

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 19 June, 2023 at 10.00 am**

**PRESENT IN CHAMBER:**

Alderman M Gregg (Chairman)

Aldermen O Gawith and J Tinsley

Councillors D Bassett, 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)  
Principal Officers (RH & LJ)  
Senior Planning Officers (MB & RT)  
Member Services Officers

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**Adjournment of Meeting**

At the outset, the Chairman, Alderman M Gregg, advised that it was necessary to adjourn the meeting for 15 minutes to allow for the arrival of the Legal Advisor.

**Commencement of Meeting (10.15 am)**

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** (00:02:42)

It was agreed to accept an apology for non-attendance at the meeting on behalf of the Vice-Chairman, Councillor U Mackin.

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** (00:03:51)

The following declaration of interest was made:

2. Declarations of Interest (Contd)

- Alderman O Gawith in respect of planning application LA05/2022/0272/O, given that he had discussed some details of the application with the applicant and his agent and, therefore, could be viewed as having already formed an opinion.

3. Minutes of Special Meeting of Planning Committee held on 27 April, 2023  
(00:04:35)

It proposed by Alderman O Gawith, seconded by Alderman J Tinsley and agreed that the minutes of the special meeting of Committee held on 27 April, 2023 be confirmed and signed.

4. Report from the Head of Planning & Capital Development (00:05:05)

4.1 Schedule of Applications (00:05:14)

The Chairman, Alderman M Gregg, advised that there was one major application and three local called-in applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined (00:06:15)

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.

As this was the first meeting of the Planning Committee following the recent Local Government Elections, the Head of Planning & Capital Development advised that there was a requirement for Members who were new to the Committee to undertake mandatory training. He confirmed that this had taken place and that all Members present were eligible to participate in the meeting, having attended this training.

The Head of Planning & Capital Development advised that, due to the late submission of information by a third party objector in respect of the major application, LA05/2022/0830/F, this application was being moved to the end of today's schedule. An update would be provided on the late representation received, advice around that and the implications for the decision-making process.

- (i) LA05/2022/0272/F – Proposed two detached dwellings with provision for future garages at gap between 42 Halfpenny Gate Road, Moira and Broomhedge Gospel Hall, 40a Halfpenny Gate Road, Moira (00:08:55)

Having declared an interest in this application, Alderman O Gawith left the meeting at this point (10.26 am).

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

- (i) LA05/2022/0272/F – Proposed two detached dwellings with provision for future garages at gap between 42 Halfpenny Gate Road, Moira and Broomhedge Gospel Hall, 40a Halfpenny Gate Road, Moira (Contd)

The Committee received Mr S Wilson 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, a number of Members stated their concern that there were two conflicting policies that applied to this application. The Head of Planning & Capital Development referred to a number of planning appeal decisions on similar cases that were referenced in the Planning Officer's report and stated that it may be beneficial for Members to be provided with copies of those appeal decisions to assist in the decision-making process. He asked if Members were minded to defer the application in order that Officers could provide further information on the policy context and the relevance of this to the decision-making process.

#### "In Committee"

It was proposed by Alderman J Tinsley, seconded by Councillor N Trimble and agreed to go "into committee", in order that legal advice could be sought. Those members of the press and public in attendance left the meeting (11.27 am).

The Council's Legal Advisor, as well as the Head of Planning & Capital Development, provided advice to Members.

#### Resumption of Normal Business

It was proposed by Alderman J Tinsley, seconded by Councillor N Trimble and agreed to come out of committee and normal business was resumed (11.43 pm).

#### Debate (Contd)

It was proposed by Alderman J Tinsley and seconded by Councillor N Trimble, that this application be deferred for one month to allow for further information to be provided in respect of planning appeal decisions on similar cases and to tease out the relevant planning policies.

Councillor P Catney proposed that the planning application be proceeded with now and put to the vote.

The Chairman, Alderman M Gregg, pointed out that the next meeting of the Committee was scheduled to take place in two weeks' time. Alderman J Tinsley amended his proposal to read that the application be deferred 'to the next meeting'. This being the case, Councillor Catney withdrew his proposal.

The proposal in the name of Alderman J Tinsley was put to the meeting and unanimously agreed.

Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (11.48 am).

Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (11.56 am).

Alderman O Gawith returned to the meeting at this point. Councillor D J Craig and the Director of Regeneration and Growth did not return to the meeting following the comfort break.

- (ii) LA05/2021/1112/O – Proposed new dwelling in a small gap site within a continuously built frontage and which also forms part of an established cluster at lands to the west of 6 Chapel Road, Glenavy (01:13:43)

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

The Committee received Ms L Johnson 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.

The Head of Planning & Capital Development advised that paragraph 38 of the Planning Officer's report should have referred to Policy CTY2a, not CTY2.

Debate

During debate, Councillor N Trimble stated his agreement with the Planning Officer's recommendation.

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed, on a vote being taken, to adopt the recommendation to refuse the application, the voting being 8 in favour and 1 against.

- (iii) LA05/2022/0747/RM – Proposed infill of two dwellings and garages between 15 and 21 Church Road, Lisburn (01:46:52)

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

The Committee received Ms D Neill in order to speak in opposition to the application. A number of Members' queries were addressed.

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

- (iii) LA05/2022/0747/RM – Proposed infill of two dwellings and garages between 15 and 21 Church Road, Lisburn (Contd)

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.

Adjournment of Meeting

Prior to adjourning for lunch, the Head of Planning & Capital Development provided Members with a copy of additional information that had been received at 1.42 am from a third party objector in respect of the major application on today's schedule, LA05/2022/0830/F, for their perusal.

The Chairman, Alderman M Gregg, declared the meeting adjourned for lunch (12.50 pm).

Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (1.34 pm).

The Principle Officer (Local Development Plan and Planning Enforcement), joined the meeting at this stage.

- (iv) LA05/2022/0830/F – Demolition of existing buildings/structures and erection of mixed use development comprising mixed tenure residential development comprised of 36 dwelling houses, 55 apartments and 2 maisonettes; 6 Class B industrial/employment units (total 1,098 sq. metres) with service yard; 3 flexible work spaces/WiFi hubs (total 300 sq. metres); 2 take away coffee pod units; private, communal and public space, landscaping, cycle and car parking, associated site works and infrastructure and access arrangements from Moira Road at lands at 160 Moira Road, Lisburn (02:08:24)

The Head of Planning & Capital Development referred to additional information that had been received at 1.42 am from a third party objector in respect of the above application which had been circulated to Members prior to lunch. He advised that, in order to allow for full and proper consideration to be given to the information, this application was being withdrawn from today's schedule and would be considered at the July meeting. The applicant and third party objector had been notified accordingly. In response to comments by Councillor P Catney regarding the receipt of information at such a late stage, the Head of Planning & Capital Development stated that it was incumbent on the Committee to consider all information, hence the need to withdraw the application from the schedule to allow sufficient time for Officers to prepare a report for presentation to Members. This circumstance was not common but did occur occasionally.

4.2 Statutory Performance Indicators – March 2023 and Year End (02:11:35)

The Head of Planning & Capital Development having addressed a number of queries raised, it was proposed by Alderman J Tinsley, seconded by Councillor N Trimble and agreed to note information provided in respect of statutory performance indicators for March 2023 and Year End.

4.3 Appeal Decision – LA05/2017/0772/F (02:28:40)

It was proposed by Alderman J Tinsley, seconded by Alderman O Gawith and agreed to note the information set out the report in respect of the decision of the Planning Appeals Commission regarding the above planning application.

4.4 Appeal Decision – LA05/2020/0613/F (02:30:31)

It was proposed by Alderman O Gawith, seconded by Councillor G Thompson and agreed to note the information set out the report in respect of the decision of the Planning Appeals Commission regarding the above planning application.

The Head of Planning & Capital Development agreed to provide a report to a future meeting of the Committee in respect of the percentage of planning appeals won and lost in the previous financial year.

4.5 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights (02:34:15)

It was proposed by Councillor N Trimble, seconded by Alderman O Gawith and agreed to note from the report, information regarding notification by telecommunication operators to utilise Permitted Development Rights at a number of locations.

Alderman J Tinsley raised concerns in respect of the notification of erection of a number of poles on Hannahstown Road, which was on the Ulster Grand Prix circuit. The Head of Planning & Capital Development advised that, if the proposal was in accordance with regulations, the Council could not object and it would not be normal for the Council to advise telecommunication operators that their proposal was on a race circuit. However, he agreed to seek clarification from DfI Roads Lisburn Section Office on whether a separate permit was required from DfI Roads for the carrying out of this work.

4.6 Update on Local Development Plan (02:37:54)

Members were provided with an update report in respect of the Local Development Plan. The Head of Planning & Capital Development provided a verbal update also and, together with the Principal Officer for Local Development Plan and Planning Enforcement (LJ), answered a number of queries raised. It was proposed by Councillor P Catney, seconded by Councillor N Trimble and agreed to note that:

- (a) the Local Development Plan Team would undertake the requested fact checking and respond to DfI within the two week timeframe from receipt of DfI's instruction; and

4.6 Update on Local Development Plan (Contd)

- (b) this exercise would be issued to the Council in confidence, was not for publication and would not give rise to further debate outside of the Independent Examination process.

4.7 Enforcement Update (02:43:52)

Members having been provided with an update report in respect of enforcement action, it was proposed by Alderman J Tinsley, seconded by Councillor N Trimble and agreed that this be noted.

5. Any Other Business (02:49:10)

There was no other business.

Conclusion of the Meeting

At the conclusion of the meeting, the Chairman, Alderman M Gregg, advised that the next meeting of the Committee was scheduled to take place on Monday, 3 July, 2023. Alderman O Gawith advised that he would be unable to attend on that date and asked that his apology be recorded.

There being no further business, the meeting was terminated at 2.16 pm.

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Chairman/Mayor