. Councillor Trimble did not consider that reason enough to refuse the application. The applicant had created a good offering, was a good farmer and this was the sort of development that should be encouraged;

- Councillor D J Craig also concurred with the previous speakers. In respect of the building's visibility within the landscape, the site visit had been useful. Councillor Craig stated that, whilst walking along Back Road from both directions, it had been incredibly difficult to see the building as it was situated in a depression. He pointed out that the roof of the building only could be seen when turning into Back Road from the main road. The fact that the applicant had situated this building in the lowest possible part of his land indicated that he had tried to ensure it was as unobtrusive as possible. Councillor Craig pointed out that the applicant had been applying for his farm business ID when Covid19 had intervened and work in all Departments had dramatically slowed down the processing of applications. Councillor Craig reiterated comments made by Councillor Trimble in respect of this application being turned down and going to appeal. He was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith was in agreement with his colleagues. He pointed out that what had been witnessed at the site visit at this location had been a winter landscape and Members had struggled to see the building. At other times of the year, the building would be even less visible;
- Councillor P Catney stated that he was not in favour of retrospective planning applications; however, having listened to Mr Reid, heard the evidence, and with the passage of time, he was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor A Martin agreed with the previous speakers. In relation to the retrospective nature of the application, he stated that whilst he considered applications should be progressed in the correct order, this applicant was a good steward of the land. Farming families were important and should be encouraged. Councillor Martin was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor S Burns agreed with her colleagues and was not in support of the recommendation of the Planning Officer to refuse planning permission. Having attended the site visit, she stated that the building had little visual impact. She had had reservations about the business being in existence for 6 years; however, given the evidence provided at this meeting, she was confident that the 6 year requirement had been met;
- Councillor J Lavery, not having been a Member of the Planning Committee at the time, had not attended the site visit; however, based on the evidence presented he was in agreement with the comments made by his colleagues and was not in support of the recommendation of the Planning Officer to refuse planning permission. He added his disappointment that an

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

enforcement notice had first been notified in 2021 and it was now close to 2026. He considered that to be something that needed addressed going forward; and

- the Acting Chair, Councillor G Thompson, concurred with the previous speakers. Whilst she was not in favour of retrospective applications, but having listened to the evidence she was assured there were agricultural holdings being used from 2018. She was not in support of the recommendation of the Planning Officer to refuse planning permission.

Discussion took place following comments by the Head of Planning & Capital Development in respect of the need to engage with COU15 (b) and COU16 (b).

#### “In Committee”

At this stage, it was proposed by Alderman O Gawith, seconded by Councillor P Catney and agreed to go ‘into committee’ to consider this matter. Those members of the public in attendance left the meeting (1.21 pm).

Members were provided with legal advice in respect of the matters raised by the Head of Planning & Capital Development in response to the Members’ reasons for not accepting the recommendation of the Planning Officer to refuse planning permission.

#### Resumption of Normal Business

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed to come out of committee and normal business was resumed (2.21 pm).

Alderman M Gregg referred to his previous comments about various criteria having been met, with the exception of COU15 (b) and COU16 (b) and proposed that this application be deferred in order that further legal advice could be sought in respect of the application of these policies. This proposal was seconded by Councillor N Trimble and agreed unanimously.

#### Adjournment of Meeting

The Acting Chair, Councillor G Thompson, declared the meeting adjourned for lunch at this point (2.24 pm).

#### Resumption of Meeting

The meeting was resumed at 2.52 pm.

Councillors D Bassett and D J Craig did not return to the meeting after lunch.

4.2 Statutory Performance Indicators – September 2025

It was proposed by Alderman M Gregg, seconded by Alderman O Gawith and agreed that information relating to Statutory Performance Indicators for September 2025 be noted.

4.3 Quarter 1 Statistical Bulletin – April to June 2025

It was proposed by Alderman M Gregg, seconded by Councillor N Trimble and agreed that information relating to the Quarter 1 Statistical Bulletin be noted.

4.4 Appeal Decision – LA05/2022/1135/F

It was proposed by Alderman M Gregg, 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. The Head of Planning & Capital Development addressed Members' comments regarding this appeal decision and Alderman O Gawith registered his disappointment on the outcome of the appeal decision.

4.5 Consultation from DfI on Sustainable Drainage Systems (SuDS) in New Housing Developments

It was proposed by Councillor P Catney, seconded by Alderman M Gregg and agreed that the content of report in respect of the above matter be noted and that a report would be presented to the November meeting of the Regeneration and Growth Committee to consider the draft response to the consultation in order that a submission could be made by the deadline of 19 December, 2025.

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

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed that information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at locations in the Council area be noted.

5. Any Other Business

There was no other business of a confidential nature. There was one item of confidential other business to be considered.

"In Committee"

It was proposed by Alderman M Gregg, seconded by Alderman O Gawith and agreed to go 'into committee' to consider this matter. Those members of the public in attendance left the meeting (3.07 pm).



5.1 Update on Recent Court Ruling

The Director of Regeneration and Growth provided Members with a verbal update on the outcome of a recent court case and advised that a further report on this matter would be presented to the Committee in due course.

Resumption of Normal Business

It was proposed by Councillor A Martin, seconded by Councillor P Catney and agreed to come out of committee and normal business was resumed (3.10 pm).

Conclusion of the Meeting

At the conclusion of the meeting, the Acting Chair, Councillor G Thompson, thanked those present for their attendance.

There being no further business, the meeting was terminated at 3.10 pm.

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Chair/Mayor