



June 30th, 2026

Chairman : Councillor D Bassett

Vice Chairman : Alderman J Tinsley

Aldermen : O Gawith, M Gregg and A Grehan

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

**Notice of Meeting**

A meeting of the Planning Committee will be held on **Monday, 6th July 2026** at **10:00 am**, in the **Council Chamber and Remote Locations** for the transaction of business on the undernoted Agenda.

**David Burns**  
**Chief Executive**

# Agenda

## 1.0 Apologies

## 2.0 Declaration of Interests

(i) Conflict of Interest on any matter before the meeting (Members to confirm the specific item)

(ii) Pecuniary and non-pecuniary interest (Member to complete the Disclosure of Interest form)

*Attachment: Disclosure of Interests form Sept 24.pdf*

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## 3.0 Minutes of the Planning Committee Meeting held on 1 June 2026

*For Approval*

*Attachment: PC 01.06.2026 - Draft Minutes for Adoption.pdf*

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## 4.0 Report from the Head of Planning and Capital Development

### 4.1 Schedule of Applications to be Determined:

*For Decision*

*Attachment: Item 1 - Schedule of Applications.pdf*

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- (i) LA05/2025/0390/F – Residential development comprising 113 dwellings, including a mix of detached, semi-detached, and apartments, associated open space, landscaping, and infrastructure works. The proposal includes two apartment blocks providing 24 affordable housing units, a pedestrian link to Baronscourt Road, and a bus service roundabout to facilitate public transport connectivity on lands at Baronsgrange, Comber Road, Carryduff

*Attachment: Appendix 1.1 LA05 2025 0390F Baronsgrange FINAL.pdf*

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- (ii) LA05/2023/0961/F – Proposed erection of 30 dwellings (10 detached, 10 semi-detached and 10 apartments), including garages, alterations to access, parking, refurbished pedestrian linkage, landscaping and all other associated site works at the former Moira House, 122 Hillsborough Road, Lisburn

*Attachment: Appendix 1.2 LA05\_2023\_0961\_F Moira House Hillsborough Road Final.pdf*

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- (iii) LA05/2026/0137/RM – Erection of dwelling, garage and associated siteworks on land between 5 and 5a Crewe Road, Ballinderry Upper, Lisburn

*Attachment: Appendix 1.3 LA05.2026.0137.RM Crewe Road.FINAL.pdf*

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(iv)	<b>LA05/2023/0808/O – Site for a two-storey dwelling, garage and ancillary siteworks on lands between 1 Old Forge Mews and Maze telephone exchange, Moira Road, Lisburn</b>	
	<i>Attachment: Appendix 1.4 LA05.2023.0808.O Moira Road Final.pdf</i>	<i>Page 121</i>
<b>4.2</b>	<b>Statutory Performance Indicators - May 2026</b>	
	<i>For Noting</i>	
	<i>Attachment: Item 2 - Statutory Performance Indicators - May 2026.pdf</i>	<i>Page 162</i>
<b>4.3</b>	<b>Appeal Decision – LA05/2025/0817/WPT</b>	
	<i>For Noting</i>	
	<i>Attachment: Item 3 - Appeal Decision -LA05 2025 0817WPT.pdf</i>	<i>Page 164</i>
	<i>Attachment: Appendix 3 Appeal decision LA05 2025 0817 WPT.pdf</i>	<i>Page 167</i>
<b>4.4</b>	<b>Appeal Decision and costs claim– LA05/2025/0481/F</b>	
	<i>For Noting</i>	
	<i>Attachment: Item 4 - Appeal Decision -LA05 2025 0481F.pdf</i>	<i>Page 175</i>
	<i>Attachment: Appendix 4 Appeal Decision LA05 2025 0481F.pdf</i>	<i>Page 178</i>
<b>4.5</b>	<b>Appeal Decision – LA05/2023/0022/F</b>	
	<i>For Noting</i>	
	<i>Attachment: Item 5 - Appeal Decision -LA05 2023 0022F.pdf</i>	<i>Page 195</i>
	<i>Attachment: Appendix 5 Appeal decision LA05 2023 0022F.pdf</i>	<i>Page 197</i>
<b>4.6</b>	<b>Appeal Decision – LA05/2025/0535/O</b>	
	<i>For Noting</i>	
	<i>Attachment: Item 6 - Appeal Decision -LA05 2025 0535o.pdf</i>	<i>Page 212</i>
	<i>Attachment: Appendix 6 Appeal decision LA05 2025 0535o (1).pdf</i>	<i>Page 215</i>
<b>4.7</b>	<b>Pre-application Notice (PAN) for the proposed extension to existing sports facilities to include a 3g soccer pitch and GAA pitch with floodlighting, car parking, ball stop nets, additional fencing to match existing and associate works on lands adjacent to 95 Lisburn Road, Crumlin.</b>	
	<i>For Decision</i>	
	<i>Attachment: Item 7 - LA05 2026 0438 PAN.pdf</i>	<i>Page 224</i>
	<i>Attachment: Appendix 7a - Report in relation to LA05 2026 0438PAN.pdf</i>	<i>Page 226</i>

#### **4.8 Pre-application Notice (PAN) for a proposed Golf Club at Newgrove House 191 Ballylesson Road, Belfast**

##### *For Decision*

Incorporating an 18-hole signature golf course of Championship standard including the re-profiling of ground levels, the incorporation of existing Mill Race into layout, new footbridges, and provision of natural, semi-natural and maintained landscape and new water features (incorporating sustainable drainage principles including the creation of wet and dry swales, attenuation basins and earth berms), with associated practice facilities including driving range, putting greens and a maintenance area; removal of various redundant agricultural outbuildings and structures to accommodate change of use with alterations/extensions of the Grade B1 listed buildings (Newgrove House) to provide a new club house and golf equipment storage cottage, with the erection of additional club house accommodation in a standalone detached single storey building; landscaping; car parking areas; relocated access and associated improvements from Ballylesson Road; upgrade to internal access road with new laneways and pathways; and ancillary site works.

#### **4.9 Pre-application Notice (PAN) for the submission of an application or applications under Section 54 of The Planning Act (Northern Ireland) 2011 to vary Conditions 9, 10 & 22 (Remediation Strategy); Condition 14 (Acoustic Fencing); Condition 16 (Glazing Specifications); Condition 17 (Ventilation Specifications); and removal of Condition 20 (Pre-demolition Survey) of planning permission reference LA05/2021/0033/F as required at Carrow Hall residential development**

##### *For Decision*

On lands formerly occupied by the Rolls Royce factory, north of Upper Newtownards Road, south of Inspire Business Centre, east of Ballyoran Lane and west of Carrowreagh Road, Dundonald.

#### **4.10 Notification by telecommunication operator(s) of intention to utilise permitted development rights**

*For Noting*

*Attachment: Item 10 - Notifications from an Operator in respect of intention Draft (003).pdf*

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*Attachment: Appendix 10 List of Notifications - July 2026.pdf*

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## **5.0 Any Other Business**

LISBURN & CASTLEREAGH CITY COUNCIL  
MEMBERS DISCLOSURE OF INTERESTS

1. Pecuniary Interests

The Northern Ireland Local Government Code of Conduct for Councillors under Section 6 requires you to declare at the relevant meeting any pecuniary interest that you may have in any matter coming before any meeting of your Council.

Pecuniary (or financial) interests are those where the decision to be taken could financially benefit or financially disadvantage either you or a member of your close family. A member of your close family is defined as at least your spouse, live-in partner, parent, child, brother, sister and the spouses of any of these. Members may wish to be more prudent by extending that list to include grandparents, uncles, aunts, nephews, nieces or even close friends.

This information will be recorded in a Statutory Register. On such matters **you must not speak or vote**. Subject to the provisions of Sections 6.5 to 6.11 of the Code, if such a matter is to be discussed by your Council, **you must withdraw from the meeting whilst that matter is being discussed**.

2. Private or Personal Non-Pecuniary Interests

In addition you must also declare any significant private or personal non-pecuniary interest in a matter arising at a Council meeting (please see also Sections 5.2 and 5.6 and 5.8 of the Code).

Significant private or personal non-pecuniary (membership) interests are those which do not financially benefit or financially disadvantage you or a member of your close family directly, but nonetheless, so significant that could be considered as being likely to influence your decision.

Subject to the provisions of Sections 6.5 to 6.11 of the Code, you must declare this interest as soon as it becomes apparent and **you must withdraw from any Council meeting (including committee or sub-committee meetings) when this matter is being discussed**.

In respect of each of these, please complete the form below as necessary.

Pecuniary Interests

Meeting (Council or Committee - please specify and name):

\_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Item(s) in which you must declare an interest (please specify item number from report):

\_\_\_\_\_

Nature of Pecuniary Interest:

[Empty box for Nature of Pecuniary Interest]

**Private or Personal Non-Pecuniary Interests**

Meeting (Council or Committee - please specify and name):

\_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Item(s) in which you must declare an interest (please specify item number from report):

\_\_\_\_\_

Nature of Private or Personal Non-Pecuniary Interest:

[Empty box for Nature of Private or Personal Non-Pecuniary Interest]

Name:

Address:

[Empty box for Name and Address]

Signed:

Date:

[Empty box for Signature and Date]

*If you have any queries please contact David Burns, Chief Executive,  
Lisburn & Castlereagh City Council*

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 1 June, 2026 at 10.00 am****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Councillors D Bassett, S Burns, D J Craig, J Lavery and A Martin

**PRESENT IN REMOTE LOCATION:**

Aldermen O Gawith and M Gregg

Councillors P Catney and N Trimble

**IN ATTENDANCE:**

Director of Regeneration and Growth  
 Head of Planning & Capital Development  
 Principal Planning Officer (PS)  
 Senior Planning Officers (MB, GM, and LMcC)  
 Environmental Health Officer (SMcK)  
 Member Services Officers (FA and HB)

Cleaver Fulton Rankin

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

**Commencement of Meeting**

At the commencement of the meeting, the Chair, Alderman J Tinsley, 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. 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 Vice Chair, Councillor G Thompson.

2. **Declarations of Interest**

The Chair, Alderman J Tinsley, advised that by virtue of being Members of Council, all Members of the Planning Committee would have an interest in planning application LA05/2026/0118/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.

There were no other declarations of interest made.

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3. Minutes of Meeting of Planning Committee held on 11 May, 2026

It was agreed that the minutes of the meeting of Committee held on 11 May, 2026 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

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

Alderman O Gawith joined the meeting remotely at this point (10.08 am)

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) LA05/2022/0725/F – Construction of a dwelling to the rear of the site, with landscaping and all associated site works at 17-19 Main Street, Hillsborough

Councillor P Catney left and returned to the meeting during the hearing of this application (10.19 am and 10.27 am respectively).

The Principal Planning officer (PS) presented the above application as outlined within the circulated report.

The committee received Mr M Hanvey to speak in support of the application. Mr Hanvey was joined by Mr I Geary, and Mr S Moon was available via a remote location. Mr Hanvey responded to a number of Members' queries.

At the start of the questions to Planning Officers, Members queried whether Planning Officers had received a new submission from the Historic Environment Division (HED) which Mr M Hanvey had referred to in his address to committee.

The Head of Planning and Capital Development advised that a consultation response had been received by officers via email at 10.23 am that morning, which was after the Planning Committee meeting had commenced.

The Head of Planning and Capital Development requested through the Chair, Alderman J Tinsley a short adjournment to the meeting to circulate the response to Members and to allow Officers time to examine the detail of the response.

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### Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (10.35 am).

### Resumption of Meeting

The meeting was resumed at 10.48 am.

- (i) LA05/2022/0725/F – Construction of a dwelling to the rear of the site, with landscaping and all associated site works at 17-19 Main Street, Hillsborough (Cont'd)

Planning Officers then responded to questions in respect of the consultation response from HED circulated to Members during the adjournment and other matters related to the application process.

### 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. Councillor P Catney did not participate in the vote as he was not present to hear the item in full.

- (ii) LA05/2024/0370/F – Proposed temporary erection of canvas tipi (April-November only) to be used in association with approved wedding venue on land 20 metres south-east of 87 Ballycoan Road, Belfast

Councillor D J Craig arrived at the meeting during the hearing of this application (11.57pm).

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

The committee received Mr M Hanvey to speak in support of the application. Mr Hanvey was joined by Mr R Price and together they responded to questions from Members.

Members' queries were responded to by Planning and Environmental Health Officers.

### Debate

During debate:

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(ii) LA05/2024/0370/F – Proposed temporary erection of canvas tipi (April-November only) to be used in association with approved wedding venue on land 20 metres south-east of 87 Ballycoan Road, Belfast (Cont'd)

- Councillor N Trimble advised that if the application was for a new business, it could have perhaps been looked on more favourably as it would have been bringing employment to the area and referred to the support from residents in neighbouring properties. Councillor Trimble continued that while he understood the position of the applicant, he had not heard enough evidence to make him go against the Officers recommendation. In summing up Councillor Trimble stated that he felt not all of the i's had been dotted and t's crossed for this planning application, which was a higher level of permission than the Certificate of Lawful Use or Development already held by the applicant; and
- Alderman O Gawith concurred with the comments made by Councillor N Trimble.

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 S Burns, Councillor P Catney, Alderman O Gawith, Councillor M Gregg, Councillor J Laverty, Councillor A Martin, the Chair, Alderman J Tinsley, and Councillor N Trimble **(8)**

Against: Councillor D Bassett **(1)**

Councillor D J Craig did not participate in the vote as he was not present to hear the item in full.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (12.10 pm). Councillor P Catney advised that he would not be returning to the meeting after the break.

Resumption of Meeting

The meeting was resumed at 12.16 pm. Alderman M Gregg did not return to the meeting after the comfort break but would return at a later stage.

(iii) LA05/2024/0936/F – Erection of nineteen apartments, car parking, access arrangements, wastewater treatment plant, landscaping and associated site works on lands west of Belfast Road, east of 96 Millreagh Avenue and south of 98 Millreagh Avenue, Dundonald

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

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- (iii) LA05/2024/0936/F – Erection of nineteen apartments, car parking, access arrangements, wastewater treatment plant, landscaping and associated site works on lands west of Belfast Road, east of 96 Millreagh Avenue and south of 98 Millreagh Avenue, Dundonald (Cont'd)

The committee received Mr N Salt to speak in support of the application and to respond to Members' questions however no questions were put to Mr Salt.

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.

Alderman M Gregg returned to the meeting at this stage (12.30 pm).

- (iv) LA05/2026/0118/F – Provision of a new sheltered structure and hill-start to existing BMX track. Provision of a new skate park adjacent to existing BMX track. Provision of a new car park area. Provision of a new spectator area. Erection of new fence and ancillary works at Bells Lane, Lambeg Road, Lisburn

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

The Committee received Ms N Turbett, to speak in support of the application and a number of Members queries were addressed.

Planning Officers responded to a number of questions from Members.

#### Debate

During the debate:

- The Chair, Alderman J Tinsley, stated that he thought it was an excellent application, spoke of the need of young people for the facility, and welcomed the idea of combining a skate park with the existing BMX track facility;
- Councillor N Trimble advised that he used the park for walking his dog on occasion and had also used the BMX track when he was a child. Councillor Trimble welcomed the application and the use of the park as a shared space; and
- Councillor D J Craig advised that a skate park had been talked about when he was first elected to the Council 25 years prior, and that it was brilliant to

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- (iv) LA05/2026/0118/F – Provision of a new sheltered structure and hill-start to existing BMX track. Provision of a new skate park adjacent to existing BMX track. Provision of a new car park area. Provision of a new spectator area. Erection of new fence and ancillary works at Bells Lane, Lambeg Road, Lisburn (Cont'd)

see a facility getting to the planning stage. Councillor Craig welcomed the addition of 64 new parking spaces which would alleviate pressures on the area when competitions were taking place.

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.

4.2 Statutory Performance Indicators – April 2026

It was agreed that information relating to Statutory Performance Indicators for April 2026 be noted.

4.3 Appeal Decision – LA05/2024/0186/F

Members agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

4.4 Pre-application Notice (PAN) for the proposed subdivision of Unit C1 at the Sprucefield Shopping Centre to create two units for the display and sale of Class A1 comparison goods and associated elevation changes

Members unanimously agreed to approve the Pre-application notice as outlined within the report.

4.5 Proposed abandonment at Quay Street Car Park, Lisburn

Members noted the contents of the report in relation to the proposed abandonment at Quay Street Car Park, Lisburn by the Department for Infrastructure (DfI) Roads.

4.6 Notification by telecommunication operator(s) of intention to utilise permitted development rights

It was agreed that information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at locations in the Council area be noted.

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## 5. Any Other Business

### 5.1 NILGA Planning Improvement Learning and Engagement Programme Head of Planning and Capital Development

The Head of Planning and Capital Development advised Members of a letter which had been received in relation to a future meeting to engage with the Minister for Infrastructure, Ms L Kimmins MLA. The letter requested nominations for attendance at the meeting. It was agreed that, given the meeting was due to take place after the Annual Meeting of Council, the Chair of the day, or their nominee, would attend the meeting on behalf of Lisburn & Castlereagh City Council.

### 5.2 Summer Arrangements for Planning Committee Director of Regeneration and Growth

The Director of Regeneration and Growth informed Members that the Planning Committee would continue to meet on the first Monday of the month during July and August, irrespective of any other decisions made by the Council in relation to a summer recess.

## Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman J Tinsley, thanked those present for their attendance. There being no further business, the meeting was terminated at 12.56 pm.

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Chair/Mayor

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Schedule of Planning Applications to be Determined
1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. The following applications have been made to the Council as the Local Planning Authority for determination.</li> <li>2. In arriving at a decision (for each application) the Committee should have regard to the guiding principle in the SPPS (paragraph 3.8) that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</li> <li>3. Members are also reminded about Part 9 of the Northern Ireland Local Government Code of Conduct and the advice contained therein in respect of the development management process with particular reference to conflicts of interest, lobbying and expressing views for or against proposals in advance of the meeting.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>1. The applications are presented in accordance with the current scheme of delegation. There is one major and three local applications. Two of these have been called in, an exception applies to one application which is subject to a Section 76 planning agreement.             <ol style="list-style-type: none"> <li>a) LA05/2025/0390/F – Residential development comprising 113 dwellings, including a mix of detached, semi-detached, and apartments, associated open space, landscaping, and infrastructure works. The proposal includes two apartment blocks providing 24 affordable housing units, a pedestrian link to Baronscourt Road, and a bus service roundabout to facilitate public transport connectivity on lands at Baronsgrange, Comber Road, Carryduff Recommendation – Approval</li> <li>b) LA05/2023/0961/F – Proposed erection of 30 dwellings (10 detached, 10 semi-detached and 10 apartments), including garages, alterations to access, parking, refurbished pedestrian linkage, landscaping and all other associated site works at the former Moira House, 122 Hillsborough Road, Lisburn Recommendation – Approval</li> <li>c) LA05/2026/0137/RM – Erection of dwelling, garage and associated siteworks on land between 5 and 5a Crewe Road, Ballinderry Upper, Lisburn Recommendation – Approval</li> </ol> </li> </ol>

- d) LA05/2023/0808/O – Site for a two-storey dwelling, garage and ancillary siteworks on lands between 1 Old Forge Mews and Maze telephone exchange, Moira Road, Lisburn.  
Recommendation – Refusal

2. The above referenced applications will be decided having regard to paragraphs 38 to 53 of the Protocol of the Operation of the Planning Committee.

**Recommendation**

For each application the Members are asked to make a decision having considered the detail of the Planning Officer’s report, listen to any third-party representations, ask questions of the officers, take legal advice (if required) and engage in a debate of the issues.

3.0 **Finance and Resource Implications**

Decisions may be subject to:

- (a) Planning Appeal (where the recommendation is to refuse)
- (b) Judicial Review

Applicants have the right to appeal against a decision to refuse planning permission. Where the Council has been deemed to have acted unreasonably the applicant may apply for an award of costs against the Council. This must be made at the time of the appeal. The Protocol for the Operation of the Planning Committee provides options for how appeals should be resourced.

In all decisions there is the right for applicants and third parties to seek leave for Judicial Review. The Council will review on an on-going basis the financial and resource implications of processing applications.

4.0 **Equality/Good Relations and Rural Needs Impact Assessments**

4.1	Has an equality and good relations screening been carried out?	No
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4.2	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.  The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	Summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.	
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	<p>The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.</p>	
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<p><b>Appendices:</b></p>	<p>Appendix 1.1 Appendix 1.2 Appendix 1.3 Appendix 1.4</p>	<p>LA05/2025/0390/F LA05/2023/0961/F LA05/2026/0137/RM LA05/2023/0808/O</p>

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	6 July 2026
Committee Interest	Major Application
Application Reference	LA05/2025/0390/F
District Electoral Area	Castlereagh South
Proposal Description	Residential development comprising 113 residential units, including a mix of detached and semi-detached dwellings (89 in total) and apartments (24 units in total), associated open space, landscaping, a pedestrian link to Baronscourt Road, and associated infrastructure works
Location	Baronsgrange development Comber Road Carryduff
Representations	Seven
Case Officer	Mark Burns
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This application is categorised as a major planning application in accordance with the Development Management Regulations 2015 in that the area of the site exceeds two hectares. The proposal also requires a legal agreement to secure the delivery of affordable housing at this location.
2. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of the Plan Strategy.
3. The layout and design of the proposed buildings create a quality residential environment and when the buildings are constructed, they will not adversely impact on the character of the area. The development will also not have a detrimental impact on the amenity of existing residents in properties adjoining the site by reason of overlooking or dominance.
4. Furthermore, the density is not significantly different than that found in the established residential area to the south in the Baronsgrange development and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area.

4. It is considered that the proposal is also in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of the development. This provision will be subject to a Section 76 Planning Agreement.
5. The proposed complies with policy of TRA1 the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footway along the front of the site.
6. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the creation of two new accesses will not prejudice road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
7. The proposal is considered to comply with the policy TRA7 of the Plan Strategy in that the detail demonstrates that adequate provision for car parking and appropriate servicing arrangements has been provided without prejudice to road safety. It will not inconvenience road users or impede the flow of traffic on the surrounding road network.
8. The proposal complies with policies TRA8 of the Plan Strategy in that provision has been made for the needs of cyclists and a high standard of design layout and landscaping accompanies the proposals for car parking with appropriate provision made for security, access and movement of pedestrians and cyclists.
9. The proposal also complies with policies NH2 and NH5 of Plan Strategy in that the Preliminary Ecological Assessment submitted in support of the application demonstrates that the proposed development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
10. The proposed development complies with policies FLD, 1, 2 and 3 of the Plan Strategy in that the detail submitted demonstrates that adequate drainage can be provided within the site to serve the proposal.

## Description of Site and Surroundings

### Site Context

11. The application site is comprised of land cleared in preparation for development between Baronscourt Lane and Baronsgrange Green and is comprised of approximately 5 hectares in size and rises from the south-western corner to the northern boundary, by approximately 6 metres in height over a distance of approximately 215 metres.
12. Parts of the neighbouring lands are currently being developed for housing as part of previously approved phases of development. Vegetation cover is sparse

across the site as it has been stripped for archaeological assessment and development preparation work.

13. Carryduff Playpark and Carryduff River lie to the south-west of the site. A recently constructed bridge provides access and connectivity for residents of Baronsgrange to the park which has a fully equipped playground.

#### Surrounding Context

14. In the surrounding area lands to the north, south and west are established suburban residential neighbourhoods of Baronscourt and Baronsgrange.
15. Lands to the east of the site are primarily rural in character and in agricultural use with the occasional dwelling dispersed throughout the landscape.

### **Proposed Development**

16. The proposed residential development comprises 113 residential units , including a mix of detached and semi-detached dwellings and apartments (which are affordable housing units), associated open space, landscaping, and infrastructure works.
17. The application is supported with the following documents:
  - Design and Access Statement.
  - Pre Application Community Consultation.
  - Drainage Assessment.
  - Transport Assessment.
  - Noise Assessment.
  - Landscape Management and Maintenance Plan.
  - Residential Travel Plan
  - Biodiversity check list.

### **Relevant Planning History**

18. The relevant planning history is as follows:

Reference Number	Description	Location	Decision
Y/2009/0160/F	Residential development comprising apartments, semi-detached and detached dwellings (total yield of 380 dwelling units), mixed use centre, public and private open and ancillary infrastructure (amended plans)	Lands to the East and the South of the Baronscourt Development and to the North of Edgar Road and the Comber Road, Carryduff, Castlereagh.	Permission granted 10/03/17
LA05/2022/0249/F	Amendments to planning permission reference Y/2009/0160/F: construction of foot bridge across the Carryduff River between Baronsgrange Park and Carryduff Park and erection of 1 additional dwelling	Baronsgrange Development (under construction- planning permission reference Y/2009/0160/F) Comber Road Carryduff BT8 8AN	Permission Granted Feb 2025.

**Consultations**

19. The following consultations were carried out: [needs amended]

Consultee	Response
Dfl Roads	No objection
LCCC Environmental Health	No objection
NI Water	No objection
Water Management Unit	No objection
Dfl Rivers	No objection

**Representations**

20. Seven letter of objection has been submitted in respect of the proposal. The following issues have been raised:
- New Link path not required
  - Anti-Social Behaviour
  - Increased traffic
  - Bus coming through Baronsgrange will cause issues:
    - Overlooking
    - Road Safety Issues
    - Used as a park and ride
    - Wear and tear of the road
    - Increase traffic problems
  - Lack of one to one consultation with residents
  - Removal of ecology
  - Less than 20 metre separation distance.

### Environmental Impact Assessment (EIA)

21. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment as the site area exceeds the thresholds set out in Section 10 (b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015.
22. An EIA determination was carried out, and it was concluded that the scale and nature of the proposal means that it is not likely to cause any significant adverse environmental impacts. As such, an Environmental Statement was not required to inform the assessment of the application.

### Pre-Application Community Consultation

23. The application exceeds the threshold for major developments as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site is over two-hectares in size.
24. On this basis the applicant was required to engage in pre-application community consultation (PACC).
25. A Pre-Application Community Consultation report dated May 2025 has been submitted in support of the application. It provides a record of the consultation that have taken place to inform interested parties of the application proposals.
26. The format of the report is in accordance with the Development Management Practice Note and contains the relevant information required.
27. A Public Information Notice was placed in the Belfast Telegraph on 30 May 2024 and again on 19 April 2025, and the Public Exhibition was held on the 13 June 2024 and again on 6 May 2025 in the Ivanhoe Hotel Carryduff.

28. Social media coverage was achieved through notifications posted on the Carryduff Community Facebook page and by local councillors sharing the information on their individual social media feeds.
29. Leaflets were distributed to approximately 550 households in the Baronscourt development, Baronscourt Road, Manse Road and Carlton Heights.
30. The report concludes that all feedback received has been considered by the project team.
31. The main issues raised were around the inclusion of the bus gate from Baronscourt, difficulty accessing the Sainfield Road and the location and number of social houses.
32. A summary of the feedback is provided in Chapter 4, and the applicant's response is also set out in Chapter 4 of the PACC report.

## Local Development Plan

### Local Development Plan Context

31. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on Planning applications regard must be had to the requirements of the local development plan and that the determination of applications must be in accordance with the plan unless material considerations indicate otherwise.

32. It is stated at Part 1 of the Plan Strategy that:

*Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption the Development Plan will be the Plan Strategy and any old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 state that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.*

*The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.*

*BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.*

33. As a consequence, the Plan Strategy, the Carryduff Area Plan 1998-1993, and the Belfast Urban Area Plan (BUAP) are the statutory development plans for the area. However, draft BMAP remains a material consideration.
34. The BUAP and Carryduff plan identifies the application site as being located outside the settlement limit of Carryduff and within the Greenbelt.
35. Within draft BMAP the land is located within an area zoned for housing, CF04/06. Significant weight is attached to the location of the site inside the settlement limit of Carryduff, the site being designated as zoned housing land and the ongoing development of the site for residential purposes.
36. In respect of the amended residential proposal the strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

*The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.*

37. The strategic policy for Creating and Enhancing Shared Space and Quality Places are set out in Part 1 of the Plan Strategy. Strategic Policy 03 – Creating and Enhancing Shared Space and Quality Places states that:

*The Plan will support development proposals that contribute to the creation of an environment which is accessible to all and enhances opportunities for shared communities; has a high standard of connectivity and supports shared use of public realm. Good quality housing that supports more balanced communities must offer a variety of house types, sizes and tenures to meet different needs.*

*Creating shared neighbourhoods should provide opportunities for communities to access local employment, shopping, leisure, education and community facilities.*

38. The strategic policy for Good Design and Positive Place Making is set out in Part 1 of the Plan Strategy. Strategic Policy 05 – Good Design and Positive Place Making state that:

*The Plan will support development proposals that incorporate good design and positive place-making to further sustainable development, encourage healthier living, promote accessibility and inclusivity and contribute to safety. Good design should respect the character of the area, respect environmental and heritage assets and promote local distinctiveness. Positive place-making should acknowledge the need for quality, place-specific contextual design which promotes accessibility and inclusivity, creating safe, vibrant and adaptable places.*

38. The strategic policy for Protecting and Enhancing the Environment is set out in Part 1 of the Plan Strategy. Strategic Policy 06 – Protecting and Enhancing the Environment states that:

*The Plan will support development proposals that respect the historic and natural environment and biodiversity. Proposals must aim to conserve, protect and where possible enhance the environment, acknowledging the rich variety of assets and associated historic and natural heritage designations. Proposals should respect the careful management, maintenance and enhancement of ecosystem services which form an integral part of sustainable development.*

39. The strategic policy for Section 76 Agreements is set out in Part 1 of the Plan Strategy. Strategic Policy 07 – Section 76 Agreements states that:

*Development will be required to deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale, impact of the development and the sustainability of its location.*

*A developer will be expected to provide or contribute to the following infrastructure in order to mitigate any negative consequences of development:*

- a) *improvements to the transport network, including walking and cycling routes, public transport or, where necessary appropriate parking provision*
  - b) *affordable housing*
  - c) *educational facilities and/or their upgrades*
  - d) *outdoor recreation*
  - e) *protection, enhancement and management of the natural and historic environment*
  - f) *community facilities and/or their upgrades*
  - g) *improvements to the public realm*
  - h) *service and utilities infrastructure*
  - i) *recycling and waste facilities.*
40. New dwellings and apartments are proposed at this location. The following operational policies in Part 2 of the Plan Strategy therefore apply.

### **Housing in Settlements**

41. Policy HOU1 - New Residential Development applies and states that:

*Planning permission will be granted for new residential development in settlements in the following circumstances:*

- a) *on land zoned for residential use*
- b) *on previously developed land (brownfield sites) or as part of mixed-use development*
- c) *in designated city and town centres, and within settlement development limits of the city, towns, greater urban areas, villages and small settlements*

- d) *living over the shop schemes within designated city and town centres, or as part of mixed-use development.*

*The above policy applies to all residential uses as set out in Part C of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended).*

42. Policy HOU3 - Site Context and Characteristics of New Residential Development states:

*Planning permission will be granted for new residential development where it will create a quality and sustainable residential environment which respects the existing site context and characteristics. An overall design concept, in accordance with Policy HOU6 must be submitted for all residential proposals and must demonstrate that a proposal draws upon the positive aspects of, and respects the local character, appearance and environmental quality of the surrounding area. Proposals for residential development will be expected to conform to all the following criteria:*

- a) *the development respects the surrounding context, by creating or enhancing a local identity and distinctiveness that reinforces a sense of place, and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas*
- b) *archaeological, historic environment and landscape characteristics/features are identified and, where appropriate, protected and suitably integrated into the overall design and layout of the development.*

*For new residential development in areas of distinctive townscape character, including Conservation Areas and Areas of Townscape or Village Character, an increased residential density will only be allowed in exceptional circumstances.*

*All development should be in accordance with available published space standards.*

43. Policy HOU4 - Design in New Residential Development states:

*Proposals for residential development will be expected to conform to all the following design criteria:*

- a) *the design of the development must draw upon the best local architectural form, materials and detailing*
- b) *landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
- c) *where identified as a Key Site Requirement adequate provision is made for necessary local community facilities, to be provided by the developer*
- d) *residential development should be brought forward in line with the*

following density bands:

- City Centre Boundary 120-160 dwellings per hectare
  - Settlement Development Limits of City, Towns and Greater Urban Areas: 25-35 dwellings per hectare
  - Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare.
  - Within the above designated areas, increased housing density above the indicated bands will be considered in town centres and those locations that benefit from high accessibility to public transport facilities
- e) *a range of dwellings should be proposed that are accessible in their design to provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range of dwelling types and designs should be provided to prevent members of society from becoming socially excluded*
- f) *dwellings should be designed to be energy and resource efficient and, where practical should include integrated renewable energy technologies to minimise their impact on the environment*
- g) *a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way*
- h) *adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points*
- i) *the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance*
- j) *the design and layout should where possible include use of permeable paving and sustainable drainage*
- k) *the design and layout design must demonstrate appropriate provision is made for householder waste storage and its collection can be facilitated without impairment to the access and maneuverability of waste service vehicles*
- l) *the development is designed to deter crime and promote personal safety.*
- m) *Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.*

44. The Justification and Amplification states that:

*Please note the Supplementary Planning Guidance on design of residential development that will support the implementation of this policy.*

45. It also states that:

*Accessible Accommodation*

*Design standards are encouraged to meet the varying needs of occupiers and be easily capable of accommodating adaptations. Developers should ensure that a range of dwelling sizes (including internal layout and the number of bedrooms) is provided to meet a range of housing needs that facilitate integration and the development of mixed communities.*

46. Given the scale of residential development public open space is required as part of the proposed development. Policy HOU5 - Public Open Space in New Residential Development states that:

*Adequate provision must be made for green and blue infrastructure in public open space and for open space that links with green and blue infrastructure where possible and provides pedestrian and cycle linkages to nearby public amenity spaces. Proposals for new residential development of 25 or more units, or on sites of one hectare or more, must provide public open space as an integral part of the development, subject to the following:*

- a) *the open space must be at least 10% of the total site area*
- b) *for development proposals of 300 or more units, or on sites of 15 hectares or more, the open space must be at least 15% of the total site area.*

*The following exceptions to the above open space provision will apply where:*

- a) *the residential development is designed to integrate with and make use of adjoining public open space*
- b) *the provision of open space below 10% of the total site area if the proposal is located within a city or town centre or it is demonstrated that it is close to and would benefit from ease of access to existing public open space*
- c) *in the case of apartment developments or specialist housing (see Policy HOU11) where a commensurate level of private communal open space is being provided.*

*Development proposals of 100 units or more, or on sites of 5 hectares or more, must be provided with an equipped children's play area unless one already exists within a reasonable and safe walking distance (generally around 400 metres) of the majority of the units within the proposal.*

*Public open space required by this policy will be expected to conform to all of the following criteria:*

- *it is designed as an integral part of the development with easy and safe access from the dwellings*
- *it is of demonstrable recreational or amenity value*
- *it is designed, wherever possible, to be multi-functional*
- *its design, location and appearance takes into account the needs of disabled persons and it respects the amenity of nearby residents*
- *landscape and heritage features are retained and incorporated in its design and layout.*

*In all cases developers will be responsible for the laying out and landscaping of public open space required under this policy.*

*Developers must demonstrate that suitable arrangements will be put in place for the future management and maintenance in perpetuity of areas of public open space required under this policy.*

47. The following paragraph in the Justification and Amplification states that:

*Public open space can be provided in a variety of forms ranging from village greens and small parks through to equipped play areas and sports pitches. In addition, the creation or retention of blue/green infrastructure, woodland areas or other natural or semi-natural areas of open space can provide valuable habitats for wildlife and promote biodiversity. To provide maximum surveillance, areas of open space are best located where they are overlooked by the fronts of nearby dwellings.*

48. The site is more than 2 hectares in size. Policy HOU6 Design Concept Statements, Concept Masterplans and Comprehensive Planning states that

*A Design Concept Statement, or where appropriate a Concept Masterplan, must accompany all planning applications for residential development. A Concept Masterplan will be required for major planning applications involving:*

- a) *50 dwellings or more*
- b) *the development, in part or full, of sites of 2 hectares or more zoned for housing in development plans*
- c) *housing development on any other site of 2 hectares or more. For partial development of a site zoned for housing the Concept Masterplan will be expected to demonstrate how the comprehensive planning of the entire zoned area is to be undertaken.*

*Any proposal for housing that would result in unsatisfactory piecemeal development will not be permitted, even on land zoned for housing.*

49. As more than five dwellings are proposed there is a need to consider the requirement for affordable housing. Policy HOU10 - Affordable Housing in Settlements states that:

*Where the need for Affordable Housing is identified, through the Housing Needs Assessment on sites of more than 0.5 hectares or comprising of 5 residential units or more, proposals will only be permitted where provision is made for a minimum 20% of all units to be affordable. This provision will be secured and agreed through a Section 76 Planning Agreement.*

*All developments incorporating affordable housing should be designed to integrate with the overall scheme with no significant distinguishable design differences, in accordance with any other relevant policies contained within this Plan Strategy.*

*In exceptional circumstances where it is demonstrated that the affordable housing requirement cannot be met, alternative provision must be made by the applicant, or an appropriate financial contribution in lieu must be agreed through a Section 76 Planning Agreement. Such agreements must contribute to the objective of creating mixed and balanced communities.*

*Proposals for the provision of specialist accommodation for a group of people with specific needs (such as purpose built accommodation for the elderly, Policy HOU11) will not be subject to the requirements of this policy.*

*Windfall sites will be encouraged for the development of affordable housing in suitable and accessible locations.*

*By exception, proposals for affordable housing could be permitted on land identified as open space, in accordance with Policy OS1, where it can be demonstrated that all of the following criteria have been met:*

- a) *a demonstrable need has been identified by the Northern Ireland Housing Executive*
- b) *the application is made by a registered Housing Association or the Northern Ireland Housing Executive*
- c) *the proposal will bring substantial community benefits that decisively outweigh the loss of the open space.*

*Development proposals will not be supported where lands have been artificially divided for the purposes of circumventing this policy requirement.*

50. The Justification and Amplification states that:

*The policy requires a minimum provision of 20% of units as affordable housing. Where up to date evidence indicates a requirement for a higher proportion of affordable housing, the council will expect developments to provide this. Where appropriate this may be indicated through key site requirements within the Local Policies Plan. It may also be secured through discussions with applicants on a case-by-case basis as part of the development management process.*

51. The Glossary associated with Part 2 of the Plan Strategy states that:

*Affordable Housing – affordable housing is:*

- a) *Social rented housing; or*
- b) *Intermediate housing for sale; or*
- c) *Intermediate housing for rent,*

*that is provided outside of the general market, for those whose needs are not met by the market.*

*Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing.*

### **Natural Heritage**

52. Given this is a large site the potential impact on the natural environment is considered. Policy NH2 Species Protected by Law states:

### *European Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm a European protected species.*

*In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:*

- a) there are no alternative solutions; and*
- b) it is required for imperative reasons of overriding public interest; and*
- c) there is no detriment to the maintenance of the population of the species at a favourable conservation status; and*
- d) compensatory measures are agreed and fully secured.*

### *National Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against.*

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect the, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.*

53. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states that:

*Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:*

- a) priority habitats*
- b) priority species*
- c) active peatland*
- d) ancient and long-established woodland*
- e) features of earth science conservation importance*
- f) features of the landscape which are of major importance for wild flora and fauna*
- g) rare or threatened native species*
- h) wetlands (includes river corridors)*
- i) other natural heritage features worthy of protection including trees and woodland.*

*A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.*

*In such cases, appropriate mitigation and/or compensatory measures will be required.*

## Access and Transport

54. The P1 Form indicates that the proposal requires alteration of an existing access to a public road which links into the existing road infrastructure which accesses onto the Comber Road.

55. Policy TRA1 - Creating an Accessible Environment states that:

*The external layout of all development proposals will incorporate, where appropriate:*

- a) *facilities to aid accessibility e.g. level access to buildings, provision of dropped kerbs and tactile paving etc, together with the removal of any unnecessary obstructions*
- b) *user friendly and convenient movement along pathways and an unhindered approach to buildings*
- c) *priority pedestrian and cycling movement within and between land uses*
- d) *ease of access to car parking reserved for disabled or other users, public transport facilities and taxi ranks.*

*Public buildings will only be permitted where they are designed to provide suitable access for customers, visitors and employees.*

*Access to existing buildings and their surroundings should be improved as opportunities arise through alterations, extensions and changes of use.*

*Submission of a Transport Assessment Form (TAF) and a Design and Access Statement may also be required to accompanying development proposals.*

56. Policy TRA 2 – Access to Public Roads states:

*Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:*

- a) *it will not prejudice road safety or significantly inconvenience the flow of vehicles; and,*
- b) *it does not conflict with Policy TRA3 Access to Protected Routes.*

*Consideration will also be given to the nature and scale of the development, character of existing development, the contribution of the proposal to the creation of a quality environment, the location and number of existing accesses and the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.*

57. In-curtilage and visitor parking will be required for this development. Policy TRA7 – Car Parking and Servicing Arrangements states:

*Development proposals will provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be*

*determined according to the specific characteristics of the development and its location having regard to published standards<sup>33</sup> or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.*

*Beyond areas of parking restraint, a reduced level of car parking provision may be acceptable in the following circumstances:*

*a) where, through a Transport Assessment or accompanying Travel Plan, it forms part of a package of measures to promote alternative transport modes*

*b) where the development is in a highly accessible location well served by public transport*

*c) where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking*

*d) where shared car parking is a viable option*

*e) where the exercise of flexibility would assist in the conservation of the historic or natural environment, would aid rural regeneration, facilitate a better quality of development or the beneficial re-use of an existing building.*

*Proposals involving car parking in excess of the Department's published standards will only be permitted in exceptional circumstances, subject to the submission of a Transport Assessment outlining alternatives.*

*A proportion of the spaces to be provided will be reserved for people with disabilities.*

*Car parking proposals should include an appropriate number of reserved electric charging point spaces and their associated equipment. Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided.*

58. Policy TRA8 - Active Travel Networks and Infrastructure Provision states that

*Planning permission will only be granted for proposals where public transport, walking and cycling provision forms part of the development proposal.*

*A Transport Assessment/Travel Plan or, if not required, a supporting statement should indicate the following provisions:*

- a) safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks*
- b) the needs of mobility impaired persons; and respect existing public rights of way*
- c) safe, convenient and secure cycle parking.*

*In addition, major employment generating development will be required to make appropriate provision for shower and changing facilities.*

## **Flooding**

59. Given the size of the site and the number of residential units proposed, a drainage assessment is required in support of the proposal.

60. Policy FLD1 Development in Fluvial (River) Flood Plains states:

*New development will not be permitted within the 1 in 100 year fluvial floodplain (AEP of 1%) plus the latest mapped climate change allowance, unless the applicant can demonstrate that the proposal constitutes an exception to the policy.*

61. Policy FLD2 Protection of Flood Defence and Drainage Infrastructure states that:

*Development will not be permitted that impedes the operational effectiveness of flood defence and drainage infrastructure or hinder access for maintenance, including building over the line of a culvert.*

62. Policy FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states:

*A Drainage Assessment (DA) will be required for development proposals that exceed any of the following thresholds:*

- a) *a residential development of 10 or more units*
- b) *a development site in excess of 1 hectare*
- c) *a change of use involving new buildings and/or hard surfacing exceeding 1,000 square metres in area.*

*A DA will also be required for any development proposal, except for minor development, where:*

- *it is located in an area where there is evidence of historical flooding.*
- *surface water run-off from the development may adversely impact on other development or features of importance to nature conservation, archaeology or historic environment features.*

*A development requiring a DA will be permitted where it is demonstrated through the DA that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere. If a DA is not required, but there is potential for surface water flooding as shown on the surface water layout of DfI Flood Maps NI, it remains the responsibility of the developer to mitigate the effects of flooding and drainage as a result of the development.*

*Where the proposed development is also located within a fluvial flood plain, then Policy FLD1 will take precedence.*

The development requires culverting works. Policy FLD4 Artificial Modification of Watercourses states:

*Artificial modification of a watercourse, including culverting or canalisation, will only be permitted in the following exceptional circumstances:*

- a) a short length of culverting necessary to provide access to a development site, or part thereof*
- b) where it can be demonstrated to the satisfaction of DfI Rivers that a specific length of watercourse needs to be culverted for engineering reasons and that there are no reasonable or practicable alternative courses of action.*

### **Renewable Energy**

63. Renewable Energy should be integrated into new residential proposals. Policy RE2 Integrated Renewable Energy states:

*Planning permission will be granted for a development proposal which integrates renewable energy technology including microgeneration and passive solar design (PSD) in its layout, siting and design, where it meets the provisions of Policy RE1 and provided the technology is appropriate to the location in terms of any visual or amenity impact it may have.*

### **Regional Policy and Guidance**

64. The SPSS Edition 2 was published in December 2025. It is the most recent regional planning policy and it is stated at paragraph 1.5 that:

*The provisions of the SPSS apply to the whole of Northern Ireland. They must be taken into account in the preparation of Local Development Plans (LDP) and are material to all decisions on individual planning applications and appeals.*

### **Regional Policy**

65. Paragraph 3.8 of the SPSS states:

*that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.*

66. As this proposal is for new Industrial use / units in a settlement it is stated at paragraph 2.1 of the SPSS that:

*Planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society.*

67. Paragraph 3.8 of the SPPS states:

*that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interest of acknowledged importance.*

68. In practice this means that development which accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.

69. As this proposal is also for new housing in a settlement it is stated at paragraph 6.136 that:

*The policy approach must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities*

70. Given the size of the site and the extent of land proposed for development in regard to Natural Heritage paragraph 6.174 of the SPPS state that:

*Planning authorities should apply the precautionary principle when considering the impacts of a proposed development on national or international significant landscape or natural heritage resources.*

71. Paragraph 6.182 of the SPPS further states that:

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.*

72. Paragraph 6.198 of the SPPS states that:

*Planning authorities should ensure that the potential effects on landscape and natural heritage, including the cumulative effect of development are considered. With careful planning and design the potential for conflict can be minimised and enhancement of features brought about.*

73. Again, given the size of the site and the potential for surface water run-off to exacerbate flooding elsewhere in regard to flood risk, Paragraph 6.103 of the SPPS states that:

*The aim of the SPPS in relation to flood risk is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere.*

74. Paragraph 6.132 of the SPPS further states that:

*All planning applications will be determined with reference to the most up to date flood risk information available. The planning authority should consult Rivers Agency and other relevant bodies as appropriate, in a number of circumstances, where prevailing information suggests that flood risk or inadequate drainage infrastructure is likely to be a material consideration in the determination of the development proposal. The purpose of the consultation will often involve seeking advice on the nature and extent of flood risks and the scope for management and mitigation of those risks, where appropriate.*

75. There are no implications for this proposal following the publication of the SPPS Edition 2, only paragraph 6.232 is added and the need for integrated renewable energy into new residential development has already taken account of in the preparation of policy within the LDP Plan Strategy. Requirements of policy RE2 are considered later in the report.

### **Retained Regional Guidance**

76. Whilst not policy, the following guidance documents remain a material considerations:

#### Creating Places

77. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.

78. The guide is structured around the process of design and addresses the following matters:

- *the analysis of a site and its context;*
- *strategies for the overall design character of a proposal;*
- *the main elements of good design; and*
- *detailed design requirements.*

79. Paragraph 7.16 provides guidance on separation distances stating:

*Where the development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking, with a minimum of around 10 meters between the rear of new houses and the common boundary.*

80. Paragraphs 5.19 – 5.20 provides guidance on the level of private open space provision as follows:

*Provision should be calculated as an average space standard for the development as a whole and should be around 70 square metres per house or greater. Garden sizes larger than the average will generally suit dwellings for use by families. An area less than around 40 square metres will generally be unacceptable.*

#### Parking Standards

81. It is stated in the Parking Standards document that:

*In assessing the parking provision in association with development the Council will normally expect developers to provide an access to the site in accordance with the current standards. Where appropriate, developers will be required to demonstrate there is adequate provision of space within the site, for parking, manoeuvring, loading and unloading to fulfil the operational requirements of the proposed development.*

#### Development Control Advice Note 8 - Housing in Existing Urban Areas

82. Paragraph 4.10 states that:

*Planning Service will expect applicants and designers to carry out an appraisal of the local context, which takes into account the character of the surrounding area; and new development should respect the architectural, streetscape and landscape character of the area.*

### **Assessment**

#### **New residential development**

##### Policy HOU 1 – New Residential Development

83. The proposed residential component of the development comprises 113 residential units. The policy tests associated with Policy HOU1 are satisfied, as the site is located within the settlement limit of Carryduff on land zoned for housing.

##### Policy HOU3 - Site Context and Characteristics of New Residential Development

84. The lands to the south of the site are currently being developed for housing, or have been completed as earlier phases off development.
85. The proposed dwellings are set within medium-sized plots and benefit from both in-curtilage and communal off-street parking. Areas of public open space are provided, and residents also have access to Carryduff Playpark.

86. The proposal is typical of a suburban residential development and the form and general arrangement of the buildings is characteristic of those built and currently under construction to the south in earlier phases of development.
87. The plot sizes and general layout proposed is consistent with and comparable with other built development in the general vicinity of the site.
88. Based on a review of the information provided, it is considered that the character of the area would not be significantly changed by the proposed residential development and it is considered that the established residential character of the area would not be harmed.
89. The layout of the rooms in each of the units, the position of the windows and separation distance also ensures that there is no overlooking into the private amenity space of neighbouring properties. The buildings are not dominant or overbearing and no loss of light would be caused.
90. Having regard to this detail and the relationship between the buildings in each plot it is considered that the guidance recommended in the SPG published with the draft Plan Strategy equivalent to the Creating Place document and that criterion (a) of policy HOU 3 met.
91. With regard to criterion (b) no archaeological, historic environment or landscape characteristics/features have been identified that require integration into the overall design and layout of the development. This part of the policy is met.

#### Policy HOU4 - Design in New Residential Development

92. There are number of different house types of varying size from 125 square metres to 211 square metres.
93. The apartments range from 70 square metres to 85 square metres.
94. A sample description of the some of the dwellings is outlined below.
95. House type N3S is a semi-detached three-bedroom dwelling measuring approximately 125 square metres in floor area. This dwelling will have a ridge height of approximately 8.7 metres.
96. The materials proposed for the dwelling include clay facing brick and render, plain coloured concrete tiles, glazed uPVC windows, gutters and downpipes.
97. House type Q4S is a detached four-bedroom dwelling with each measuring approximately 211 square metres in floor area and will have a ridge height of approximately 8.7 metres.
98. The materials proposed for the dwelling include clay facing brick and render, plain coloured concrete tiles, glazed uPVC windows, uPVC gutters and downpipes.

99. Three blocks of apartments are proposed at the entrance to this phase of the development site. The block located at sites 512-521 contains 10 two-bedroom apartments, is double fronted and faces both the internal access roads and is approximately 12.4 metres in height.
100. The materials proposed for apartment block A/B are consistent with those proposed for the dwellings and comprise include clay facing brick and render, plain coloured concrete tiles, glazed uPVC windows, gutters and downpipes.
101. The residential dwellings are designed to current building control standards and to be as energy efficient as possible. Further consideration is given to this issue later in the report.
102. The finishes considered to be acceptable and in keeping with the established character of this area and will ensure that the units are as energy efficient as they will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily a fabric first approach. This is addressed in more detail below.
103. The variety of house types provided are accessible capable of providing accommodation that is wheelchair accessible for those with impaired mobility.
104. The provision of private amenity space varies from plot to plot ranging from a minimum of 60 square metres up to 249 square metres. The average provided across the site approximately 132 square metres and is consistent with the guidance in the creating places document for a medium density housing development.
105. For the reasons outlined above, criteria (a), (d) and (e) of policy HOU 4 are considered to be met.
106. A landscape management plan dated June 2026 was submitted in support of the application. It outlines the strategy and approach for the future long-term management and maintenance of the external public spaces associated with the proposed development.
107. It details that the objectives are to introduce new tree, shrub and hedge planting of sizes and species to provide both age and species diversity.
108. The landscape plan demonstrates how the existing tree group to the north of the site are to be retained and protected during construction. The management plans also set out how the proposal will be complemented by additional tree planting to increase the screening effect of the boundary planting supplemented where necessary on all other boundaries.
109. It is considered that this written management plan, in association with the detailed planting plan, is sufficient to ensure integration of and maintenance of external public spaces and that the implementation of planting works should be conditioned to be carried out in the first available planting season prior to prior to the occupation of that phase of the development.

110. For the reasons outlined above, criterion (b) of policy HOU 4 is considered to be met.
111. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. The site is on the Comber Road and accessible to shops and other neighbourhood facilities. Criterion (c) of policy HOU 4 is met.
112. The agent has also confirmed that the scheme will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily through a fabric first approach (for example reducing heating costs with good air tightness, thermal performance and reducing the effects of solar gain) and including renewable energy measures, such as solar panels. The specific energy efficient measures proposed in the scheme are detailed further below in the report. Criteria (f) is complied with.
113. The internal road layout provides for safe and convenient access through the site and the provision of dropped kerbs and tactile paving will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for in curtilage parking. No on-street parking is provided or required as part of the proposal. This issue is dealt with in more detail later. In the interim Criteria (g) and (h) of policy HOU 4 are considered to be met.
114. The careful delineation of plots through the provision of appropriate boundary treatments and fencing will help to deter crime and promote personal safety.
115. A minimum separation distance of 20 metres is maintained between the proposed dwellings and adjacent existing properties. As a result, there will be no unacceptable overlooking or adverse impact on residential privacy. Criterion (i) is therefore considered to be satisfied.
116. Permeable paving and sustainable drainage is proposed as part of the development in line with criterion (j) of the policy is met.
117. Provision can be made for householder waste storage within the driveways for each other unit and its safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria (k) is met.

#### HOU 5 Public Open Space in New Residential Developments

118. Detail submitted with the application indicates that the site exceeds one hectare and that more than twenty-five residential units are proposed. As such open space must be provided as an integral part of this development.
119. Detail submitted with the above application demonstrated that areas of open space were provided throughout the site totalling 2,678 square metres ( 6% of overall site).

120. Although the provision of open space is below standard, the inclusion of a pedestrian bridge provides a direct connection to Carryduff Park, providing an additional 25,000 square metres of open space. As such, the development meets exemption criterion (a) of Policy HOU5.
121. The areas of open space are designed to be accessible to all dwellings and also to provide a buffer between the proposed dwellings and the adjacent countryside on the eastern boundary.
122. More than 100 dwellings are proposed as part of this development therefore an equipped children's play park is also required in line with the policy.

As mentioned above the construction of a bridge linking the Baronsgrange development with Carryduff Park means that future residents will have access to a fully equipped playpark.

123. As part of this proposal, details have been provided indicating that the bridge access to Carryduff Play Park is located approximately 400 metres from the junction at the entrance to this phase of the development which is an acceptable walking distance for a family with small children. A second playpark is not required closer to this phase of development.
124. It is accepted that adequate provision is made in the wider scheme and that within the context of policy HOU 5 the thresholds and requirements for open space is met and accessibility to a play park is met.

#### Policy HOU10 - Affordable Housing

125. Policy HOU10 requires a minimum of 20% of the proposed residential development is affordable housing. In the context of the proposed scheme, this equates to 23 units.
126. The agent confirms that 24 apartments are provided in four separate blocks at plots 510-511, 528-531, 512-521 and 592-599.
127. This provision will be subject to a Section 76 planning agreement, and the affordable housing requirement should be phased to be delivered in tandem with the occupation of housing within the overall development. To ensure the provision is met in full no more than 65 of the private dwellings shall be occupied until all the affordable housing units are constructed and available for occupation.
128. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

#### **Renewable Energy**

129. As outlined above at Paragraph 112, the agent has confirmed that the scheme will be constructed in line with current NI Building Regulations which

emphasises sustainable design and energy efficiency. The specific energy efficient measures proposed in the scheme are outlined below:

#### Photovoltaic (PV) Panels

130. The proposal includes the incorporation of PV panels at roof level (as shown on the elevation drawings) to support on-site renewable energy generation. The PV panels are integrated into the overall design of the apartment buildings and represent an appropriate form of microgeneration technology which contributes towards reducing operational carbon emissions associated with the development.
131. Their placement has been optimised to avoid overshadowing and ensure minimal visual or amenity impact on neighbouring properties

#### EPC (Energy Performance Certificate) Rating

132. The apartment units have been designed to achieve a high standard of thermal efficiency, targeting an EPC 'A' rating, thereby reducing overall energy demand and reliance on non-renewable energy sources. This is achieved through the use of:

#### Thermally Efficient Insulation and Building Fabric

133. Incorporates thermally efficient insulation materials and a high-performance building fabric including high-quality wall, roof, and floor insulation, as well as double- or triple-glazed windows

#### High-Efficiency Boilers

134. Condensing boilers are installed in each dwelling, designed to meet or exceed modern energy performance standards and reduce energy consumption and carbon emissions;

#### Airtight Construction

135. Designed to achieve a high level of airtightness, minimising heat loss and enhancing energy efficiency. This is achieved during construction through carefully sealed junctions, high-performance airtight membranes, and precision-installed windows and doors that help maintain the integrity of the building envelope;
136. Low-Energy Light fittings are installed throughout each dwelling, both internally and externally, to reduce electricity consumption.

#### Climate-Resilient Drainage System (SuDS)

137. The drainage system is designed to meet Northern Ireland Water consent requirements, integrating SuDS to manage surface water efficiently, reduce flood risk, and provide long-term resilience to the impacts of climate change.
138. The policy is therefore in compliance with Policy RE1

139. The proposal also complies with the provisions of Policy RE1, as referenced within Policy RE2, for the following reasons:
- Criteria (a) – Public safety, human health and residential amenity – The PV panels are roof-mounted and integrated within the building design, positioned away from public areas and residential amenity spaces. As such, the proposal will not give rise to any unacceptable impacts on public safety, human health, or residential amenity.
  - Criteria (b) – Visual amenity and landscape character – The roof-mounted PV panels are modest in scale and visually integrated into the overall apartment and dwelling design. Similar renewable energy infrastructure has been approved and implemented on nearby apartment developments within Carryduff, including the recently completed apartment scheme within Phase 10 under planning reference LA05/2023/0662/F. The proposal will therefore not adversely impact visual amenity or local character.
  - Criteria (c) – Biodiversity and the natural or historic environment – The site is not subject to any environmental, ecological, or historic designations. The provision of roof-mounted PV panels will not adversely affect biodiversity, the natural environment, or any heritage assets.
  - Criteria (d) and (e) – Natural resources and public access to the countryside – the limited scale of roof-mounted PV panels per unit means there are no significant implications for natural resources, including air or water quality, nor any impact on public access to the countryside.

### **Natural Heritage**

140. Preliminary ecological survey work was first carried out in 2016, prior to the approval of planning permission in 2017 by Ecology Solutions.
141. At the time, several push-throughs were noted in hedgerows bordering the fields, particularly at the northern and western boundaries of the application site. These push throughs were weak suggesting infrequent use and could be attributed to fox or domestic pet activity.
142. No foraging signs were recorded in 2016 within the application site or the wider search area. No other sign of Badger activity was recorded.
143. During the development of Baronsgrange, the outlier badger setts were closed under licence and the whole site stripped as part of the archaeological assessment. Consequently, Phase 11 has limited ecological value.
144. As noted above this site was cleared in preparation for development based on an earlier planning permission and having regard to the previous assessment.
145. For completeness however, a Preliminary Ecological Assessment (PEA) was submitted in support of the application and in respect to these revised proposals. There are no statutory or non-statutory designated sites of nature conservation interest within or adjacent to the application site.

146. The PEA stated that the existing dwelling located to the north of the site, which was to be demolished, had low bat roost potential. It also indicated that further surveys would be required prior to the demolition of the property.
147. Subsequent surveys were undertaken, and no evidence of bats was identified. The building has since been demolished.
148. All the grassland habitat and large sections of the hedgerows have been lost to the development proposals. Vegetation cover is sparse across the site as it has been stripped for archaeological assessment and development preparation work.
149. It is considered that through the use of additional planting on the remaining hedgerows and the planting of native local species within areas of open space any losses will fully mitigated against.
150. NIEA have not been consulted as the PEA does not identify any impact on the natural environment that requires future investigation.
151. Based on a review of the detail submitted with the application, it is accepted that appropriate mitigation and/or compensatory measures have been proposed to outweigh the impact on priority habitats and priority species consistent with policies NH2 and NH5 of the Plan Strategy.

### **Access and Transport**

152. The proposed development is connected to the Comber Road via to an internal estate road within the wider Baronsgrange development.
153. Detailed roads information has been submitted with this application including a Transport Assessment, Transport Statement, Road, Travel Plan and vehicle tracking information.
154. The design and access statement submitted in support of the application outlines that the proposal incorporates paved surface with dropped kerbs within the development, and that gradients are limited to enable easy walking and cycling and provide for disabled movements within the development.
155. The policy tests associated with TRA1 are therefore capable of being met.
156. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the new road layout and infrastructure will not prejudice road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
157. The proposal is also considered to comply with policies TRA2 and TRA3 of the Plan Strategy, as the submitted details demonstrate that the existing access onto Comber Road, which this proposal will connect to, has been constructed to

the relevant standards. DfI Road have also been consulted and the internal road layout is also designed to the requirements of the Creating Places document and no road safety issues are identified in respect of the layout.

158. The proposal is also considered to comply with policy TRA7 of the Plan Strategy in that the detail demonstrates that adequate provision for car parking in accordance with the guidance in the Creating Places document and appropriate servicing arrangements has been provided so as not to prejudice road safety or inconvenience the flow of traffic.
159. The detail associated with the application indicates a minimum of two in curtilage parking spaces, while the apartments have communal unassigned parking of 34 spaces.
160. The proposal continues to provide for connectivity to active travel networks and as such, policy tests associated with TRA8 continue to be met.

### **Bus Provision**

161. Planning Approval Y/2009/0160/F included the provision of a bus gate (providing bus only access to and from Baronscourt Road), to serve the development
162. This proposal to amend the original planning permission referenced Y/2009/0160/F incorporating a reconfigured layout, bus gate (providing bus only access to and from Baronscourt Road), public open space and landscaping with vehicular access via Baronsgrange Road.
163. During the first PACC event, it was made clear from the residents that there were significant concerns within the community regarding the previously approved bus gate and access to the development from the Baronscourt Road. Details of this are set
164. Taking the concerns onboard it has been proposed by the applicant with the agreement of those making representations on this issue that the applicant Frazer Homes would fund a bus service for a five-year period. The service would access Baronsgrange from the Comber Road, a turning circle would be created to permit the bus to turn and exit Baronsgrange through the Comber Road access.
165. This bus service will then proceed via Church Road and Ballynahinch Road to Belfast City Centre before returning to Baronsgrange.
166. The agent stated in the Design and Access statement that

*As such it provides a much-needed regular service from Carryduff to Belfast City Centre a service made more necessary by the recent announcement in relation to the Glider service. When this process was completed Fraser Homes returned to the community and held a further consultation event.*

167. Following the second PACC event, an amended layout was presented. This revised layout addressed the concerns raised during the initial PACC, and forms the basis of the scheme and bus arrangement formally submitted as part of the current application.
168. These changes included:
- Bus gate removed;
  - A new pedestrian access proposed linking Baronscourt Road to Phase 11
  - Roundabout introduced into centre of the development to facilitate bus turning;
  - Link road from roundabout towards former bus gate has been narrowed from 6.7m to 5.5m.
169. Given the level of objection to the original bus route, it is considered that the proposed alternative arrangement successfully delivers the same outcome by providing a dedicated bus route for residents of Baronsgrange.
170. DfI have considered the details regarding the bus route including vehicle tracking information and has no objection in principle to this alternative provision.
171. To ensure that this alternative provision is implemented the proposed Section 76 planning agreement will also require the developer to enter into a separate agreement with Translink to fund the provision of a bus route for five years. This agreement with Translink would be completed prior to the occupation of the first residential unit. Thereafter, the new Translink service must be operational prior to the occupation of the Sixty Fifth residential unit.

### **Planning and Flood Risk**

172. The original approved layout contained 105 units in this area and while this application only proposes an overall increase of 12 units, a Drainage Assessment (DA) is still required, which relates to applications that may be affected by surface water flooding, or where the proposed development could potentially increase flooding elsewhere.
173. The DA states that the overall site has approval for a development of 380 dwellings (Planning ref: Y/2009/0160/F) on a greenfield site with hardstanding area from the road and surfacing housing roofs. This discharges into the Carryduff River through four storm networks. Network 1 enters the Carryduff River directly via standard headwall and networks 2, 3 & 4 enters the Carryduff River via a proposed culvert.
174. Network 1 has approval in place for 106l/s to discharge into the Carryduff River. The proposed hardstanding area relating to the approved layout is 59,294m<sup>2</sup> for 250 units which is attenuated using oversized pipes and manholes, predominately by the large drainage system on the western end of the site.

175. As stated above the original approved layout contained 105 units in this area. The new application is for a total of 117 units which is an overall increase in 12, including 3 apartment blocks, which will discharge into Storm Network 1. Due to some housing being changed to apartments, the additional units have resulted in a 4344m<sup>2</sup> reduction in hardstanding area discharging into Network 1.
176. Due to the reduction in hardstanding the originally approved attenuation was sufficient to store the run-off above 106 L/S. The network has been checked for exceedance in 1 in 2, 1 in 30 and 1 in 100 year return period storms.
177. The results indicated that no surcharge occurred for a 1 in 2 year storm event and furthermore no flooding occurred for a 1 in 30 and 1 in 100 year storm event. Additionally, the outfall discharge into the Carryduff River did not exceed the approved 106l/s from Dfl Rivers.
178. The DA concludes that the NI Flood maps indicate no fluvial, coastal flood plain within the proposed site and also no fluvial flooding.
179. With regards to FLD1 Development in Fluvial (River) Flood Plains Dfl Rivers have stated that:

*The Flood Maps (NI) does not indicate a flood plain associated with the undesignated watercourse that is located along the eastern boundary of the site. This is due to the fact that the minor watercourse falls below the threshold in terms of catchment area for River Modelling. However, this does not mean that there is no associated flood risk with this watercourse. Rivers Directorate would advise it is the applicant's responsibility to appoint a competent professional to assess the flood risk and to mitigate the risk to the development and any impacts beyond the site.*

The proposal is therefore compliance with criteria FLD 1.

180. With regards to FLD2 - Protection of Flood Defence and Drainage Infrastructure Dfl Rivers have confirmed that a suitable maintenance strip of minimum five metres is in place and this is identified on Drawing PS-007 Rev Q submitted with this application. The proposal therefore complies with this requirement.
181. In relation to Policy FLD3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains Dfl Rivers have stated that:
- Rivers Directorate, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.*
182. The proposal therefore complies with policy FLD3 and a suitably worded condition will be included should the application be approved.
183. The condition will state that prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, which demonstrates the

safe management of any out of sewer flooding emanating from the surface water drainage network.

184. Water Management Unit has also considered the impacts of the proposal on the surface water environment and in a response received 3 July 2025 they stated that If NI Water are content that the WWTW and associated sewer network for this development can take the additional load, with no adverse effect on the WWTW and sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.

#### Foul Drainage

185. The foul drainage network for Phase 11 will be connected to the existing foul system established during earlier phases of the development. However, the external foul network has limited to no capacity.
186. A Solutions Engineer Report has identified stormwater offsetting as a potential solution to this constraint.
187. The proposed location for stormwater offsetting is the Carriageway and footway drainage area between No. 37 and No. 29 Queensfort Park South, Carryduff. Diverting stormwater from this section will free up sufficient capacity in the system, enabling foul discharge from Phase 11 into the existing network.
188. The stormwater offsetting works will be carried out in parallel with the Combined Sewer Overflow (CSO) upgrades. These CSO works are scheduled to commence in September and are expected to be completed later this year. Upon completion of both the CSO upgrades and stormwater offsetting, the Phase 11 development will be able to discharge into the existing foul system.
189. NI Water in a response received on 15 May 2026 confirmed that there was available capacity at the Wastewater Treatment Works. In their response they stated that:

*NIW can recommend approval with condition after correspondence with the applicant. No more than 95 dwellings shall be occupied under the extant planning permission. The remaining 18 dwellings shall not be constructed beyond sub-floor level until such time as a solution to mitigate the identified capacity constraints in the wastewater network has been implemented and is operational to the satisfaction of NI Water.*

190. Should the application be approved, a suitably worded condition will be added to ensure the delivery in accordance with the above referenced engineering solution.

## Consideration of Representations

191. Seven letters of objection was received in opposition to the proposed development. Below is a brief summary in relation to the points raised.

### New Link path not required

192. The proposed path to the north of the site is considered to provide enhanced connectivity to the wider Baronscourt area, while also facilitating access to the Saintfield Road.

### Anti Social Behaviour

193. An objection has been raised with regards to an increase in anti-social behaviour should the development be approved.
194. In line with HOU4 (Criteria i) the development has been designed to deter crime however anti-social behaviour is not a material consideration given determining weight and is an issue for the PSNI to address should it arise.

### Increased traffic

195. Concern is expressed about the potential increase in traffic as a result of this proposal and its impact on the surrounding road network.
196. The Transport Assessment submitted with the application acknowledges that there will be an increase in new traffic as a result of the proposal.
197. Detail is provided to demonstrate that the existing and proposed road infrastructure are adequate to serve the proposed development.
198. DfI Roads have been consulted in relation to the proposal and they have no objection subject to conditions.

### Bus coming through Baronsgrange will cause issues.

208. The original bus route was proposed to access the site via Baronscourt Road, entering through the northern boundary of the development. Following objections raised by local residents and a subsequent public consultation event, the bus route was amended. The revised arrangement provides access to the site from the Comber Road, with buses entering the development, turning within the site at a newly constructed turning facility, and exiting via the same route onto the Comber Road.
209. No objections have been received in relation to the revised bus route or the associated access arrangements. It is therefore considered that the amended proposal satisfactorily addresses the concerns raised regarding the original route

### Lack of one-to-one consultation with residents.

199. An objection has been raised regarding the extent of consultation undertaken between local residents and the developer. In accordance with legislative requirements, an initial public consultation event was held to provide information on the proposed development and to allow members of the public an opportunity to engage with the proposal.
200. Following the submission of the planning application, and in response to feedback and objections received, the agent voluntarily held a further public consultation event. While this additional event was not a statutory requirement, it provided a further opportunity for engagement with local residents. The information and feedback gathered during this process informed the amended scheme subsequently submitted for consideration.
201. It is therefore considered that appropriate consultation has been undertaken, exceeding the minimum statutory requirements, and that local residents have been afforded adequate opportunity to comment on the proposal.

### Removal of Ecology

202. Ecology issues are dealt with at paragraphs 114-155 above. All the grassland habitat and large sections of the hedgerows have been lost to the development proposals. Vegetation cover is sparse across the site as it has been stripped for archaeological assessment and development preparation work.
203. However it is considered that through the use of additional planting on the remaining hedgerows and the planting of native local species within areas of open space any losses will fully mitigated against.

### Less than 20 metre separation distance.

204. As indicated at paragraph 107 above, spot levels taken throughout the site demonstrate that a minimum separation distance of 20 metres is maintained between the proposed dwellings and adjacent existing properties. Furthermore, the agent has confirmed and demonstrated through the Design and Access Statement and accompanying site sections, that appropriate separation distances are being provided to safeguard the residential amenity of both existing and proposed dwellings. Accordingly, it is considered that the proposal will not result in unacceptable overlooking, loss of privacy, or undue impact on residential amenity.

## Conclusions

205. For the reasons outlined above, it is recommended that planning permission is granted for the proposed development complies with the requirements of the local development plan operational policies for the reasons set out in the report.
206. This recommendation is subject to a Section 76 planning agreement that the affordable housing requirement be delivered in tandem with the occupation of housing within the overall development and that the developer enter into a separate agreement with Translink to secure the delivery of public transport to the site.

## Conditions

207. The following conditions are recommended:

- The development hereby permitted must be begun within five years from the date of this permission.

**Reason:** As required by Section 61 of the Planning Act (Northern Ireland) 2011.

- The vehicular access, including the visibility splays and any forward sight distance, shall be provided in accordance with Drawing Numbers P11/1500 Rev 2.1 and P11/1501 Rev 2.2, uploaded on to the Planning Portal by the Council on the 12th May 2026, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

**Reason:** To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

- The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

**Reason:** To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

- The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Numbers P11/1500 Rev 2.1 and P11/1501

Rev 2.2, uploaded on to the Planning Portal by the Council on the 20th May 2026 and the DfI Roads Private Streets Determination date stamp of the 20th May 2026.

**Reason:** To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

- No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

**Reason:** To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

- Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in verges and service strips determined for adoption.

**Reason:** To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in verges and service strips determined for adoption.

**Reason:** In order to avoid damage to and allow access to the services within the service strip.

No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved Drawing Numbers P11/1500 Rev 2.1 and P11/1501 Rev 2.2 uploaded on to the Planning Portal by the Council on the 12th May 2026 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

**Reason:** To ensure that adequate provision has been made for parking.

- Any existing street furniture within the visibility splays shall be relocated to the rear of footway as directed by the DfI Private Streets Officer.

**Reason:** In the interests of pedestrian convenience

- All hard and soft landscape works shall be carried out in accordance with P-S-007 published to the Planning Portal on 26 July 2026 and the approved details. The works shall be carried out no later than the first available planting season after occupation of that phase of the development.

**Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

- Prior to the occupation of the first dwelling, a phasing plan for the landscaping works shall be submitted to and agreed in writing with the Council.

**Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

- Prior to the occupation of the first dwelling the hard and soft landscaping works shall be carried out in accordance with the agreed phasing plan and maintained and managed thereafter, in accordance with the approved Plan by a suitably constituted management company.

**Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

- If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

**Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

- No retained tree as identified on P-S-007 published to the Planning Portal on 26 July 2026 Planning Portal on 16 October 2025 shall be cut down, uprooted or destroyed or have its roots damaged nor shall arboriculture work or tree surgery take place on any retained tree without the written consent of the Council. Any retained tree that is removed, uprooted or destroyed shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

**Reason:** To ensure the continuity of amenity afforded by existing trees  
All existing trees, boundary hedging and vegetation to the listed building site boundaries shall be retained.

- Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 of the LDP, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change (10%) and urban creep (10%).

**Reason** – In order to safeguard against surface water Flood Risk.

- No more than 95 dwellings shall be occupied under until the wastewater network engineering solution to mitigate the downstream foul capacity issues is approved in writing by council in consultation and agreement with NI Water.

**Reason:** To ensure a practical solution to sewage disposal from this site

Site Location Plan – LA05/2025/0390/F



## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	6 July 2026
Committee Interest	Local Application
Application Reference	LA05/2023/0961/F
District Electoral Area	Lisburn South
Proposal Description	Proposed erection of 30 dwellings (10 detached, 10 semi-detached and 10 . apartments), including garages, alterations to access, parking, refurbished pedestrian linkage, landscaping and all other associated site works
Location	121 Moira House Hillsborough Road, Lisburn, BT28 1GZ
Representations	One
Case Officer	Laura McCausland
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. The application is presented to the committee for determination in accordance with the protocol for the operation of the committee as by way of exception it is subject to a Section 76 planning agreement to secure the delivery of affordable housing at this location.
2. This application is presented to the Planning Committee with a recommendation to approve as it is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of the Plan Strategy.
3. The proposed design and layout of the scheme will create a quality residential environment and will not change or adversely impact upon the character of the area nor have a detrimental impact on the amenity of adjacent land uses.
4. The density reflects that exhibited in the surrounding residential context and the proposed pattern of development is in keeping with the overall character and environmental quality of the area. Sufficient public open space is to be created.
5. It is considered that the proposal is in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of a mixed tenure development.

6. The proposed complies with policy of TRA1 the Plan Strategy in that it is demonstrated that an accessible environment will be created through the provision of footway and crossing points throughout the site.
7. The Hillsborough Road is a protected route. It is considered having regard to the advice of DfI Roads that the development complies with policy TRA2 and TRA3 of the Plan Strategy in that the proposed access arrangements and internal road layout will not prejudice road safety or significantly inconvenience the flow of traffic onto the protected route.
8. Regard is also had to the nature and scale of the development, the character of the existing development, the position of existing access and the standard of the existing road network. The proposal will not inconvenience road users, prejudice road safety or impede the flow of traffic on the surrounding road network.
9. The proposal also complies with policy TRA7 of the Plan Strategy in that it has been demonstrated that adequate provision has been made for car parking and servicing of the site.
10. The proposal also complies with policies NH2, NH4 and NH5 of Plan Strategy in that the Preliminary Ecological Assessment and related surveys have been submitted in support of the application to demonstrate that the proposed development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
11. Regard has been given to advice from Historic Environment Division (HED) in relation to the preservation of archaeological remains of local importance and it is considered that the proposal complies with policy HE2 of the Plan Strategy.
12. The proposed design and layout of the scheme will create a quality environment and will not have a detrimental impact on the amenity of adjacent land uses nor change or adversely impact upon the setting of any listed buildings and therefore policy HE9 of the Plan Strategy is met.
13. The proposed development complies with policy FLD 3 of the Plan Strategy in that the detail submitted demonstrates that adequate drainage can be provided within the site to serve the proposed development.
14. The proposal also complies with policy RE2 as solar panels are provided, and the proposed residential units shall be constructed in line with current NI Building Regulations and the DfC Design Standards which emphasises sustainable design and energy efficiency.

## Description of Site and Surroundings

### Site Context

15. The application site was the former 'Moira House' the HM Revenue & Customs office building at the Hillsborough Road, Lisburn. Access is taken directly from the Hillsborough Road via an existing entrance and pedestrian access afforded to the southern end of the site.
16. The site is irregular in shape and approximately 1.99 hectares in size. Within, a significant portion of the site comprises of hard standing area around a modest single storey gate house building and two storey office building located towards the northern end of the site.
17. This portion of the site is enclosed to the north, east and south by a two-metre high paladin fence and a one-metre high red brick wall with metal railings above to the west. The remainder of the site is largely overgrown and enclosed by mature dense vegetation.
18. The site is bounded to the west by the Hillsborough Road and Lisburn Care Home to the north. The River Lagan runs parallel to the eastern and southern boundary of the site and the southwestern boundary is defined by a buffer of mature TPO trees.
19. The topography of the site falls gradually in a west to east direction across the site.

### Surrounding Context

20. The site lies within the settlement of Lisburn in an area comprised of a mixture of residential properties on both sides of the Hillsborough Road, including Woodview Crescent and Cherry Vale.

## **Proposed Development**

21. The proposed development is for the erection of 30 dwellings (10 detached, 10 semi-detached and 10 apartments), including garages, alterations to access, parking, refurbished pedestrian linkage, landscaping and all other associated site works
22. The application is supported with the following documents:
  - Planning Statement
  - Concept Plan
  - Otter Survey
  - Bat Activity and Roast Survey
  - Outline Construction Environmental Management Plan
  - Preliminary Risk Assessment and Generic Quantitative Risk Assessment

- Drainage Assessment and Addendum
- Schedule 6
- Preliminary Ecological Appraisal
- Landscape Management Plan
- Tree Survey Report
- Transport Assessment Form

### Relevant Planning History

23. Relevant planning history is as follows:

Application Reference	Description of Proposal	Decision
S/2009/0043/A	Identity & Wayfinding advertisement	Consent
S/1991/1117	2.4m Palisade Fence	Approved
S/1991/0861	Gatehouse and alterations to entrance	Approved
S/1975/0105	Two Storey Office Block	Approved

### Consultations

24. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
LCCC Environmental Health	No objection
NI Water	No objection
Water Management Unit	No objection
Natural Heritage	No objection
Regulation Unit	No objection
DfI Rivers Agency	No objection
Housing Executive	No objection
Council Tree Officer	No objection

## Representations

25. No representations have been received in respect to the application.

## Environmental Impact Assessment (EIA)

26. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment as the site area exceeds the thresholds set out in Section 10 (b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015.
27. An EIA determination concluded given the type and scale of development proposed on brownfield land that an Environmental Statement is not required to inform the assessment of this proposal.

## Local Development Plan

### Local Development Plan Context

28. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on planning applications regard must be had to the requirements of the local development plan and that the determination of applications must be in accordance with the plan unless material considerations indicate otherwise.
29. It is stated at Part 1 of the Plan Strategy that:

*Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption, the Development Plan will be the Plan Strategy and any old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 states that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.*

*The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.*

*BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.*

30. As a consequence, the Plan Strategy and the Lisburn Area Plan (LAP) 2001 is the statutory development plan for the area. However, draft BMAP remains a material consideration.
31. The site is previously developed land within the settlement limit of Lisburn in the Lisburn Area Plan (2001). The site is partially identified as 'white land' with remainder within the Lagan Valley Regional Park. The Hillsborough Road is part of the Protected Routes network.
32. BMAP 2015 identifies the site to be
33. Within draft BMAP, the lands remain within the development limits of Lisburn, partially on white land and designation LC20/07 Site of Local Nature Conservation Importance and Lagan Valley Regional Park and within the LC20/05 Hogg's Site of Local Nature Conservation Importance The status of the protected route remains unchanged.
34. A scheduled early medieval rath (DOW 014:03), Moore's Bridge, (Grade B1) Listed Building are in close proximity to the site.
35. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

*The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.*

36. The strategic policy for Creating and Enhancing Shared Space and Quality Places is set out in Part 1 of the Plan Strategy. Strategic Policy 03 – Creating and Enhancing Shared Space and Quality Places states that:

*The Plan will support development proposals that contribute to the creation of an environment which is accessible to all and enhances opportunities for shared communities; has a high standard of connectivity and supports shared use of public realm. Good quality housing that supports more balanced communities must offer a variety of house types, sizes and tenures to meet different needs.*

*Creating shared neighbourhoods should provide opportunities for communities to access local employment, shopping, leisure, education and community facilities.*

37. The strategic policy for Good Design and Positive Place Making is set out in Part 1 of the Plan Strategy. Strategic Policy 05 – Good Design and Positive Place Making state that:

*The Plan will support development proposals that incorporate good design and positive place-making to further sustainable development, encourage healthier living, promote accessibility and inclusivity and contribute to safety. Good*

*design should respect the character of the area, respect environmental and heritage assets and promote local distinctiveness. Positive place-making should acknowledge the need for quality, place-specific contextual design which promotes accessibility and inclusivity, creating safe, vibrant and adaptable places.*

38. The strategic policy for Protecting and Enhancing the Environment is set out in Part 1 of the Plan Strategy. Strategic Policy 06 – Protecting and Enhancing the Environment states that:

*The Plan will support development proposals that respect the historic and natural environment and biodiversity. Proposals must aim to conserve, protect and where possible enhance the environment, acknowledging the rich variety of assets and associated historic and natural heritage designations. Proposals should respect the careful management, maintenance and enhancement of ecosystem services which form an integral part of sustainable development.*

39. The strategic policy for Section 76 Agreements is set out in Part 1 of the Plan Strategy. Strategic Policy 07 – Section 76 Agreements states that:

*Development will be required to deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale, impact of the development and the sustainability of its location.*

*A developer will be expected to provide or contribute to the following infrastructure in order to mitigate any negative consequences of development:*

- a) *improvements to the transport network, including walking and cycling routes, public transport or, where necessary appropriate parking provision*
  - b) *affordable housing*
  - c) *educational facilities and/or their upgrades*
  - d) *outdoor recreation*
  - e) *protection, enhancement and management of the natural and historic environment*
  - f) *community facilities and/or their upgrades*
  - g) *improvements to the public realm*
  - h) *service and utilities infrastructure*
  - i) *recycling and waste facilities.*
40. The strategic policy for Housing in Settlement Limits is set out in Part 1 of the Plan Strategy. Strategic Policy 08 Housing in Settlements states that:

*The Plan will support development proposals that:*

- a) *are in accordance with the Strategic Housing Allocation provided in Table 3*
- b) *facilitate new residential development which respects the surrounding context and promotes high quality design within settlements*
- c) *promote balanced local communities with a mixture of house types of*

- different size and tenure including affordable and specialised housing*
- d) *encourage compact urban forms and appropriate densities while protecting the quality of the urban environment.*

### **Housing in Settlements**

41. New housing on a site located within the settlement of Lisburn is proposed. The following operational policies in Part 2 of the Plan Strategy therefore apply.
42. Policy HOU1 - New Residential Development applies and states that:

*Planning permission will be granted for new residential development in settlements in the following circumstances:*

- a) *on land zoned for residential use*
- b) *on previously developed land (brownfield sites) or as part of mixed-use development*
- c) *in designated city and town centres, and within settlement development limits of the city, towns, greater urban areas, villages and small settlements*
- d) *living over the shop schemes within designated city and town centres, or as part of mixed-use development.*

*The above policy applies to all residential uses as set out in Part C of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended).*

43. Policy HOU3 - Site Context and Characteristics of New Residential Development states:

*Planning permission will be granted for new residential development where it will create a quality and sustainable residential environment which respects the existing site context and characteristics. An overall design concept, in accordance with Policy HOU6 must be submitted for all residential proposals and must demonstrate that a proposal draws upon the positive aspects of, and respects the local character, appearance and environmental quality of the surrounding area. Proposals for residential development will be expected to conform to all the following criteria:*

- a) *the development respects the surrounding context, by creating or enhancing a local identity and distinctiveness that reinforces a sense of place, and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas*
- b) *archaeological, historic environment and landscape characteristics/features are identified and, where appropriate, protected and suitably integrated into the overall design and layout of the development.*

*For new residential development in areas of distinctive townscape character, including Conservation Areas and Areas of Townscape or Village Character, an increased residential density will only be allowed in exceptional circumstances.*

*All development should be in accordance with available published space standards.*

44. Policy HOU4 - Design in New Residential Development states:

*Proposals for residential development will be expected to conform to all the following design criteria:*

- a) *the design of the development must draw upon the best local architectural form, materials and detailing*
- b) *landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
- c) *where identified as a Key Site Requirement adequate provision is made for necessary local community facilities, to be provided by the developer*
- d) *residential development should be brought forward in line with the following density bands:*
  - *City Centre Boundary 120-160 dwellings per hectare*
  - *Settlement Development Limits of City, Towns and Greater Urban Areas: 25-35 dwellings per hectare*
  - *Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare.*
  - *Within the above designated areas, increased housing density above the indicated bands will be considered in town centres and those locations that benefit from high accessibility to public transport facilities*
- e) *a range of dwellings should be proposed that are accessible in their design to provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range of dwelling types and designs should be provided to prevent members of society from becoming socially excluded*
- f) *dwellings should be designed to be energy and resource efficient and, where practical should include integrated renewable energy technologies to minimise their impact on the environment*
- g) *a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way*
- h) *adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points*
- i) *the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance*
- j) *the design and layout should where possible include use of permeable paving and sustainable drainage*

- k) *the design and layout design must demonstrate appropriate provision is made for householder waste storage and its collection can be facilitated without impairment to the access and maneuverability of waste service vehicles*
- l) *the development is designed to deter crime and promote personal safety.*
- m) *Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.*

45. The Justification and Amplification states that:

*Please note the Supplementary Planning Guidance on design of residential development that will support the implementation of this policy.*

46. It also states that:

*Accessible Accommodation*

*Design standards are encouraged to meet the varying needs of occupiers and be easily capable of accommodating adaptations. Developers should ensure that a range of dwelling sizes (including internal layout and the number of bedrooms) is provided to meet a range of housing needs that facilitate integration and the development of mixed communities.*

47. Given the scale of residential development public open space is required as part of the proposed development. Policy HOU5 - Public Open Space in New Residential Development states that:

*Adequate provision must be made for green and blue infrastructure in public open space and for open space that links with green and blue infrastructure where possible and provides pedestrian and cycle linkages to nearby public amenity spaces. Proposals for new residential development of 25 or more units, or on sites of one hectare or more, must provide public open space as an integral part of the development, subject to the following:*

- a) *the open space must be at least 10% of the total site area*
- b) *for development proposals of 300 or more units, or on sites of 15 hectares or more, the open space must be at least 15% of the total site area.*

*The following exceptions to the above open space provision will apply where:*

- a) *the residential development is designed to integrate with and make use of adjoining public open space*
- b) *the provision of open space below 10% of the total site area if the proposal is located within a city or town centre or it is demonstrated that it is close to and would benefit from ease of access to existing public open space*
- c) *in the case of apartment developments or specialist housing (see Policy HOU11) where a commensurate level of private communal open space is being provided.*

*Development proposals of 100 units or more, or on sites of 5 hectares or more, must be provided with an equipped children's play area unless one already exists within a reasonable and safe walking distance (generally around 400 metres) of the majority of the units within the proposal.*

*Public open space required by this policy will be expected to conform to all of the following criteria:*

- *it is designed as an integral part of the development with easy and safe access from the dwellings*
- *it is of demonstrable recreational or amenity value*
- *it is designed, wherever possible, to be multi-functional*
- *its design, location and appearance takes into account the needs of disabled persons and it respects the amenity of nearby residents*
- *landscape and heritage features are retained and incorporated in its design and layout.*

*In all cases developers will be responsible for the laying out and landscaping of public open space required under this policy.*

*Developers must demonstrate that suitable arrangements will be put in place for the future management and maintenance in perpetuity of areas of public open space required under this policy.*

48. The following paragraph in the Justification and Amplification states that:

*Public open space can be provided in a variety of forms ranging from village greens and small parks through to equipped play areas and sports pitches. In addition, the creation or retention of blue/green infrastructure, woodland areas or other natural or semi-natural areas of open space can provide valuable habitats for wildlife and promote biodiversity. To provide maximum surveillance, areas of open space are best located where they are overlooked by the fronts of nearby dwellings.*

49. As more than five dwellings are proposed there is a need to consider the requirement for affordable housing. This application is presented a mixed tenure scheme of 30 units, 20% comprising of six number two bed apartments to be affordable units and 80% of the units are private accommodation. Policy HOU10 - Affordable Housing in Settlements is engaged and states that:

*Where the need for Affordable Housing is identified, through the Housing Needs Assessment on sites of more than 0.5 hectares or comprising of 5 residential units or more, proposals will only be permitted where provision is made for a minimum 20% of all units to be affordable. This provision will be secured and agreed through a Section 76 Planning Agreement.*

*All developments incorporating affordable housing should be designed to integrate with the overall scheme with no significant distinguishable design differences, in accordance with any other relevant policies contained within this Plan Strategy.*

*In exceptional circumstances where it is demonstrated that the affordable housing requirement cannot be met, alternative provision must be made by the applicant, or an appropriate financial contribution in lieu must be agreed through a Section 76*

*Planning Agreement. Such agreements must contribute to the objective of creating mixed and balanced communities.*

*Proposals for the provision of specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly, Policy HOU11) will not be subject to the requirements of this policy.*

*Windfall sites will be encouraged for the development of affordable housing in suitable and accessible locations.*

*By exception, proposals for affordable housing could be permitted on land identified as open space, in accordance with Policy OS1, where it can be demonstrated that all of the following criteria have been met:*

- a) *a demonstrable need has been identified by the Northern Ireland Housing Executive*
- b) *the application is made by a registered Housing Association or the Northern Ireland Housing Executive*
- c) *the proposal will bring substantial community benefits that decisively outweigh the loss of the open space.*

*Development proposals will not be supported where lands have been artificially divided for the purposes of circumventing this policy requirement.*

50. The Justification and Amplification states that:

*The policy requires a minimum provision of 20% of units as affordable housing. Where up to date evidence indicates a requirement for a higher proportion of affordable housing, the council will expect developments to provide this. Where appropriate this may be indicated through key site requirements within the Local Policies Plan. It may also be secured through discussions with applicants on a case-by-case basis as part of the development management process.*

51. The Glossary associated with Part 2 of the Plan Strategy states that:

*Affordable Housing – affordable housing is:*

- a) *Social rented housing; or*
- b) *Intermediate housing for sale; or*
- c) *Intermediate housing for rent,*

*that is provided outside of the general market, for those whose needs are not met by the market.*

*Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing.*

## Natural Heritage

52. Given the area of the site, buildings are proposed for demolition and proximity to River Lagan and features of natural heritage and nature conservation importance the potential impact on the natural environment is considered. Policy NH2 Species Protected by Law states:

### *European Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm a European protected species.*

*In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:*

- a) there are no alternative solutions; and*
- b) it is required for imperative reasons of overriding public interest; and*
- c) there is no detriment to the maintenance of the population of the species at a favourable conservation status; and*
- d) compensatory measures are agreed and fully secured.*

### *National Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species, and which can be adequately mitigated or compensated against.*

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect the, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.*

53. The site in a site of local nature conservation importance. Policy NH4 Sites of Nature Conservation Importance – Local states;

*NH4 Sites of Nature Conservation Importance – Local Planning permission will only be granted for a development proposal that is not likely to have a significant adverse impact on:*

- a) a Local Nature Reserve*
- b) a Wildlife Refuge. A development proposal which could have a significant adverse impact on a site of local importance may only be permitted where the benefits of the proposed development outweigh the value of the site. In such cases, appropriate mitigation and/or compensatory measures will be required.*

### *Justification and Amplification*

*Local Nature Reserves are those established by councils under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.*

*Wildlife Refuges are provided for under the Wildlife (Northern Ireland) Order 1985. It is recommended that all development proposals be accompanied by a Biodiversity checklist, further details of which can be*

*obtained at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk). A list of existing local sites and their locations can be found at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk).*

54. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states that:

*Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:*

- a) *priority habitats*
- b) *priority species*
- c) *active peatland*
- d) *ancient and long-established woodland*
- e) *features of earth science conservation importance*
- f) *features of the landscape which are of major importance for wild flora and fauna*
- g) *rare or threatened native species*
- h) *wetlands (includes river corridors)*
- i) *other natural heritage features worthy of protection including trees and woodland.*

*A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.*

*In such cases, appropriate mitigation and/or compensatory measures will be required.*

### **Historic Environment and Archaeology**

55. As previously mentioned the site is in close proximity to a scheduled early medieval rath (DOW 014:03) and Moore's Bridge, (Grade B1) Listed Building.

56. Policy HE2 The Preservation of Archaeological Remains of Local Importance and their Settings states:

*Proposals which would adversely affect archaeological sites or monuments which are of local importance or their settings shall only be permitted where the Council considers that the need for the proposed development or other material considerations outweigh the value of the remains and/or their settings.*

57. Policy HE9 Development affecting the Setting of a Listed Building states:

*Proposals which would adversely affect the setting of a listed building will not be permitted. Development proposals will normally only be considered appropriate where all the following criteria are met:*

- a) *the detailed design respects the listed building in terms of scale, height, massing and alignment*
- b) *the works and architectural details should use quality materials and techniques (traditional and/or sympathetic) in keeping with the listed building*

*c) the nature of the use proposed respects the character of the setting of the building*

### **Access and Transport**

58. The P1 Form indicates that the proposal seeks to alteration of an existing access onto the public road for both pedestrian and vehicular use. Policy TRA1 - Creating an Accessible Environment states that:

*The external layout of all development proposals will incorporate, were appropriate:*

- a) *facilities to aid accessibility e.g. level access to buildings, provision of dropped kerbs and tactile paving etc, together with the removal of any unnecessary obstructions*
- b) *user friendly and convenient movement along pathways and an unhindered approach to buildings*
- c) *priority pedestrian and cycling movement within and between land uses*
- d) *ease of access to car parking reserved for disabled or other users, public transport facilities and taxi ranks.*

*Public buildings will only be permitted where they are designed to provide suitable access for customers, visitors and employees.*

*Access to existing buildings and their surroundings should be improved as opportunities arise through alterations, extensions and changes of use.*

*Submission of a Transport Assessment Form (TAF) and a Design and Access Statement may also be required to accompanying development proposals.*

59. In respect of the access arrangements Policy TRA 2 – Access to Public Roads states:

*Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:*

- a) *it will not prejudice road safety or significantly inconvenience the flow of vehicles; and,*
- b) *it does not conflict with Policy TRA3 Access to Protected Routes.*

*Consideration will also be given to the nature and scale of the development, character of existing development, the contribution of the proposal to the creation of a quality environment, the location and number of existing accesses and the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.*

60. The Hillsborough Road is a protected route. Policy TRA3 – Access to Protected Route states:

*The Council will restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes as follows:*

## Other Protected Routes – Within Settlement Limits

*Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access where it is demonstrated that access cannot reasonably be taken from an adjacent minor road; or, in the case of residential proposals, it is demonstrated that the nature and level of access will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in an unacceptable proliferation of access points.*

*In all cases, where access to a Protected Route is acceptable in principle it will also be required to be safe in accordance with Policy TRA2.*

*Designated protected routes within this Council area are illustrated in Supplementary Planning Guidance, Part F: Protected Routes Map.*

61. Parking is required to service the development. Policy TRA7 – Car Parking and Servicing Arrangements states:

*Development proposals will provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to published standards or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.*

*Beyond areas of parking restraint, a reduced level of car parking provision may be acceptable in the following circumstances:*

- a) where, through a Transport Assessment or accompanying Travel Plan, it forms part of a package of measures to promote alternative transport modes*
- b) where the development is in a highly accessible location well served by public transport*
- c) where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking*
- d) where shared car parking is a viable option*
- e) where the exercise of flexibility would assist in the conservation of the historic or natural environment, would aid rural regeneration, facilitate a better quality of development or the beneficial re-use of an existing building.*

*Proposals involving car parking in excess of the Department's published standards will only be permitted in exceptional circumstances, subject to the submission of a Transport Assessment outlining alternatives.*

*A proportion of the spaces to be provided will be reserved for people with*

*disabilities.*

*Car parking proposals should include an appropriate number of reserved electric charging point spaces and their associated equipment. Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided.*

## **Flooding**

62. The site is bounded to the eastern boundary by the River Lagan. The scale of the development proposed requires a drainage assessment. Policy FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states:

*A Drainage Assessment (DA) will be required for development proposals that exceed any of the following thresholds:*

- a) *a residential development of 10 or more units*
- b) *a development site in excess of 1 hectare*
- c) *a change of use involving new buildings and/or hard surfacing exceeding 1,000 square metres in area.*

*A DA will also be required for any development proposal, except for minor development, where:*

- *it is located in an area where there is evidence of historical flooding.*
- *surface water run-off from the development may adversely impact on other development or features of importance to nature conservation, archaeology or historic environment features.*

*A development requiring a DA will be permitted where it is demonstrated through the DA that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere. If a DA is not required, but there is potential for surface water flooding as shown on the surface water layout of DfI Flood Maps NI, it remains the responsibility of the developer to mitigate the effects of flooding and drainage as a result of the development.*

*Where the proposed development is also located within a fluvial flood plain, then Policy FLD1 will take precedence.*

## **Renewable Energy**

63. Given the proposal seeks to provide solar panels Policy RE2 of the Plan Strategy states:

*Policy RE2 Integrated Renewable Energy states:*

*Planning permission will be granted for a development proposal which integrates renewable energy technology including micro-generation and passive solar design (PSD) in its layout, siting and design, where it meets the*

*provisions of Policy RE1 and provided the technology is appropriate to the location in terms of any visual or amenity impact it may have.*

## Regional Policy and Guidance

### Regional Policy

64. The SPPS Edition 2 was published in September 2025. It is the most recent planning policy, and it is stated at paragraph 1.5 that:

*The provisions of the SPPS apply to the whole of Northern Ireland. They must be taken into account in the preparation of Local Development Plans (LDP) and are material to all decisions on individual planning applications and appeals.*

65. Paragraph 2.1 of the SPPS Edition 2 recognises that an objective of the planning system is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. It states:

*The planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society*

66. Paragraph 3.6 of the SPPS Edition 2 states:

*Planning authorities should make efficient use of existing capacities of land, buildings and infrastructure, including support for town centre and regeneration priorities in order to achieve sustainable communities where people want to live, work and play now and into the future. Identifying previously developed land within settlements including sites which may have environmental constraints (e.g. land contamination), can assist with the return to productive use of vacant or underused land. This can help deliver more attractive environments, assist with economic regeneration and renewal, and reduce the need for green field development.*

67. Paragraph 3.8 of the SPPS Edition 2 states:

*that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interest of acknowledged importance. In practice this means that development that accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise*

68. As this proposal is also for new housing in a settlement it is stated at paragraph 6.136 that:

*The policy approach must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities*

69. There are no implications for this proposal following the publication of the SPPS Edition 2, only paragraph 6.232 is new and the need for integrated renewable energy was taken account of in the preparation of policy within the LDP Plan Strategy.

70. Paragraph 6.198 of the SPPS states that:

*Planning authorities should ensure that the potential effects on landscape and natural heritage, including the cumulative effect of development are considered. With careful planning and design the potential for conflict can be minimised and enhancement of features brought about.*

71. Again, given the size of the site and the potential for surface water run-off to exacerbate flooding elsewhere in regard to flood risk, Paragraph 6.103 of the SPPS states that:

*The aim of the SPPS in relation to flood risk is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere.*

72. Paragraph 6.132 of the SPPS further states that:

*All planning applications will be determined with reference to the most up to date flood risk information available. The planning authority should consult Rivers Agency and other relevant bodies as appropriate, in a number of circumstances, where prevailing information suggests that flood risk or inadequate drainage infrastructure is likely to be a material consideration in the determination of the development proposal. The purpose of the consultation will often involve seeking advice on the nature and extent of flood risks and the scope for management and mitigation of those risks, where appropriate.*

### **Retained Regional Guidance**

73. Whilst not policy, the following guidance documents remain a material consideration.

#### Creating Places

The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered. The guide is

structured around the process of design and addresses the following matters:

- *the analysis of a site and its context;*
- *strategies for the overall design character of a proposal;*
- *the main elements of good design; and*
- *detailed design requirements.*

74. Paragraph 7.16 provides guidance on separation distances and states:

*Where the development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking, with a minimum of around 10 meters between the rear of new houses and the common boundary.*

75. Paragraphs 5.19 – 5.20 provides guidance on the level of private open space provision as follows:

*Provision should be calculated as an average space standard for the development as a whole and should be around 70 square metres per house or greater. Garden sizes larger than the average will generally suit dwellings for use by families. An area less than around 40 square metres will generally be unacceptable.*

#### Parking Standards

76. It is stated in parking standards that:

*In assessing the parking provision in association with development the Council will normally expect developers to provide an access to the site in accordance with the current standards. Where appropriate, developers will be required to demonstrate there is adequate provision of space within the site, for parking, manoeuvring, loading and unloading to fulfil the operational requirements of the proposed development.*

#### Development Control Advice Note 8 – Housing in Existing Urban Areas

77. Paragraph 4.10 states that:

*Planning Service will expect applicants and designers to carry out an appraisal of the local context, which takes into account the character of the surrounding area; and new development should respect the architectural, streetscape and landscape character of the area.*

**Assessment****New Residential Development**

## Policy HOU 1 – New Residential Development

78. As the proposal is for new residential development on previously developed land within the settlement limit of Lisburn and criteria (b) and (c) are met then the proposal is in accordance with policy HOU1.

**Policy HOU3 - Site Context and Characteristics of New Residential Development**

79. To the north and west of the site, the established residential character is mixed in nature with large detached, semi-detached two-storey properties, bungalow and three storey apartments fronting Hillsborough Road. Woodland Park and Woodland Crescent offers detached and semi-detached two-storey properties and Cherry Vale exhibits detached storey and a half properties.
80. The proposed development seeks to provide a mixed tenure scheme of thirty units, of varying house types and bed numbers ranging from two – five bedrooms via detached, semi-detached two storey dwellings and two number two storey apartment blocks are to be created.
81. The proposed layout follows a perimeter block structure, with dwellings positioned along the site boundary to create strong, active frontages and a clear sense of enclosure. This arrangement frames a centrally located area of open space, offering a shared amenity area with natural surveillance from surrounding properties. Provision of a second area of open is to be located to the southern end of the site.
82. The application site is set physically separated from the Hillsborough Road by a dense buffer of trees.
83. The northwestern boundary treatment of sites number 1 and 30 will be comprised of a 2.4-metre acoustic wall to the front and 2.4-metre acoustic fence in the interest of protecting proposed residential amenity from traffic noise. This boundary treatment would draw from the character of existing tall redbrick wall at the entrance to Cherry Vale development further north of the site.
84. The adjacent site to the north is a Care Home whose stepped single to three storey building with habitable windows along its southern gable faces onto the subject's sites northern boundary.
85. The adjoining site topography is similar to the site and falls from the front to the site towards the rear and in a northern to southern direction before rising steeply creating a bank towards the northern boundary of the site.

86. Detached two-storey properties at site 2 and 3 are in close proximity to existing care home building with a separation distance of 18 metres. Landscaping plan 43D illustrates existing planting along the northern boundary of the site to be retained and proposed boundary treatment to be a 1.8 metre brick wall and use of proposed meadow landscaping and 1.8 metre high timber close boarded fence to define rear site curtilages.
87. A separation distance of approximately 25 metres is achievable between rear amenity areas of proposed sites one & thirty from the closest residential two-storey properties at Woodview Crescent whose rear gardens back onto the Hillsborough Road.
88. The proposed site layout plan and landscape plan when read with the proposed floor plan of each house type would not create conflict. The window openings of the proposed development are designed to ensure there is no direct overlooking between dwellings.
89. The separation distances between dwellings on the balance of the lands within the site are designed to prevent overlooking into the private amenity space of neighbouring properties within the development or existing development beyond expectations within an existing urban context.
90. The separation distances have been checked across the site and are in accordance with the Creating Places document. The proposed development does not pose conflict with any surrounding residential development
91. The proposed development is not considered to be dominant nor create an overbearing impact on existing development or raise concern in relation to loss of light. Suitable separation distances are to be provided between existing and proposed development to ensure no overlooking or loss of privacy will occur.
92. Elevation plans, illustrate the buildings to have a typical 70/30 solid to void ratio, and the finishes are of high quality comprising of a mix off white render and timber and zinc detailing. Windows will be uPVC with composite doors, both finished in anthracite grey. These finishes are suitable in an urban setting and will not appear out of character with the surrounding residential developments highlighted in the preceding paragraphs.
93. It is considered that the scale and form of the proposed development would not erode the attractiveness of the area or undermine the established residential character of the area for the reasons outlined above.
94. Finished floor levels are annotated are on the proposed site layout plan that when read with the site section plan both illustrates extent of wild meadow sloped bank to provide working strip to be created between the development and adjoining site to the east, the tow path and river lagan.

95. Open space and proposed landscaping are to be provided. The supporting Landscape Management Plan, confirms these areas are to be maintained by a landscape contractor and managed by an appointed landscape management company.
96. For the reasons set out in paragraphs 79 to 95 criteria (a) of policy HOU3 is met.
97. With regard to criterion (b), the site is not located within a Conservation area or Area of Townscape Character however as highlighted above a portion of the site contains Archaeological and Historical features to be protected. Detail of assessment regarding the proposal's impact on Archaeological and Historic are set out at paragraphs 148-150 of this report.
98. In respect of the other requirements of criterion (b) there are no TPO on site however consideration has been given to buffer of TPO trees that abut the northwestern boundary of the site. A Tree Protection Plan and Tree Survey Report, August 2025 identifies numerous 'oak, sycamore and beech trees' that are to be retained, and identified root areas that are to be afforded protection during the construction phase of the project.
99. The Council's Tree Officer was consulted and has advised that the Tree Report and proposed Tree Protection Plan is adequate. All landscape features have been considered and will not be negatively impacted by the proposed development. A proposed planting scheme including indigenous species and areas of open space are to be created that cumulatively will improve the biodiversity value of the site and create a quality landscaped residential environment.
100. Officers consider that sufficient detail has been provided by the agent and based on response from council's tree officer and HED that criteria (b) of policy HOU 3 is capable of being met.

#### Policy HOU4 - Design in New Residential Development

101. As previously mentioned at paragraph 80 there is a diverse range of house type proposed. An example of such are set out below.
102. Apartment block H is two-storey building with a ridge height of 10 metres, offering six two-bedroom units that are to be affordable and offer two number assessable units within on the ground floor. An internal stairwell is to be provided. Individual apartments offer two-bedrooms, a bathroom, en-suite, open plan living space, storage space and entrance hall.
103. The proposed materials for each block type include brick finish with timber cladding walls, grey roof tiles, grey uPVC double glazed windows and composite doors. Rainwater goods are to be black uPVC. Solar panels are to be provided along roof.

104. House type 4 are two-storey four-bedroom detached dwellings with pitched roof a ridge height of approximately 8.6 metres. The ground floor plan layout includes dining/ kitchen area, lounge, WC, storage and hall area. The first floor has four bedrooms, en-suite and a bathroom. The proposed materials for these house types are the same as the apartment blocks and also include solar panels.
105. House type 3 are two-storey semi-detached three-bedroom dwellings. The materials and finishes for these two-house types are the same as the others proposed.
106. The houses are designed to current building control requirements to be provide accommodation that is wheelchair accessible for persons with impaired mobility.
107. On review of surrounding residential development in the immediate vicinity the proposed design, scale and finishes are uniform and draw upon the mix of materials and design features exhibited within the surrounding area particularly timber features found at Cherry Vale. The use of high-quality materials will ensure that the units are as energy efficient as possible and solar panels are to be provided throughout the scheme.
108. The arrangement of rooms within each unit, together with the window placement and adequate separation distances, ensures that the private amenity areas of neighbouring properties are not subject to overlooking.
109. The development on the site does not conflict with surrounding land uses. The proposal is separated from adjoining residential development to ensure no loss of privacy or overlooking. The buildings are not dominant or overbearing and no loss of light would be caused as set out previously in above paragraphs 74 to 88.
110. Apartments are served by communal amenity space of circa 1084 square metres per unit, and own-door apartments include private amenity areas of 47 square metres and 88 square metres respectively. The private rear amenity space for the housing varies from 88 square metres to 436 square metres in size with an average which is consistent with the guidance in the Creating Places document.
111. The proposed inclusion and open space and planting throughout the scheme are considered to soften the visual impact of the scheme and to aid integration of development within its surroundings.
112. The garden areas to the front of the proposed units, proposed open space and landscaped areas have been designed soften the visual impact and dominance of hardstanding or car parking.
113. A proposed planting scheme has been provided that includes indigenous species and detail of existing planting that is to be retained has been provided that includes maintenance schedule.

114. Proposed boundary treatments, as shown on the detailed site layout drawing, comprise a mix of fencing, boundary walls and metal railings to define individual unit's curtilages. These are considered acceptable for a development of this nature in an urban context.
115. LCCC's Environmental Health officer have been consulted to consider the impact of land contamination to the future users and existing development and are content providing conditions regarding mitigation measures of the supporting Remediation Strategy provided.
116. For the reasons outlined in the preceding paragraphs 101 to 116, criteria (a), (b) (e), (f) and (i) of policy HOU4 are met.
117. A development of this scale does not necessitate the provision of a community or neighbourhood facility. The site is highly accessible and within walking distance to existing provision of local amenities and other neighbourhood facilities and for this reason criteria (c) of policy HOU4 is met.
118. The proposal comprises 30 units on a site which measures approximately 1.99 hectares. This equates to a density of 25-35 dwellings per hectare in line with the policy density requirements of 25-35 dwellings per hectare to be suitable within the settlement development limits of City, Towns and greater urban areas as set out in the Plan Strategy.
119. The proposed development will provide a residential density in keeping with the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the area therefore proposed density is acceptable and criterial (d) of policy HOU4 is met.
120. The internal road layout offers the provision of dropped kerbs and paving for safe and convenient access through the site to meet the needs of mobility impaired persons. Appropriate provision is also made for in curtilage parking which meets the required parking standards. Criteria (g) and (h) are to be met.
121. Appropriate boundary treatment is provided throughout the scheme that will deter crime and promote personal safety. Criteria (l) is met.
122. A Waste Management Plan has been provided and provision made for householder waste for each unit. Waste collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria (k) is met.

#### HOU 5 Public Open Space in New Residential Developments

123. The proposed layout includes public open space areas totalling 2,683 square metres, equating to 10.9% of the overall site area of the 1.99 hectares.
124. These areas of open space are easily assessable and one area to be overlooked by the fronts of properties and the other provides a pedestrian pathway meadow from the site to Hillsborough Road. The Planning Statement

provided by the agent confirms open space provision to equates to more than 10% of the total site therefore criteria (a) is engaged and met.

125. As only 30 dwellings are proposed therefore an equipped children's play park is not required in line with Policy HOU5. However, it is noted that the site runs parallel to the Lagan Tow Path.

#### Policy HOU10 - Affordable Housing

126. Policy HOU10 requires a minimum of 20% of the proposed residential development is affordable housing. It is also set out in the justification and amplification of policy HOU4 that scheme should be mixed tenure.
127. Six units are to be provided within apartment block H, as affordable housing and the remaining 24 units as private accommodation falling within the definition of affordable housing as outlined earlier in this report.
128. NIHE have been consulted and are in support of the allocation of affordable housing to be social rented accommodation at this location.
129. To protect the mixed tenure provision within the proposed development the recommendation is subject to a Section 76 planning agreement that no more than 18 private residential units are constructed and available for occupation until the six affordable units are constructed and available for occupation. This ensures the affordable housing and private housing is constructed and available for occupation at the same time.
130. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

#### **Natural Heritage**

131. The proposal seeks to demolish existing buildings on site and a portion of the site lies within Lagan Valley Regional Park and Site of Local Nature Conservation. A Preliminary Ecological Assessment (PEA) was submitted by Sterna Environmental and other relevant surveys in support of the application.
132. The PEA confirmed that the gate house building to have no roost features and negligible bat roost potential however the office building would allow opportunistic low roosting potential given access and proximity to River Lagan and woodland. Further bat surveys were required however there was no evidence of badgers, smooth newts or otters within the site.
133. Whilst no otters were present onsite the PEA states:

*The red line is adjacent to the Lagan Towpath. Although works (other than planting) are unlikely to be close to the towpath, it is estimated building works may be within 25m of the river. This is within the 30m disturbance/survey area defined by NIEA. An Otter survey of the riverbank will therefore be required.*

134. A subsequent Otter Survey Report and a Bat Activity and Roost Emergence Report work was carried out by Stena Environment and submitted in support of the application. Detail within the included surveys, monitoring and methodology.
135. The Bat Activity and Roost Emergence Report concluded that roosting was negligible in the office building, and no roosts were recorded in the trees surveyed either.
136. The ecologist found the potential impact of the development to be insignificant and offered mitigation measures to include retention of existing trees where removal is not required for housing and provision of two bat boxes.
137. The Otter Report confirmed there to be no otter holts or other refuges and no mitigation was found to be required.
138. Supporting ecological information considers the impact of the proposed development on protected and priority species and habitats.
139. On 21<sup>st</sup> March 2024, NED acknowledge receipt of all supporting ecological information provided by agent and having considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided offered no objection in relation to flora or fauna.
140. NED's response stated that:

*Using the information submitted, NED is content that the proposed development is unlikely to significantly impact protected or priority species or habitats. NED notes that the Bat Survey has indicated that no bats were recorded emerging or re-entering the building, therefore NED is content that the building is unlikely to currently support roosting bats. However, if roosting bats are found during works, all works must stop and advice sought from NIEA Wildlife Team.*

*NED notes that some vegetation may require removal and advises that the vegetation on the site may support breeding birds. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. NED thus advises that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August, or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.*

141. Based on review of ecological reports submitted with the application and the advice received from NED, it is accepted that appropriate mitigation measures have been proposed that these would be controlled by condition.
142. Currently a significant portion of the site is hardstanding it is considered that the proposed landscaping and areas of open space will improve the biodiversity value of the site. Site Section Plan 37A illustrates degree of bank to be maintained between developed and the River Lagan.
143. On review of supporting ecological information and comments from NED It has been demonstrated that and that adequate mitigation can be implemented and development will not likely harm any European Protected Species and policy NH2 has been adhered to.
144. On review of supporting ecological information and advice from consultee responses officers consider there to be appropriate mitigation measures to ensure that development will not have a significant impact on the Site of Local Importance for reasons as set out in the preceding paragraphs and therefore policy NH4 is capable of being met
145. Additionally on review of supporting ecological information and comments from NED It has also been demonstrated that the proposed development will not likely result in an unacceptable adverse impact on any priority habitats, priority species or any features of natural heritage worthy of protection including trees. Therefore criteria (a)- (d) of policy NH5 has been met.
146. The PEA identifies Invasive species Japanese Knotweed, Salmonberry and Himalayan Balsam to be present on the site. The supporting Outline Construction Environmental Management Plan, December 2023 by RSK highlights the requirement for a Mitigation Plan prior to any construction works on site. NIEA have considered supporting detail and are content subject to conditions.
147. Therefore, the impact on priority habitats and priority species consistent with the requirements of policies NH2, NH4 and NH5 of the Plan Strategy.

### **Historic Environment and Archaeology**

148. With regard to policy HE2 The Preservation of Archaeological Remains of Local Importance and their Setting.
149. HED response on 11<sup>th</sup> July 2024 confirm that site is in close proximity to a scheduled early medieval rath (DOW 014:038 on the Historic Environment Record of Northern Ireland) and is located beside the River Lagan, a location of high prehistoric archaeological potential and indicate that Policy HE4 Archaeologic Mitigation is engaged and recommend conditions stating:

*HED (Historic Monuments) has considered the impacts of the proposal. HED (Historic Monuments) is content that the proposal satisfies SPPS and Lisburn & Castlereagh City Councils LDP Plan Strategy archaeological policy*

*requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works.*

*This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per LDP Plan Strategy HE4 archaeological policy requirements.*

150. In consideration of HED (Historic Monuments) comments officers are content that subject to conditions policy HE2 and HE4 is capable of being met.
151. With regard to policy HED9 Development affecting the settling of a Listed Building, the site is located in close proximity to listed building as listed in paragraph (21) of this report. HED were consulted and have considered the impact of the proposed development on the setting of listed property and offer no objection.
152. The existing development on site is in despair, the proposed scale and material finish of the proposed development are acceptable and design is considered to be of a high quality and betterment of the current visual impression. The proposed nature and use are in keeping with surrounding development, and the character of the setting will be unaffected by the proposed development.
153. Criteria (a) - (c) of policy HED9 has been met.

### **Access and Transport**

154. The proposed development's vehicular and pedestrian access will be taken from an existing access on Hillsborough Road with alterations. No changes are south to the existing pedestrian access to the south of the site.
155. A Transport Assessment Form has been prepared by MRA Partnership and submitted in support of the application.
156. The Transport Assessment Form identified the number of journeys per day by various methods of transport. Detail within TAF considers the impact of the proposed detail on travel characteristics, transport impacts and measures to mitigate impacts/influence travel to the site.
157. The TAF provides a TRICS data survey investigations of the total peak volumes of traffic travelling to and from the proposed development is submitted and the consultant estimated there to be in the region of 21 vehicles per both peak hours (i.e. 08:00 – 09:00 & 15:00 – 16:00).
158. The TAF states:

*that the impact of the proposed development will lead to a significant reduction in traffic.*
159. The TAF findings suggest a proposed residential use will equate to a reduction of traffic on the local highway network than the employment land use and therefore no intensification onto the protected route will occur.

160. The TAF findings also suggest that the proposed development will have any detrimental impact on the existing road network nor is there likely to noise or air quality issues experienced in the surrounding environment.
161. Methods of green travel modes are highlighted with the TAF suggesting that the site is within walking distance to nearby amenities and the site is highly assessable to cycle infrastructure and public transport nodes.
162. Criteria (a), (b) & (c) of TRA1 has been met in that the proposal seeks to facilitate and aid accessibility via linking the existing pedestrian infrastructure in the immediate area to the proposed site and throughout the site. Dropped kerbs are to be provided to facilitate those who are mobility and visually impaired are to be provided at crossing points throughout the site. An internal road is to be created provided to assist road users, pedestrians and cycle movements manoeuvring within the site with unhindered approaches to buildings.
163. A number of car spaces have been reserved for disabled users and ease of access to public transport facilities through connectivity within the site and ease of access to public transport on the Hillsborough Road therefore criteria (d) has been met.
164. The policy tests associated with TRA1 are met.
165. Dfl Roads have considered detail provided and are content thus providing a safe means of access to the site the proposed internal road and road network has sufficient capacity to cater for the additional dwellings. Officers having read the content of the supporting documents accept advice provided by Dfl Roads.
166. Advice received from Dfl Roads confirms that they have no objection subject to endorsement of PSD drawings and conditions. Based on a review of the detail and advice from Dfl roads, it is accepted having regard to the nature and scale of the proposed development, that the proposal complies with criteria (a) of Policy TRA2 and that it will not prejudice road safety or significantly inconvenience the flow of vehicles.
167. The Hillsborough Road is a protected route within the settlement limit therefore criteria (b) of policy TRA2 and policy TRA3 are engaged. As previously mentioned, the proposal seeks to make alterations to an existing access.
168. Detail within the supporting TAF acknowledges there to be a reduction in traffic movements and therefore no intensification of use or conflict with the protected route.
169. Advice received from Dfl Roads confirms that they have no objection subject to endorsement of PSD drawings. Based on a review of the detail and advice from Dfl roads, it is accepted having regard to the nature and scale of the proposed development, will not prejudice road safety or significantly inconvenience the flow of vehicles or negatively impact upon the protected route.

170. Therefore, the proposed development is considered to meet criteria (b) of policy TRA2 and TRA3.
171. The site is at highly assessable location within the settlement on an arterial route. Detail within the supporting TAF promote alternative transport modes in the immediate vicinity. Additional car parking beyond that specified to meet parking requirements to serve this scale of development is to be provided.
172. In terms of parking requirements, the scale of development proposed seeks to provide in-curtilage and on-street parking including visitor and disabled spaces. The proposed parking would provided an additional 8 spaces beyond parking requirement standards therefore the parking requirement is met in accordance with policy TRA7.

### **Flooding**

173. As more than 10 residential dwellings are proposed a Drainage Assessment was provided in support of the application by Marrac Design October 2023 & Addendum March 2025, in support of the residential development.
174. The assessment sought to determine details of the foul and storm drainage as well as potential sources of flooding at the site and their associated risk to life and property within the site or elsewhere. The assessment determines the site for development in relation to flood risk.
175. The assessment advises that foul drainage within the residential element of the scheme will be designed in accordance with NI Water regulations.
176. On 21<sup>st</sup> April 2026 NI Water recommend approval advising that a solution has been reached for this proposal and storm to discharge to nearby River Lagan as per drainage assessment and also note there is a 225mm foul sewer traversing the site.
177. Their response confirms available capacity at the Wastewater Treatment Works and there to be a public foul sewer within 20 metres of the proposed development boundary which can adequately service the proposal.
178. With regard to drainage, DfI Rivers confirm there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site and would seek a 5m working strip from the top of the bank is to be retained but are content on review of site layout plan that development is suitably distanced from the River Lagan.
179. Detail within the drainage assessment confirms that the proposal seeks to discharge surface water runoff into the River Lagan via an attenuated storm drainage network subject to a Schedule 6 application that has been submitted to DfI Rivers to obtain consent to discharge at equivalent greenfield runoff rate of 18.8l/s (10l/s/ha).

180. The drainage assessment addendum includes Schedule 6 response from Dfl Rivers which states:

*that the Department are satisfied that your proposals will not render the watercourse less effective for drainage purposes.*

181. Dfl Rivers On 16th May 2025 Dfl Rivers acknowledge consent to discharge and provided comment in relation to the impact of the proposed development in relation to flood risk.

182. On consideration of Policy FLD 3 Development and Surface Water (Pluvial) Flood Risk outside Flood Plains – Dfl Rivers response states:

*Rivers Directorate acknowledges Schedule 6 consent to discharge correspondence from Rivers Directorates Area Office, submitted to the Consultee Hub on 9th April 2025.*

*Furthermore, Rivers Directorate acknowledge a DA addendum, dated March 2025, uploaded to the Consultee Hub on 9th April 2025.*

*Rivers Directorate, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.*

*The DA has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event, including an allowance for climate change(10%) and urban creep (10%), could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NIW prior to adoption. However, in order ensure compliance with PPS 15, Rivers Directorate requests that the potential flood risk from exceedance of the network, in the 1 in 100 year event, including an allowance for climate change (10%) and urban creep(10%), is managed by way of a condition.*

183. On review of supporting documents, the Water Management Unit's response on 9<sup>th</sup> February 2024 and final advice provided by NI Water on 21 April 2026 officers consider that points raised within their response have been sufficiently addressed regarding the impact of the proposal on the surface water environment.

184. Based on a review of the information and advice received from Dfl Rivers, Water Management Unit and NI Water, it is accepted that the proposal complies with policies FLD3 of the Plan Strategy.

### **Waste Management**

185. Information submitted with the application indicates that water connection, surface water and foul sewerage will be through the public mains.

186. As stated in paragraphs 175-176, NI Water was consulted and recommend approval, and a solution has been reached. They have confirmed that there is available capacity at the Waste-Water Treatment Works and there is a public foul sewer within 20 metres of the proposed development boundary which can adequately service the proposal and recommend condition.
187. Based on the information submitted and review of the advice from NI Water, it is considered that the proposal will not adversely affect the water environment and complies with policy WM2.

### **Land Contamination**

188. A Preliminary Risk Assessment, Generic Quantitative Risk Assessment by Pentland Macdonald Ltd and Additional Site Investigation by RSK in support of the application.
189. Consultation with NIEA Regulation Unit Land and Groundwater Team was carried out who offer no objections to the development and have provided conditions to include detailed remediation strategy prior to commencement.
190. On the basis of supporting information and advice provided by NIEA Regulation Unit Land and Groundwater Team that through the proposed development through remedial measures and use of conditions will not pose risk to human health in relation to land contamination.

### **Renewable Energy**

191. The proposed plans indicate that each dwelling will be equipped with solar panels and units shall be constructed in line with current NI Building Regulations and the DfC Design Standards which emphasises sustainable design and energy efficiency. It is therefore considered that the proposal complies with Policy RE2.

### **Consideration of Representations**

192. No representations have been received in respect of the proposed development.

### **Conclusions**

193. For the reasons outlined above, it is accepted that the proposal complies with the local development plan and the relevant policies detailed in the preceding paragraphs and it is recommended that planning permission is granted for the proposed development.

194. This recommendation is subject to a Section 76 planning agreement, and the affordable housing requirement should be delivered in tandem with the private housing as a mixed tenure development.

### Conditions

195. The following conditions are recommended:

1. As required by section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time limit

2. No development shall take place until drawings necessary to enable a determination to be made in accordance with Article 3 of the Private Streets (Northern Ireland) Order 1980 have been submitted to, and approved by, the Council.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980

3. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).

Reason – In order to safeguard against surface water flood risk

4. Development shall be undertaken in strict accordance with the Outline Construction and Environmental Management Plan published on the planning portal 25 January 2024.

Reason: To protect the amenity of neighbouring dwellings with respect to noise, vibration, dust and obtrusive light.

5. The development hereby approved shall be carried out in strict accordance with the Remediation Strategy published on the planning portal 25 January 2024.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

6. Prior to occupancy of the residential units hereby approved, a clean cover system shall be installed to form an encapsulation layer above the contaminated soils as detailed in the Remediation Strategy published on the planning portal 25 January 2024. The clean cover system to be installed in the proposed gardens shall consist of a geotextile membrane and 1000m of clean gravel/subsoil and topsoil. The clean cover system to be installed in the proposed landscaping areas shall consist of a geotextile membrane and 600m of clean gravel/subsoil and topsoil.

7. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

8. Prior to occupancy of residential units 24, 25 and 26 hereby approved, suitable mitigation measures shall be installed to provide protection from and prevent the ingress of vapour from VOCs. Details of the selected protection measures shall be detailed in the validation report.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

9. Prior to occupancy of the development hereby approved, the preferred ground gas protection measures in line with Wilson and Card Classification – Characteristic Situation 2 classification as detailed in the Remediation Strategy, published on the planning portal 25 January 2024, shall be installed.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to neighbours and other offsite receptors

10. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in accordance with the Northern Ireland's Environment Agency Document titled "Installation, Decommissioning and Removal of Underground Storage Tanks: PPG27 & PPG2" and the quality of the surrounding soils verified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development

11. can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors 8. Prior to the occupancy of the residential units hereby approved, the remediation scheme shall be validated in order to ensure and verify that the remediation scheme has been implemented in accordance with the scheme. Substantiating information shall be submitted to the Council in the form of a written validation report for approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

12. The applicant shall have full regard to all relevant and current guidance and standards during the remediation and validation processes and shall incorporate such detail within any report submissions required to be submitted for prior approval by the Council.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

13. In the event that previously unknown land contamination is discovered development on the site shall cease. The Council should be advised and a full written risk assessment in line with current government guidance (DAERA, Environmental Advice for Planning, Practice Guide, Redeveloping Land Affected by Contamination and the Environment Agencies LCRM) that details the nature of the risks and any necessary mitigation measures shall be submitted to the Council for approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

14. Prior to any piling work on site, a piling risk assessment shall be submitted to and agreed with the Council.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers and neighbours

15. Prior to any work commencing on site, all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified on the Tree Protection Plan (Drawing No. 44A, published on the Portal 4th March 2026) and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

16. All trees and planting within the site shall be retained unless shown on the Tree Protection Plan (Drawing no. 44A published on the Portal 4th March 2026) as being removed. Any retained trees or planting indicated on the

approved drawings which die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

17. No arboriculture work or tree surgery shall take place on any retained tree other than in accordance with the Tree Survey Report by Andrew Boe, dated August 21st 2025 and published on the Planning Portal on 9th October 2025, without the written consent of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998:2010 Recommendations for Tree Work.

Reason: To ensure the continuity of amenity afforded by existing trees.

18. There shall be no storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA of existing trees to be retained.

19. Should any construction works be required by necessity within the Root Protection Area of any tree that is to be retained, works shall be carried out using hand dig methods of construction only.

Reason: To ensure damage is not caused to protected trees by the development hereby approved.

20. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape

21. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

22. The existing boundaries of this site as illustrated on the approved proposed site plan drawing no. 02C, published to the Planning Register on 03 March 2026 shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.

23. All hard and soft landscape works shall be carried out in accordance with Drawing No. 31 published to the planning portal on 29 May 2025 and the approved details. The works shall be carried out no later than the first available planting season after occupation of the first dwelling.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape

24. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out during the first available planting season prior to the occupation of any part of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

25. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and also detailed in the Pentland Macdonald Remediation Strategy detailed in Report ref: PM22-1121A dated November 2023. The quality of surrounding soils and groundwater should be verified and agreed with the Planning Authority. Should any additional contamination be identified during this process, conditions for new contamination and risks, as detailed, will apply.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

26. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:  
<https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

Reason: Protection of environmental receptors to ensure the site is suitable for use.

27. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In

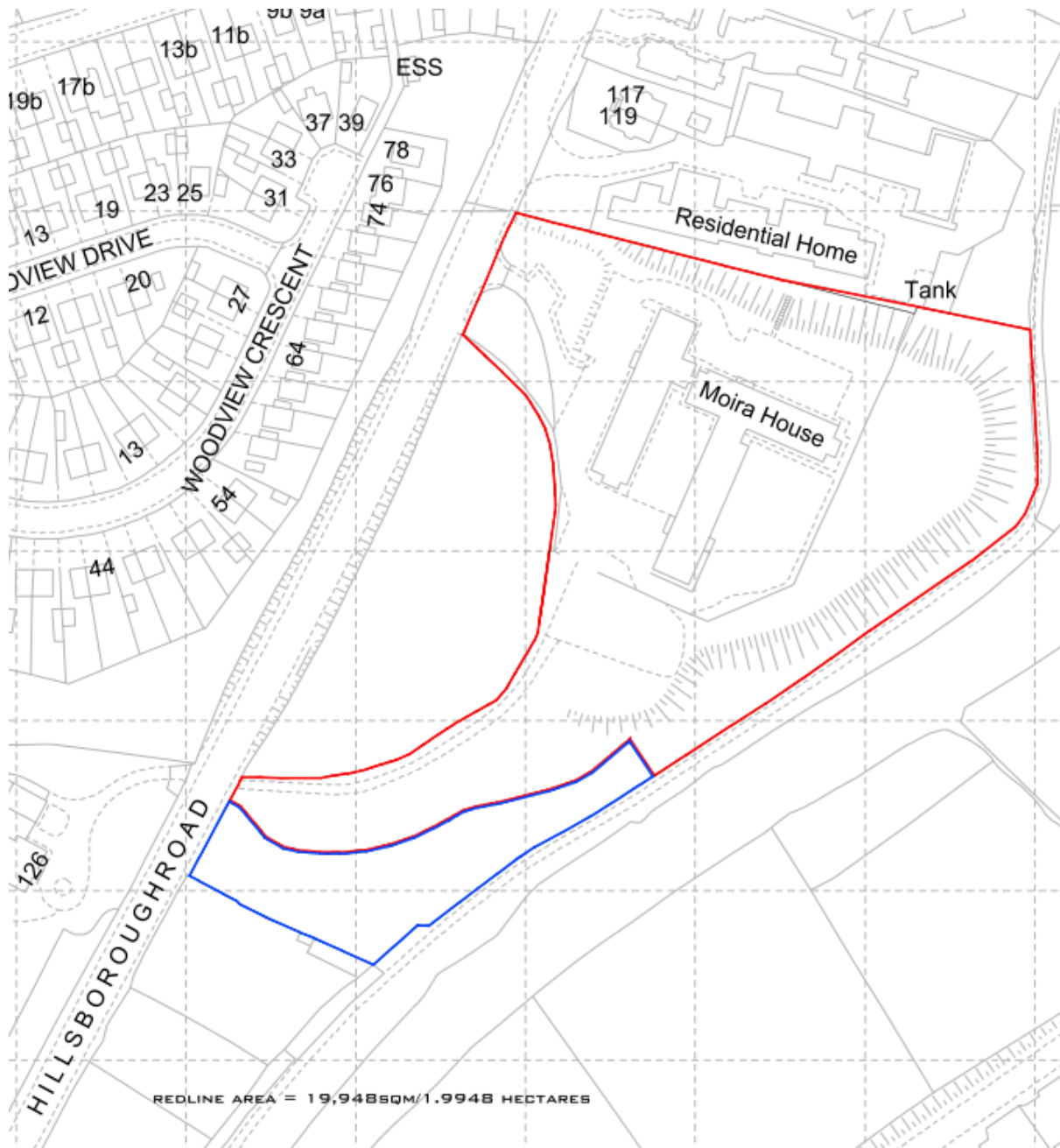
the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

28. After completing any remediation works required, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

### Site Location Plan – LA05/2023/0961/F





## Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	6 July 2026
Committee Interest	Local (Exceptions Apply)
Application Reference	LA05/2026/0137/RM
Proposal Description	Erection of dwelling, garage and associated siteworks
Location	Land between 5 and 5A Crewe Road Lisburn, BT28 2PL
Representations	One
Case Officer	Catherine Gray
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee in that it has been Called in.
2. It is recommended that planning permission is granted for approval of reserved matters as all the relevant conditions of the outline permission have been fully and properly addressed in this application and that the proposed dwelling with detached garage in terms of siting, design and external appearance and landscaping will provide for a quality residential environment consistent with policy tests of the Plan Strategy (insofar as they relate to matters reserved) and the associated guidance detailed in the Building on Tradition document.
3. The details of the proposed access arrangements will also provide a safe means of access in accordance with the planning condition attached to the outline permission. The detailed design of the access is in accordance with the requirements of policy TR2 of the Plan Strategy and associated guidance in DCAN 15.
4. The detail of the submitted proposal is also in accordance with policies NH1, NH2 and NH5 of the Plan Strategy in that the development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
5. The proposal complies with Policy RE2 as it shall be constructed in line with current NI Building Control Regulations and built to building control energy efficiency standards.

## Description of Site and Surroundings

### Site and Surroundings

6. The site is located to the western side of the Crewe Road and occupies part of a large rectangular agricultural field that is accessed from a field gate from the Crewe Road and part of the front of curtilage of property 5A Crewe Road.
7. The north western boundary is partially defined by a post and wire fence and partially undefined as it runs through the front garden and driveway of the adjacent property. The south western boundary is currently undefined as it runs through part of an agricultural field. The south east boundary is partially defined by a post and wire fence with some vegetation along it and partially undefined as it is part of the wider agricultural field.
8. Adjacent and north east of the application site is property number 5 Crewe Road and it occupies a single storey dwelling house with a sunroom and patio area to its north western side.
9. Adjacent and north of the application site is property 5a Crewe Road which is a large two storey dwelling with a rear return. It is currently used as a domestic home and part as a B&B for tourists, it is known as Kilcreeny Lodge. The agent has it denoted as Eden Lodge on the submitted plan. West of 5a Crewe Road and the application site there is an existing farm complex consisting of various outbuildings and is accessed from a laneway that runs along the northern boundary of property 5a.
10. North of the laneway to the farm complex is property 5b Crewe Road which consists of a one and half storey dwelling house and detached garage.
11. The site is located within the countryside, and the surroundings are rural in character. The area is characterised by domestic dwellings, agricultural land and agricultural buildings.

## Proposed Development

12. This is an application for approval of reserved Matters for the erection of a dwelling, garage and associated siteworks.

## Relevant Planning History

13. The relevant planning history is as follows:

<b>Application Reference</b>	<b>Proposal</b>	<b>Decision</b>
LA05/2020/1039/O	Site for a dwelling, garage and associated site works	Permission Granted 20/02/2023

14. The above outlined planning history illustrates that the principle of development in the form of a dwelling and garage has been accepted by the Council within this site under application LA05/2020/1039/O.
15. The date for the expiration for the submission of an application for the approval of reserved matters was 20 February 2026. The application was made before this date, and the Council has accepted that all the necessary information required to process the application was available at the date of submission.

### Consultations

16. The following consultations were carried out:

<b>Consultee</b>	<b>Response</b>
Dfl Roads	No objection.
LCCC Environmental Health	No objection
NI Water	No objection
DAERA Water Catchment Unit	No objection

### Representations

17. One representation has been received on this proposal from the owner and occupier of No. 5 Crewe Road raising the following concerns (summarised):
- Accuracy of the submitted plans
  - Impact on Residential Amenity and Outlook
  - Protection of Dark Skies
  - Landscaping and Screening
  - Ridge Height
  - Scale, Siting and Layout
  - Overlooking, Headlight Glare and Boundary Treatment
  - Protection of Existing Vegetation
  - Drainage and Environmental Health
  - Site Area Discrepancy
  - Visibility Splays and Boundary Protection

18. The concerns raised are addressed in detail as part of the assessment below.

### Local Development Plan

19. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on Planning applications regard must be had to the requirements of the local development plan and that the determination of applications must be in accordance with the plan unless material considerations indicate otherwise.

### Plan Strategy 2032

20. It is stated at Part 1 of the Plan Strategy that:

*Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption the Development Plan will be the Plan Strategy and any old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 states that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.*

*The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.*

*BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.*

21. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan. Draft BMAP remains a material consideration.
22. In both the Lisburn Area Plan and the draft BMAP, the application site is identified in the open countryside beyond any defined settlement limit.
23. This application is for a new house in the open countryside. The strategic policy for new housing in the countryside [Strategic Policy 09] states:

*The Plan will support development proposals that:*

- (a) provide appropriate, sustainable, high quality rural dwellings, whilst protecting rural character and the environment*
- (b) resist urban sprawl in the open countryside which mars the distinction between the rural area and urban settlements*
- (c) protect the established rural settlement pattern and allow for vibrant*

*sustainable communities.*

24. The following operational policies in Part 2 of the Plan Strategy also apply.

### **Development in the Countryside**

25. This is an application for a single dwelling in the open countryside. Policy COU 1 – Development in the Countryside states:

*There are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development.*

*Details of operational policies relating to acceptable residential development proposals are set out in policies COU2 to COU10.*

*Details of operational policies relating to acceptable non-residential development proposals are set out in policies COU11 - COU14.*

*There are a range of other non-residential development proposals that may in principle be acceptable in the countryside. Such proposals must comply with all policy requirements contained in the operational policies, where relevant to the development.*

*Any proposal for development in the countryside will also be required to meet all of the general criteria set out in Policies COU15 - COU16.*

### **Ribbon Development**

26. Policy COU 8 – Infill/Ribbon Development states:

*Planning permission will be refused for a building which creates or adds to a ribbon of development.*

*Exceptionally, there may be situations where the development of a small gap, sufficient to accommodate 2 dwellings within an otherwise substantial and continuously built up frontage, may be acceptable. For the purpose of this policy a substantial and continuously built up frontage is a line of 4 or more buildings, of which at least 2 must be dwellings, excluding domestic ancillary buildings such as garages, sheds and greenhouses, adjacent to a public road or private laneway.*

*The proposed dwellings must respect the existing pattern of development in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings that constitute the frontage of development. Buildings forming a substantial and continuously built up frontage must be visually linked.*

27. The justification and amplification of COU8 states:

*A ribbon of development cannot be defined by numbers, although, if there are two buildings fronting a road and beside one another, there could be a*

*tendency to ribboning. Most frontages are not intensively built up and have substantial gaps between buildings, giving visual breaks in the developed appearance of the locality. Infilling of these gaps is visually undesirable and, in most cases, creates or adds to a ribbon of development.*

28. The application site was previously granted planning permission as an infill dwelling as it met the in principle policy tests in policies CTY1 and CTY 8. which was granted planning permission on 20/02/2023. Only those parts of policy COU8 relating to the detailed design are considered against the outline conditions. The proposal will also be assessed against policies COU15 and COU16.

#### Integration and Design of Buildings in the Countryside

29. Policy COU15 - Integration and Design of Buildings in the Countryside states:

*In all circumstances proposals for development in the countryside must be in accordance with and sited and designed to integrate sympathetically with their surroundings and of an appropriate design.*

*A new building will not be permitted if any of the following apply:*

- a) *it is a prominent feature in the landscape*
- b) *it is not sited to cluster with an established group of buildings*
- c) *it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop*
- d) *the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape*
- e) *it relies primarily on the use of new landscaping for integration*
- f) *the design of the building is inappropriate for the site and its locality*
- g) *ancillary works do not integrate with their surroundings.*

#### Rural Character and other Criteria

30. Policy COU16 – Rural Character and other Criteria states:

*In all circumstances proposals for development in the countryside must be in accordance with and must not cause a detrimental change to, or further erode the rural character of an area.*

*A new development proposal will be unacceptable where:*

- a) *it is unduly prominent in the landscape*
- b) *it is not sited to cluster with an established group of buildings*
- c) *it does not respect the traditional pattern of settlement exhibited in that area*
- d) *it mars the distinction between a settlement and the surrounding countryside, or otherwise results in urban sprawl*
- e) *it has an adverse impact on the rural character of the area*
- f) *it would adversely impact on residential amenity*
- g) *all necessary services, including the provision of non mains sewerage, are not available or cannot be provided without significant adverse impact on the*

- environment or character of the locality*
- h) *the impact of ancillary works (with the exception of necessary visibility splays) would have an adverse impact on rural character*
- i) *access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.*

### **Access and Transport**

31. The proposed access to the proposal is from the Crewe Road.

32. Policy TRA 2 – Access to Public Roads states:

*Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:*

- a) *it will not prejudice road safety or significantly inconvenience the flow of vehicles; and,*
- b) *it does not conflict with Policy TRA3 Access to Protected Routes.*

*Consideration will also be given to the nature and scale of the development, character of existing development, the contribution of the proposal to the creation of a quality environment, the location and number of existing accesses and the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.*

33. The following paragraph in the justification and amplification is modified as follows:

*For development proposals involving a replacement dwelling in the countryside, there an existing access is available but does not meet the current standards, the Council would encourage the incorporation of improvements to the access in the interests of road safety.*

### **Natural Heritage**

34. The submission includes detail of the septic tank and soakaway. Policy NH1 European and Ramsar Sites – International states:

*Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on:*

- a) *a European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance)*
- b) *a listed or proposed Ramsar Site.*

*Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, the Council,*

*through consultation with the Department of Agriculture, Environment and Rural Affairs (DAERA), is required by law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site, can the Council agree to the development and impose appropriate mitigation measures in the form of planning conditions.*

*In exceptional circumstances, a development proposal which could adversely affect the integrity of a European or Ramsar Site may only be permitted where:*

- a) there are no alternative solutions; and*
- b) the proposed development is required for imperative reasons of overriding public interest; and*
- c) compensatory measures are agreed and fully secured.*

*As part of the consideration of exceptional circumstances, where a European or a listed or proposed Ramsar site hosts a priority habitat or priority species listed in Annex I or II of the Habitats Directive, a development proposal will only be permitted when:*

- a) it is necessary for reasons of human health or public safety or there is a beneficial consequence of primary importance to the environment; or*
- b) agreed in advance with the European Commission.*

### 35. Policy NH2 Species Protected by Law states:

#### *European Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm a European protected species.*

*In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:*

- a) there are no alternative solutions; and*
- b) it is required for imperative reasons of overriding public interest; and*
- c) there is no detriment to the maintenance of the population of the species at a favourable conservation status; and*
- d) compensatory measures are agreed and fully secured.*

#### *National Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against.*

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect the, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will*

*also be taken into account.*

36. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states:

*Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:*  
*a) priority habitats b) priority species c) active peatland d) ancient and long-established woodland e) features of earth science conservation importance f) features of the landscape which are of major importance for wild flora and fauna g) rare or threatened native species h) wetlands (includes river corridors) i) other natural heritage features worthy of protection.*

37. *A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.*

### **Waste Management**

38. A previously stated a septic tank/treatment tank is proposed as part of the proposal. Policy WM 2 - Treatment of Waste Water states:

*Development proposals to provide mains sewage Wastewater Treatment Works (WwTWs) will be permitted where it is demonstrated to the Council there is a need for new or extended capacity requirements and the new facilities comply with the requirements of Policy WM1.*

*Development relying on non mains sewage treatment will only be permitted where it is demonstrated to the Council and its statutory consultees that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.*

### **Renewable Energy**

39. The proposed development includes details of how energy from renewables will be used. Policy RE1 Renewable Energy Development states:

*The generation of energy from renewable resources will be permitted provided the proposal, and any associated buildings and infrastructure, will not result in an unacceptable adverse impact on:*

*a) public safety, human health, or residential amenity*

*b) visual amenity and landscape character*

*c) biodiversity or the natural or historic environment*

*d) local natural resources, such as air quality or water quality or quantity*

*e) public access to the countryside. Proposals will be expected to be located at, or as close as possible to, the resources needed for that particular technology, unless it can be demonstrated that the benefits of the scheme outweigh the need for transportation of raw materials.*

*Proposals likely to result in unavoidable environmental damage should indicate how this will be minimised and mitigated.*

*The wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted.*

*Any renewable energy development on active peatland will not be permitted unless there are imperative reasons of overriding public interest as defined under The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 as amended.*

#### *Wind Energy Development*

*For wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance of not less than 500m will generally apply.*

40. Policy RE2 Integrated Renewable Energy states:

*Planning permission will be granted for a development proposal which integrates renewable energy technology including micro-generation and passive solar design (PSD) in its layout, siting and design, where it meets the provisions of Policy RE1 and provided the technology is appropriate to the location in terms of any visual or amenity impact it may have.*

## Regional Policy and Guidance

### Regional Policy

41. The SPPS Edition 2 was published in September 2015. It is the most recent planning policy and it is stated at paragraph 1.5 that:

*The provisions of the SPPS apply to the whole of Northern Ireland. They must be taken into account in the preparation of Local Development Plans (LDP) and are material to all decisions on individual planning applications and appeals. The Department intends to undertake a review of the SPPS within 5 years.*

42. Paragraph 2.1 of the SPPS Edition 2 recognises that an objective of the planning system is to secure the orderly and consistent development of land

whilst furthering sustainable development and improving well-being.

43. It states that:

*planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society*

44. Paragraph 3.6 of the SPPS Edition 2 states:

*planning authorities should make efficient use of existing capacities of land, buildings and infrastructure, including support for town centre and regeneration priorities in order to achieve sustainable communities where people want to live, work and play now and into the future. Identifying previously developed land within settlements including sites which may have environmental constraints (e.g. land contamination), can assist with the return to productive use of vacant or underused land. This can help deliver more attractive environments, assist with economic regeneration and renewal, and reduce the need for green field development.*

45. Paragraph 3.8 of the SPPS Edition 2 states:

*Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.*

46. It is further stated at paragraph 6.78 of the SPPS Edition 2 that:

*supplementary planning guidance contained within Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside must be taken into account in assessing all development proposals in the countryside.*

47. Paragraph 6.232 of the SPPS Edition 2 states:

*In plan-making and decision-taking, planning authorities should encourage and support the appropriate use of micro-generation energy, including the retrofitting of renewable and low carbon energy technologies.*

48. Paragraph 4.12 of the SPPS Edition 2 states:

*Other amenity considerations arising from development, that may have potential health and well-being implications, include design considerations, impacts relating to visual intrusion, general nuisance, loss of light and overshadowing.*

49. It also advises that adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. The above mentioned considerations are not exhaustive and the

planning authority is considered to be best placed to identify and consider, in consultation with stakeholders, all relevant environment and amenity considerations for their areas.

50. Paragraph 4.26 of the SPPS Edition 2 states that:

*Design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Particular weight should be given to the impact of development on existing buildings, especially listed buildings, monuments in state care and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as Areas of Outstanding Natural Beauty, Conservation Areas, Areas of Townscape Character and Areas of Special Archaeological Interest. Appropriate and adequate amenity space, especially in residential developments (including unconventional solutions), is an important element of good design.*

### **Retained Regional Guidance**

51. Whilst not policy, the following guidance documents remain material considerations:

#### Building on Tradition

52. Whilst not policy, and of lesser weight as a guidance document, the SPPS Edition 2 states that regard must be had to this guidance in assessing the proposal. This guidance notes at paragraph 4.1.0 that

*A core requirements of much of the development covered by PPS 21 is that it is integrated within (and in particular instances visually linked to) the countryside and/or other established buildings.*

*The policies are structured to direct development to locate within existing small communities, at the edge of small settlements, within existing built clusters, adjacent to established farm groups or if a case can be made to depart from these, to fully integrate with the surrounding landscape.*

*To reduce the impact of a new building in the countryside, new buildings are required to be “visually linked”, or sited to cluster with an established group of buildings on a farm.*

*These should be positioned sensitively so as form an integral part of that building group, or when viewed from surrounding vantage points, the new building reads as being visually interlinked with those buildings.*

53. The PPS 21 referred to above within Building on Tradition has now been replaced by the COU policies in the Plan Strategy.

#### Development Control Advice Note 15 – Vehicular Access Standards

54. The policies in PPS 3 are replaced by the Plan Strategy but the guidance in Development Control Advice Note 15 – Vehicular Access Standards states at paragraph 1.1 explain that:
55. *The Department's Planning Policy Statement 3 "Development Control: Roads Considerations" (PPS3) refers to the Department's standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.*

## Assessment

56. This is an application for approval of reserved matters for a dwelling that was previously assessed and accepted un principle to be an infill dwelling.
57. The outline permission establishes the principle of development. It had been accepted that the proposal met the exceptions tests within policy CTY 8 and the principle of development under policy COU8 is not revisited.
58. An application for approval of reserved matters is made in accordance with the conditions of the outline for the reasons detailed in the following paragraphs.

**Condition 1 - Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-**

- i. **the expiration of 5 years from the date of this permission; or**
- ii. **the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.**

59. This application was received by the Council on 10<sup>th</sup> February 2026 and made valid on 17<sup>th</sup> February 2026, which is within 3 years of the outline approval.

**Condition 2 - Approval of the details of the siting, design and external appearance of the buildings, means of access and landscaping (RM) shall be obtained before any development is commenced.**

60. The matters reserved in this condition must be considered against the planning policy context and the detailed siting and siting of a building must have regard to the site context and surroundings and to other planning and environmental considerations such as noise.

61. Each of the matters reserved by this condition are dealt with below:

### Siting

62. In terms of siting the proposed dwelling and garage is sited towards the middle of the site, and between properties 5 and 5a Crewe Road. It is broadly in line with the national layout approved in the outline application. The garage is positioned to the other side of the dwelling than on then notional layout.

63. The proposed dwelling is situated 36 metres away (building to building) from the neighbours dwelling house at 5 Crewe Road. The proposed garage is 57 metres away from the neighbours dwelling at 5 Crewe Road.
64. It is sited to ensure that any neighbouring dwellings would not be negatively affected by the proposal.
65. The proposed dwelling and garage also face towards the public road in keeping with the surrounding dwellings.
66. The site location plan submitted in support of the application demonstrates that the proposed dwelling is circa 65 metres from the public road at the closest point.
67. It is considered that the development will not be a prominent feature within the local landscape. When viewed from the south eastern approach the site is screened by existing vegetation boundaries and would read with the existing development surrounding it. Views of the proposal would be limited on passing the site and from long distance views.
68. When viewed from the north west approach the site is screened by existing development of the dwellings and farm north and north west of the site. This along with the existing surrounding vegetation along the roadside would screen the development from view.
69. The siting of the proposed dwelling is at a lower level than the road level and the neighbouring dwelling of 5 Crewe Road. As you move along the site from the road in a south westerly direction the land level reduces. The ridge height of the proposed dwelling is approximately the same level as the road which the access to the site is from. The proposal is set down in the landscape and designed to make best use of the existing levels.
70. The finished floor level of the dwelling is 7.95 metres lower than the road level, with the dwelling having a ridge height of 8m above the finished floor level. The ridge height of the proposed dwelling is 2.04 metres less than the ridge height of the neighbours dwelling at 5 Crewe Road. The proposal would not be a prominent feature in the landscape and criteria a) of policy COU15 is met.
71. The site is not elevated and is set back and set down from the road level. The submitted plans demonstrate good use of the existing levels in relation to the proposed, as demonstrated in the layout. The ancillary works are acceptable and criteria g) of policy COU15 is met.
72. The proposal is sited to cluster with the existing dwelling of number 5 Crewe Road, number 5a Crewe Road and the existing outbuildings situated behind number 5 Crewe Road. Criteria b) of policy COU15 is met as the proposal is sited to cluster with an established group of buildings.
73. For the reasons outlined, this part of condition 2 specific to siting it met. Indeed, the issues of prominence was considered at outline stage where it was accepted that a dwelling could be sited and designed so as not be a prominent

feature within the site.

74. With regards to issues of rural character and as established there are no issues regarding prominence. The issue of build-up was considered and found acceptable at outline stage and this remains the case
75. The topography of the site is noted. It is felt that the existing and proposed levels are acceptable and that the rural character is not compromised.
76. The siting is considered to satisfy the tests criteria a), b) and c) set out in Policies COU15 and 16 of the Plan Strategy and guidance set out in Building on Tradition as the proposed dwelling and garage will integrate, blend with the landform, cluster with an established group of buildings and will not be a prominent feature in the landscape.
77. The position of the proposed treatment tank and soakaway are shown on the site layout drawing to the rear of the proposed dwelling and directed away from any existing nearby dwelling. Advice from Environmental Health and Water Management Unit of NIEA offers no objection. Based on a review of the proposed plans and advice from consultees it is considered that the siting of the proposed tank and soakaway within the site will not create a pollution problem consistent with Policy WM2 of the Plan Strategy.
78. The part of Condition 2 in respect of the siting of the proposed buildings and the treatment tank is met.

### Design

79. The design of the dwelling is considered visually acceptable and in keeping with guidance provided within Building on Tradition.
80. The proposal is for a two storey four-bedroom house. The design is traditional in nature a pitched roof, wall dormers, vertical emphasis windows and chimneys on the ridge. There is an appropriate solid to void ratio. It has a maximum ridge height of 8.0m above the finished floor level.
81. The proposed garage is a single storey double garage and detached from the dwelling house and positioned east of the dwelling house. It measures 8m by 7m and has a maximum ridge height of 6m above the finished floor level. It is designed to match the dwelling house and complement its design.
82. Proposed finishes include the roof to be Bangor blue slate or similar, grey dashed finish to the external walls with smooth render to plinth, sliding sash style upvc double glazed windows and painted hardwood front and rear doors. The finishes associated with the attached garage are to match that of the main dwelling. The finishes associated with the attached garage are to match that of the main dwelling.
83. It is considered that the design of the dwelling and garage as proposed in terms of its scale, massing, detailing, layout/siting and proposed finishes would be visually acceptable within the site, taking into account the nature of the existing

development noted within the local area.

84. The existing development undertaken within the local area has been considered. It is considered that the proposed development has been designed so as to be in keeping with the design, scale and form of surrounding buildings as required by Building on Tradition.
85. The pattern of development found within the local area is considered to be respected. The development clusters in the wider landscape with the existing neighbouring buildings adjacent to the site and complies with criteria b) of policy COU15.
86. The positioning of the windows proposed as part of the design of the dwelling, along with the separation distances to the neighbouring properties ensures that no unacceptable overlooking would be caused unto any neighbours private amenity space.
87. It is considered that the detailed design in terms of the scale and massing is consistent with guidance set out in Building on Tradition and policy COU 15.
88. For the reasons outlined, the proposal would not significantly impact on the character of the area or on the amenity of any neighbouring properties.
89. In terms of ancillary works, the proposed works and the existing and proposed levels are considered to be acceptable.
90. The submitted details provided illustrate that any ancillary works to provide the dwelling, would be of a scale that would be visually acceptable and conducive to ground works for a dwelling.
91. The proposed boundary treatments consist of post and wire fencing with native species hedgerow and trees to its inside. This is considered to tie in with the finishes and design of the proposal and would be acceptable in this context.
92. Having regard to the topography, existing landscape features, the siting between existing buildings, and the scale of the proposed dwelling and garage , it is considered that the proposed dwelling and garage are of an appropriate design for the site and its locality, will not present as prominent features in the landscape and will respect the traditional pattern of development whilst having no adverse impact on the rural character of the area in accordance with criteria s), c) and f) of Policy COU15 and criteria a, c) and e) of Policy COU16 of the Plan Strategy and the guidance in Building on Tradition.
93. Given the siting of the proposed dwelling, located 36 metres from the nearest neighbouring residential dwelling at no. 5 Crewe Road (measured building to building) and on lower ground there would be no adverse impact on residential amenity and the requirements of criteria f) of policy COU16 are met.

#### External Appearance

94. With regard to the external appearance of the proposed dwelling, elevation drawings provide a schedule of external finishes which include the roof to be

Bangor blue slate or similar, grey dashed finish to the external walls with smooth render to plinth, sliding sash style uPVC double glazed windows and painted hardwood front and rear doors. The finishes associated with the attached garage are to match that of the main dwelling.

95. These finishes comply with published guidance set out in Building on Tradition and as such are considered to be acceptable within this rural context. This part of the condition is considered to be met.

#### Means of Access

96. A 1:500 scale plan (Site Plan) has been submitted with the access shown to be in accordance with the RS1 form.
97. The detail has been considered by DfI Roads and no objection is offered. Based on a review of the detail on the submitted plan and the advice offered by DfI Roads, it is considered that access to the public road can be achieved without prejudice to road safety and significant inconvenience to the flow of traffic, consistent with Policy TRA2 and criteria i) of Policy COU16 of the Plan Strategy.
98. The impact of the ancillary works would not have an adverse impact on rural character and would integrate with the surrounding landscape. There is an existing access that will be upgraded to meet the appropriate standards. Plans indicate a line of new fencing/hedging will be added behind the visibility splays to help screen the site and along the laneway to ensure there is no adverse impact on the rural character of the area. The requirements of criteria g) of policy COU15 and criteria h) of Policy COU16 are met.

#### Landscaping

99. Landscaping is proposed to the site boundaries and within the application site to aid with integration.
100. The layout plan details the proposed landscaping details which includes hedgerow planting on the boundaries and ash and birch trees within and on the boundaries of the site. Also planting to the rear of the visibility splays and along the laneway. The proposal is in accordance with criteria d) and e) of Policy COU15 and the guidance in Building on Tradition.
101. It is considered that details of the landscaping on the layout plan would obtain sufficient planting screening of the site and would protect the amenity of neighbouring properties.
102. For the reasons set out, Condition 2 is met.

#### **Condition 3 – Plan at 1:500 illustrating access to be constructed in accordance with attached RS1.**

103. In relation to condition 3 a 1:500 scale plan (site plan) has been submitted with the access shown to be in accordance with the RS1 form. Based on a review of the detail design provided and advice received from DfI Roads, it is

considered that policy requirements of TRA 2 are met in full and that this condition is considered to be met.

**Condition 4 – Any existing street furniture or landscaping obscuring or located within the proposed carriageway, sight visibility splays or access shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.**

104. This condition would be replicated to ensure that any obstructions within the splays, carriageway of access shall be cleared.

**Condition 5 – The width of the vehicular access shall be a minimum of 6.0 metres for the first 10.0 metres off the public road.**

105. The site plan details that the width of the vehicular access shall be a minimum of 6.0m for the first 10m off the public road. This condition is met.

**Condition 6 – The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.35 metres at any point.**

106. The site layout plan details the levels. The proposed under build is 0.3 metres. This condition has been satisfied.

**Condition 7 – No development shall take place until a plan of the site has been submitted to and approved by the Council indicating the existing and proposed contours, the finished floor level(s) of the proposed building(s) and the position, height and materials of any retaining walls. Development shall be carried out in accordance with the approved plans.**

107. The site layout plan details the existing and proposed levels along with the finished floor level. This condition is met.

**Condition 8 – The dwelling hereby permitted shall not be occupied until all new boundaries have been defined by a timber post and wire fence with a native species hedgerow/trees and shrubs of mixed woodland species planted on the inside.**

108. The plans detail that the new boundaries are to be defined by a post and wire fence with native species hawthorne hedgerow to the inside. This condition is met.

**Condition 9 – All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice.**

109. This condition can be replicated to ensure all hard and soft landscaping works shall be carried out in accordance with the approved details and appropriate standards.

## 110. Access and Transport

111. The detail provided within the application and drawings illustrates that the scheme proposes the alteration of an existing access onto the public road.
112. It is noted that the Crewe Road is not a Protected Route. An access with visibility splays of 2.4m by 79m in both directions is proposed. The proposal complies with the outline Roads conditions and provision is made for a safe access.
113. DfI Roads have been consulted and offer no objections to this development, subject to standard conditions. It is therefore considered that the proposal complies with policy TRA 2.
114. The development provides for adequate levels of space for the safe parking and manoeuvring of vehicles within the curtilage of the site.

## Waste Management

115. The position of the proposed septic/treatment tank is to the south east of the site, to the rear of where the dwelling is proposed to be positioned (within the application site). Environmental Health have raised no objections to the proposal and found the details acceptable and Water Catchment Unit have raised no objection referring to standing advice.
116. Sufficient information in respect of sewerage and water quality has been provided to enable the Council to make an informed decision in relation to potential impacts on the environment and amenity and that the applicant has demonstrated that these works will not create or add to a pollution problem and complies with WM 2.

## Natural Heritage

117. It is noted that on the original outline permission NED were consulted and raised no objections to the proposal and provided informatives to be placed on the decision notice is the proposal was approved, and these were placed on the decision notice reminding the applicant of their responsibilities with regards to natural heritage.
118. The updated ecology survey details that:  
  
*'Ecolas Ecology can confirm that there has been no change to the habitats recorded within the site from the survey in July 2021. The semi-mature Beech tree located outwith the application boundary to the southwest has since been windthrown due to previous storm damage. No evidence of protected/notable species was noted on site following the updated survey and the results and recommendations within the original ecology report are still valid.'*
119. As the situation on the ground and ecology implications on site have not changed as details on the latest survey report, it is not considered necessary to re-consult NED. And the standard informatives with regards to natural heritage

can be placed on the decision notice is the proposal is approved.

120. On the basis of the information submitted, the proposal complies with policies NH1, NH2 and NH5 of the Plan Strategy in that the development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.

### **Renewable Energy**

121. The agent was asked to provide a statement detailing how the proposal complies with the updated SPPS Edition 2 and policy RE2.

122. The agent submitted a statement which details the following:

*' - The proposed development will comprise an integrated energy aspect in compliance with Policy RE2 of the LCCC Plan Strategy (2032)  
 - The proposal will generate renewable energy thereby reducing reliance on fossil fuels through provision of solar panels with connection to the main NIE grid.  
 - The proposed dwelling will be of block construction with 150mm cavity to allow additional/higher specification of insulation materials thereby reducing heating costs going forward.*

*The proposed development is fully compliant with the requirements of the SPPS Edition 2 and the objectives and criteria of Policy RE2 (Integrate Renewable Energy) of the LCCC Plan Strategy 2032 supporting renewable energy generation whilst safeguarding environmental quality and residential amenity.'*

123. The proposal is designed and will be built to building control energy efficiency standards. The use of thermally efficient insulation and robust building fabric aligns with passive solar design principles, reducing demand for heating and cooling. This contributes to the development's energy efficiency and supports policy RE2s focus on sustainable design, and ensures compliance with building regulations with no adverse visual or amenity impacts.
124. On review of the proposal and the taking on board the statement provided by the agent it is considered that the proposal complies with policy RE2.
125. The requirements of paragraph 6.232 of the SPPS Edition 2 have been considered against the requirements of policy RE2 of the Plan Strategy. No additional requirements apply.

### **Consideration of Representations**

126. One representation has been received on this proposal and the concerns raised are addressed below.

#### Accuracy of the submitted plans

127. Concerns is raised that the conservatory at No. 5 Crewe Road is not annotated on the submitted site location map, despite appearing on other planning documentation and nearby applications. The objector believes that a revised and accurate site location plan should be submitted to reflect the full footprint of their property including the conservatory and patio so their amenity can be fully appreciated.
128. There is no requirement for the neighbour's sunroom to be annotated on the site location plan. The site location map is used to identify the application site. And the planning unit are aware of the situation on the ground.

#### Impact on Residential Amenity and Outlook

129. Concern is raised about the relationship between the proposed dwelling and the existing neighbours bungalow to the north east, about overlooking and loss of amenity. The occupants of number 5 Crewe Road express the view that their amenity values have been enjoyed and relied upon for over 12 years and must be afforded determining weight in accordance with paragraph 4.12 of the SPPS. They also express the view that the proposal would result in demonstrable harm to the amenity of number 5 Crewe Road through overlooking, loss of privacy, visual intrusion and obstruction of outlook. And that the proximity and scale of the proposed development would significantly alter the character of their immediate environment and diminish the enjoyment of their home and garden. They also request that the siting of the proposal be changed.
130. The principle of development has already been established on the site for a dwelling and garage. The proposed dwelling is situated 36 metres away (building to building) from the neighbours dwelling house at 5 Crewe Road. The proposed garage is 57 metres away from the neighbours dwelling. The proposal has been designed to ensure that there would be no unacceptable overlooking into any neighbours' private amenity space. The proposed design, along with the separation distances, proposed vegetation and difference in level between the two sites ensure that there would be no unacceptable negative impact on any neighbouring private amenity. Obstruction of an outlook is a material consideration that is not given determining weight. It is considered that no demonstrable harm would be caused by the proposal.

#### Protection of Dark Skies

131. The objector expresses the view that the dark skies enjoyed on Crewe Hill were a key factor in their decision to reside in this location and asks for the protection of dark skies. They request that any external lighting associated with the development are strictly controlled by enforceable conditions; in particular no permanently illuminated external lighting should be permitted; all lighting should be motion-activated, and lighting should be low-level and directional to minimise light spill. The view is expressed that this is necessary to prevent light pollution and protect night-time amenity and astronomical observation.
132. The principle for a dwelling at this location has already been accepted and light associated with a domestic dwelling in the countryside is not considered to be

light pollution or have a negative impact on any neighbours amenity. Environmental Health have no objections to the proposal and have raised no concerns with regards to light pollution or amenity.

### Landscaping and Screening

133. Concern is raised about landscaping and screening. The objector states the following: 'Due to site levels, our bungalow floor level sits approximately 2 metres above boundary level, with eye levels reaching 3-4 metres above the grass level, increasing as the plot dips down towards the farm. Any meaningful screening would therefore require mature planting of at least 4 metres in height at the time of planting. This should be secured by condition, with final positioning agreed on site with us prior to implementation. No planting should be located to the north-west of our property as this would obstruct sunlight and valued views from our conservatory and patio.'
134. The siting of the proposed dwelling is at a lower level than the road level and the neighbouring dwelling of 5 Crewe Road. As you move along the site from the road in a south westerly direction the land level reduces. The ridge height of the proposed dwelling is approximately the same level as the road which the access to the site is from. The proposal is set down in the landscape and designed to make best use of the existing levels. The finished floor level of the dwelling is 7.95 metres lower than the road level, with the dwelling having a ridge height of 8m above the finished floor level. The ridge height of the proposed dwelling is 2.04 metres less than the ridge height of the neighbours dwelling at 5 Crewe Road.
135. The applicant proposes post and wire fencing with native species hedgerows to the new boundaries in keeping with the outline condition along with some additional planting within the site which is considered to be acceptable. The proposal does not need to be invisible from the neighbouring properties. It is considered that the proposal dwelling and garage would integrate sufficiently into the landscape.

### Ridge Height

136. Concern is raised about ridge height of the proposal. The objector states that 'the ridge height of the proposed new build will stand at 8m two stories in height. This will be only approx. 36m from our windows. This will be imposing and directly affect the surrounding landscape. We request that the ridge height is reduced to 5m.' The objector asks if it would be possible for a 3D image/visual representation to be drawn to show the impact the proposal will have on their property.
137. As described above the levels and including the ridge height of the proposal are considered to be acceptable. There was no ridge height condition on the outline approval to restrict the ridge height, it was not considered to be necessary. The proposed two storey dwelling is considered to be acceptable on the site. There is precedent for two storey dwellings in the area and the neighbouring dwelling of number 5a Crewe Road is two storey. There is no requirement for the applicant/agent to submit a 3D drawing as the proposal can

be fully assessed on the basis of the information submitted.

#### Scale, Siting and Layout

138. Under concern about scale, siting and layout, the objector requests that the new dwelling is moved to the front of the site in line with number 5B and closer to the road than number 5 resulting in the new dwelling not overlooking number 5 plus 5 and 5a would not overlook the new dwelling; and relocating the detached single-storey garage to the side closest to them. The view is expressed that 'At approximately 34 metres separation (the living room, dining room & conservatory) all of which face the proposed development and contain large windows designed to maximise views, the current scale and massing of the dwelling will have a significant adverse impact on our privacy, outlook and enjoyment of our home by directly overlooking us'.
139. The principle of a dwelling on the site was accepted through the granting is outline planning permission. The siting, scale and layout is considered to be acceptable and ensures that there is no unacceptable impact on any neighbours private amenity.

#### Overlooking, Headlight Glare and Boundary Treatment

140. Concern is raised that the following should be secured by condition to protect their amenity: any windows with potential to overlook their property to be fitted with obscure glazing and restricted opening; no first floor windows to be permitted in the gable elevation facing their property as per the submitted plans; measures to prevent headlight glare from vehicles, including driveway orientation and screening; a 1.8m high close-boarded timber fence along the southern boundary; restriction of the dwelling to single storey height and control over curtilage extent to prevent encroachment towards their boundary.
141. All of the outline conditions have been met, and no additional conditions can be placed on a Reserved Matters application. It is considered that none of the windows of the proposed dwelling need to be obscure glazing due to the siting and the separation distances. The proposed driveway is along the north western boundary, as far away from the concerned neighbours as possible and is considered to be acceptable. All undefined boundaries are to be defined by a post and wire fence with native species hedgerow in keeping with the outline condition. As discussed above a two-storey dwelling is acceptable on this site at the proposed location. The red line of the application defined the curtilage of the application site.

#### Protection of Existing Vegetation

142. The view is expressed by the occupants of number 5 Crewe Road that their established rambling rose hedge along the front boundary must be retained and protected and that a condition should require protective fencing and safeguards during construction to ensure no damage occurs.
143. The onus is on the developer to ensure that any works undertaken during construction would not have a negative impact on the neighbour's property. A condition relating to neighbouring planting is not considered necessary and

would not meet the tests for planning conditions.

#### Drainage and Environmental Health

144. The view is expressed that Environmental Health previously requested detailed foul drainage information, including the location of septic tanks and soakaways for both the proposed and neighbouring properties. And that to their knowledge the information has not been provided and must be submitted and assessed prior to any approval.
145. The information submitted with the application details the proposed method of sewerage disposal (a septic tank) and its proposed location to the southern section of the site. Environmental Health were consulted on the application and did not ask for the additional details referred to above. Environmental Health have no objection to the proposal.

#### Site Area Discrepancy

146. Concern is raised that the size of the site has been reduced raising that, with the Reserved Matters application stating 0.48 hectares, compared to 0.6 hectares in the original outline application. Also, the question is asked, is the site allowed to expand out diagonally behind our site (5 Crewe Road) and should an infill not go between the two adjoining properties?
147. A reduction in site area is accepted by the Council as long as it is within the original approved red line. No demonstrable harm is caused by the reduction of the site area. Any expansion of a site area would require planning permission and is not the subject of this proposal. The proposed dwelling is positioned in between the two adjoining properties, namely number 5 and 5a Crewe Road.

#### Visibility Splays and Boundary Protection

148. The view is expressed by the occupants of 5 Crewe Road that they maintain their own boundary fence and roadside grass verge, and that no works should be undertaken to their shrubs or boundary without prior written consent from them and formal direction from DfL Roads. They also state that any visibility requirements must be clearly defined in writing and implemented with their permission and without damage to their property.
149. The submitted information details that the applicant has full ownership of the application site and all lands within the red line. Certificate of Ownership – Certificate A has been signed on the application form. The onus is on the applicant/developer to ensure that they have ownership/control of all lands necessary to implement a planning approval.

#### Site Meeting / Site Visit

150. The occupants of 5 Crewe Road express the view that they would welcome the opportunity for a site meeting at 5 Crewe Road to agree mitigation measures in advance of any determination. The objector also requests that a member/members of the planning committee visit their home to see the impact

of the proposed dwelling.

151. As part of the processing of the application a site inspection is carried out aid with a full and proper assessment of the proposal. There is no requirement for a site meeting. All concerns raised in the representations are dealt with through the processing of the application. With regards to a site visit by the planning committee, the proposal in the first instance will be placed on the delegated list in line with the Councils scheme of delegation and would only be considered by the planning committee is the application is called in to be determined by the planning committee.

## Conclusions

152. The assessment above demonstrates that all the relevant conditions of the outline permission have been fully and properly addressed in this application and that the proposed dwelling with detached garage in terms of its siting, design and external appearance and landscaping will provide for a quality residential environment consistent with the policy tests of the Plan Strategy (insofar as they are related to matters reserved) and the associated guidance detailed in the Building on Tradition document.
153. The details of the proposed access arrangements will also provide for a safe means of access in accordance with the planning condition attached to the outline permission. The detail of the access design is in accordance with policy TRA 2 of the Plan Strategy.
154. The proposal complies with Policy NH1, NH2 and NH5 of the Plan Strategy in that the development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
155. The proposal complies with Policy RE2 as it shall be constructed in line with current NI Building Control Regulations and built to building control energy efficiency standards.

## Recommendation

156. It is recommended that approval of Reserved Matters is granted.

## Conditions

157. The following conditions are recommended:
158. As required by Section 62 of the Planning Act (Northern Ireland) 2011 the development to which this approval relates must be begun by whichever is the

later of the following dates:-

- i. The expiration of a period of 5 years from the grant of outline planning permission; or
- ii. The expiration of a period of 2 years from the date hereof.

Reason: Time limit.

159. The vehicular access, including any visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02A, published to the Planning Register on 08 April 2026, prior to the commencement of any other works or other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.

160. The access gradient to the dwelling hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

161. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved Drawing No. 02, bearing date stamp 24 February 2026 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking.

162. The dwelling hereby permitted shall not be occupied until all new boundaries have been defined by a timber post and wire fence with a native species hedgerow/trees and shrubs of mixed woodland species planted on the inside.

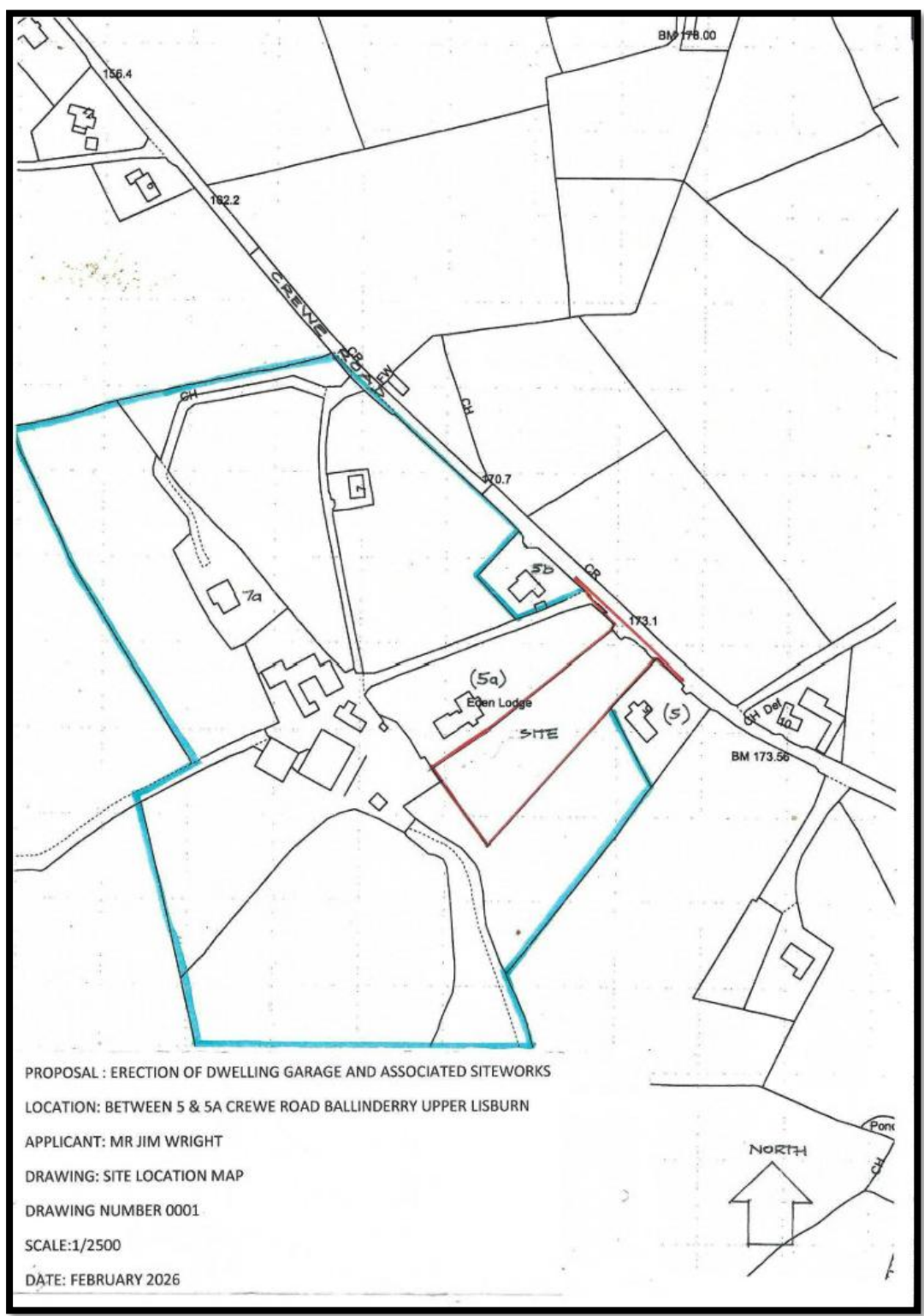
Reason: To ensure the proposal is in keeping with the character of the rural area.

163. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the dwelling.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.



Site Location Plan – LA05/2026/0137/RM



## Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	6 July 2026
Committee Interest	Local Interest (Called-In)
Application Reference	LA05/2023/0808/O
Date of Application	15 September 2023
District Electoral Area	Downshire West
Proposal Description	Site for a two-storey dwelling garage and ancillary siteworks
Location	Lands between 1 Old Forge Mews and Maze Telephone Exchange, Moira Road, Lisburn, BT28 2TU
Representations	One
Case Officer	Kevin Maguire
Recommendation	<b>Refusal</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Planning Committee in that it has been called in.
2. The application is recommended for refusal as the proposal is contrary to criteria a) of Policy HOU3 of the Lisburn and Castlereagh Plan Strategy in that in that the development fails to respect the surrounding context and is not appropriate to the character of the site in terms of its layout.
3. The proposal is also contrary to criterion (b) of policy HOU8 of the Lisburn and Castlereagh City Council's Plan Strategy in that the dwelling would not be consistent with the established pattern of development or in keeping with the local character of the existing area.

4. The proposal is contrary to Policy WM2 of the Lisburn and Castlereagh City Council Plan Strategy, in that it has not been demonstrated that the development proposal would not create or add to a pollution problem or create or add flood risk. A Waste Water Impact Assessment is required and has not been submitted to demonstrate that there is an available connection to the existing sewage infrastructure.
5. The proposal is contrary to policies NH1, NH2, NH3 and NH5 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the proposed development is not hydrologically linked to protected sites, and through this will not adversely impact on protected and priority species and habitats.
6. The proposal is contrary to criterion b) of Policy TRA2 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the proposal would not conflict with policy TRA3-Access to Protected Routes.
7. The proposal is contrary to Policy TRA3 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the nature and level of access will significantly assist in the creation of a quality environment without compromising standards in road safety.

## Description of Site and Surroundings

### Site

8. This site is approximately 0.08 hectares in size and located between Old Forge Mews and Maze Telephone Exchange. The site is flat and currently accesses onto Moira Road which is a protected route.
9. Within the site is existing single storey wooden structure with pitched corrugated iron roof, which is approximately 50 square metres in size and is set

back from the road by around 14 metres. Both the building and the remainder of the site is relatively overgrown with one half of the building covered in ivy and other vegetative growth. The vegetation extends further to the rear of the site though is more scrub and does not include any mature or substantial trees.

10. The site, while narrow (approximately 8.5 metres) is 44 metres long and stretches back to and has a common boundary with No. 2 Dagger Road.
11. The southern boundary, which contains the entrance to the site, comprises of a large metal gate (approximately 3.5 metres wide) and 1.8 metre high palisade fence which appears to have been previously used to contain an electrical substation which has since been removed. These boundaries sit several metres back from the edge of a footpath along the Moira Road. There is an electricity pole directly to the front of the site. The western boundary abuts the existing development at Old Forge Mews and consists of a 1.2-metre-high close boarded fence with wire fencing above this. The northern boundary, which abuts the dwelling at No. 2 Dagger Road, consists of a wooden two-metre-high fence. The eastern boundary abuts the telephone exchange building and mainly comprises wire fencing approximately 3.5 metres in height.

### **Surrounding Context**

12. The site is located within the settlement of Lurganure which is characterised by established residential units and is bounded by dwellings to the west and north. Adjoining to the east is a telephone exchange and the main Lisburn to Moira Road (A3) is adjacent to the south. There is further housing on the other side of the main road to the south and new housing currently being constructed to the southeast
13. The dwellings at Old Forge Mews are two storey semi-detached with pitched roofs and brown tiles. The external finishes are rendered dashed with front elevations of the southern most dwellings facing north into the cul-de-sac, with the rear of these dwellings backing onto the Moira Road. Outside of Old Forge

Mews there are a mix of dwelling types and finishes, with a number of small residential developments including Gravelhill Grove and Inglewood Lodge located to the south on the other side of Moira Road.

14. The telephone exchange building to the east is a detached flat roof and single storey building surrounded by an area of open space which is defined by 3 metre high security fencing on all sides.

### Proposed Development

15. The proposal is for a two-storey dwelling and garage with ancillary site works. Supporting information provided in respect of this application includes the following

- 1- P1 Application Form
- 2- Drawings. These include site location plan, site layout and notional block plan
- 3- Biodiversity Checklist
- 4- Concept Statement
- 5- Water assessment (Single Unit Impact Assessment – not submitted to NIW)

### Relevant Planning History

16. The planning history associated with the application site is set out in the table below:

Reference Number	Description	Location	Decision
S/1974/0064	Extension to telephone exchange	Lurganure, Maze, Lisburn	Permission Granted 22 <sup>nd</sup> April 1974
S/1977/0782	Substation	Townland Lurganure	Permission granted 18 <sup>th</sup> January 1978
S/1978/0768	Electricity Substation	Maze, Telephone Exchange, Lurganure, Lisburn	Permission Granted 22 <sup>nd</sup> November 1978

### Consultations

17. The following consultations were carried out:

Consultee	Response
LCCC Environmental Health	No objection
NI Water	No objection
DfI Roads	No objection
Historic Environment Division	No objection
NIEA	No objection

### Representations

18. One representation received in objection to the proposed development and the following issues are raised:

- Loss of Privacy
- Highway Safety

- Parking
- Overbearing / Density

## Local Development Plan

### Local Development Plan Context

19. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on planning applications, regard must be had to the requirements of the local development plan and that determination must be in accordance with the plan unless material considerations indicate otherwise.

### Plan Strategy 2032

20. It is stated at Part 1 of the Plan Strategy that:

*Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption the Development Plan will be the Plan Strategy and any old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 state that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.*

*The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.*

*BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of*

*the Planning Appeals Commission Public Local Inquiry Reports.*

21. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan (LAP). Draft BMAP remains a material consideration.
22. The Lisburn Area Plan and draft BMAP identify the application site as being located within the defined settlement development limit of Lurganure. No other designation or zoning is associated with the site. The site accesses onto the Moira Road (A3) which is a Protected Route.
23. As explained above, this application is for residential development and the following strategic policies in Part 1 of the Plan Strategy apply.
24. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

*The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.*

25. Strategic Policy 08 Housing in Settlements states that the Plan will support development proposals that:
  - a) *are in accordance with the Strategic Housing Allocation provided in Table 3*
  - b) *facilitate new residential development which respects the surrounding context and promotes high quality design within settlements*
  - c) *promote balanced local communities with a mixture of house types of different size and tenure including affordable and specialised housing*

d) *encourage compact urban forms and appropriate densities while protecting the quality of the urban environment.*

26. The strategic policy for Housing in Settlement Limits is set out in Part 1 of the Plan Strategy. Strategic Policy 08 Housing in Settlements states that:

*The Plan will support development proposals that:*

- a) *are in accordance with the Strategic Housing Allocation provided in Table 3*
- b) *facilitate new residential development which respects the surrounding context and promotes high quality design within settlements*
- c) *promote balanced local communities with a mixture of house types of different size and tenure including affordable and specialised housing*
- d) *encourage compact urban forms and appropriate densities while protecting the quality of the urban environment.*

27. The following operational policies in Part 2 of the Plan Strategy also apply.

### **Housing in settlements**

28. As residential development is proposed policy HOU1 – New Residential Development states that:

*Planning permission will be granted for new residential development in settlements in the following circumstances:*

- a) *on land zoned for residential use*
- b) *on previously developed land (brownfield sites) or as part of mixed-use development*
- c) *in designated city and town centres, and within settlement development limits of the city, towns, greater urban areas, villages and small settlements*
- d) *living over the shop schemes within designated city and town centres, or as part of mixed use development.*

*The above policy applies to all residential uses as set out in Part C of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended).*

29. Policy HOU3 – Site Context and Characteristics of New Residential Developments states:

*Planning permission will be granted for new residential development where it will create a quality and sustainable residential environment which respects the existing site context and characteristics. An overall design concept, in accordance with Policy HOU6 must be submitted for all residential proposals and must demonstrate that a proposal draws upon the positive aspects of, and respects the local character, appearance and environmental quality of the surrounding area.*

*Proposals for residential development will be expected to conform to all the following criteria:*

- a) the development respects the surrounding context, by creating or enhancing a local identity and distinctiveness that reinforces a sense of place, and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas*
- b) archaeological, historic environment and landscape characteristics/features are identified and, where appropriate, protected and suitably integrated into the overall design and layout of the development.*

*For new residential development in areas of distinctive townscape character, including Conservation Areas and Areas of Townscape or Village Character, an increased residential density will only be allowed in exceptional circumstances.*

*All development should be in accordance with available published space standards.*

30. Policy HOU4 – Design in New Residential Development states:

*Proposals for residential development will be expected to conform to all the following design criteria:*

- a) the design of the development must draw upon the best local architectural form, materials and detailing*
- b) landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
- c) where identified as a Key Site Requirement adequate provision is made for necessary local community facilities, to be provided by the developer*
- d) residential development should be brought forward in line with the following density bands:*
  - City Centre Boundary 120-160 dwellings per hectare*
  - Settlement Development Limits of City, Towns and Greater Urban Areas: 25-35 dwellings per hectare*
  - Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare.*
  - Within the above designated areas, increased housing density above the indicated bands will be considered in town centres and those locations that benefit from high accessibility to public transport facilities*

- e) *a range of dwellings should be proposed that are accessible in their design to provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range of dwelling types and designs should be provided to prevent members of society from becoming socially excluded*
- f) *dwellings should be designed to be energy and resource efficient and, where practical should include integrated renewable energy technologies to minimise their impact on the environment*
- g) *a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way*
- h) *adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points*
- i) *the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance*
- j) *the design and layout should where possible include use of permeable paving and sustainable drainage the design and layout design must demonstrate appropriate provision is made for householder waste storage and its collection can be facilitated without impairment to the access and manoeuvrability of waste service vehicles*
- l) *the development is designed to deter crime and promote personal safety.*

*Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.*

31. Policy HOU6 relates to Design Concept Statements, Concept Masterplans and Comprehensive Planning and states that:

*A Design Concept Statement, or where appropriate a Concept Masterplan, must accompany all planning applications for residential development.*

32. Policy HOU8 Protecting Local Character, Environmental Quality and Residential Amenity in Established Residential Areas states that:

*Planning permission will be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where the criteria set out in Policies HOU3 and HOU4 (with the exception of Policy HOU4(d) – Density Bands), and all the additional criteria set out below are met:*

- a) the proposed density is not significantly higher than that found in the established residential area*
- b) the pattern of development is in keeping with the local character, environmental quality and existing residential amenity of the established residential area*
- c) all dwelling units and apartments are built to a size not less than those set out in Supplementary Planning Guidance, Part A: Space Standards for Dwellings.*

### **Access and Transport**

33. The application proposes to access from Moira Road which is a protected route.

34. Policy TRA2 – Access to Public Roads states:

*Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:*

- a) *it will not prejudice road safety or significantly inconvenience the flow of vehicles; and,*
- b) *it does not conflict with Policy TRA3 Access to Protected Routes.*

*Consideration will also be given to the nature and scale of the development, character of existing development, the contribution of the proposal to the creation of a quality environment, the location and number of existing accesses and the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.*

35. The justification and amplification states:

*Development proposals involving a new access, or the use of an existing access must be in compliance with the requirements of the Department's Development Control Advice Note 15, Vehicle Access Standards (2nd Edition, published in August 1999).*

*Where an existing access is available the Council will generally expect this to be used, unless there is an opportunity to provide a more acceptable access arrangement. Where an existing access is to be used, but is sub-standard, a condition requiring its improvement prior to the commencement of the development will be imposed.*

36. Policy TRA3 Access to Protected Routes states that:

*The Council will restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes in a number of cases.*

*Within settlement limits planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access where it is demonstrated that access cannot reasonably be taken from an adjacent minor road; or, in the case of residential proposals, it is demonstrated that the nature and level of access will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in an unacceptable proliferation of access points.*

*In all cases, where access to a Protected Route is acceptable in principle it will also be required to be safe in accordance with Policy TRA2.*

37. Policy TRA7 Car Parking and Servicing Arrangements states:

*Development proposals will provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to published standards or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.*

### **Natural Heritage**

38. The proposal involves the demolition of an existing building, the clearance of a vegetated site and connection to a public sewer. As a number of natural habitat constraints apply Policy NH1- European and Ramsar Sites – International states:

*Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on:*

- a) a European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance)
- b) a listed or proposed Ramsar Site.

*Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, the Council, through consultation with the Department of Agriculture, Environment and Rural Affairs (DAERA), is required by law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site, can the Council agree to the development and impose appropriate mitigation measures in the form of planning conditions.*

39. *In exceptional circumstances, a development proposal which could adversely affect the integrity of a European or Ramsar Site may only be permitted where:*
- a) *there are no alternative solutions; and*
  - b) *the proposed development is required for imperative reasons of overriding public interest; and*
  - c) *compensatory measures are agreed and fully secured.*

*As part of the consideration of exceptional circumstances, where a European or a listed or proposed Ramsar site hosts a priority habitat or priority species listed in Annex I or II of the Habitats Directive, a development proposal will only be permitted when:*

- a) *it is necessary for reasons of human health or public safety or there is a beneficial consequence of primary importance to the environment; or*
- b) *agreed in advance with the European Commission.*

Justification and Amplification

*The Council will consider the precautionary principle when determining the impacts of a proposed development on international significant landscape or natural heritage resources.*

*A development proposal which could adversely affect the integrity of a European or Ramsar site may only be permitted in exceptional circumstances as laid down in the relevant statutory provisions.*

*A list of existing international sites and further information can be found at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk).*

*Candidate Special Areas of Conservation are sites that have been submitted to the European Commission, but not yet formally adopted.*

*It is recommended that all development proposals be accompanied by a Biodiversity checklist, further details of which can be obtained at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk). This Biodiversity Checklist is intended to provide a 'step by step' tool which can be used by applicants and their agents to help identify if a development proposal is likely to adversely affect any biodiversity and natural heritage interests and what information may be reasonably required to accompany a planning application in order to comply with the relevant legislation and planning policy.*

40. Policy NH2- Species Protected by Law states:

#### *European Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm a European protected species.*

*In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:*

- a) there are no alternative solutions; and*
- b) it is required for imperative reasons of overriding public interest; and*

*c) there is no detriment to the maintenance of the population of the species at a favourable conservation status; and*

*d) compensatory measures are agreed and fully secured.*

#### *National Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against.*

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.*

#### *Justification and Amplification*

*It is a criminal offence to harm a statutorily protected species. The presence or potential presence of a legally protected species is an important consideration in decision-making. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish whether it is present, the requirements of the species must be factored into the planning and design of the development, and any likely impact on the species must be fully considered prior to any determination.*

*European protected species are listed under Annex IV of the Habitats Directive (transposed under Schedule 2 of the Habitats Regulations) and must be subject to a system of strict protection. Other national protected species are listed under the Wildlife Order under Schedules (1), (5) & (8).*

*It is recommended that all development proposals be accompanied by a Biodiversity checklist, further details of which can be obtained at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk).*

*The granting of planning permission does not obviate the holder of ensuring legal compliance with other legislative requirements.*

*Lists of all protected species of animals and plants can be found at [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk). As all fish are protected, no lists have been produced.*

41. Policy NH3 Sites of Nature Conservation Importance - National states that:

*Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of:*

- a) an Area of Special Scientific Interest*
- b) National Nature Reserve*
- c) Nature Reserve*
- d) Marine Conservation Zone*

*A development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.*

*In such cases, appropriate mitigation and/or compensatory measures will be required.*

42. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states that:

*Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:*

- a) priority habitats*
- b) priority species*
- c) active peatland*

- d) *ancient and long-established woodland*
- e) *features of earth science conservation importance*
- f) *features of the landscape which are of major importance for wild flora and fauna*
- g) *rare or threatened native species*
- h) *wetlands (includes river corridors)*
- i) *other natural heritage features worthy of protection including trees and woodland.*

*A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.*

### **Waste Management**

43. Foul sewage is proposed to be directed towards the mains sewer and Policy WM 2 - Treatment of Waste Water states:

*Development proposals to provide mains sewage Wastewater Treatment Works (WwTWs) will be permitted where it is demonstrated to the Council there is a need for new or extended capacity requirements and the new facilities comply with the requirements of Policy WM1.*

*Development relying on non mains sewage treatment will only be permitted where it is demonstrated to the Council and its statutory consultees that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.*

## Renewable Energy

44. The proposal requires integration of renewable energy technologies. Policy RE2 Integrated Renewable Energy states:

*Planning permission will be granted for a development proposal which integrates renewable energy technology including microgeneration and passive solar design (PSD) in its layout, siting and design, where it meets the provisions of Policy RE1 and provided the technology is appropriate to the location in terms of any visual or amenity impact it may have.*

## Regional Policy and Guidance

45. The SPPS Edition 2 was published in December 2025. It is the most recent planning policy and it is stated at paragraph 1.5 that:

*The provisions of the SPPS apply to the whole of Northern Ireland. They must be taken into account in the preparation of Local Development Plans (LDP) and are material to all decisions on individual planning applications and appeals. The Department intends to undertake a review of the SPPS within 5 years.*

46. Paragraph 2.1 of the SPPS recognises that an objective of the planning system is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being.

47. It states that:

*planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society*

48. Paragraph 3.6 of the SPPS states:

*planning authorities should make efficient use of existing capacities of land, buildings and infrastructure, including support for town centre and regeneration priorities in order to achieve sustainable communities where people want to live, work and play now and into the future. Identifying previously developed land within settlements including sites which may have environmental constraints (e.g. land contamination), can assist with the return to productive use of vacant or underused land. This can help deliver more attractive environments, assist with economic regeneration and renewal, and reduce the need for green field development.*

49. Paragraph 3.8 of the SPPS states:

*that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.*

50. In practice this means that development which accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.

51. This proposal is for a proposed residential development for one dwelling within a settlement limit. Paragraph 6.137 of the SPPS states that planning authorities must deliver:

*increased housing density without town cramming: higher density housing developments should be promoted in town and city centres and in other locations that benefit from high accessibility to public transport facilities. Within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and*

*layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. In residential areas of distinctive townscape character an increase in density should only be allowed in exceptional circumstances.*

52. In addition, it states that:

*The use the use of greenfield land for housing should be reduced and more urban housing accommodated through the recycling of land and buildings and the encouragement of compact town and village forms. More housing should also be promoted in city and town centres and mixed use development encouraged.*

### **Retained Regional Guidance**

53. Whilst not policy, the following guidance documents remain a material considerations:

#### Creating Places

54. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.

55. The guide is structured around the process of design and addresses the following matters:

- the analysis of a site and its context;
- strategies for the overall design character of a proposal;
- the main elements of good design; and
- detailed design requirements.

56. Paragraph 7.16 provides guidance on separation distances stating:

*Where the development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking, with a minimum of around 10 meters between the rear of new houses and the common boundary.*

57. Paragraphs 5.19 – 5.20 provides guidance on the level of private open space provision as follows:

*Provision should be calculated as an average space standard for the development as a whole and should be around 70 square metres per house or greater. Garden sizes larger than the average will generally suit dwellings for*

*use by families. An area less than around 40 square metres will generally be unacceptable.*

#### Development Control Advice Note 8 - Housing in Existing Urban Areas

58. Paragraph 4.10 states that:

*Planning Service will expect applicants and designers to carry out an appraisal of the local context, which takes into account the character of the surrounding area; and new development should respect the architectural, streetscape and landscape character of the area.*

#### Development Control Advice Note 15 – Vehicular Access Standards

59. The policies in PPS3 are replaced by the Plan Strategy but the guidance in Development Control Advice Note 15 – Vehicular Access Standards states at paragraph 1.1 that

*The Department’s Planning Policy Statement 3 “Development Control: Roads Considerations” (PPS3) refers to the Department’s standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.*

### **Assessment**

#### Policy HOU 1 – New Residential Development

60. This application is for a single residential unit within the settlement limit of Lurganure.
61. In terms of the policy outlined under HOU 1 (New Residential Development) the site is not on land zoned for residential use. The site has been previously built on and may fall under the definition of ‘brownfield’ as defined in the LCCC Plan Strategy.
62. The site meets the requirement of Criterion c) is met in that it is located within settlement development limits of a small settlement and the development of this land for a single dwelling is in accordance with the requirements of policy HOU1.

Policy HOU3 - Site Context and Characteristics of New Residential Development

63. The site is located in close proximity to other dwellings abutting the site boundary, therefore in terms of its nature the proposal would be in keeping with nearby development. The dwellings in the immediate area adjacent to the site are mainly two storeys in height and a two-storey dwelling as described in the application would not be out of character in the local context.
64. Normally the detail of siting, form and general arrangement can be dealt with as part of any subsequent reserved matters.
65. However, an indicative site layout is provided, due to the restricted width of the site. The concept drawing shows a detached dwelling set so far back in this site in terms that it sits behind the main row dwellings along the road at Old Forge Mews and has a gable elevation to the cul-de-sac.

This layout neither respects the context or character of the neighbouring development as the scheme is designed solely with the access arrangements to the Moira Road in mind.

66. The justification and amplification of Policy HOU3 states that:
- 'Proposals should seek to reinforce and evolve local characteristics that are considered positive and attractive, while those urban design features that undermine the overall character of an area should not be replicated nor used as a precedent'.*
67. The design concept is not a good example of a quality residential environment, 'as the proposed concept does not respect the existing site context or the characteristics of the neighbouring development.

68. On this basis the application would be contrary to criterion (a) of Policy HOU3 in that it would not create or enhance local identity, or is appropriate to the character in terms of layout of the proposal.
69. There is some vegetation within the site however this is mainly scrub and small trees which have become overgrown and do not provide any important landscape features which merit being retained.
70. No other landscape characteristics/features have been identified that required integration into the overall design and layout of the development. The site is also not subject to any archaeological constraints. Therefore on balance, Criterion b) of this policy is met.

#### Policy HOU4 - Design in New Residential Development

71. In relation to Criterion a) of Policy HOU4 this is an outline application and no elevational detailing has been provided, however there is no reason to consider that this detail cannot be considered as part of any subsequent reserved matters submission.
72. Criterion b) relates to landscaped areas however as this is an outline application no details of planting species have yet been provided but would be required as any reserved matter application. If this outline application was to be approved it would be expected that appropriate boundary treatments along the site boundary would be required to soften the visual impact of the development.
73. Due to the scale of development there is no requirement for public open space.
74. Regarding private outdoor amenity space, the concept plan demonstrates that the proposed dwelling is likely to provide an area well in excess of the 70 square metres which would be acceptable in terms of the guidance within Creating Places and existing dwellings within the area..

75. The site is not subject to any Key Site Requirements (KSR) and therefore would not be relevant to this application therefore criterion (c) is not engaged.
76. Criteria (d) relates to housing density and the third bullet point applies. as the site is inside the settlement development limits of a villages or small settlement. Applying a density of 20-25 dwelling per hectare. In this case the site is approximately 0.08 hectare so based on the criteria outlined and taking the existing surrounding residential area into account it is considered that the Idensity of development would be acceptable in principle and without prejudice to the more detailed assessment in respect of policy HOU8.
77. Criterion (e) relates to the provision of a range of dwelling types, however as this is for a single dwelling this requirement would not be relevant in this case.
78. Criterion (f) relates to dwellings being designed to be energy and resource efficient. As this is an outline permission no details on the design have been provided and would form part of any reserved matters submission. Further details on this would be considered under policy RE2 of the Lisburn and Castlereagh Plan Strategy later in the report.
79. Criterion (g) refers to the provision walking and cycling infrastructure, however as this is for a single dwelling it is not considered that the application will fail this policy test. It is noted that there is an existing footpath located directly to the front of the site.
80. Criterion (h) relates to appropriate provision made for car and bicycle parking and provision of electric charging points where possible. The site would include appropriate space for parking and while a charging point is not detailed in the application there is no reason why this could not be provided. On the information provided to date DfI Roads have commented on the proposal and are content subject to conditions.

81. Criterion (i) requires that the design and layout of the development must not create conflict with adjacent land uses. While an indicative layout has been provided the lack of elevational details does not allow the application to be fully assessed at outline stage. There is the potential, due to the location of the proposal and the orientation of the existing dwellings at No 5, 6 and 7 Old Forge Mews, of a conflict in terms of overlooking and loss of privacy, however with careful design, siting and landscaping it is considered that these concerns could be addressed satisfactorily.

82. With regards to privacy, in Creating Places it notes that:

*'On green-field sites and in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable'.*

83. It further notes that:

*'Where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary'.*

84. In this case the indicative layout appears to show the orientation of the proposed dwelling facing towards the public road, with the back of the proposed dwelling facing the rear of the dwelling at No 2 Dagger Road. The curtilage of the proposed dwelling would abut the rear garden boundaries of No 4 and 7 Old Forge Mews however there is no back-to-back relationship at this location, with the proposed dwelling sitting at an angle with existing development likely to limit any direct overlooking between the existing and proposed dwellings. Based on the concept plan submitted it would appear that the separation distances would generally be consistent with the guidance. Other dwellings within the vicinity, based on the indicative drawing, are likely to be a sufficient distance away to avoid any adverse amenity issues.

85. While there is the some limited potential for conflict in terms of overlooking, a carefully design elevation with limited fenestration along the side elevations facing towards the existing dwellings, would likely reduce any potential adverse impact on neighbouring properties. An indicative site plan showing the potential position of a new dwelling has been submitted however this does not provide any details on floorplans or elevations showing positions of windows etc. While these plans are accepted as indicative they do show that a dwelling could be sited as shown and if designed appropriately at reserved matters stage could limit potential overlooking/privacy and subject to full details confirming this being received at reserved matters stage would be considered acceptable in this regard.
86. Criteria (j), (k) and (l) all relate to the specific design of the scheme which has not been provided as part of this outline application, however there is no reason to consider that this detail cannot be provided to an acceptable level as part of any subsequent submission.

Policy HOU6 - Design Concept Statements, Concept Masterplans and Comprehensive Planning

87. Policy HOU6 notes that a Design Concept Statement, or where appropriate a Concept Masterplan, must accompany all planning applications for residential development.
88. This is to show how a quality residential environment on a particular site will be delivered. They must indicate how the design concept has evolved and provide a clear idea of what is intended for the site without the need for fully detailed plans and demonstrate how it will meet the criteria set out in policies HOU3 and HOU4.
89. The justification and amplification of the policy notes that the statement should outline in writing the overall design concept and objectives for the site and

include an indicative site layout plan, based on the appraisal of the site and its context. The amount of information and level of detail required will depend on the nature, scale and location of the proposed development. Where necessary the Statement should also address any local design considerations identified in development plans or supplementary planning guidance and provide information on any improvements to infrastructure required to facilitate the proposed development.

90. A concept statement has been submitted alongside an indicative siting plan to demonstrate how a proposal would support and comply with Policy HOU6. This plan proposes an indicative layout of the site in the context of other development, proposed areas of landscaping and parking arrangement to the front of the dwelling.
91. While a Design Concept Statement has been submitted a it does not adequately demonstrate how the development would deliver a quality residential development and meet the criteria set out in policy HOU3 in particular, which has been noted in Paragraphs 49 to 56 in this report.

HOU8 Protecting Local Character, Environmental Quality and Residential Amenity in Established Residential Areas

92. As noted above, the application would not comply with policy HOU3 of the LCCC Planning Strategy. In terms of the additional criteria set out in policy HOU 8 the following consideration is noted.
93. The site measures approximately 384sqm or 0.038 hectares. While there is a variety of site sizes in the immediate area, with a number of much larger curtilages along Dagger Road to the north and some of the housing developments to the south on the other side of the Moira Road, it is considered that the proposed site and development would not result in a significantly higher density than the average in the established residential area. Criterion a) of the

policy is met as the proposed density is not significantly higher than that found in the established residential area.

94. As stated, the site forms a narrow parcel of land which fronts onto the Moira Road measuring approximately 0.038 hectares. While this site is comparable to other curtilages in the area, the shape of the site and particularly its constrained width along the main road is not in keeping with the frontage of other dwellings adjacent, with the dwellings on the northern side of the Moira Road mostly semi-detached. The one exception to this in the wider area is No 2 Dagger Road, however this presents a much wider frontage measuring approximately 16 metres (compared to approx. 8m at application site). The width of the site frontage has also resulted in the need to introduce a turntable to allow vehicles to enter and exit the site in a forward gear. This feature in itself is unusual and such an arrangement is not prevalent in the local area. In addition, the proposal would be the only access from a residential development on the northern side of Moira Road.
95. Overall, it is considered that the development would be contrary to Criterion b) of policy HOU8 in that it is not in keeping with the existing pattern of development and would not be in keeping with the local character, environmental quality and existing residential amenity of the established residential area.
96. This application is for an outline application and so this cannot be properly assessed until a detailed planning submission has been received. Notwithstanding this point, from the indicative footprint was included as part of the concept plan submitted. This appears to be smaller than the dwellings at 1-4 Old Forge Mews however comparative or slightly larger than the dwellings at No 5-7 Old Forge Mews. While the application description and indicative plan refer to a two storey dwelling, with a ground floor footprint of 61sqm, with 1<sup>st</sup> floor at approx. 50sqm, resulting in a total floorspace of 111sqm. No details have been provided on the type/no of bedrooms within this proposed outline application, however the indicative floorspace provided would demonstrate that

a dwelling on this site could meet the space standards for dwellings. Consequently the requirements of criterion c) can be met.

### **Waste Management**

97. In terms of waste water the application proposes that disposal of the foul sewage from the dwelling would utilise the mains sewer.
98. Policy WM2 Treatment of Waste Water in the LCCC Plan Strategy mainly deals with non-mains sewer provision. In their initial consultation response NI Water advised refusal based on network capacity issues and requested that the applicant contact them directly and provide a Wastewater Impact Assessment.
99. Following discussions and further consultation NI Water have since been reconsulted and have advised that there is available capacity at the Waste Water Treatment Works however the downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UIDs) which are causing a negative impact on the environment, and these have been detailed in the response. Notwithstanding this point, NI Water have indicated that as this is an outline application they would accept a negative condition requesting that a wastewater treatment/disposal solution is provided and agreed at reserved matters stage.
100. A Wastewater Impact Assessment has yet to be submitted to NI Water despite a request being made for the agent to demonstrate compliance with policy WM2.
101. This application cannot be held in perpetuity and the council has been previously requested In considering this further, taking into account the precautionary principle and the existing overloaded sewage infrastructure, the Council is not able to accept a condition relating to sewage disposal on this site without the submission and agreement of a waste water impact assessment

(WWIA). On this basis it is considered that the proposal would not be compliant with Policy WM2 of the LCCC Plan Strategy.

### **Natural Heritage**

102. The site is located within a residential area and located outside any zonings or designated sites including European or Ramsar sites under Policy NH1 as outlined in the Biodiversity Checklist submitted. The Biodiversity Checklist also notes no impacts upon species or habitats within the site will result from the development. As noted, the removal of the existing structure or the scrub type existing vegetation on site is unlikely to adversely impact on biodiversity.
103. It is also noted that there are no hydrological features within the development site itself. In their final response, NI Water have advised that they are content with the proposal subject to a condition requiring the submission of a wastewater treatment/disposal solution to be submitted and agreed at reserved matters. As noted in respect of Policy WM2, taking the precautionary approach the Council is unable to accept a condition deferring the information to be submitted at reserved matters.
104. The response from NI Water has also stated that:

*The downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UID's) which are causing a negative impact on the environment. These issues are outlined in the following section. This information has been validated, verified and signed off by our environmental regulator the Northern Ireland Environment Agency (NIEA).*

105. The response also details the downstream capacity issues by stating:

There are Unsatisfactory Intermittent Discharges (UID's) at (1) Mazetown Lurganure WwPS; (2) Huguenot Drive 1 WwPS; (3) Huguenot

Drive 2 WwPS; (4) Hulls Lane CSO; (1) Discharges to Brookmount Stream. (2&3) Discharge to River Lagan (Stranmillis). (4) Discharges to River Lagan (Lisburn).

106. Based on the above position, the Council are unable to determine whether the impact of this development would result in environmental disamenity which has an impact on the River Lagan and which is hydrologically linked to Belfast Lough and its associated European sites. This contains links to Inner Belfast Lough Area of Special Scientific Interest, Belfast Lough RAMSAR site and Belfast Lough Special Protection Area, which are of international importance and protected by the Habitats Regulations and thereafter referred to as designated sites, which are of international and national importance and are protected by the Habitats Regulations and the Environment (Northern Ireland) Order 2002 (as amended).
107. In respect to the above, the applicant, through not engaging in the Waste Water Impact Assessment at this outline stage, has been unable to demonstrate that the approval of a dwelling on this site would not adversely affect designated sites which are hydrologically linked through the River Lagan.
108. The Council have insufficient information within the live planning application to fully assess the development impact on the River Lagan which is hydrologically linked to Belfast Lough and protected features. In the absence of such information, it cannot be determined that the development is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network of special interest of the Area of Special Scientific Interest.
109. Adopting a precautionary approach and in the absence of any contrary evidence the proposal if connected to the public sewer is likely to have a significant effect on a designated European site of special nature conservation interest by reason of a hydrological link downstream due to a CSO not performing in accordance with its Water Order Consent. No information or evidence has been submitted with the application to demonstrate a need for this dwelling, nor have any potential benefits of the development been

provided. As such, it is not considered that the benefits of the proposed development clearly outweigh the value of the site. The proposal is therefore contrary to policy NH1.

110. Given the position of NI Water and in the absence of a viable solution to manage foul water disposal from the development, and in the absence of supporting evidence, the Council have insufficient information within the live planning application to fully assess the impact the proposed development and harm associated with the loading of the sewage system would have on Belfast Lough and River Lagan and interest by reason of their flora, fauna, geological and/or physiographical features.
111. It has not been demonstrated to the Council that the proposed development would not have on Belfast Lough and River Lagan and rule out an adverse effect on site integrity. Policy NH3 states that a precautionary principle should be applied when considering the impacts of development on national significant landscape or natural heritage resources therefore it is considered that the proposal is also contrary to policy NH3.
112. NH2 affords Protection to Species Protected by Law and no supporting information has been provided demonstrate there would be no harm to the species protected by law within Belfast Lough and River Lagan nor that there would not be an unacceptable impact on habitats, species or features of natural heritage therein.
113. No alternative solutions have been provided, no imperative reasons of overriding public interest have been provided in relation to policy NH2. It has not been demonstrated that no detriment to the maintenance of the population of the species at a favourable conservation status and compensatory measures have not been measured, agreed or secured in light of NI Water's comments outlining the constrained downstream catchment due to overloaded sewage infrastructure.

114. In the absence of adequate assessments or mitigation measures, it has not been demonstrated that the development it would not result in adverse harm to the designated sites biodiversity, habitat integrity, or overall environmental quality. Therefore policy NH2 has not been met.
115. No evidence has been provided to demonstrate that the proposed development would not create an unacceptable level of harm to connected marine mammal sites priority habitats or species due to the downstream catchment being constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UID's). The proposal's benefits are not considered to outweigh the value of the habitat species or feature in this instance therefore the proposal does not comply with policy NH5.
116. For reasons set out above the development, in the absence of a Waste Water Impact Assessment it has not been demonstrated that the development would not adversely affect designated sites which are hydrologically linked through the River Lagan be compliant with Policies NH1, NH2, NH3 & NH5 of the Plan Strategy.

### **Access Movement and Parking**

117. The P1 Form indicates that the proposal requires the alteration of an existing access to the public road.
118. Given the scale of the development a Transport Assessment form or Transport Assessment was not required for this application and DfI Roads in their response have not identified any concerns in relation to the principle of using this access. Based on a review of limited information submitted with this outline application and advice from DfI Roads who have raised no objections it is considered that the proposed complies with Criterion a) of Policy TRA2 Access to Public Roads in that the proposal would not prejudice road safety or significantly inconvenience the flow of vehicles.

119. Criterion b) requires that the proposal would not conflict with Policy TRA3 Access to Protected Routes. Policy TRA3 states that in relation to protected routes within settlement limits, planning permission will only be granted for a proposal involving direct access or the intensification of the use of an existing access, where it is demonstrated that the access will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in the unacceptable proliferation of access points and that an access cannot be reasonably taken from a minor road.
120. In this case, Dfl Roads have raised no roads safety concerns in relation to the proposed access onto the Moira Road, which is a protected route. It is considered, however, that the applicant has not demonstrated why the access cannot be taken from the Dagger Road through Old Forge Mews.
121. It is also not been demonstrated under policies HOU3 and HOU4, that the development results in the creation of a quality residential environment.
122. A residential use at this location to create intensification of use onto the protected route and on this basis, it is considered that the proposal would fail to comply with Policies TRA2 b) and TRA3 of the Plan Strategy.
123. Detail within the application form under parking arrangements informs increase in parking from existing two car spaces to four car spaces and the former use to be a brown field site of the former substation. The requirements of policy TRA7 are capable of being met.

## Representations

124. There has been one representation received to date in relation to this planning application, the following issues being raised:

- Loss of Privacy

This is an outline application and full details relating to design including window openings have not been provided at this stage. The indicative

site plan provided shows that the proposed dwelling would be set further back into the site and given its relationship with the dwellings at Old Forge Mews is unlikely to result in adverse residential amenity including overlooking or loss of privacy.

- Highway Safety

As noted, the application is for outline permission and if approved further details would be required at reserved matters stage. The application was consulted with DfI Roads who in their most recent response are content that the information submitted would not be contrary to Policies TRA2 or TRA 3 of the LCCC Plan Strategy.

- Parking

Following the receipt of amended plans DfI Roads were reconsulted and are content at this outline stage, and subject to the submission of further details at reserved matters, that the proposal can provide adequate in-curtilage parking through the arrangement provided, therefore a reason for refusal on this basis cannot be sustained.

- Overbearing / Density

It is not considered that the proposed 2 storey building on the site would create an unacceptable level of density or be overbearing to the existing dwellings at Old Forge Mews, however it is considered that the proposal would impact on the local character of the immediate area.

## Conclusions

125. The proposal is considered to fail to comply with criteria (a) of policy HOU3 in that it has not been demonstrated that a new residential development at this

location could lead to the creation of a quality and sustainable residential environment that respects the existing site context and characteristics.

126. The proposal is also considered not to comply with criteria (b) of policy HOU8 in that the proposal will adversely impact on the local character, environmental quality and residential Amenity in the established residential area.
127. The proposal does not comply with policy WM2 in that it has not been demonstrated that the development will not have an adverse impact on the treatment of waste water.
128. It is further considered that the proposal would not comply with criteria (b) of policy TRA 2 and policy TRA3 in that it has not been demonstrated that the nature and level of access would significantly assist in the creation of a quality environment without compromising standards of road safety.

### Recommendations

129. It is recommended that planning permission is refused for the following reasons.

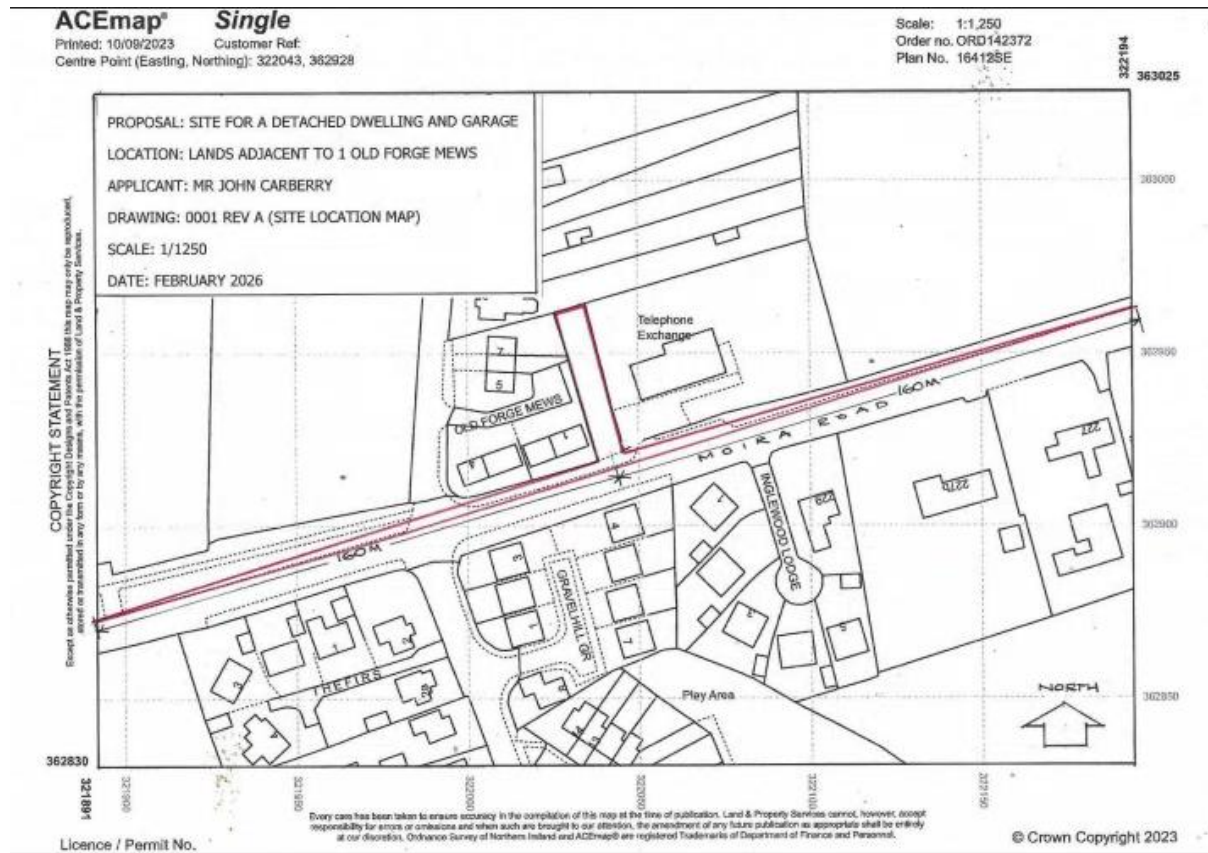
### Refusal Reasons

130. The following refusal reason are recommended:
- The proposed development is contrary to criteria (a) of policy HOU3 of the Lisburn and Castlereagh City Council's Plan Strategy in that the development fails to respect the surrounding context and is not appropriate to the character of the site in terms of layout.

- The proposed development is contrary to criterion (b) of policy HOU8 of the Lisburn and Castlereagh City Council's Plan Strategy in that the pattern of development would not be in keeping with the local character of the existing area and existing residential amenity of the established residential area.
- The proposal is contrary to Policy WM2 of the Lisburn and Castlereagh City Council Plan Strategy, in that it has not been demonstrated that the development proposal would not create or add to a pollution problem or create or add flood risk.
- The proposal is contrary to Criteria a) and b) of Policy NH1 of the Lisburn and Castlereagh City Council Plan Strategy in that the development proposal has not demonstrated that it is not likely to have a significant effect on a European Site and a listed or proposed Ramsar Site.
- The proposal is contrary to Policy NH2 of the Lisburn and Castlereagh City Council Plan Strategy in that, it has not been demonstrated that the development is not likely to harm species protected by law.
- The proposal to be contrary to Policy NH3 of the Lisburn and Castlereagh City Council Plan Strategy, in that it has not been demonstrated that the development is not likely to have an adverse impact on a site of national importance.
- The proposal is contrary to Policy NH5 of the Plan Strategy, in that it has not been demonstrated that either the development is not likely to result in an adverse impact on, or damage to known habitats, species or features of natural heritage importance or that the benefits of the proposed development outweigh the value of habitat, species or feature.
- The proposal is contrary to Policy TRA2 b) of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the proposal would not conflict with Policy TRA3 Access to Protected Routes.

- The proposal is contrary to Policy TRA3 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the nature and level of access will significantly assist in the creation of a quality environment without compromising standards in safety.

### Site Location Plan – LA05/2023/0808/O



<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 2 – Statutory Performance Indicators – May 2026

## 1.0 **Background**

1. The Planning Act (Northern Ireland) 2011 sets out the legislative framework for development management in NI and provides that, from 1 April 2015, Councils now largely have responsibility for this planning function.
2. The Department continues to have responsibility for the provision and publication of official statistics relating to the overall development management function, including enforcement. The quarterly and annual reports provide the Northern Ireland headline results split by District Council. This data provides Councils with information on their own performance in order to meet their own reporting obligations under the Local Government Act (Northern Ireland) 2014.

### **Key Issues**

1. The Department for Infrastructure has advised due to unforeseen circumstances that it is unable to provide the Council with monthly monitoring information against the three statutory indicators.
2. In lieu of this a manual count has been undertaken by officers of the Planning and Capital Development Unit. This data is unvalidated management information and has been provided for internal monitoring purposes only. They are not validated official public statistics and should not be quoted as such.
3. Members will note that the performance against the statutory target for local applications for May 2026 was estimated at 22 weeks. This is another month that the processing times for local applications was significantly below 30 weeks and evidence that the focus on reducing the number of older planning applications is continuing to be reflected in the average number of weeks taken to process applications.
4. A total of 103 applications have been decided so far and our performance for year to date is estimated at 17 weeks.
5. Members will note that the performance against the statutory target for Major applications for May 2026 is 116 weeks as only 2 major applications were decided so far this year.
6. Enforcement is reported separately on a quarterly basis but for completeness Members are advised that the Council remains on target to achieve the statutory target of processing 70% of cases within 39 weeks.

2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that the Committee notes the information in relation to the May 2026 Statutory Performance Indicators.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance or resource implications.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out</p> <p>This is a report outlining progress against statutory targets and EQIA is not required.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.</p> <p>This is a report outlining progress against statutory targets and RNIA is not required.</p> <p>.</p>	

<b>Appendices:</b>	
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<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 3 – Appeal Decision – LA05/2025/0817/WPT

## 1.0 **Background**

1. An application for consent to fell one tree subject to a tree preservation order at 17 Limetree Court, Lisburn was refused consent on 22<sup>nd</sup> January 2026.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 4 February 2026.
3. The procedure followed in this instance was an informal hearing which was held on 1<sup>st</sup> May 2026.
4. The main issue in the appeal was whether the felling of the subject tree was justified.
5. On 14 May 2026 the Commission confirmed that the appeal was dismissed.

### **Key Issues**

1. The key issue identified in this appeal was whether the refusal to grant consent to fell an Alder tree, protected by a Tree Preservation Order was justified.
2. The appellant made an application for consent to fell the tree, based on assumed damage to the roots during the construction of a neighbouring housing development almost 10 years ago.
3. They considered the tree to have a moderate likelihood of failure and that the overall risk posed was classified as not tolerable in accordance with the risk ratings in the 'VALID' strategy (which is a tree risk assessment tool which measure vitality, anatomy, load, identity and defect).
4. The felling of trees can be justified if they are dead or dangerous and further information was requested based on the British Standard (BS) 5837:2012 'Trees in relation to design, demolition and construction' to establish the health of the tree and to understand if felling was the only viable option.
5. The appellant failed to provide this information as part of the application or appeal process and the Council had the tree surveyed by its independent arboriculturist who recommended retention of the tree with a complete prune.
6. The Commissioner concluded that a request to fell the tree can only be assessed based on its current condition and in the absence of any survey evidence

demonstrating that the tree's roots were badly damaged they were not persuaded that it was inevitable that the tree was likely to fail.

7. The Commissioner was satisfied that a complete prune would effectively manage the tree's canopy whilst preserving its vitality and an alternative option to felling.
8. Appeals against decisions to not grant consent to fell a tree are uncommon in Northern Ireland. This was the Council's first appeal in relation to tree works since the transfer of Planning to Councils in 2015.
9. In the absence of any statutory guidance for the processing of works to trees this decision provides useful direction for how similar applications should be dealt with in the future. The decision emphasises the need for applicants to secure appropriate professional advice and to evidence that their request is valid.
10. It is not sufficient for applicants to simply highlight the perceived risk as a justification for felling. Actual evidence of the condition is required and in the absence of robust evidence it is correct for the Council to seek its own independent professional advice from an arboriculturist.

2.0	<b><u>Recommendation</u></b>	
	It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.	
3.0	<b><u>Finance and Resource Implications</u></b>	
	No cost claim was lodged by any party in this instance.	
4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out  This is a report updating the committee on a decision by the PAC and EQIA is not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.  This is a report updating the committee on a decision by the PAC and RNIA is not required.	

**Appendices:**

Appendix 3 – Appeal Decision – LA05/2025/0817/WPT





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Lisburn & Castlereagh City Council, Local  
Planning Office  
Via email

Our reference: 2025/T0001  
Authority  
reference: LA05/2025/0817/WPT  
15 May 2026

Dear Sir/Madam

**Appellant name: Mr. John Massey**  
**Description: Consent refused to fell 1 no. tree subject to a Tree Preservation Order**  
**Location: 17 Limetree Court, Lisburn**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Kathryn McConnell  
PACWAC Admin Team



# Appeal Decision

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<b>Appeal Reference:</b>	2025/T0001
<b>Appeal by:</b>	John Massey
<b>Appeal against:</b>	The refusal of consent to fell a tree subject to a Tree Preservation Order (TPO)
<b>Proposed Development:</b>	Request to fell one alder tree subject to a TPO
<b>Location:</b>	17 Limetree Court, Lisburn
<b>Planning Authority:</b>	Lisburn City and Castlereagh Council
<b>Application Reference:</b>	LA05/2025/0817/WPT
<b>Procedure:</b>	Hearing on 1 <sup>st</sup> May 2026
<b>Decision by:</b>	Commissioner Carrie McDonagh, dated 14 <sup>th</sup> May 2026

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## Decision

1. The appeal is dismissed.

## Reasons

2. The main issue in this appeal is whether the felling of the subject tree is justified.
3. Section 122 of the Planning Act (Northern Ireland) 2011 (the Act) permits councils to make Tree Preservation Orders (TPOs) which prohibit the cutting down or damaging of protected trees. Subsection (5) provides that no TPO shall apply to the cutting down, uprooting, topping or lopping of trees which are dead or have become dangerous or the cutting down, uprooting, topping or lopping of any trees in compliance with any obligations imposed by any statutory provision or where necessary for the prevention or abatement of a nuisance. A previous exception for dying trees has been removed.
4. The Planning (Trees) Regulations (Northern Ireland) 2015 specify the form and process for making a TPO and adapt the provisions of certain sections of the 2011 Act in relation to applications for consent to cut down, uproot, top or lop trees. It adapts the provisions of Section 58 of the 2011 Act in respect of appeals, so that where an application is made to a council for consent under a TPO, then if that consent is refused or granted subject to conditions, the applicant may, by notice in writing, appeal to the Planning Appeals Commission.
5. The single tree in question is a mature Common Alder located in the back garden of No. 17 Limetree Court, a residential cul-de-sac of two-storey detached and semi-detached housing. The back garden comprises a small patio area which extends 11m from the house to an area of green artificial grass containing five trees. The rear garden is fenced off by a 2 metre high timber fence.

6. TPO/2012/0068 relates to a group of trees, of which the subject tree is one, on lands to rear of 2-7 The Brambles, Lisburn. It was confirmed with modifications on the 24th May 2013. The accompanying report referred to how ‘the trees form an attractive belt between the existing development of The Brambles and this undeveloped area’ (now Limetree Court). The trees are considered to have an amenity value, and the belts of trees are very characteristic of the surrounding Limetree’s area.’
7. 20 dwellings were constructed in Limetree Court around 2016 under planning permission S/2012/0758/F dated 17<sup>th</sup> September 2014 and S/2015/0013/F which further granted 16 garages on 11<sup>th</sup> September 2015. The parent approval was subject to a number of relevant conditions including a requirement for the erection of fencing to retained trees along the northern boundary during construction to ensure the continuity of amenity afford by existing trees. Conditions 14-16 related to the retention of the TPO trees and alerted occupiers to how any works to protected trees within their properties cannot be carried out without the prior written approval of the Department.
8. The appellant made an application to the Council for consent to fell the five trees in their rear garden on 12<sup>th</sup> November 2025. It was accompanied by a Validator Active Tree Risk Assessment (by McNamara Tree Consultancy) of the same date, based on the assumed damage to the roots during the construction of the housing development and proximity of these trees to the dwelling. It states:

*“Physiological indicators of root damage, including partial dieback at the tips of the canopy and a reduced ability to ward off disease were observed during our inspection. These factors and others covered in more detail at Appendix 1, have left all of the trees with a moderate likelihood of failure. The proximity of the trees to property and gardens where families will congregate means that the overall risk posed by all five trees is Not Tolerable as per the Risk Ratings in the VALID strategy.*
9. Felling of trees can be justified if they have become dangerous and pose a health and safety risk. The Council therefore requested further analysis based on the British Standard (BS) 5837:2012 ‘*Trees in relation to design, demolition and construction*’ including individual Quality Category Ratings to establish the health of the trees individually and understand if felling was the only viable option. Where the health and condition of the tree is not terminal an assessment must be made as to whether its loss would have a significantly adverse impact on the visual amenity, either in isolation or cumulatively with surrounding protected trees before deciding whether to grant consent for felling.
10. The appellant submitted further supplementary information including a tree survey schedule. It incorporated the British Standard classification, identifying the group of five trees as Category U– “Unsuitable for retention – Trees cannot realistically be retained as living trees in context of the current land use for longer than 10 years” However, the detail therein including the classification related to the tree group as a single survey and not an individual tree.
11. At the hearing the appellant disputed the relevance of the BS criteria being applied, arguing the VALID assessment tool is more appropriate to assess risk to property than the BS, which is only applicable to the health of trees to be

protected during construction and not those within an established development. The Council position is that given the newness of the development and the hard landscaping works undertaken by the homeowner/appellant within the rooting area of the five trees during 2024, it is appropriate to consider the tree protection from a construction point of view. Both methodical approaches are based on the same principles of sustainable tree management. In any event, the appellant's testimony includes analysis based on the BS, enabling comparison with the findings of the Council commissioned independent arboriculturist (Andre Boe).

12. Mr Boe assessed the health of each individual tree in line with the BS using Visual Tree Assessment (VTA) methodologies from ground level. Three trees were recommended for felling, one was recommended for monitoring (TPO148), although subsequent consent to fell was granted based on its boundary location restricting future growth. The Council granted consent on 22<sup>nd</sup> January 2026 for the felling of four trees.
13. The remaining tree TPO 146 (T146), is a mature alder, approximately 14 metres in height, with a crown clearance of 4m that extends laterally approximately 5m in each direction. Mr Boe records its physiological and structural condition as 'fair' and described it as a 'single stemmed tree' with a 'healthy but partially suppressed crown' that had been 'previously reduced' and displayed deadwood in the crown and minor decay pockets on the main stem'. It was classified as B1 category due to it being considered as a generally healthy, sound specimen offering an arboriculture contribution for at least 20 years.
14. The Council determined that T146 should be retained with maintenance works as it is a healthy tree and provides screening to the property at The Brambles to the rear and constitutes a visually significant natural feature which makes a positive contribution to the amenity and character of the surrounding area.
15. At the time of my site visit, the tree was in full leaf. It has a good form being tall, well-balanced and upright without heavy peripheral limbs. Its crown sits above the appeal properties garage. That garage adjoins the garage of the adjacent detached property at No. 16 and combined with similar height trees in that adjacent rear garden T146 is visible from the street above the garages. It is also visible from the turning/parking area to the side of No 16. It also overhangs the roof of the garage and intervening oil tank of 5 The Brambles behind. I agree with the Council that it provides screening between their rear windows in context of the higher elevation of No. 5 and the limited separation. I consider individually the tree provides a visually attractive natural feature in the streetscape and also makes a positive contribution to the amenity and character of the surrounding area as part of a tree group visible in public views from Limetree Court and the Brambles.
16. The key matter to be determined is therefore if the tree is dead or has become dangerous and if not, is there is a sound arboricultural basis to justify the felling of a healthy protected tree that makes a positive contribution to the amenity and character of the urban area.
17. In terms of its health and condition, the final position of the parties is that all five of the trees have likely suffered root disturbances and/or damage during construction of the residential dwelling and garage in 2016. An example of

construction works contrary to the BS in the Brambles playing field in close proximity is of limited value in establishing poor practice given such matters are site specific. The root protection area (RPA) for T146 extends over 85m<sup>2</sup> based on a radius of 5.2 m (current 430mm diameter of the stem x 12), however I cannot ascertain its size, RPA shape or coverage 10 years previous when the garage was constructed. Whilst the garage did not overlap with the crown spread of trees identified on the approved drawings, it is agreed that some cut through during construction was likely given the close proximity of the garage and the requirement for foundations typically at least 500mm in depth. However, the parties disagree as to whether this historic root damage is of consequence to its current health and condition.

18. The appellant argues the declining physiological condition of the adjacent trees, alongside signs of deterioration on the subject tree is in part a consequence of the historic root damage. However, I am more persuaded by the Council's position that as roots are continually growing, the trees current B1 condition, nearly a decade after the construction works, demonstrates a significant biological resilience. They refer to scientific research indicating that healthy urban trees frequently compartmentalise root injury and stabilise without a total loss of vigour. I consider the rate of growth since the construction of the garage (with the tree generally at having reached its maximum stage of maturity for the alder species), as indicative that any historic root damage was not critical to its current health and condition.
19. The appellant also refers to the inevitability that the hard landscaping works will lead to future failure of the tree. The patio area ends approximately 2.5m from T146, with the trees surrounded by an area of astro turf. I examined the base of the tree and observed its cramped surroundings in a soil pit surrounded by stone paver bricks. The Council argued that works affecting TPO trees should have been conducted under an Arboricultural Method Statement (AMS) and whilst they have not commenced any enforcement investigation against the appellant, any suggested damage caused by those hard landscaping works cannot be a justification for felling a protected tree. They further argue there is no direct evidence of the root systems being severed.
20. Both parties agreed that any soil compaction would impact negatively on the root system of the trees by directly impeding root growth as it breaks down the volume available for liquid and air in the soil below, creating hypoxic (low oxygen) conditions (Hirons, 2018). The appellant further argued that this, coupled with the reduction in water available to the trees caused by non-permeable surfacing will significantly impede tree performance and lead to further decline. They advised they have not undertaken any root excavation or collected trial pit data on the basis of potential damage to the tree and ruled out root density scans as impractical for the limited scope of works. Instead, they argue the evidence of the root damage from the hard landscaping works is in the deadwood that is present and there is a likelihood of failure over the next few years as seen in the pronounced canopy die back which has already occurred on the other adjoining trees, including the decaying cavity on the stem at T145 and is therefore inevitable in this tree.
21. I can only assess the health of the tree based on present condition. I am advised that whilst symptoms of deterioration can advance very quickly, they can also

take years or the tree can recover. Given the statutory provisions related to protected trees, it would be wrong for the appellant to benefit because of unauthorised works.

22. I observed dieback to be insignificant in T146, with the deadwood limited and absence of foliage isolated to an upper branch towards the rear. In weighing the conflicting expert reports and testimony, my observations would accord more with the Council's position that the tree is in fair condition and whilst damage to the adjacent trees is evident, in the absence of survey evidence demonstrating that T146's roots are badly damaged I am not persuaded that it is inevitable that the same will happen to the appeal tree as happened to the other adjacent trees nor do I consider its location within a residential garden will inevitably mean that there is a likelihood of the tree failing. Given its current healthy appearance, on balance, I am persuaded it has a remaining life of more than 10 years. Thus, the provisions of subsection (5) of Section 122 do not apply as the tree is neither dead nor has it become dangerous.
23. I am advised the tree species is unlikely to grow further in its current residential setting, however I must consider if the risk from proximity and overhanging branches can be addressed by means other than felling as I have already determined that it makes a positive contribution to the amenity and character of the area.
24. The Council's decision is to recommend a complete Prune. This is a combination of a crown reduction, crown lifting, crown thinning, the removal of epicormic shoots and prune back from building (i.e. garages) to gain a 2m clearance. There was no dispute at the hearing that the *Arboriculture Association Guide to Tree Pruning* classifies Alder trees as having a 'Fair' tolerance to hard pruning. The complete prune recommended is a less harmful approach, leaving a tree with 70% viable leaf bearing material and with less chance of large wounds that could leave it open to an increased risk of disease. Whilst a complete prune is not necessary to maintain the life of the tree, it nevertheless remains an option available to the appellant to control the lateral spread of branches by pruning them back in all directions to reduce the space the tree takes up and increase light penetration. The removal of overhanging limbs would reduce the risk of branches falling. I am satisfied that an experienced tree surgeon would be able to apply their professional judgement to make cuts in the most appropriate places to ensure the long-term health of the tree and leave it in a good but reduced form. By adhering strictly to BS 3998:2010 standards—specifically ensuring final cuts do not exceed one-third of the parent stem diameter, the canopy can be managed effectively while preserving the tree's vitality and ability to compartmentalise. Therefore, concerns in regard to health and safety would not justify the complete felling of the tree.
25. This decision relates to whether felling of the tree is justified. I have found that it is not. However, I am satisfied that pruning provides an alternative option to felling given the trees positive contribution to the amenity and character of the local environment. This alternative option will address the concerns raised in respect to health and safety. The complete prune as outlined in the Council's decision notice can be undertaken if required.

26. The Council has therefore sustained its reason for refusal and the appeal fails.

**COMMISSIONER CARRIE MCDONAGH**

**List of Documents**

Planning Authority: -  
Lisburn City & Castlereagh Council

“A1” Statement of Case and Appendices  
“A2” Rebuttal Comments

Appellant: -

“B1” Statement of Case and Appendices

**List of Appearances**

Planning Authority: -  
Lisburn City & Castlereagh Council

Ms Joanne Doran  
Ms Maire Claire O’Neill  
Mr Andrew Boe, Independent Consultant  
Arboriculturist

Appellant: -

Mr John McNamara, Principal  
Arboriculturist, McNamara Tree  
Consultancy

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 4 – Appeal Decision and costs claim– LA05/2025/0481/F

## 1.0 **Background**

1. An application for the proposed replacement of existing wind turbine (approved under application reference S/2013/0024/F) with a V52 turbine with a hub height of 40 metres and tip height of 67 metres, electrical cabinets, hard standing area and all other associated ancillary works on lands approx. 151 metres south west of 11 Sheepwalk Road, Whitemountain, Lisburn was appealed in default of a decision by the planning authority.
2. Notification that a non-determination appeal had been lodged with the Planning Appeals Commission was received on 17 December 2025. The planning application had been received on 24 June 2025 and the consultation process had not concluded when the appeal in default of a decision was received.
3. The procedure followed in this instance was an informal hearing which took place on 15 April 2026.
4. The main issue in the appeal was whether the proposed development would have an unacceptable adverse impact on the environment and residential amenity having particular regard to noise.
5. On 02 June 2026 the Commission confirmed that the appeal was dismissed and that the claim for costs was denied.

### **Key Issues**

1. A preliminary matter in respect of the receipt of a consultation response from the Natural Environment Division was addressed at the hearing and based on the submission of additional information the Council withdrew a reason for refusal related to the impact of the proposed development on protected species.
2. Whilst this is not referred to in the body of the Commissioner's report it is in the cost claim where the appellant criticised the Council for the late disclosure of a consultation response. In this respect the Commission concluded that the Council had engaged fully with the appellant and sought to resolve this issue prior to the exchange of evidence. The Commissioner found no fault on the part of the Council and the broader issue of the administration of the case was not within the gambit of the guidance for claims.

3. Returning then to the substantive issue in this appeal. The Council were concerned as to whether the proposed development would unacceptably harm residential amenity, particularly in relation to noise.
4. At the hearing the Council raised concern regarding the appellant's source data with respect to predicted noise levels and creating ambiguity of evidential findings and accuracy of potential impact on residential amenity.
5. The Commissioner agreed with the Council's view that the evidential detail relied upon of the turbine's operating parameters, under assumed operating conditions presented, fails to provide sufficient reliable basis with regard to impact of the proposal on residential amenity.
6. On review of extent the degree of evidential shortcomings the Commissioner believed these were not a minor technical disagreement but rather a fundamental issue that would undermine the reliability of the predicted noise levels. He ruled out granting permission subject to operational noise conditions, confirming that planning conditions cannot remedy a fundamentally unreliable evidential baseline.
7. The Commissioner subsequently agreed with the Council that the appellant had not adequately demonstrated that the proposal would not result in an unacceptable impact on residential amenity.
8. Although the Commissioner acknowledged and afforded them significant weight to environmental and climate benefits of the proposal, in this instance they did not outweigh the unmitigated risk of noise harm to local residents. Therefore, the Council's refusal reason was sustained and the appeal was dismissed.
9. This appeal emphasises that the onus is firmly on the applicant to provide robust evidence to demonstrate the proposal will not negatively impact on residential amenity regardless of weight afforded to the perceived socio-economic benefits the proposal.
10. It also speaks to the quality of information submitted with applications and emphasises the need for applicants to provide robust evidence in support of their case. The decision to proceed to appeal in default of a decision by the Council in this case was premature as not all of the information necessary to conclude what the true impact of the proposed development was in front of the decision maker.
11. A second appeal near this site and which was also subject to a non-determination appeal was subsequently withdrawn. The Council has made an application to recover its costs on the grounds that the appellant caused an unnecessary appeal. The outcome of this application is not known and is under consideration by the Commission.

2.0

**Recommendation**

It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.

3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>A cost claim was made by the appellant, however was refused by the commission they were not satisfied that the council had acted unreasonably or that any unnecessary expense resulted, no award of costs was made.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out</p> <p>This is a report updating the committee on a decision by the PAC and EQIA is not required.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.</p> <p>This is a report updating the committee on a decision by the PAC and RNIA is not required.</p>	

<b>Appendices:</b>	Appendix 4 – Appeal Decision & Costs Decision – LA05/2025/0481/F
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Lisburn & Castlereagh City Council

Our reference: 2025/A0110  
Authority  
reference: LA05/2025/0481/F  
2 June 2026

Dear Sir/Madam

**Re:**

**Appellant name: FAWT Energy Ltd**

**Description: Proposed replacement of existing wind turbine (approved under S/2013/0024/F) with a V52 turbine up to 850kw (up to a hub height of 40m and tip height of 67m) and electrical cabinets, hard standing area and all other associated ancillary works**

**Location: Approx. 151m South West from 11 Sheepwalk Road, Whitemountain, Lisburn**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Padraig Dawson  
PACWAC Admin Team



# Appeal Decision

Planning Appeals Commission  
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<b>Appeal Reference:</b>	2025/A0110.
<b>Appeal by:</b>	FAWT Energy Ltd.
<b>Appeal against:</b>	The non-determination of an application for full planning permission.
<b>Proposed Development:</b>	Proposed replacement of existing wind turbine (approved under S/2013/0024/F) with a V52 turbine up to 850kw (up to a hub height of 40m and tip height of 67m) and electrical cabinets, hard standing area and all other associated ancillary works.
<b>Location:</b>	Approx. 151m South West from 11 Sheepwalk Road, Whitemountain, Lisburn.
<b>Planning Authority:</b>	Lisburn & Castlereagh City Council.
<b>Application Reference:</b>	LA05/2025/0481/F.
<b>Procedure:</b>	Informal Hearing on 15 <sup>th</sup> April 2026.
<b>Decision by:</b>	Commissioner Kieran O'Connell, dated 2 <sup>nd</sup> June 2026.

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## Decision

1. The appeal is dismissed.
2. A Claim for Costs was made by FAWT Energy Ltd against Lisburn & Castlereagh City Council in respect of this appeal. This claim is the subject of a separate decision.

## Preliminary Matter

3. At the appeal hearing on 15<sup>th</sup> April 2026, the Council introduced evidence from its Environmental Health Section in support of its reason for refusal relating to noise. The Appellant contended that the introduction of this evidence at that stage, given its substantive nature, was prejudicial to their case.
4. Having regard to the interests of procedural fairness, and with the agreement of both parties, I accepted that the Appellant should be afforded the opportunity to submit a written response post hearing. I note that the Appellant duly provided that response. The Council was subsequently invited to comment on the additional material submitted. In response, the Council confirmed that it maintained its objection on noise grounds, but withdrew its second and fourth reasons for refusal, relating to impacts on bats, in light of further information received from NIEA's Natural Environment Division.

## Reasons

5. The main issue in this appeal is whether the proposed development would have an unacceptable adverse impact on residential amenity having particular regard to noise.
6. Section 45(1) of the Planning Act (NI) 2011 (the Act) requires the Commission, in dealing with an appeal, to have regard to the local development plan (LDP) so far as material to the application and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
7. The Lisburn and Castlereagh City Council Local Development Plan 2032 Plan Strategy (PS) sets out the strategic policy framework for the Council area. In line with the transitional arrangements set out in the Schedule to the Planning (Local Development Plan) Regulations (NI) 2015 (as amended), the Local Development Plan (LDP) now becomes a combination of the Departmental Development Plan (DDP) and the PS read together with any conflict resolved in favour of the PS.
8. The Lisburn Area Plan 2001 (LAP) operates as the DDP for the area in which the appeal site is located. The Belfast Metropolitan Area Plan (BMAP) was adopted in 2014 and subsequently declared unlawful in 2017. As such, the draft 2004 version (dBMAP) can be material in some circumstances. Within both the LAP and dBMAP, the appeal site is located within the countryside, outside of any settlement limit and within greenbelt. The LAP contains no policies relevant to the appeal proposal. It directs to the Planning Strategy for Rural Northern Ireland, which was superseded by Planning Policy Statement 21 – ‘Sustainable Development in the Countryside’ (PPS21), which in turn have been overtaken by the policies contained within the PS. The dBMAP also indicates that the site falls within an Area of Mineral Constraint and within the Belfast Hills – White Mountain Site of Local Nature Conservation Importance (Policy Designation 46/011).
9. No objections have been raised in relation to any of the site’s designations under either the LAP or the dBMAP, and there is no evidence before me to suggest that the appeal proposal would conflict with the objectives of those designations. Accordingly, there is no conflict between the DDP and the PS. Consideration of the relevant provisions of the SPPS and the PS are set out further below.
10. On 11<sup>th</sup> December 2025, the Department for Infrastructure published the Strategic Planning Policy Statement for Northern Ireland, ‘Planning for Sustainable Development’ Edition 2 (SPPS) which includes new policy provisions on Renewable and Low Carbon Energy. The preamble makes it clear that all other policy provisions within the former SPPS are unchanged. The SPPS is material to all decisions on individual planning applications and appeals. Paragraph 1.9 of the SPPS states that where a Council has adopted its PS, existing policy retained under the transitional arrangements shall cease to have effect in the district of that Council. As the Council has adopted its PS, the previously retained regional policies, such as the Planning Policy Statements, have ceased to have effect within this Council area. Whilst Planning Policy Statement 18: Renewable Energy (August 2009) has been cancelled and is no longer in effect, the Best Practice Guidance to PPS18 - Renewable Energy continues to have effect.

11. The aim of the SPPS is to maximise sustainable renewable and low carbon energy from a wide range of technologies, at various scales, in appropriate locations within the built and natural environment, without compromising other environmental assets of acknowledged importance. At paragraph 6.220 it sets out several regional strategic objectives aimed to facilitate renewable energy development at appropriate locations in order to increase the contribution to the transition to a net zero carbon economy, in accordance with the Climate Change Act; while ensuring that environmental, landscape and amenity impacts amongst others are appropriately considered.
12. Paragraph 6.221 of the SPPS also states, “planning authorities must give *appropriate* weight to climate considerations and to supporting efforts to protect and enhance biodiversity” and they “must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments (electricity and heat) so that the contribution of this sector to the transition to a net zero energy is optimised.” It further recognises that this approach “requires careful balancing of the local impacts with the wider environmental, economic, and social benefits.”
13. Paragraph 6.230 of the SPPS goes on to say that “whilst advancements and changes in technology may mean schemes are not like for like, life extension and re-powering of existing development has the potential to maintain or enhance installed renewable energy generation, where appropriate. Significant weight will be given to the benefits of re-powering, expanding, and extending the life of existing solar and wind farms unless the impacts identified (including cumulative impacts) are unacceptable and cannot otherwise be made acceptable”.
14. The appeal site lies within the countryside and is located approximately 151m south-west of 11 Sheepwalk Road. It comprises approximately 0.24 hectares within an improved agricultural field. Whitemountain Road Quarry is located immediately south of the site, and the surrounding area includes several dwellings, farm buildings and quarry-related infrastructure. Stoneyford Reservoir lies approximately 2.15km to the north-west.
15. A wind turbine with associated cabinets currently operates on the appeal site under planning permission S/2013/0024/F. This permission granted consent for a wind turbine with a hub height of 51.5m and a blade tip height of 65m and is proposed to be replaced with what the Appellant states is a more efficient model occupying the same footprint, with a reduced hub height (40m) and increased blade tip height (67m). A further approved and operational turbine is located on the same landholding.
16. Policy COU1 of the PS is titled ‘Development in the Countryside’. It states that there are a range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. While the appeal development does not fall into any of the specified types of development listed under the prescribed policies (COU 2-14), Policy COU1 allows for ‘*a range of other non-residential development proposals*’ where they ‘*comply with all policy requirements contained in the operational policies, where relevant to the development*’.

17. Policy COU1 also requires that any proposal for development in the countryside will also be required to meet all of the general criteria set out in Policies COU15, 'Integration and Design of Buildings in the Countryside' and COU16, 'Rural Character and Other Criteria', whilst no objections have been raised regarding Policy COU1. The Council has, however, raised concern regarding Policy COU16 and is discussed further below.
18. The Council retains two reasons for refusal based on Policy RE1 'Renewable Energy Development' and Policy COU16, both in relation to alleged unacceptable adverse noise impact on residential amenity.
19. Policy RE1 permits renewable energy development where it does not result in an unacceptable adverse impact on matters including criterion (a) public safety, human health, or residential amenity. It also advises that in determining proposals, "the wider environmental, economic and social benefits" are material considerations to be "given appropriate weight." Although the policy restricts development on active peatland, no such issue arises in this case.
20. Policy COU16 requires that, "in all circumstances proposals for development in the countryside must be in accordance with and must not cause a detrimental change to or further erode the rural character of an area." The Council's objection relates solely to criterion (f), on the basis that it has not been demonstrated that the proposal would adversely affect residential amenity.
21. The accepted methodology for the assessment of wind turbine noise is set out in ETSU-R-97, as supplemented by the Institute of Acoustics (IoA) Good Practice Guide titled 'A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise'. Whilst compliance with ETSU-R-97 does not require absolute certainty or formal certification, it does, however, require, sufficient evidence to enable a planning judgment to be reached on the balance of probabilities, including sufficiently evidenced turbine source data, representative and reliable background noise measurements and a reasonable degree of confidence that derived limits will protect residential amenity in practice. Compliance with ETSU-R-97 therefore depends not only on the application of the methodology, but critically on the robustness and reliability of the underlying evidential inputs used to derive both predicted noise levels and background noise limits.
22. The Appellant submitted a Noise Impact Assessment (NIA), supported by post-hearing clarification, which concludes that predicted noise levels would comply with ETSU-R-97 derived limits. Whilst the NIA adopts an established methodological framework, adherence to methodology does not in itself demonstrate compliance where the underlying inputs are not demonstrated to be sufficiently reliable or representative.
23. Having considered the detailed and competing technical evidence before me, including the Environmental Health post-hearing response and the Appellant's post-hearing memo dated 22<sup>nd</sup> April 2026, the Appellant disputes the conclusions reached by Environmental Health, the central question is whether, on the balance of probabilities, the information before me provides a sufficiently robust evidential basis to demonstrate compliance with ETSU-R-97. This is not a comparative exercise between competing technical positions, but an assessment of whether

the Appellant has discharged the evidential burden placed upon it. It is not necessary for harm to be established with certainty. It is sufficient that, on the balance of probabilities, there is a realistic likelihood that ETSU-R-97 derived noise limits would not be achieved, such that residential amenity would not be adequately protected.

24. Environmental Health identifies several substantive shortcomings in the turbine source data provided in the March 2025 NIA and states that it is 'very limited' and akin to the level of detail provided in a sales brochure rather than a technical noise assessment. They note that the sound power levels are presented predominantly in graphical form, without corresponding numerical values across discrete wind speeds and appear to be generic in nature rather than warranted turbine sound power levels derived from certified manufacturer testing (e.g. IEC 61400-11). In addition, they advise that there is a lack of clarity regarding the application of ETSU-R-97 corrections, such as tonal penalties and the derivation of rating levels having been applied. Individually and cumulatively, these matters go directly to the reliability of the predicted noise emissions, and therefore to the ability of the decision-maker to conclude, on the balance of probabilities, that ETSU-R-97 limits would be met.
25. Environmental Health also raised concerns that when alternative assumptions and corrections consistent with ETSU-R-97 good practice are applied, materially higher sound power levels may arise than those relied upon in the NIA and that such outcomes are derived using assumptions aligned with recognised ETSU-R-97 good practice guidance.
26. The Appellant argues that the turbine specification used within the NIA has been used in other assessments and represents a valid basis for modelling. I also note the Appellant's contention that Environmental Health has relied upon an alternative or revised turbine specification introduced at a late stage in the process, that such an approach is not reflective of standard assessment practice, and that these matters were not identified in earlier consultation responses.
27. However, regardless as to whether the methodology has been used elsewhere, the crux of the matter is whether it provides a sufficiently reliable basis in this case having regard to ETSU-R-97 guidance. The use of an approach in other cases does not, in itself, demonstrate that the inputs relied upon here are sufficiently evidenced, verifiable or representative of likely conditions at this site.
28. In these circumstances, even if I were to accept that the Appellant has used a specification that has been relied upon in other assessments, and that Environmental Health's approach reflects a different or more conservative interpretation of the turbine specification, the fundamental issue remains whether the evidence before me demonstrates, on the balance of probabilities, that the turbine noise inputs used within the NIA are sufficiently robust, verified and representative to demonstrate compliance with ETSU-R-97. In particular, it has not been demonstrated that the sound power levels relied upon correspond to clearly evidenced and confirmed turbine operating parameters under assumed operating conditions. This reinforces my view that the Appellant's assessment does not provide a sufficiently reliable basis to conclude compliance.

29. Even if I were to accept the Appellant's sound power levels as a reasonable representation of the turbine specification, this would not, of itself, resolve the evidential concerns identified. The issue is not simply the selection of one set of inputs over another, but whether the evidence as a whole provides sufficient certainty, on the balance of probabilities, to conclude that ETSU-R-97 derived noise limits would be met in practice. ETSU-R-97 compliance depends not only on the application of methodology, but on the robustness of the underlying input assumptions from which both predicted noise levels and derived limits are established. This is considered further below.
30. In this respect, I am not persuaded that sufficiently clear and evidenced source data for the proposed turbine has been provided, such as recognised or sufficiently evidenced source data (for example IEC compliant testing or equivalent robust manufacturer information) to demonstrate that the inputs relied upon represent an accurate or conservative assessment of likely noise emissions, or to reconcile the materially different outcomes identified under alternative, but plausible, ETSU-R-97 consistent assumptions. In the absence of such clearly evidenced data, I am not persuaded that the inputs relied upon represent a realistic worst case assessment or appropriately capture potential operational variability.
31. Having regard to the range of plausible outcomes identified within the evidence before me, I am not persuaded that the turbine noise inputs relied upon are sufficiently reliable to demonstrate compliance with ETSU-R-97. Moreover, the evidence before me, including the application of alternative ETSU-R-97 consistent assumptions, indicates that materially higher noise emissions remain a plausible and credible outcome. This is not a matter of minor technical disagreement but a fundamental issue which undermines the reliability of the predicted noise levels. In circumstances where such uncertainty exists, ETSU-R-97 requires a precautionary approach to ensure that noise effects are not underestimated. Accordingly, I am not persuaded, on the balance of probabilities, that ETSU-R-97 limits would be met in practice. In this context, it is not necessary to identify a single definitive exceedance scenario. The existence of a realistic and credible risk of exceedance, arising from unresolved evidential uncertainty, is sufficient to conclude that compliance has not been demonstrated.
32. In considering the Appellant's NIA in the context of ETSU-R-97 and the IoA Good Practice Guide, I am not persuaded that appropriate allowance has been made for evidential uncertainties inherent in the assessment. In particular, the turbine source data is not supported by clearly verified or IEC-compliant testing; there is no explicit accounting for tonal characteristics or amplitude modulation; and no adjustment or sensitivity testing has been undertaken to address, or test, the potential influence of vegetation on measured background noise levels. Furthermore, whilst the subtraction of existing turbine noise is, in principle, an accepted approach, insufficient detail has been provided to demonstrate that this has been applied in a transparent and verifiable manner. Taken together, these matters suggest a departure from the precautionary approach required by ETSU-R-97 and the Good Practice Guide where uncertainty exists, and limit confidence that the predicted noise levels represent a realistic and robust worst-case scenario.

33. The derivation of ETSU-R-97 limits depends upon representative background noise measurements. It is common case that monitoring was undertaken in proximity to vegetation. The key issue, therefore, is whether it has been adequately demonstrated that such positioning has not materially influenced the measured background noise levels.
34. The Institute of Acoustics (IoA) Good Practice Guide to ETSU-R-97 advises, as the parties recognise, that background noise monitoring surveys should be carried out at locations representative of the noise-sensitive receptors and should avoid features liable to introduce localised noise effects, including vegetation, which may give rise to turbulence-induced noise. Failure to do so may result in inflated background noise levels and, consequently, artificially elevated ETSU-R-97 limits, thereby reducing confidence that the derived limits provide a robust basis for assessing turbine noise impact and reducing the margin of protection afforded to nearby residential receptors by potentially masking exceedances in practice.
35. The Appellant contends that the monitoring location used was appropriate, noting that it was situated further from the more dominant existing road traffic noise sources in the study area, that vegetation is ubiquitous in any rural setting and that it would be 'difficult to see how a small number of hedges in relative close proximity to the meter location could have such a disproportional influence on measured noise levels'. I also note the Appellant's submission that this matter had previously been raised but not substantively addressed by Environmental Health. However, this does not displace the need for me to determine, on the evidence before me at this stage, whether the background noise data has been demonstrated, with sufficient evidence, to be representative and reliable.
36. In the evidential context before me, I am not persuaded by the Appellant's contention that vegetation effects are immaterial. No persuasive evidence has been provided to demonstrate that the monitoring location was representative of conditions at noise-sensitive receptors, or that any influence from localised noise sources is immaterial or has been adequately excluded or quantified. Accordingly, I am not persuaded, on the evidence before me, that the background noise dataset is representative of free-field conditions at nearby receptors.
37. In reaching this conclusion, I find Environmental Health's evidence to be persuasive in explaining how nearby vegetation can influence recorded background noise through wind-induced effects, particularly as it is grounded in recognised acoustic principles and reflected in the IoA Good Practice Guide to ETSU-R-97. While rainfall data was subsequently provided by the Appellant in post-hearing submissions, this does not address, and therefore does not overcome, the fundamental concern regarding the representativeness and reliability of the background noise dataset as a basis for deriving ETSU-R-97 limits as the provision of additional data does not resolve the underlying issue of whether the monitoring location itself was appropriate in accordance with best practice guidance.
38. In these circumstances, the recorded background noise levels cannot be assumed to be representative of free-field conditions at noise-sensitive receptors. The background noise dataset is subject to unresolved uncertainty, giving rise to a credible evidential risk that background noise levels may have been overstated in the particular context of this site, with the consequence that ETSU-R-97 derived

noise limits may be inflated and afford a reduced level of protection to residential receptors, such that apparent compliance with those limits would not provide confidence that residential amenity is adequately safeguarded. Accordingly, I consider that further background noise monitoring at a more representative free-field location would be proportionate and consistent with best practice guidance.

39. When considered cumulatively, these evidential uncertainties are not isolated but interrelated. There is sufficient evidence to indicate, on the balance of probabilities, that turbine noise inputs may be understated and background noise levels may be overstated. Taken together, these matters indicate a realistic likelihood that the inputs relied upon do not reflect likely conditions at nearby residential receptors, with the consequence that apparent compliance with ETSU-R-97 derived noise limits cannot be relied upon. In these circumstances, I am not persuaded, on the balance of probabilities, that the proposed development would comply with ETSU-R-97 or that residential amenity would be adequately protected.
40. Turning to the assessment of predicted turbine noise levels, I note and accept that the principle of accounting for the influence of existing wind turbines on background noise, including through the subtraction of predicted turbine noise from measured background levels, is well established within ETSU-R-97 and the associated Good Practice Guide and can, in appropriate circumstances, provide a valid methodological approach. I note the Appellant's submission that this approach has been applied through the subtraction of predicted noise from the existing turbine, as set out within the Noise Impact Assessment. However, I am not persuaded that sufficient detail or clarity has been provided to demonstrate that this approach has been applied in a robust or verifiable manner in accordance with the Good Practice Guide, such that its results can be relied upon with confidence particularly given the absence of sufficient transparency in how the adjustment has been derived and applied.
41. Against this evidential backdrop and having regard to the uncertainties identified in both the turbine source data and background noise measurements, I am not persuaded that a reliable baseline has been established. Consequently, I cannot conclude with confidence that the proposed turbine would not give rise to a material increase in noise levels relative to the existing turbine. Furthermore, there remains a realistic prospect, on the evidence before me and applying ETSU-R-97 on a precautionary basis, of a worsening of noise conditions, particularly if turbine noise has been underestimated at nearby residential receptors, with a corresponding adverse effect on residential amenity. This conclusion is consistent with Environmental Health's assessment that, where appropriate ETSU-R-97 corrections are applied, the proposed turbine is likely to exceed derived noise limits. Taken together, I find, on the balance of probabilities, that the proposal would give rise to exceedances of ETSU-R-97 derived noise limits, with consequent harm to residential amenity.
42. Even if I were to consider whether the identified likelihood of harm could reasonably be addressed through the imposition of planning conditions, including operational noise limits, post-installation compliance testing and mitigation measures, I am not persuaded that such an approach would be appropriate in this instance. Conditions are intended to control and verify compliance; they cannot substitute for the absence of a reliable evidential basis or remedy deficiencies in

the information required to derive appropriate and enforceable noise limits. In the absence of a reliable evidential baseline, any such condition would be fundamentally unsound. In particular, Environmental Health evidence demonstrates that the noise modelling is based on materially underestimated inputs. In these circumstances, any ETSU-R-97 based condition could not be shown to be effective or enforceable in safeguarding residential amenity. To grant permission would therefore risk deferring the assessment of acceptability beyond the decision stage, which would be inappropriate. This conclusion is consistent with the Council's evidence, which records that Environmental Health, having reviewed the further information submitted, maintained the view that, with appropriate ETSU-R-97 corrections applied, the proposed turbine is likely to exceed the derived noise limits and does not remedy fundamental shortcomings in the data used to derive those limits in the first instance.

43. For the reasons given, I find that the proposal has failed to demonstrate, on a robust evidential basis, compliance with ETSU-R-97. I have had regard to the predicted noise levels presented by the Appellant, including those set out within the post-hearing submissions; however, I do not consider that these predictions can be relied upon, as they are derived from inputs which have not been demonstrated to be sufficiently robust or representative. In these circumstances, I find that there is a realistic prospect that operational noise levels at nearby residential receptors would exceed ETSU-R-97 derived noise limits, with consequent risk of unacceptable adverse impact on residential amenity.
44. Notwithstanding my conclusions above, the Appellant advanced several undisputed benefits of the appeal proposal which weigh in favour of the appeal development. The Appellant also contends that, together with the SPPS requirements to maximise renewable potential and meet climate change obligations, these benefits would outweigh any harm that may arise from the appeal proposal. I have given careful consideration to the benefits advanced by the Appellant, including increased renewable electricity generation, reduced greenhouse gas emissions, enhanced energy security, economic investment, farm diversification, employment creation and the claimed 82% increase in energy output over the existing turbine.
45. Whilst the SPPS affords support to renewable energy development in principle, policy support within the SPPS is explicitly qualified by the requirement at paragraph 6.223 that such development does not give rise to unacceptable adverse impacts on several matters, including those on residential amenity. Such provision is reiterated again at paragraph 6.230 of the SPPS in relation to giving significant weight to repowering of turbines unless the impacts identified (including cumulative impacts) are unacceptable and cannot otherwise be made acceptable.
46. Where unacceptable harm to residential amenity is identified and cannot be satisfactorily mitigated, the policy does not support granting permission where impacts on residential amenity are found to be unacceptable following the balancing of all material considerations and where such impacts cannot be satisfactorily mitigated. Whilst significant weight is afforded to the benefits of repowering under the SPPS, that provision does not displace the requirement that development must not give rise to unacceptable adverse impacts. In circumstances where compliance with this objective has not been demonstrated, I am not persuaded that the acknowledged renewable energy and climate change

- benefits, even when given significant weight, are capable of outweighing that harm, as to do so would be contrary to the SPPS.
47. In undertaking the required planning balance, I have given significant weight in the planning balance to the renewable energy and climate change benefits of the proposal, including the repowering of an existing turbine in accordance with paragraph 6.230 of the SPPS. However, I must weigh those benefits against the nature and degree of the likely harm identified. These benefits do not alter my conclusion on the likely acceptability of the proposal, as they do not remedy the unresolved evidential deficiencies identified above. Even giving these benefits significant weight, the identified harm arises from the failure to demonstrate, on a robust evidential basis, that ETSU-R-97 derived noise limits would be complied with, and from the realistic prospect that such limits may be exceeded. In the absence of persuasive evidence demonstrating that such harm could be avoided or effectively mitigated, I find that the identified impacts would be unacceptable. In those circumstances, and applying the policy as a whole, the harm is such that it outweighs the benefits of the proposal.
  48. Taking these matters together and having regard to the totality of detailed technical evidence before me, I am not persuaded, for the reasons set out above, that it has been adequately demonstrated that the proposal would comply with ETSU-R-97 or that residential amenity would be adequately protected. Rather, I find on the balance of probabilities that there is a realistic likelihood, based on the evidence provided and for the reasons set out above, of exceedance of ETSU-R-97 derived limits and consequent unacceptable impacts on residential amenity.
  49. For the reasons given above and having had regard to the provisions of Policy RE1 and Policy COU16 of the PS, the LDP read as a whole, the SPPS, and all other material considerations, I find that the appeal proposal has not adequately demonstrated that residential amenity would be protected or that unacceptable adverse noise impacts would be avoided. Furthermore, such impacts have not been shown to be capable of being appropriately controlled by condition, in a manner that would provide certainty that residential amenity would be protected.
  50. The appeal is therefore dismissed.

This decision is based on the following drawings:

PL-01 B, Location Plan, 1:2500 Scale  
PL-02, Block Plan, 1:500 Scale  
PL-03, Turbine Elevations, 1:500 Scale  
PL-04, Shadow Flicker Assessment, 1:5000 Scale

**COMMISSIONER KIERAN O'CONNELL**

**List of Appearances**

Planning Authority:- Callum Henderson (Lisburn & Castlereagh City Council).

Gillian Milligan (Lisburn & Castlereagh City Council).

Vicky Elliot (Lisburn & Castlereagh City Council  
Environmental Health Section).

Appellant:-

Sarah Mc Dowell Resolve Planning.

Stephen Cleary (Alive Environmental).

Cormac Loughran (Blackstaff Ecology).

**List of Documents**

Planning Authority: - Statement of Case and associated appendices by Lisburn & Castlereagh City Council.

Post-Hearing Statements by Lisburn & Castlereagh City Council.

Appellant: -

Statement of Case and associated appendices by Resolve Planning.

Post-Hearing Statements by Resolve Planning.



# Costs Decision

Planning Appeals  
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<b>Appeal Reference:</b>	2025/A0110.
<b>Appeal against:</b>	Proposed replacement of existing wind turbine (approved under S/2013/0024/F) with a V52 turbine up to 850kw (up to a hub height of 40m and tip height of 67m) and electrical cabinets, hard standing area and all other associated ancillary works.
<b>Location:</b>	Approx. 151m South West from 11 Sheepwalk Road, Whitemountain, Lisburn.
<b>Claim by:</b>	FAWT Energy Ltd.
<b>Claim against:</b>	Lisburn & Castlereagh City Council.
<b>Decision by:</b>	Commissioner Kieran O'Connell, dated 2 <sup>nd</sup> June 2026.

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## Decision

1. An award of costs is denied.

## Reasoning

2. The Commission's publication 'Costs Awards Guidance' states that costs will normally only be awarded where all four of the following conditions are met:
  - The claim relates to a relevant type of appeal;
  - The claim is timely;
  - The party against whom the award is sought has acted unreasonably; and
  - The unreasonable behaviour has caused the party claiming costs to incur unnecessary or wasted expenses.

## Eligibility

3. The planning application to which this appeal relates was made in accordance with Section 60 of the Act against the Council's failure to take a decision a full planning application for the 'proposed replacement of existing wind turbine (approved under S/2013/0024/F) with a V52 turbine up to 850kw (up to a hub height of 40m and tip height of 67m) and electrical cabinets, hard standing area and all other associated ancillary works' by Lisburn & Castlereagh City Council. The Commission, therefore, has the power to make an order as to the costs of parties in accordance with Section 205 of the Act.

## Timeliness

4. Paragraph 20 of the Costs Awards Guidance states that in the case of an appeal proceeding by a hearing any costs claim should be made as soon as reasonably practicable after the behaviour that triggered the claim. It goes on to say that where a party has behaved unreasonably by abandoning, or not pursuing, part of its case, a

costs claim may be submitted in writing after the statements of case have been exchanged, but no later than the start of the hearing. All claims must be made in writing unless they arise from behaviour that occurred or came to light during the hearing, in which case a claim may be made orally at the end of the hearing.

5. The claim for costs in this case was submitted on 11<sup>th</sup> May 2026, following the receipt of post-hearing submissions by the parties, which were confined to noise matters. By that stage, however, the evidence before me, advanced by the Claimant, indicates that the Respondent had already, by correspondence dated 30<sup>th</sup> April 2026, withdrawn its second and fourth reasons for refusal relating to biodiversity, the natural environment and impact on bats, a European protected species, following NIEA's further consultation response dated 17<sup>th</sup> April 2026.
6. The Respondent also points out that the appeal hearing took place on 15<sup>th</sup> April 2026, and that no indication was given at the hearing that a claim for costs would be pursued. In its submission, the subsequent written claim, dated 11<sup>th</sup> May 2026, more than three weeks after the hearing, was therefore unexpected and contrary to the requirements of the Guidance. It further notes that no compelling reason has been advanced to explain the delay.
7. The matters underpinning the costs claim, namely the handling of biodiversity, natural environment and protected species issues, arose prior to the hearing. In particular, the NIEA consultation response, dated 6<sup>th</sup> January 2026, was not uploaded to the planning portal until 25<sup>th</sup> March 2026, the day before the exchange of evidence, at which point the Claimant says it became aware of it. The Claimant subsequently acted upon that information by making further submissions on 8<sup>th</sup> April 2026, with the Respondent consulting NIEA on 9<sup>th</sup> April 2026, all prior to the hearing on 15<sup>th</sup> April 2026.
8. In these circumstances, the behaviour said to give rise to the claim was known, or at the very least ought reasonably to have been known, by the Claimant no later than late March 2026, and certainly before the hearing in mid-April 2026. While NIEA's confirming response post-dated the hearing, the substantive issue concerning the late disclosure of consultation responses and associated evidential matters had already become clear beforehand.
9. Accordingly, I am not persuaded that the costs claim, submitted only after post-hearing submissions on 11<sup>th</sup> May 2026, was made as soon as reasonably practicable. Nor am I satisfied that the timing of the claim aligns with the requirements of the Costs Awards Guidance, given that the matters relied upon did not arise from behaviour occurring at the hearing itself, but rather from events which had occurred, and were known, prior to it.

#### Unreasonable Behaviour

10. The Commission's Costs Award Guidance sets out some examples of behaviours that may be found to be unreasonable. One such example is abandoning, or not pursuing, part of the case. The withdrawal, unprompted by any change in circumstances, of a reason for refusal, ground of appeal or significant issue at any time after the parties to the appeal have been invited to start preparing their evidence may be judged to be unreasonable. Failure by a party to produce any credible evidence in support of what had earlier appeared to be an important element of its case may also be judged to be unreasonable.

11. The Claimant contends that the Respondent acted unreasonably on two principal grounds: firstly, by delaying the disclosure of the NIEA consultation response dated 6<sup>th</sup> January 2026 until 25<sup>th</sup> March 2026; and secondly, by failing to share the Bat Activity Survey with consultees during the application process.
12. The Respondent maintains that, even if the claim for costs were to be considered notwithstanding issues of timeliness, it did not act unreasonably in its handling of the natural heritage matters arising from the NIEA consultation response dated 6<sup>th</sup> January 2026. It submits that, at the point the appeal was lodged on 17<sup>th</sup> December 2025, the consultation process with NIEA had not concluded, and it is not unusual for further ecological information to be requested in such cases. In its view, the appeal was therefore lodged before it was known whether additional information would be required.
13. The Respondent also points out that additional ecological information, including material addressing bat impacts, was submitted by the Claimant's ecologist on 8<sup>th</sup> April 2026, which had not formed part of the original application submission. That information was forwarded to NIEA on 9<sup>th</sup> April 2026, with a response issued on 17<sup>th</sup> April 2026, confirming that the concerns previously raised had been addressed. The Respondent emphasises that the Bat Mitigation and Monitoring Plan, in particular, had not been included in the original submission, and was an important component of NIEA's assessment. On that basis, it considers that the original submission did not contain sufficient information to enable a fully informed assessment of effects on natural heritage and protected species.
14. I also note that the Claimant's own ecological evidence confirms that the proposed development is to be subject to a Bat Mitigation and Monitoring Plan, incorporating post-construction monitoring and remedial measures, and that no further survey effort is required. This supports the Respondent's position that the key issue was not the absence of ecological information, but the need for appropriate mitigation measures to address potential impacts on bats as a European protected species. In that context, the absence of a Bat Mitigation and Monitoring Plan at application stage was a material consideration, and the Respondent's reliance on that position pending clarification cannot reasonably be characterised as unreasonable behaviour within the meaning of the Costs Awards Guidance.
15. While I acknowledge that there was a delay in the disclosure of the NIEA consultation response, the evidence indicates that, once this matter came to light, the Claimant was able to respond by submitting additional information, which was then considered through further consultation. This process resulted in the Respondent withdrawing the relevant reasons for refusal following NIEA's updated position.
16. In these circumstances, I am not persuaded that the Respondent's conduct meets the threshold of unreasonable behaviour as set out in the Costs Awards Guidance. The need for additional information, particularly in relation to potential impacts on European protected species, supports the Respondent's position that it was reasonable to proceed on a precautionary basis pending clarification of the evidential position. The subsequent withdrawal of reasons for refusal reflects the resolution of those matters, rather than the abandonment of a case that was known to be unsustainable at an earlier stage.

17. To the extent that the Claimant's concerns relate more generally to the administrative handling of the planning application by the Respondent, rather than to matters falling within the scope of the Costs Awards Guidance, such issues are more appropriately addressed through the Respondent's own complaints procedures or, where appropriate, the Public Services Ombudsman. Those matters fall outside the scope of this costs determination.

#### Unnecessary Expenses

18. As I have found that the Respondent has not displayed unreasonable behaviour, I am not persuaded that the Claimant has demonstrated that any unnecessary or wasted expense arose as a consequence of the Respondent's conduct. Accordingly, no award of costs should be made.

19. For the reasons given above, the claim for costs is denied.

**COMMISSIONER KIERAN O'CONNELL**

**List of Documents**

**Claimant:** Written Cost Claim Costs claim by FAWT Energy Ltd.

**Respondent:** Written Response to Cost Claim by Lisburn & Castlereagh City Council.

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 5 – Appeal Decision – LA05/2023/0022/F

## 1.0 **Background**

1. An application for proposed four glamping pods including associated communal/recreation area, parking, access paths with new ranch type fencing to site boundary on lands 135 metres north of 14b Feumore Road, Lisburn was refused planning permission on 26 September 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 28 January 2026.
3. The procedure followed in this instance was an informal hearing which was held on 15 May 2026.
4. The main issue in the appeal was whether the proposal was acceptable in principle in the open countryside, the proposed buildings could be integrated into the surrounding environment, the impact of the proposed development on residential and environmental amenity, the suitability of the site for tourist accommodation and its proximity to existing tourist amenities.
5. On 29 May 2026 the Commission confirmed that the appeal was dismissed.

### **Key Issues**

1. The key issues identified in this appeal were;
  - principle of development;
  - integration into the surrounding environment;
  - impacts on residential and environmental amenity;
  - suitability of the site for tourist accommodation; and
  - proximity to existing tourist amenities.
2. The Commissioner concluded that the Council's refusal reasons were well-founded and that the proposed development was at odds with policies COU 11, COU15 & COU16 of the Plan Strategy. Collectively, the development would fail to integrate with the surrounding rural landscape and the proposed buildings would create a standalone development failing to 'cluster' with existing buildings which are 135 metres from the site.
3. It was accepted at the hearing that while flexibility may be applied when considering whether glamping can come forward on the periphery of a settlement instead of the reuse of existing agricultural buildings for tourist accommodation,

	<p>in this instance however it was concluded that the appellant had failed to provide substantive evidence in respect of policy TOU3 to discount alternative sites to justify this as a suitable location for tourist accommodation. Based on this analysis the Council's refusal reason was sustained.</p> <p>4. The Commissioner provides guidance and advises that the word "close" should be interpreted functionally rather than rigidly, invalidating the Council's objection based on distance and validating that attractions should be assessed on their intrinsic merit.</p> <p>5. The appeal highlights that the burden of proof remains firmly with the applicant to provide credible evidence that alternative sites have been considered and suitably discounted for purposes of assessment and in deciding whether the requirements of policy TOU3 can be met.</p>	
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>No cost claim was lodged by any party in this instance.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out</p> <p>This is a report updating the committee on a decision by the PAC and EQIA is not required.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.</p> <p>This is a report updating the committee on a decision by the PAC and RNIA is not required.</p>	

**Appendices:**

Appendix 5 – Appeal Decision – LA05/2023/0022/F



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Lisburn & Castlereagh City Council  
Local Planning Office

Our reference: 2025/A0117  
Authority  
reference: LA05/2023/0022/F  
29 May 2026

Dear Sir/Madam

**Re:**

**Appellant name: Mr. Ronan Armstrong**

**Description: Proposed 4no glamping pods inc associated communal/recreation area, parking, access paths with new ranch type fencing to site boundary**

**Location: 135m north of 14b Feumore Road, Lisburn, BT28 2LH**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Johnathan Nelson  
PACWAC Admin Team



# Appeal Decision

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<b>Appeal Reference:</b>	2025/A0117
<b>Appeal by:</b>	Mr Ronan Armstrong
<b>Appeal against:</b>	Refusal of full planning permission
<b>Proposed Development:</b>	Proposed 4 No. glamping pods inc. associated communal/recreation area, parking, access paths with new ranch style fencing to site boundary
<b>Location:</b>	135m north of 14b Feumore Road, Lisburn, BT28 2LH
<b>Planning Authority:</b>	Lisburn and Castlereagh City Council
<b>Application Reference:</b>	LA05/2023/0022/F
<b>Procedure:</b>	Hearing dated 15 <sup>th</sup> May 2026
<b>Decision by:</b>	Commissioner G McCallion, dated 29 <sup>th</sup> May 2026

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## Decision

1. The appeal is dismissed.

## Reasons

2. The main issues arising from the proposal relate to its:
  - acceptability in principle;
  - integration into the surrounding environment;
  - impacts on residential and environmental amenity;
  - suitability of the site for tourist accommodation; and
  - proximity to existing tourist amenities.
3. Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that in dealing with an appeal, regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act requires that regard must be had to the LDP unless material considerations indicate otherwise.
4. The Lisburn and Castlereagh City Council Local Development Plan 2032, Plan Strategy (PS) sets out the strategic policy framework for the Council area. In accordance with the transitional arrangements set out in the Schedule to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended), where the PS is adopted by the Council, a reference to the local development plan in the Act is a reference to the Departmental Development Plan (DDP) and the PS read together.

5. In this appeal, the relevant development plan is the Lisburn Area Plan 2001 (LAP). In accordance with the prevailing legislation, where there is any conflict between a policy contained in the DDP and those of the PS, it must be resolved in favour of the PS.
6. Regional planning policy is set out in the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development – Edition 2' (SPPS). It is material to all decisions on individual appeals. It sets out the transitional arrangements which will operate until the local authority has adopted its PS. In accordance with the SPPS, as the Council has now adopted its PS, the previously retained policies (Planning Policy Statements or PPSs) cease to have effect within this council area. The appeals therefore fall to be considered against the provisions of the most up to date operational policies contained within the PS. However, the guidance document 'Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside' (BoT) remains a material consideration. Additional guidance is provided through the 'Plan Strategy Supplementary Planning Guidance' (SPG), and account is also taken of the 'Regional Development Strategy 2035' (RDS).
7. In the DDP, the appeal site is partially within the settlement limit of Feumore and the Countryside Policy Area. It is also located within the Ramsar/Area of Scientific Interest and Area of Mineral Constraint. There are no policies contained within the DDP that are pertinent to this proposal, so no conflict arises with the PS. In May 2017, the Court of Appeal declared the adoption of the 2014 BMAP unlawful. Consequently, no reliance can be placed on its provisions. However, while draft BMAP 2004 (dBMAP) is not a DDP, it could still be a material consideration in certain cases. Within the dBMAP the site is partially within the draft Settlement Development Limit of Feumore and Area of High Scenic Value.
8. The site comprises an agricultural field. Under the proposed layout, car parking will be located to the west of the dwelling at No. 14b Feumore Road, with access provided from this property. This part of the site is currently bounded to the west and south by mature hedgerows interspersed with semi-mature trees. The eastern boundary is primarily defined by a post-and-wire fence along the driveway serving No. 14b, while the northern boundary is undefined.
9. A proposed pedestrian pathway, bounded along its eastern side by ranch-style fencing, will extend from the proposed car parking area to the glamping pods, communal grassland, and picnic areas. The pathway will follow the existing hedgerow along the western boundary of the host field. The glamping pod area and associated facilities, to be located within the northern section of the host field, are currently enclosed on three sides by mature trees and hedgerows, with the southern boundary remaining open and undefined.
10. Topographically, the southern portion of the host field, adjacent to the public road, is relatively level and comparable in elevation to No. 14b Feumore Road. The land then gently slopes northwards towards the field boundary, beyond which the shoreline of Lough Neagh lies a short distance away. The surrounding area is characterised by a mix of rural residential development, predominantly located along Feumore Road, and intervening agricultural lands.

11. Policy COU1 'Development in the Countryside' advises that there are range of types of development which in principle are acceptable in the countryside and that will contribute to the aims of sustainable development. It directs that details of operational policies relating to acceptable non-residential development proposals are set out in policies COU11 – COU14.
12. Policy COU11 'Farm Diversification' advises that planning permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm and where all the criteria listed (a - d) within the policy are met. Criterion a) requires that the farm or forestry business is currently active and established (for a minimum of 6 years). There is no disagreement between the parties that the appeal site lies within an existing farm holding with the Department of Agricultural, Environment and Rural Affairs (DAERA) confirming it's status.
13. Criterion b) requires that in terms of character and scale, the proposed development is appropriate to its location. Criterion c) advises that it will not have an adverse impact on the natural or historic environment, whilst criterion d) directs that the proposed development will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.
14. The Council does not direct to any compliance issues with respect to the criteria listed within the policy but advises that the proposed development will not satisfactorily integrate with an existing group of buildings. However, third parties have raised concerns with respect to the proposals appropriate location, character and scale, its impacts on the natural and historic heritage as well as it causing a detrimental impact on the amenity of nearby residential dwellings from matters arising from noise. As such, third parties direct that the appeal proposal is contrary to the provisions of criteria (b) through to (d) of Policy COU11.
15. The policy states that farm diversification proposals should involve the conversion or reuse of existing farm buildings. However, it allows for exceptions where a new building may be permitted if it can be demonstrated that no suitable existing buildings are available. This may be the case where buildings are essential to the ongoing farm enterprise, are unsuitable for conversion, or cannot be adapted to meet the requirements of statutory bodies. In such instances, any new building should be satisfactorily integrated within an existing group of buildings.
16. The Council advised in its evidence, and confirmed at the hearing, that the existing farm buildings are in active use and essential to the farm enterprise. It also accepts that these buildings are unsuitable for conversion to tourist accommodation. However, it maintains that the proposed structures (glamping pods) would not integrate satisfactorily with the existing group of buildings.
17. Turning to rural character, third-party representations highlight concerns regarding increased development in the area, contending that the proposal would introduce an urbanising effect into a tranquil agricultural setting. They refer to the rigid, man-made design proposed within open pasture, together with associated features

such as parking, lighting, fencing and recreational space. It is argued that these elements would appear incongruous and conflict with the open landscape character currently experienced at the site.

18. The Appellant, however, argues that the site is well integrated, benefiting from existing roadside and boundary vegetation. The pods would be largely screened from Feumore Road by the dwelling and farm buildings at No. 14b, as well as by the site's downward-sloping topography towards Lough Neagh. He submits further that the PS acknowledges BoT guidance regarding visual linkage, and that the pods are sited immediately to the rear of existing farm buildings. As such, they would appear as part of an established group rather than as isolated or sporadic development.
19. When travelling west along Feumore Road, I agree with the Appellant that the proposed development, particularly the element comprising the glamping pods and associated communal areas, is largely screened due to its location within the northern section of the host field, set back a generous distance from the public road, and the presence of existing roadside farm buildings and the dwelling at No. 14B. However, beyond the farm buildings, views of the application site become more open and visibility of the proposed development increases. In this regard, the relatively low height of the roadside hedgerows, together with the existing walled entrance to No. 14 Feumore Road, would allow the car parking area, pedestrian pathway, and bicycle and waste storage facilities to be discernible from this approach.
20. As observed during the site visit, I concur with third-party representations that, aside from a limited area of hardstanding associated with a church approximately 200 metres to the west of the site (on the opposite side of the road), the surrounding area is predominantly characterised by dwellings fronting onto Feumore Road, typically accessed via individual drives or laneways. While the car park would be finished in gravel and partially screened by a hedgerow along its southern boundary, its formal layout, emphasised by ranch-style fencing, and its proximity to the public road would render it unduly prominent within this rural residential setting. Owing to its design, siting, and boundary treatments, it would appear intrusive when approaching it from the east, thereby detracting from the area's rural character.
21. When viewed from Feumore Road to the west of the dwelling at No. 14B and looking north, the proposed glamping pods would be largely unobstructed owing to limited boundary screening. Contrary to the Appellant's position, I find that the gentle topography would not provide sufficient screening from this vantage point. Consequently, notwithstanding their modest height of less than 3 metres, the pods would appear visually incongruous within the open landscape. This is attributable to their siting, linear ordered arrangement, box-like form, and white rendered finish, which would contrast markedly with the mature hedgerow along the northern boundary that forms a backdrop to the site. As such, the proposal would fail to integrate satisfactorily with its rural surroundings and would detract from the established rural character of the area.

22. At the hearing the Appellant advanced that a separation distance of approximately 135 metres from No. 14B Feumore Road was intended to minimise impacts on neighbouring residential amenity, including light and noise, and contended that the layout reflects the informal pattern of development typically found in the area. However, I find that the geometric arrangement of the proposed pods and communal areas is at odds with the more dispersed and informal disposition of established farm buildings and associated outbuildings in the locality. While the Appellant referred to potential landscape enhancements to improve the quality and appearance of the site, no substantive evidence was provided to demonstrate their incorporation into the scheme or their likely effectiveness. Rather, it was suggested that additional planting could be introduced if deemed necessary.
23. In these circumstances, I concur with the Council that the proposed degree of separation would result in a standalone, visually detached form of development that would fail to read as part of a cohesive or integrated group associated with the existing group of buildings. As such, the proposal would fail to integrate satisfactorily with its surroundings and would be contrary to the provisions of Policy COU 11, which directs that development in the countryside respect rural character and be appropriately integrated with existing buildings.
24. I acknowledge the concerns raised by third parties regarding potential noise and impacts on residential amenity, including from anti-social behaviour. However, these concerns are not supported by substantive evidence demonstrating that this form of tourist accommodation would give rise to such effects. At the hearing, the Appellant confirmed that occupancy and activities would be regulated through a management agreement, limiting each pod to two guests and capping the total number of visitors and vehicles on site at eight at any one time. Outdoor activity would also be controlled, with use of communal areas restricted to between 8:00am and 10:00pm.
25. On this basis, I am not persuaded that the proposal would adversely affect the amenity of nearby residents, including in terms of noise. I agree with the Appellant that this type of accommodation is typically sought by visitors seeking a quiet, rural retreat rather than for social gatherings. I also acknowledge that the Council's Environmental Health Department, whilst advising that the proposed tourist accommodation may suffer from odour issues arising from a nearby wastewater treatment works, had no objections to the appeal proposal. Accordingly, the third-party objections, including those relating to Policy COU11, criterion (d), are not substantiated.
26. I have had regard to the concerns raised by third parties in relation to potential impacts on built heritage, particularly the partial demolition of an existing farm building to facilitate visibility splays. However, as confirmed by the Council at the hearing, the structures concerned are neither listed nor formally designated as historically significant, and no archaeological features have been identified within the appeal site. I also note that the Department for Communities' Historic Environment Division has confirmed that, having considered the SPPS and the relevant archaeological policy provisions within the PS, it finds the proposal to be acceptable.

27. With respect to the natural environment, the appeal site is located some 90m from the shoreline of Lough Neagh. My site inspection confirmed that the appeal site comprises predominantly improved agricultural grassland, recently cut, and that the proposal would not result in the removal of existing field boundaries. I note that the application was accompanied by a biodiversity checklist and a preliminary ecological appraisal, which identifies no presence of protected species. The site lies approximately 450 metres from designated Whooper Swan habitat, and the proposed glamping pods are appropriately sited away from hedgerows, with access limited to pedestrian use. I further note that the Northern Ireland Environment Agency raised no objection, subject to conditions relating to buffer zones to watercourses during the construction of development and the protection of existing trees.
28. On the basis of the evidence before me, I am satisfied that the proposal would not give rise to adverse effects on the natural or built environment. Accordingly, and contrary to the concerns advanced by third parties, I find that the proposal complies with criterion (c) of Policy COU11.
29. While there is no dispute in relation to criterion (a), and the proposal has been found to comply with criteria (c) and (d), I conclude overall that it fails to satisfactorily integrate with the existing group of buildings. Due to its scale, design, and visual prominence within the landscape, the development would detract from the character of the area and is therefore inappropriate for this location. Accordingly, concerns relating to rural character under criterion (b), as raised by third parties are well founded. Furthermore, as I have found that the proposal fails to satisfactorily integrate with an existing group of buildings, as per the requirements of Policy COU11, the Council's fourth reason for refusal is therefore sustained.
30. Policy COU15 'Integration and Design of Buildings in the Countryside' requires that all development proposals be sited and designed to integrate sympathetically with their surroundings and be of an appropriate design. It also directs that permission will not be granted where any of the specified criteria apply. The Council contends that the proposal conflicts with criterion (b), as it is not sited to cluster with an established group of buildings. Policy COU16 'Rural Character and Other Criteria' requires that development in the countryside must not cause a detrimental change to, or further erode, rural character. It identifies circumstances in which proposals will be unacceptable. The Council again considers the proposal unacceptable on the basis that it fails to cluster with an established building group thereby contrary to criterion b) of Policy COU16.
31. I acknowledge the Appellant's position that the Planning Strategy does not define "cluster" or "clustering," and their view that integration can be achieved irrespective of clustering. However, the BoT guidance, as referenced by the Appellant, indicates that buildings within a cluster should be visually linked. In my view, the ordinary meaning of "cluster" implies a close grouping of buildings. As previously noted, the proposal's separation distance would prevent it from integrating with, or being visually linked to, the existing farm buildings. It would therefore appear incongruous within the landscape and read as a standalone development rather than part of an established group.

32. Accordingly, I find that the appeal proposal would fail to integrate into the countryside and would adversely affect rural character, as it is not clustered with existing development. The Council's fifth and sixth reasons for refusal are therefore upheld.
33. Turning to tourism, Policy TOU 3 'Proposals for Tourist Accommodation in the Countryside' sets out the circumstances and criteria under which planning permission may be granted. At the hearing, as the proposal did not involve the expansion of existing tourist accommodation, this element of the second reason for refusal was withdrawn by the Council.
34. There is no dispute that the glamping pods are located on the periphery of Feumore or that the appeal represents a definite proposal for a new build tourist accommodation. Under Policy TOU 3, where Tourist Accommodation on the Periphery of a Settlement is engaged, proposals in such locations will be permitted where all of the following criteria are met: (a) it is demonstrated that no suitable site is available within the settlement or in a nearby settlement; (b) there is no suitable opportunity through the conversion, reuse, or replacement of existing buildings; and (c) the development would not dominate the settlement, adversely affect its landscape setting, fail to integrate visually, or contribute to urban sprawl. The Council contends that the proposal fails to meet criteria (a) and (b), while third parties raise concerns regarding adverse landscape impact and visual sprawl, engaging criterion (c).
35. The justification and amplification (J & A) of Policy TOU 3 advises that applications made under this policy will be required to be accompanied by "evidence that there is no reasonable prospect of securing a suitable site within the limits of the particular settlement or other nearby settlement" [sic]. It also advises that information is required regarding the justification for "the particular site chosen and illustrative details of the proposed design and layout".
36. During the hearing the Appellant confirmed that he had not considered suitable sites beyond those found within the settlement limit of Feumore. Within his evidence he directs to Map 30 of dBMAP denoting the settlement limit of Feumore. He advised that this map and his testimony indicates that the lands within the settlement limit are either fully developed or committed to development, and that remaining sites were discounted because of inappropriate access arrangements, were too small or were too close to the public road.
37. While the Appellant provided anecdotal information during the hearing, no substantive or tangible evidence was submitted identifying the sites considered, including those within the settlement limit shown as being under his ownership or control. As a result, I am unable to assess their suitability or test the Appellant's assertions regarding scale, layout, position to the public road and accessibility. Furthermore, no substantiated evidence was provided to demonstrate a reasonable prospect of securing sites within the settlement limit that fall outside the Appellant's ownership or control. Accordingly, I conclude that the requirements of Policy TOU 3 criterion a) have not been satisfied.

38. The Council argue that criterion b) is not met as it has not been demonstrated that there are no suitable buildings for conversion, reuse or replacement. The Appellant contends that, like the test under Policy COU11, the extant buildings on his farm are being used in association with, and have been demonstrated to the Council's satisfaction to be essential to, the farm holding.
39. Regarding criterion (b) of Tourist Accommodation on the Periphery of a Settlement, I find the Council's evidence to be inconsistent. The Council acknowledged that the proposal "by its very nature cannot be facilitated through the use of existing buildings" and that all buildings on the farm appear, based on site inspection, to be in active use. On this basis, the Council accepted that the exception under Policy COU 11 was met, namely that no suitable existing buildings were available and that new construction was justified. This position also led the Council to assess the integration of the proposed buildings with the existing group, an issue previously considered under Policy COU 11.
40. The Appellant asserts that Policy TOU 3 and its J & A, does not specify the evidential requirements necessary to demonstrate what opportunities for conversion, reuse, or replacement of suitable buildings have been adequately considered. While the Council indicated at the hearing that this may involve reference to vernacular or locally important buildings, and to policies such as HE3, COU4, and COU14, it also confirmed that these provisions do not apply in this case, as the proposal concerns new buildings rather than conversion. Despite this, the Council maintained that criterion (b) remained applicable and had not been met.
41. In my view, unlike the explicit requirement to demonstrate a lack of suitable alternative sites, Policy TOU 3 does not impose a comparable evidential burden in relation to the suitability of conversion or reuse of existing buildings. The Appellant's evidence regarding the current use of the property, supported by the Council's own site assessment confirming that the buildings are in active agricultural use and compliant with Policy COU 11, is sufficient in this context. I am therefore satisfied that criterion (b) of Policy TOU 3 is met. Furthermore, the nature of glamping development typically necessitates new structures in most cases, given the form and design of this type of tourist accommodation.
42. I have already concluded that the proposal would adversely affect the landscape setting and, by reason of its design, does not reflect the established settlement pattern. Accordingly, I consider the third-party concerns in relation to criterion (c), under Tourist Accommodation on the Periphery of a Settlement of Policy TOU 3 to be well founded. As the proposal also fails to comply with criterion (a) of Policy TOU 3, the Council's second reason for refusal is sustained, so far as stated.
43. Policy TOU 4 'Self-Catering Tourist Accommodation in the Countryside', applies to proposals meeting the circumstances set out in criterion (a) or (b). There was no disagreement at the hearing that the proposal falls to be assessed under criterion (b), which provides that planning permission will be granted where a cluster of three or more new units is proposed at or in proximity to an existing or approved tourist amenity that constitutes, or will constitute, a significant visitor attraction in its own right.

44. Policy TOU 4 also requires that self-catering accommodation be subsidiary in scale and ancillary to the primary tourism use of the site. Following discussion at the hearing, and with reference to the definition of a tourist amenity within the Tourism (Northern Ireland) Order, cited in the Council's evidence as an amenity or service that excludes tourist accommodation, the Council clarified that the "site" referred to in this policy criterion relates to the tourist amenity site rather than the appeal site itself. On this basis, the Council withdrew its objection to the proposal in respect of this policy requirement.
45. Turning first to the matter of tourist amenity and visitor attraction sites. In his evidence, the Appellant identified several tourist amenity sites and visitor attractions which he considered to be located close to the appeal site, including Lough Neagh. He also submitted a Council-produced map showing approximately forty tourist amenities and visitor attractions within the wider area. The Council disagreed, asserting that Lough Neagh, whilst beside the appeal site, does not meet the definitions of a visitor attraction or tourist amenity as set out in the SPG. Furthermore, the Council argued that, whilst it did not dispute the veracity of the map itself, the other sites identified by the Appellant are all situated at distances too great from the appeal site to be considered viable tourist amenity facilities for the purposes of the policy.
46. Having regard to the definition set out within the SPG, a tourist amenity is described as "an amenity, facility or service provided primarily for tourists but does not include tourist accommodation (Article 2, Tourism (Northern Ireland) Order 1992)". I was not directed to any definition of a "visitor attraction" within this document. However, it does define a "tourist asset" as "any feature associated with the historic or natural environment which is of intrinsic interest to tourists". Tourism itself is defined within the SPG as "the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes (World Tourism Organization)"
47. I acknowledge the third parties' reference to current issues affecting the Lough's ecosystem. However, I also recognise, as noted by the Appellant, that it is a significant inland waterbody which attracts numerous visitors given its scale and the range of activities associated with it, including angling, water sports, and nature-based recreational pursuits. Therefore, having regard to the breadth of the relevant definitions, and taking into account the Appellant's evidence, including the Council's own map identifying tourist assets and amenities within its jurisdiction which includes the Lough, I am not persuaded that Lough Neagh, or the other sites identified by the Appellant, can reasonably be discounted as bona fide visitor attractions or tourist amenity facilities for the purposes of criterion b) of Policy TOU 4.
48. Furthermore, the policy refers to existing tourist amenities that constitute, or will constitute, a significant visitor attraction "in its own right." In my view, this wording indicates that such an attraction is to be assessed on its intrinsic merits, rather than solely by reference to definitions contained within the PS. In my mind, the

wording directs that a visitor attraction may be recognised as such based on its independent value and significance.

49. In assessing the appeal site's proximity to tourist attractions, the Council acknowledged several locations identified in the Appellant's supporting statement, including Sandy Bay Marina (serving the Rams Island ferry), Slievenacloy Nature Reserve, Nutts Corner Karting, and Tullynewbank Stables. While it did not dispute that these qualify as visitor attractions under the policy, it contended at the hearing that they were "miles away," leaving the interpretation of that term, and of "close," to the Commission.
50. Notwithstanding this position, the Council's written evidence records distances ranging from approximately 1.5 miles (Sandy Bay Marina) to around 12 miles (Slievenacloy Nature Reserve). Furthermore, as acknowledged at the hearing, the PS neither defines "close" nor requires that tourist amenities or visitor attractions be adjacent to, or within walking distance of, the proposed development. The Council nevertheless interpreted "close" as meaning directly adjoining or immediately beside the site, maintaining that the identified attractions were too remote. While there was discussion at the hearing regarding the proposal's capacity to accommodate vehicles and bicycles, thereby facilitating access to more distant attractions, I have already determined that Lough Neagh constitutes a tourist amenity and visitor attraction. The Council raised no objection in relation to its proximity to the appeal site. Although the appeal site is not located directly on its shoreline, it is situated nearby and benefits from access to the Lough via a gate along its northern boundary.
51. Considering the above, I am satisfied that the proposal accords with the relevant policy requirements. Lough Neagh constitutes a significant tourist amenity and visitor attraction in its own right, and the appeal site's proximity, both physical and functional, to this and other recognised attractions meets the policy test when reasonably interpreted. Furthermore, with the Council's objection under Policy TOU 4 withdrawn, there is no substantive policy conflict remaining. Accordingly, the proposal is not contrary to the provisions of Policy TOU 4 and the Council's third reason for refusal is not sustained.
52. Policy TOU 5 'Holiday Parks in the Countryside' sets out when planning permission may be granted for a holiday park or for the extension of an existing facility in the countryside. The Appellant contends that the proposal is supported by this policy, which references glamping pods. However, as discussed at the hearing, the PS defines a holiday park as a caravan site licensed under the Caravans Act (Northern Ireland) 1963. Such sites may include static caravans, holiday chalets or cabins, and pitches for touring caravans, motorhomes, and tents. The current proposal provides only glamping pods and no other accommodation types and as confirmed by the Appellant during the hearing, would not require a licence under the Caravans Act. I therefore consider that the Appellant's reliance on Policy TOU 5 to be misplaced.
53. The Appellant contends that the proposal would support economic growth in rural areas and aligns with both regional and local planning policy. In particular, he highlights that it accords with RG4 of the RDS, which promotes sustainable

tourism infrastructure, and SFG13, which seeks to sustain rural communities in smaller settlements and the open countryside. Reference is also made to the Strategic Policies of the PS, including SP01 (Sustainable Development), SP04 (Supporting Sustainable Economic Growth), SP05 (Good Design and Positive Place Making), SP06 (Protecting and Enhancing the Environment), SP12 (Economic Development in the Countryside), SP16 (Tourism), and SP19 (Protecting and Enhancing the Natural Environment). The Appellant submits that these policies collectively recognise tourism as a key economic driver, consistent with the tourism provisions of the SPPS.

54. The Appellant states that the proposal would deliver short-term economic benefits during construction through the employment of local contractors, suppliers, and materials. Once operational, it is expected to generate ongoing economic activity via visitor spending in nearby towns and villages, while supporting local supply chains, including the sourcing of food and materials. The development would also create modest employment opportunities associated with site operation and maintenance. In addition, it may act as a catalyst for further tourism initiatives, including future water-based activities on Lough Neagh, thereby contributing to longer-term growth in the area.
55. Overall, the Appellant concludes that the proposal satisfies policy requirements as a sustainable tourism development, appropriately located and without significant environmental harm, and therefore supports wider objectives for rural economic development, consistent with matters identified by the Council in its Position Paper 11 (Tourism).
56. As discussed at the hearing, there was no disagreement between the parties that the RDS and the strategic policies of the PS support sustainable tourism development, consistent with the SPPS. The published Position Paper (11) serves as a foundational evidence base for the Council in considering tourism-related development and in addressing visitor accommodation and associated facilities within the LDP. However, it does not carry greater weight than the operational policies contained within the PS.
57. While I acknowledge the important contribution of tourism to the economy, no substantive evidence was provided to demonstrate how the proposal would deliver the stated economic objectives of the RDS, PS, and SPPS, and thus why these benefits should outweigh the policy considerations outlined above. Furthermore, the proposal before me does not contain any proposals for water-based sporting activities, which the Appellant confirmed at the hearing to be future aspirations. Moreover, the Appellant also confirmed that he was unaware of the need to submit detailed economic evidence, such as quantified benefits or proposal-specific analysis. He indicated that such information would have been provided had this requirement been understood at both the planning application stage and appeal process. Nevertheless, the Commission's guidelines clearly place the responsibility on parties to an appeal to include all the evidence to substantiate their arguments and support their case.
58. Consequently, while the proposal is presented as aligning with strategic policy support for sustainable tourism and rural economic development, insufficient

evidence has been provided to demonstrate its specific economic benefits or to justify the weight that should be afforded to these considerations. In the absence of robust, proposal-specific analysis, I am not persuaded that the claimed economic advantages are of sufficient scale or certainty to outweigh the identified policy concerns. Accordingly, the proposal fails to demonstrate compliance with the relevant policy framework when considered in the overall planning balance.

59. While the appeal proposal falls within a category of development that may, in principle, be acceptable in the countryside, I have found that it fails to comply with the relevant operational policies. Accordingly, it is also contrary to Policy COU1, and the Council's first reason for refusal is upheld.
60. Planning applications LA05/2023/0041/F and LA05/2019/0565/F were referenced in the evidence by the Appellant as comparators. However, full details of these applications and the decisions made were not submitted. Consequently, I am unable to meaningfully compare their circumstances with those of the appeal proposal.
61. The Appellant also referred to case law, including *Newsmith Stainless Ltd v Secretary of State for the Environment, Transport and the Regions* [2001] and *South Bucks District Council v Porter (No. 2)* [2004]. As the judgments were not provided in full, I am similarly unable to assess their relevance or draw comparisons with the appeal before me. It is the responsibility of the parties involved to send copies of all documents they wish to be considered as part of the case.
62. I acknowledge the list of correspondence and related material submitted by the Appellant in respect of the planning application, including concerns regarding the provision of updates by the Council, as well as matters relating to administrative processes and committee decision-making. However, such issues fall outside the remit of the Commission and should be pursued directly with the Council or the appropriate oversight body responsible for considering such matters.
63. Nonetheless, as I have found the proposal to be contrary to Policies COU1, COU11, COU15, COU16 and TOU3, so far as stated, and as these are determinative, the appeal must fail.

The decision relates to the following plans:

<b>Title</b>	<b>Appellants Ref:</b>	<b>Date Received by the Council</b>
Site Location Plan	N/A	6 <sup>th</sup> January 2023
Existing Site Plan	ESP/1	6 <sup>th</sup> January 2023
Proposed Plan, Sections and Elevations	PPSE/1	6 <sup>th</sup> January 2023

Proposed Site Layout Plan and Section	PSP&S/1	3 <sup>rd</sup> April 2023
Proposed Entrance and Visibility Splays	PSP&S/1 (also)	20 <sup>th</sup> March 2023

**COMMISSIONER GARETH McCALLION**

**List of Appearances**

Planning Authority: - Ms Catherine Gray, Lisburn and Castlereagh City Council  
Ms Laura McCausland, Lisburn and Castlereagh City Council

Appellant: - Mr Ronan Armstrong

3<sup>rd</sup> Parties: - Mr P Donnelly (observing only)

(All parties attended online)

**List of Documents**

Planning Authority: - Statement of Case by Lisburn and Castlereagh City Council

Appellant: - Statement of Case by Mr R Armstrong

3<sup>rd</sup> Parties: Statement of Case by Mr P Mulholland  
Statement of Case by Ms E Magee  
Statement of Case by Mr & Mrs P Donnelly  
Statement of Case by Mr M McGarrell  
Statement of Case by Ms J Armstrong  
Statement of Case by Mr R Ellis

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 6 – Appeal Decision – LA05/2025/0535/O

## 1.0 **Background**

1. An application for a proposed dwelling and garage in a cluster on lands adjacent to 6 Belshaws Road, Upper Ballinderry, Lisburn was refused planning permission on 9 October 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 3 February 2026.
3. The procedure followed in this instance was the written representation procedure with an accompanied site visit taking place on 19 May 2026.
4. The main issues in the appeal were whether the proposed development would be acceptable in principle in the countryside, create a ribbon development, have an adverse impact on rural character, impede the operational effectiveness of flood defence and drainage infrastructure and have a significant adverse effect on natural heritage.
5. On 29 May 2026 the Commission confirmed that the appeal was dismissed.

### **Key Issues**

1. The key issue identified in this appeal were;
  - principle in the countryside,
  - ribbon development,
  - adverse impact on rural character,
  - impede the operational effectiveness of flood defence and drainage infrastructure, and
  - have a significant adverse effect on natural heritage
2. The Commissioner agreed with the Council that the requirements of policy COU2 criterion (b) were not met as the site did not form part of the cluster when viewed in the local landscape and accepted that the appeal site was both physically and visually isolated from surrounding development within the cluster due to the topography, existing mature vegetation, and the curvature of the road.
3. The Commissioner also upheld the refusal reasons regarding criterion (c), (d), and (e) of policy COU2 due to absence of a focal point and that the site is only bounded on one side by other development. It was concluded that the proposal

would create an inappropriate extension of development into the open countryside.

4. The Council’s concerns and reasons for refusal in respect of rural character and ribbon development were not sustained as the Commissioner found that two structures merely represent a "tendency to ribboning" rather than the creation of a ribbon and therefore would not harm rural character.
5. The Council’s refusal reason in respect of policy FLD2, was not sustained as the Commissioner considered that the proposal did not automatically cause flood risk. A working strip was found to be achievable should the principle of development have been acceptable and such could form part of a condition attached to any approval.
6. The commissioner considered the Council's refusal reasons in relation to policy NH1, NH2, and NH5 could not be sustained as the Council had not identified any protected site, habitat or species that could be affected by the appeal proposal as part of its assessment.
7. This appeal decision sets out the importance of carrying out a robust visual assessment when evaluating the location of the site within the context of the related cluster of development.
8. Additionally, officers are expected to include detailed, site-specific analysis of any natural heritage constraints within their assessments to robustly justify any refusal reasons relating to natural heritage impacts. Officers are reminded to ensure that this issue is adequately addressed in future reports.

2.0 **Recommendation**  
 It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.

3.0 **Finance and Resource Implications**  
 No cost claim was lodged by any party in this instance.

4.0 **Equality/Good Relations and Rural Needs Impact Assessments**

4.1	Has an equality and good relations screening been carried out?	No
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4.2	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out  This is a report updating the committee on a decision by the PAC and EQIA is not required.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>This is a report updating the committee on a decision by the PAC and RNIA is not required.</p>	
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<b>Appendices:</b>	Appendix 6 – Appeal Decision – LA05/2025/0535/O
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BT1 3HH

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Lisburn & Castlereagh City Council  
Local Planning Office

Our reference: 2025/A0121  
Authority  
reference: LA05/2025/0535/O  
29 May 2026

Dear Sir/Madam

**Re:**

**Appellant name: Ms Leanne Belshaw**

**Description: Proposed new dwelling and garage under policy COU2 Dwellings  
in a Cluster**

**Location: Site Adj to 6 Belshaws Road, Upper Ballinderry, Lisburn, BT28 2LR**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Johnathan Nelson  
PACWAC Admin Team



# Appeal Decision

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<b>Appeal Reference:</b>	2025/A0121
<b>Appeal by:</b>	Ms Leanne Belshaw
<b>Appeal against:</b>	The refusal of outline planning permission
<b>Proposed Development:</b>	Proposed new dwelling and garage under policy COU2 dwellings in a cluster
<b>Location:</b>	Site adj to 6 Belshaws Road, Upper Ballinderry, Lisburn
<b>Planning Authority:</b>	Lisburn and Castlereagh City Council
<b>Application Reference:</b>	LA05/2025/0535/O
<b>Procedure:</b>	Written representations and Commissioner's site visit on 19 <sup>th</sup> May 2026
<b>Decision by:</b>	Commissioner Laura Roddy, dated 29 <sup>th</sup> May 2026

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## Decision

1. The appeal is dismissed.

## Reasons

2. The main issues in this appeal are whether the proposed development would:
  - be acceptable in principle in the countryside,
  - create ribbon development,
  - have an adverse impact on rural character,
  - impede the operational effectiveness of flood defence and drainage infrastructure, and
  - have a significant adverse effect on natural heritage.
3. Section 45(1) of the Planning Act (NI) 2011 (the Act) requires the Commission, in dealing with an appeal, to have regard to the local development plan, so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4. On 26<sup>th</sup> September 2023, the Council adopted the Plan Strategy (PS) 'the Lisburn and Castlereagh Local Development Plan 2023'. The purpose of the PS is to provide the strategic policy framework for the plan area. In accordance with the transitional arrangements as set out in the Schedule to the Planning (Local Development Plan) Regulations (NI) 2015 (as amended), the Local Development Plan (LDP) is now a compilation of the Departmental Development Plan (DDP) and the PS read together. In this appeal, the DDP is the Lisburn Area Plan 2001 (LAP). In the DDP, the site is located outside a settlement and in the countryside. The draft Belfast Metropolitan Area Plan (2004) is not a DDP as it was never

adopted although in some circumstances it can be a material consideration. In it the appeal site is also located within the countryside. There are no other provisions in the DDP that are material to the determination of the appeal. The appeal should therefore be determined in accordance with the provisions of the PS unless material considerations indicate otherwise.

5. In compliance with paragraph 1.11 of the Strategic Planning Policy Statement for Northern Ireland (SPPS), operational policies set out in the PS are now in effect. Existing policy retained under the transitional arrangements has ceased to have effect in the Council area. It now falls to the Commission to assess the appeal in the context of the LDP, in accordance with the above legislative provisions and the reasons for refusal as provided by the Council. Guidance contained within 'Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside' is also a material consideration.
6. While no Statements of Case were provided by any party to the appeal, the background papers set out each party's position on the appeal proposal.
7. Policy COU1 'Development in the Countryside' of the PS states that there are a range of types of development which in principle are acceptable in the countryside and which will contribute to the aims of sustainable development. Under Policy COU1, details of operational policies relating to acceptable residential development proposals in the countryside are set out in policies COU2 to COU10. Any proposal for development in the countryside will also be required to meet all the general criteria set out in Policies COU15 'Integration and Design of Buildings in the Countryside' and COU16 'Rural Character and other Criteria'. The Council have raised objections in respect of Policies COU2 'New Dwellings in Existing Clusters', COU8 'Infill/Ribbon Development' and COU16.
8. Policy COU2 reflects the relevant provisions of paragraph 6.73 of the SPPS. It advises that planning permission will be granted for a dwelling at an existing cluster of development provided all criteria associated with the policy are met. The Council accept that the proposal would meet criterion (a) which requires that the cluster of development lies outside of a farm and consists of four or more established buildings forming a close grouping of buildings, of which at least three are dwellings. The Council refer to nos. 1, 1a, 1b, 1c, 1d, 1e, 1g, 3, 5 and 6 Belshaws Road as forming the cluster of development. The documents submitted by the appellant indicate that they consider the cluster of development to be formed by no. 6 Belshaws Road adjacent and to the northwest of the site, 1a Belshaws Road to the northeast and nos. 1b and 1c Belshaws Road to the southeast. The third party disputes that there is a cluster at this location.
9. Notwithstanding that the Council consider there is a cluster of development comprising some 10 dwellings, sufficient to satisfy criterion (a) of Policy COU2, they consider that the appeal proposal does not meet the remaining criteria of Policy COU2 listed as (b) through to (e) of Policy COU2. The concerns in relation to Policy COU2 are shared by a third party.
10. Policy COU2 criterion (b) requires that the cluster appears as a visual entity in the local landscape. The justification and amplification of the policy advises that a visual entity in the local landscape is defined as a collective body of buildings, separated from the countryside when viewed from surrounding vantage points.

11. The Council state that the cluster does not appear as a visual entity in the landscape due to the abundance of mature vegetation in the area, the road trajectory and topography. The appellant disagrees and considers the existing dwellings and curtilages around the site form a clearly recognisable group when viewed along the road. The Council refer generally to views travelling along Belshaws Road, Lough Road to the north and Station Road to the south. Due to topography, distance, vegetation and road alignment, there was no awareness of a cluster of development, or visual entity, comprising the dwellings mentioned by any party when travelling along Station Road or Lough Road. My assessment of whether or not there is a visual entity in the local landscape will therefore focus on views from Belshaws Road.
12. The appeal site sits at a point on Belshaws Road where the road bends sharply to the south/southwest, such that the appeal site is bound both to the northeast and southeast by Belshaws Road. No. 6 Belshaws Road is positioned to the immediate west/northwest of the appeal site, before the bend in the road. The dwelling is set well back from the road and is well screened. There are agricultural fields on either side of it, including the appeal site. Although it is a 2 storey dwelling, due to its position to the northwest of the appeal site and its distance from the other dwellings, combined with the mature trees and vegetation around the site, it does not read with any of the other dwellings identified by any party.
13. At the point where Belshaws Road bends around the appeal site, it also branches off, forming a short spur to the southeast, which contains three dwellings (no. 1c, no. 1d and no. 1e). Dwellings no. 1e and no. 1d are at a distance such that they are not visible from the main portion of Belshaws Road and have no visual relationship with the appeal site or dwellings in proximity to it. Dwelling no. 1c however is at the beginning of this spur road, opposite the appeal site to its immediate southeast. It has frontage to both the main and spur roads of the Belshaws Road. While it is well screened by a tall mature hedge around almost the entirety of its curtilage, its roof is visible in close range views from the west and south. It reads with no. 1a Belshaws Road, a single storey dwelling which sits opposite the appeal site to the north/northeast, in close range views in the vicinity of the appeal site. No. 1a Belshaws Road is bound, to the roadside, by tall mature hedgerow such that only the roof and chimney are visible from the roadside. It is also surrounded by agricultural fields, with no other dwellings on that side of Belshaws Road. Although it reads with no. 1c Belshaws Road, its isolated position on the northern side of Belshaws Road, surrounded by agricultural fields, and the curvature of Belshaws Road as it bends to the south, means it does not read with any other dwellings in the vicinity of the appeal site.
14. Once Belshaws Road bends to the south/southwest, there are a number of houses on the eastern side of that road comprising no. 1c, no. 1b, a newbuild still under construction, no. 3 and no. 5. No. 1c is the first of these and, as discussed above, reads with no. 1a to the north. No. 1b is directly to the south of no. 1c and shares a curtilage with it. Despite their somewhat close proximity, due to the curvature of the road and the strong boundary treatments around both dwellings, including mature trees, they do not visually read together. No. 1b does however read with the dwellings to its immediate south including the new build to its immediate south, no. 1g and no. 1. No. 1b, the newbuild and no. 1g in particular have a strong visual relationship. All three are two storey roadside dwellings, two have low ranch style

fencing to the roadside with the newbuild currently having temporary construction style fencing only. All three exist on a straight part of the Belshaws Road and given their position, height, scale and boundary treatments, they have a strong visual relationship. The road rises gently towards no.1 which sits set back from, and at an angle to, the roadside and at a point where the road bends again. There are a number of outbuildings between no. 1 and no. 1g which are prominent from the roadside, and somewhat screen no. 1 from view. However, at two storeys, it is still visible and reads with the adjacent dwellings particularly no. 1g. There is therefore a group of four dwellings which form a visual entity in the landscape at this part of Belshaws Road. The remaining dwellings identified by the Council (no. 3 and no. 5) due to their distance, curvature of the road and vegetation, do not read as part of the identified close group of established buildings.

15. Given my assessment in the preceding paragraphs, I find that there is an existing cluster of development which appears as a visual entity in the landscape and comprises the four dwellings at no. 1b, no. 1g, no. 1 and the newbuild dwelling. However, the appeal site sits to the northwest of this visual entity and on the opposite side of the road from it. Due to the curvature of the road in the vicinity of the appeal site, and the mature trees and vegetation surrounding it, the appeal site is removed from the visual entity. While a visual entity exists within the wider area, it is physically and visually distinct from the appeal site. The site does not form part of that cluster when viewed in the local landscape. Accordingly, the proposal would fail to comply with criterion (b) of Policy COU2.
16. Criterion (c) of Policy COU2 states that the cluster is associated with a focal point such as a social/community building. No party to the appeal engaged with the focal point aspect and no focal point was put forward. From my observations on site, the surrounding area is solely residential / agricultural and lacks any building capable of acting as such a focal point. As there is no evidence of a focal point within the vicinity of the appeal site the appeal proposal therefore fails to comply with criterion (c) of Policy COU2.
17. Criterion d) of Policy COU2 states that the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster. There is no dispute the site has a suitable degree of enclosure. However, the policy also requires that the site be bound on at least two sides by other *development* (emphasis added) in the cluster. Although the site has some degree of enclosure, it is only bounded by development on one side, being the dwelling at no. 6 Belshaws Road which does not form part of the identified cluster. It is bound along its northeast and southeast boundaries by the Belshaws Road and to its southwest by the adjacent agricultural field. For these reasons, criterion (d) of COU2 is not met.
18. Criterion e) of Policy COU2 requires that development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside through the creation of ribbon development. The cluster sits to the southeast of the appeal site and is removed from it by the road. The appeal proposal would not round off or consolidate the cluster but instead would introduce development on the opposite side of the road in an open field. I find that it would extend development into the countryside and therefore criterion (e) is not met.

19. Policy COU8 'Infill / Ribbon Development' states that planning permission will be refused for a building which creates or adds to a ribbon of development. The Council consider the appeal proposal would create a ribbon of development as it would read with the dwelling at no. 6 Belshaws Road and would have an adverse impact on the rural character of the area which relates to Policy COU16 criterion (e). Concerns about ribbon development are shared by the third party to the appeal.
20. The justification and amplification of Policy COU8 states that, "*a ribbon development cannot be defined by numbers, although if there are two buildings fronting a road and beside one another, there could be a tendency to ribboning*". The policy stops short of defining a ribbon of development, stating only that two buildings *could* result in a *tendency to ribboning* (my emphasis). The proposed dwelling would be sited in a field adjacent to no. 6 Belshaws Road and would front the public road. While this would represent a tendency to ribboning, I consider that it would stop short of creating a ribbon of development which the policy seeks to prevent. The Council has therefore failed to sustain the third reason for refusal. The Council's sole concern under Policy COU16 criterion (e) is grounded in that the appeal proposal would create a ribbon of development, thus having an adverse impact on the rural character of the area. As I have found that the proposal would not create a ribbon of development the Council's concerns in respect of Policy COU16, and its fourth reason for refusal, are not sustained. The third party's concerns in respect of ribboning are not upheld.
21. For the reasons stated above, I find that the appeal proposal would not comply with Policy COU2. The Council's second reason for refusal, and the third party's concerns in this respect, are sustained. Consequently, as I have found that the appeal proposal is not a type of development which in principle is acceptable in the countryside, it follows that Policy COU1 is not met. Therefore, the Council's first reason for refusal, is also sustained.
22. In support of his case the appellant advanced that the development would make a contribution to addressing the current housing crisis. I disagree that a single dwelling in the countryside would make any meaningful contribution to addressing an alleged 50,000 shortfall of homes in Northern Ireland. In any event, given the appeal proposal is unacceptable in principle, it therefore represents an unsustainable form of development. My conclusion that the appeal proposal is not acceptable in principle, as it is contrary to Policies COU1 and COU2 of the PS, is not outweighed by the alleged housing crisis.
23. The Council's fifth reason for refusal states that the appeal proposal would be contrary to Policy FLD2 'Protection of Flood Defence and Drainage Infrastructure'. Policy FLD2 states development will not be permitted that impedes the operational effectiveness of flood defence and drainage infrastructure or hinder access for maintenance, including building over the line of a culvert. The Department for Infrastructure Rivers Directorate (DfI Rivers) consultation response indicates that the site is bound at the southwest by an undesignated watercourse. DfI Rivers make comment under Policy FLD1 'Development in Fluvial (River) Flood Plains' which the Council consider to be relevant to Policy FLD2 in relation to the watercourse. DfI state *'it is essential that a working strip of minimum width 5m from the top of the bank is retained but up to 10m where considered necessary... Rivers Directorate requires that the working strip is shown on a site layout drawing*

*to enable enforcement of the provision of the working strip. The working strip is required to be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or any future development by way of a planning condition. Access to and from the maintenance strip should be available at all times*'. The Council's objection under FLD2 appears to be grounded in the failure of the appellant to provide any such plan indicating this maintenance strip.

24. The justification and amplification (J&A) text to Policy FLD2 confirms a working strip of 5-10m is essential to facilitate future maintenance and it should be provided with clear access and egress at all times. The J&A also states that there is a general presumption against the erection of buildings over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations. Nowhere in Policy FLD2, neither in the policy headnote or the J&A, does it state that a plan will be required to demonstrate that a working strip is provided around a watercourse. While a plan identifying such may be good practice for easy identification of such an area, the failure to provide such a plan does not automatically demonstrate that a proposal would impede the operational effectiveness of flood defence and drainage infrastructure. I have no persuasive evidence that the proposal would impact on flood defence or drainage infrastructure. While there is a watercourse on the site, it runs parallel to the southwest boundary of the site and there is sufficient room to accommodate the appeal proposal whilst providing a 5m or 10m working strip around it. If the principle of development were acceptable, the provision of a working strip could form part of a condition. The Council's concerns in respect of Policy FLD2, and its fifth reason for refusal, are not sustained.
25. The Council's sixth, seventh and eight reasons of refusal raise a number of concerns in relation to biodiversity and nature conservation including concerns in relation to Policy NH1 'European and Ramsar Sites – International', Policy NH2 'Species Protected by Law' and Policy NH5 'Habitats, Species or Features of Natural Heritage Importance'. The Council state that it has not been demonstrated that:
  - In relation to policy NH1, that the appeal proposal would not have a significant effect on a European Site or a listed or proposed Ramsar Site.
  - In relation to Policy NH2, that the appeal proposal is not likely to harm a species protected by law.
  - In relation to Policy NH5, that the appeal proposal would not result in the unacceptable adverse impact on, or damage to, habitats, species or features of natural heritage importance.
26. A Biodiversity Checklist was not provided by the appellant. In light of this, the Council state that it is not in a position to determine if the development would have an impact on natural heritage interests in respect to Policy NH1, NH2 and NH5 of the PS.
27. In relation to Policy NH1, the Council has not referred to a European Site or Ramsar site of concern, nor put forward any evidence as to how the appeal proposal would cause a significant impact on any such site. Similarly, in relation to Policies NH2 and NH5 the Council has not identified a single protected habitat, species or feature of natural heritage importance which would be likely to be harmed by the appeal proposal. While there is reference to the site being bound

on all sides by large mature trees/vegetation, and a watercourse on the site, it does not automatically follow that the development of the appeal proposal would cause harm to them. Reliance on a policy must be supported by a reasoned analysis of how the development is contrary to the policy that has been engaged. The failure of the Council to even identify any protected site, habitat or species that could be affected by the appeal proposal is wholly unacceptable.

28. Whilst the appellant failed to provide a Biodiversity Checklist, it does not follow automatically that the appeal proposal would have a significant or adverse impact on biodiversity and nature conservation such that it would have a significant effect on an unidentified European Site, protected species, habitat or feature of natural heritage importance. Within the evidential context, the Council has not provided any information regarding the nature or type of species or any adverse effects of the proposed development on same. I am not persuaded that the appeal proposal would have a significant effect on a European Site, harm a species protected by law or have an unacceptable adverse impact on any natural heritage feature. For these reasons, I cannot uphold the Council's reasons for refusal in relation to Policy NH1, NH2 and NH5.
29. A third party has raised additional concerns including in relation to the height and scale of the development and consequently the impact on their amenity. The appeal proposal is for outline permission. Matters such as height and scale of the development can be conditioned in the interests of residential amenity, if permission is forthcoming. Given the size of the site, I am satisfied that a dwelling could be positioned and designed in such a way as to avoid any impact on the residential amenity of the neighbouring dwelling, particularly given the mature vegetation and trees which bound the appeal site, and could be conditioned to be retained in the event of permission being granted.
30. The third party has also raised concerns in respect of allowing a new access, with increased traffic, on Belshaws Road which they note to be a narrow, single lane rural road with tight turns and limited passing opportunities. The site plan indicates that the site access would be on the southeastern corner of the appeal site and DfI Roads have indicated that it has no objection to the appeal proposal, subject to the provision of visibility splays of 2m x 33m. There is no indication that these cannot be provided. The part of Belshaw Road surrounding the proposed access is wide and has good visibility. At my site visit I observed a very low level of traffic, passing traffic was slow moving and there was sufficient space to pull in and allow passing vehicles when needed. The location and design of the proposed access could be controlled by condition. Given this, combined with the low level of traffic that would be generated by the appeal proposal and the lack of any objection from DfI Roads, the third party's concerns in respect of road safety are not upheld.
31. The third party has raised concerns in respect of drainage and flooding noting that the appeal site is low lying and often saturated in wet weather, noting water logging at their own site. While a very modest area of surface water was identified to the southern point of the application site, per the NI Flood Maps, no concerns about flooding or drainage were raised by DfI Rivers who are the statutory consultee and authority for such matters. I have no persuasive evidence to override their findings, and I give this determining weight in the absence of any evidence to the contrary. The third party's concerns in respect of drainage and flooding are not upheld.

32. The third party considers that the proposal would set a precedent for further applications along Belshaws Road. However, as I have found the appeal proposal would not be acceptable in principle, this concern falls away.
33. For the reasons given, the appeal proposal would be contrary to Policies COU1, and COU2 of the Council's Plan Strategy. The Council's reasons for refusal are sustained to the extent specified and are determining in this appeal.

This decision relates to Drawing 01 (2528/C01 - sketch plans – various scales)

**COMMISSIONER LAURA RODDY**

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Item 7 – Pre-application Notice (PAN) for the proposed extension to existing sports facilities to include a 3g soccer pitch and GAA pitch with floodlighting, car parking, ball stop nets, additional fencing to match existing and associate works on lands adjacent to 95 Lisburn Road, Crumlin.

1.0

### **Background**

1. Section 27 of the Planning Act (Northern Ireland) 2011 requires a prospective applicant, prior to submitting a major application, to give notice to the appropriate Council that an application for planning permission is to be submitted.

### **Key Issues**

2. Section 27 (4) of the Planning Act (Northern Ireland) 2011 stipulates what information a PAN must contain. The attached report sets out how the requirement of the legislation and associated guidance has been considered as part of the submission.
3. Section 27(5) of the Planning Act (Northern Ireland) 2011 also stipulates that regulations may require that the PAN be given to persons specified in the regulations and prescribe (i)the persons who are to be consulted as respects a proposed application, and (ii)the form that consultation is to take.
4. It is stated in the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 that the prospective applicant must:
  - a) hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant as regards the proposed development; maintain a website to display details of the proposed development and facilitate comments from members of the public relating to the proposed development; and
  - b) publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing (i)a description of, and the location of, the proposed development, (ii)details as to where further information may be obtained concerning the proposed development, (iii)the date, time and place of the public event, (iv)a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, (v)a statement that comments made to the prospective applicant are not representations to the council or as the case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that

	<p>application to the council or as the case may be the Department at a later stage, (vi) details of the website maintained in accordance with 2(a), and (vii) the period of time to display details of the proposed development on the website.</p>	
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that the Members note the information on the content of the Pre-application Notice attached and agree that it is submitted in accordance with the relevant sections of the legislation and related guidance.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance and resource implications.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	<p>Has an equality and good relations screening been carried out?</p>	<p>No</p>
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out</p> <p>This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. EQIA is not required.</p>	
4.3	<p>Has a Rural Needs Impact Assessment (RNIA) been completed?</p>	<p>No</p>
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.</p> <p>This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.</p>	

<p><b>Appendices:</b></p>	<p><b>Appendix 7(a)</b> - Report in relation to LA05/2026/0438/PAN  <b>Appendix 7(b)</b> – LA05/2026/0438/PAN – PAN Form  <b>Appendix 7(c)</b> – LA05/2026/0438/PAN – Site Location Plan</p>
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### Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	6 July 2026
Responsible Officer	Conor Hughes
Date of Report	17 June 2026
File Reference	LA05/2026/0438/PAN
Legislation	Section 27 of the Planning Act (Northern Ireland) 2011
Subject	Pre-Application Notice (PAN)
Attachments	PAN Form and Site Location Plan

#### Purpose of the Report

1. The purpose of this report is to advise Members of receipt of a pre-application Notice (PAN) from Ballypitmave Community Development Limited for an extension to existing sports facilities to include a 3G soccer pitch and GAA pitch with floodlighting; car parking; ball stop nets; additional fencing to match existing; and associated works on lands adjacent to 95 Lisburn Road, Crumlin.

#### Background Detail

2. Section 27 of the Planning Act (Northern Ireland) 2011 requires that a prospective applicant, prior to submitting a major application must give notice to the appropriate council that an application for planning permission for the development is to be submitted.
3. It is stipulated that there must be at least 12 weeks between the applicant giving the notice (through the PAN) and submitting any such application.
4. The PAN for the above-described development was received on 21 May 2026. The earliest possible date for the submission of a planning application is week commencing 17 August 2026.

#### Consideration of PAN Detail

5. Section 27 (4) stipulates that the PAN must contain:  
**A description in general terms of the development to be carried out.**
6. The description associated with the FORM PAN1 is as described above.

7. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.4 of Development Management Practice Note 10, it is considered that an adequate description of the proposed development has been provided.

**The postal address of the site, (if it has one).**

8. The postal address identified on the FORM PAN1 is as described above.
9. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that an adequate description of the location has been provided.

**A plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site.**

10. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that a site location plan with the extent of the site outlined in red and submitted with the PAN form is sufficient to identify the extent of the site.

**Details of how the prospective applicant may be contacted and corresponded with.**

11. Having regard to the relevant section of the legislation and bullet point 4 of paragraph 2.4 of Development Management Practice Note 10 it is noted that the FORM PAN1 as amended and associated covering letter includes details of how the prospective applicant may be contacted and corresponded with.
12. The Form PAN1 includes the name and address of the agent. Any person wishing to make comments on the proposals or obtain further information can contact the agent Braniff Associates, 5 Windsor Avenue North, Belfast.
13. In addition to the matters listed above, regulation 4 of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that a PAN must also contain the following.

**A copy (where applicable) of any determination made under Regulation 7 (1)(a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 in relation to the development to which the proposal of application notice relates.**

14. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.5 of Development Management Practice Note 10 that the FORM PAN 1 indicates that no environmental impact assessment determination has been made.
15. It is accepted that this reference is made without prejudice to any future determination being made or the applicant volunteering an Environmental Statement.

**A copy of any notice served by the Department under Section 26(4) or (6) i.e. confirmation (or not) of the Department's jurisdiction on regionally significant developments.**

16. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.5 of Development Management Practice Note 10 it is considered that the form of development proposed is not specified in the Planning (Development Management) Regulations (Northern Ireland) 2015 as a major development (i.e. regionally significant) prescribed for the purpose of section 26 (1) of the Planning Act (Northern Ireland) 2011 and it is noted that consultation with the Department has not taken place.

**An account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.**

17. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.5 of Development Management Practice Note 10 the account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take has been provided.

The PAN form indicates that a public consultation event fully staffed will take place between 2pm and 6pm on Monday 22 June 2026. The venue identified on the PAN form is Crewe United Football Club, 95 Lisburn Road, Glenavy.

The event will be published in the Ulster Star starting on 13 June 2026.

A notification letter will issue to all properties within 0.5km of the site boundary. Information relating to the proposed development will be available to view online at [www.ballypitmave.com/community-consultation](http://www.ballypitmave.com/community-consultation) .

A copy of the Notice has also issued to Elected Members of the DEA and others as identified on the PAN form on 12 June 2026.

## Recommendation

18. In consideration of the detail submitted with the Pre-Application Notice (PAN) in respect of community consultation, it is recommended that the Committee agrees the information is submitted in accordance with the legislation and related guidance.

PP-14846194

229



www.lisburncastlereagh.gov.uk/resident/planning  
 Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL  
 Tel: 028 9244 7300  
 E-mail: planning@lisburncastlereagh.gov.uk

Proposal of application notice

Planning Act (Northern Ireland) 2011

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Are you an agent acting on behalf of the applicant?

- Yes
- No

**Applicant Details**

Name/Company

Title

Mr

First name

Thomas

Surname

McKenna

Company Name

Crewe Utd

**Address**

Address line 1

95 Lisburn Road

Address line 2

Address line 3

Town/City

Glenavy

BT29 4NY

Country

Northern Ireland

**Contact Details**

Telephone number

02890233023

Mobile number

07751286473

Email address

tmckenna@keenancf.com

**Agent Details**

**Name/Company**

Company / Organisation

Braniff Associates

Title

Other

Other

Dr

First name

Tony

Surname

Quinn

**Address**

Address line 1

5 Windsor Avenue North

Address line 2

Malone Road

Address line 3

Town/City

Belfast

Postcode

BT96EL

Northern Ireland

### Contact Details

Telephone number

02890662050

Mobile number

07796277006

Email address

tonyquinn@braniffassociates.com

Ref no.

Crew3G

### Site Address

**Disclaimer:** Recommendations can only be based on the answers given to the questions.

If you cannot provide a postcode, then further details must be provided below for 'Description of site location' by providing the most accurate site description you can in order to help locate the site.

Number

Suffix

-

Property Name

Lands Adjacent To 95

Address Line 1

Lisburn Road

Address Line 2

Town/city

Crumlin

Postcode

BT29 4NY

Description of site location (only complete if postcode is not known)

Description

Easting co-ordinates (x)

317538

371467

### Site Area

What is the area of the site?

3.9	Hectares
-----	----------

Please note - due to the size of site area this application may also be subject to the completion of an Environmental Impact Assessment report (EIA).

Please give a concise and accurate description of all elements of the proposed development that requires consent, including the purpose for which the land / buildings are to be used. Provide details of all buildings proposed and any ancillary works including access arrangements associated with the proposal. Please also include details of any demolition if the site falls within a designated area.

### Description of Proposed Development

Please give a brief description of the proposed development

Extension to existing sports facilities to include: a 3G soccer pitch and GAA pitch with floodlighting; car parking; ball stop nets; additional fencing to match existing; and associated works.

Please indicate what type of application is being requested

- Outline permission
- Full permission

### Floorspace Summary

Does the proposal include floorspace?

- Yes
- No

### Renewable Energy

Does your proposal involve renewable energy development?

- Yes
- No

### Determinations

Has a determination been made as to whether the proposed development would be of Regional Significance?

- Yes
- No

Has an Environmental Impact Assessment determination previously been made?

- Yes
- No

**Details of Proposed Consultation**

Please add separate details for each proposed consultation

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Proposed public event: Public event to take place at Crewe United Football Club, 95 Lisburn Road, Glenavy, BT29 4NY between 2pm to 6pm on the 22nd June 2026. The event will involve the display of the proposed drawings and the attendance of representatives to respond to any queries about the proposal.

Venue: Crewe United Football Club, 95 Lisburn Road, Glenavy, BT29 4NY

Date and time: 22/06/2026 14:00

**Please add separate details for each publication used for the above consultation**

Publication

Name of publication Ulster Star

Proposed advert date start 13/06/2026

Proposed advert date finish 13/06/2026

Please specify details of any website and any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc.) and method of notification (please include date, time and with whom)

Details of the proposed scheme will be outlined on the web at [www.ballypitmave.com/community-consultation/](http://www.ballypitmave.com/community-consultation/)

A leaflet drop outlining details of the public event will be issued to properties within 0.5km of the application site during week commencing 8/6/2026

Details of any other publicity methods (e.g. leaflets, posters)

The applicant is a community based organisation, with many members originating from the Ballypitmave area. With this mind, details of the proposal and the public event will be communicated by word of mouth.

**Details of Other Parties Receiving a copy of this PAN**

Are there any other parties receiving a copy of this PAN?

Yes  No

Please state which other parties have received a copy of this Proposal of Application Notice

Details for elected member(s) for District Electoral Area

**Elected member(s) for District Electoral Area:**

Thomas.beckett@lisburncastlereagh.gov.uk Claire.kemp@lisburncastlereagh.gov.uk Gary.cleave@lisburncastlereagh.gov.uk  
Ross.mclernon@lisburncastlereagh.gov.uk James.tinsley@lisburncastlereagh.gov.u

**Date notice served:**

12/06/2026

<p><b>Other(s):</b> MP for area - Robin.swann.mp@parliament.uk</p> <p><b>Date notice served:</b> 12/06/2026</p>
<p><b>Other(s):</b> Blair, John MLA - john.blair@mla.niassembly.gov.uk</p> <p><b>Date notice served:</b> 12/06/2026</p>

**Authority Employee/Member**

Are you/the applicant/applicant's spouse or partner, a member of staff within the council or an elected member of the council?

- Yes
- No

Are you/the applicant/the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

- Yes
- No

It is an important principle of decision-making that the process is open and transparent.

**Declaration**

The information I / We have given is correct and complete to the best of my knowledge and belief.

I / We agree to the outlined declaration

Signed

Tony Quinn

Date 21/05/2026

This information may be shared with other departments within the authority for the purposes of promoting investment. Please indicate by ticking the box below that you are providing your personal data on the basis of consent and are positively agreeing that it is shared with these departments and used for the purpose described, who may contact you and consider tailored support to meet your needs. Please note that availing of this service will have no influence on the planning process or the likelihood of you receiving planning permission.

I consent for my personal data to be shared with other departments within the authority



Rev.	Date	By	Check	Details	Appr.
-	-	-	-	-	-

**Notes**

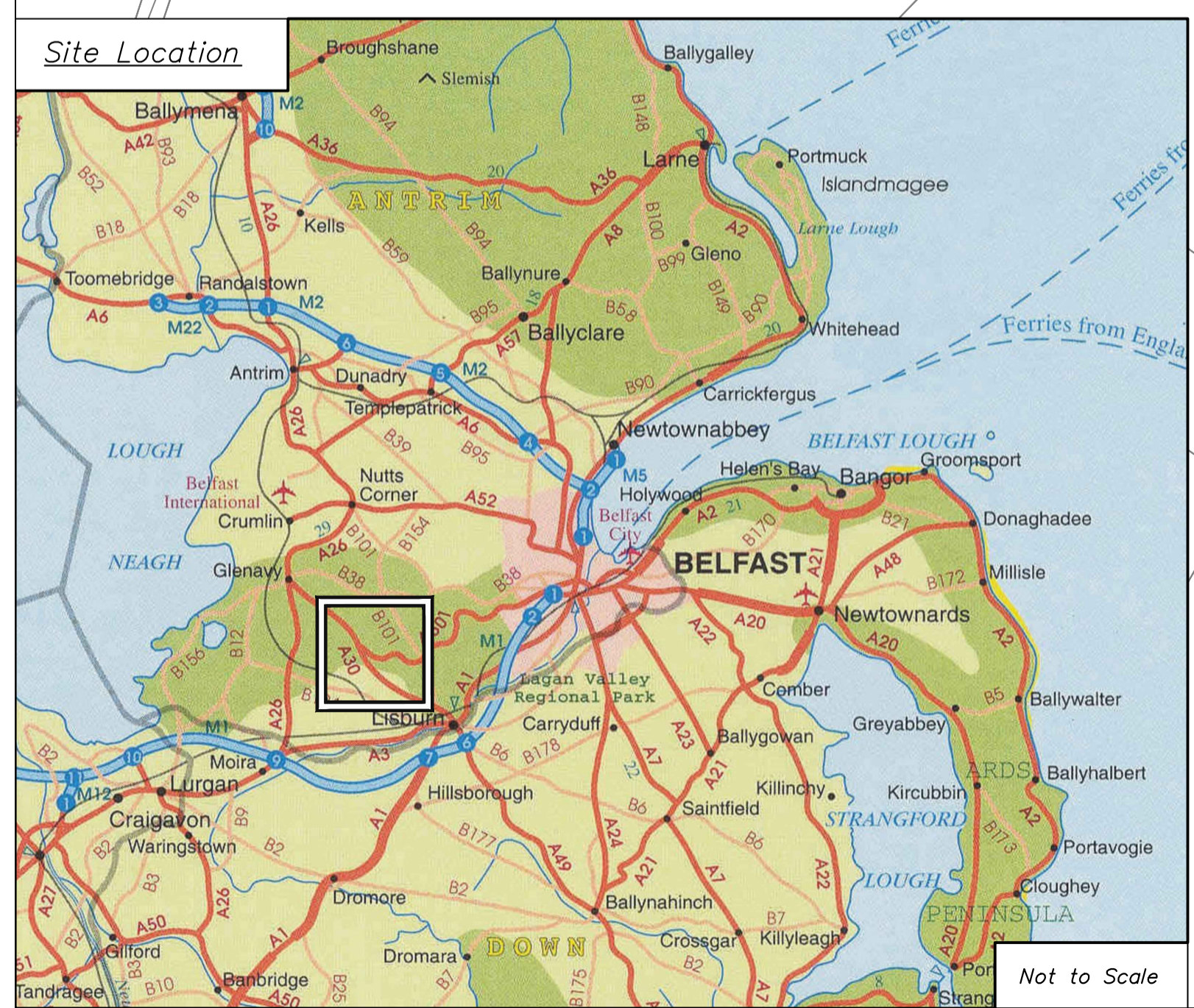
1. All Coordinates are to Irish grid coordinates.
2. This is crown copyright and is reproduced with the permission of Land & Property Services under delegated authority from the Controller of Her Majesty's Stationery Office.
3. All dimensions in m unless noted otherwise.
4. This drawing is not to be scaled from.

**Legend**

- Site Boundary
- Site Location

**Irish Grid Coordinates**

X: 317563  
Y: 371553



**PRELIMINARY DRAWING**

Project Title:  
**Crewe United Redevelopment**

Drawing Title:  
**Site Location Plan**

Client: Crewe United	Drawn by: RW	Date: Oct 2024
Project Number: 251047	Checked by: CAD	Scales: 1:1000
Doran Project Number: 251047	Approved by: CML	Sheet Size: A1
		Uniclass: PM_40_40
Drawing Number: (Project-Orig-FB-SB-F-DISC-NUMBER) <b>251047-DCL-XX-XX-D-C-0001</b>	Revision: <b>P01</b>	STATUS: <b>S4</b>

FLAX HOUSE  
83-91 Adelaide Street,  
Belfast, BT2 8FE  
T 028 90333443  
E mail@doran.co.uk  
W www.doran.co.uk

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Item 8 – Pre-application Notice (PAN) for a proposed Golf Club incorporating an 18-hole signature golf course of Championship standard including the re-profiling of ground levels, the incorporation of existing Mill Race into layout, new footbridges, and provision of natural, semi-natural and maintained landscape and new water features (incorporating sustainable drainage principles including the creation of wet and dry swales, attenuation basins and earth berms), with associated practice facilities including driving range, putting greens and a maintenance area; removal of various redundant agricultural outbuildings and structures to accommodate change of use with alterations/extensions of the Grade B1 listed buildings (Newgrove House) to provide a new club house and golf equipment storage cottage, with the erection of additional club house accommodation in a standalone detached single storey building; landscaping; car parking areas; relocated access and associated improvements from Ballylesson Road; upgrade to internal access road with new laneways and pathways; and ancillary site works. at Newgrove House 191 Ballylesson Road, Belfast

## 1.0 **Background**

1. Section 27 of the Planning Act (Northern Ireland) 2011 requires a prospective applicant, prior to submitting a major application, to give notice to the appropriate Council that an application for planning permission is to be submitted.

### **Key Issues**

2. Section 27 (4) of the Planning Act (Northern Ireland) 2011 stipulates what information a PAN must contain. The attached report sets out how the requirement of the legislation and associated guidance has been considered as part of the submission.
3. Section 27(5) of the Planning Act (Northern Ireland) 2011 also stipulates that regulations may require that the PAN be given to persons specified in the regulations and prescribe (i) the persons who are to be consulted as respects a proposed application, and (ii) the form that consultation is to take.
4. It is stated in the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 that the prospective applicant must:
  - a) hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant as regards the proposed development; maintain a website to display details of the proposed development and facilitate

comments from members of the public relating to the proposed development; and

- b) publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing (i) a description of, and the location of, the proposed development, (ii) details as to where further information may be obtained concerning the proposed development, (iii) the date, time and place of the public event, (iv) a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, (v) a statement that comments made to the prospective applicant are not representations to the council or as the case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the council or as the case may be the Department at a later stage, (vi) details of the website maintained in accordance with 2(a), and (vii) the period of time to display details of the proposed development on the website.

2.0 **Recommendation**

It is recommended that the Members note the information on the content of the Pre-application Notice attached and agree that it is submitted in accordance with the relevant sections of the legislation and related guidance.

3.0 **Finance and Resource Implications**

There are no finance and resource implications.

4.0 **Equality/Good Relations and Rural Needs Impact Assessments**

4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out  This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. EQIA is not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out.  This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.	

<b>Appendices:</b>	<p><b>Appendix 8(a)</b> - Report in relation to LA05/2026/0424/PAN</p> <p><b>Appendix 8(b)</b> – LA05/2026/0424/PAN – PAN Form</p> <p><b>Appendix 8(c)</b> – LA05/2026/0424/PAN – Site Location Plan</p>
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## Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	6 July 2026
Responsible Officer	Conor Hughes
Date of Report	17 June 2026
File Reference	LA05/2026/0424/PAN
Legislation	Section 27 of the Planning Act (Northern Ireland) 2011
Subject	Pre-Application Notice (PAN)
Attachments	PAN Form and Site Location Plan

### Purpose of the Report

1. The purpose of this report is to advise Members of receipt of a Pre-application Notice (PAN) for a proposed Golf Club incorporating an 18-hole signature golf course of Championship standard including the re-profiling of ground levels, the incorporation of existing Mill Race into layout, new footbridges, and provision of natural, semi-natural and maintained landscape and new water features (incorporating sustainable drainage principles including the creation of wet and dry swales, attenuation basins and earth berms), with associated practice facilities including driving range, putting greens and a maintenance area; removal of various redundant agricultural outbuildings and structures to accommodate change of use with alterations/extensions of the Grade B1 listed buildings (Newgrove House to provide a new club house and golf equipment storage cottage, with the erection of additional club house accommodation in a standalone detached single storey building; landscaping; car parking areas; relocated access and associated improvements from Ballylesson Road; upgrade to internal access road with new laneways and pathways; and ancillary site works. at Newgrove House 191 Ballylesson Road, Belfast.

### Background Detail

2. Section 27 of the Planning Act (Northern Ireland) 2011 requires that a prospective applicant, prior to submitting a major application must give notice to the appropriate council that an application for planning permission for the development is to be submitted.
3. It is stipulated that there must be at least 12 weeks between the applicant giving the notice (through the PAN) and submitting any such application.
4. The PAN for the above-described development was received on 18 May 2026. The earliest possible date for the submission of a planning application is week commencing 11 August 2026.

**Consideration of PAN Detail**

5. Section 27 (4) stipulates that the PAN must contain:

**A description in general terms of the development to be carried out.**

6. The description associated with the FORM PAN1 is as described above.
7. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.4 of Development Management Practice Note 10, it is considered that an adequate description of the proposed development has been provided.

**The postal address of the site, (if it has one).**

8. The postal address identified on the FORM PAN1 is as described above.
9. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that an adequate description of the location has been provided.

**A plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site.**

10. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that a site location plan with the extent of the site outlined in red and submitted with the PAN form is sufficient to identify the extent of the site.

**Details of how the prospective applicant may be contacted and corresponded with.**

11. Having regard to the relevant section of the legislation and bullet point 4 of paragraph 2.4 of Development Management Practice Note 10 it is noted that the FORM PAN1 as amended and associated covering letter includes details of how the prospective applicant may be contacted and corresponded with.
12. The Form PAN1 includes the name and address of the agent. Any person wishing to make comments on the proposals or obtain further information can contact the agent Damien Broderick at TSA Planning, 20 May Street, Belfast.
13. In addition to the matters listed above, regulation 4 of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that a PAN must also contain the following.

**A copy (where applicable) of any determination made under Regulation 7 (1)(a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 in relation to the development to which the proposal of application notice relates.**

14. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.5 of Development Management Practice Note 10 that the FORM

PAN 1 indicates that no environmental impact assessment determination has been made.

15. It is accepted that this reference is made without prejudice to any future determination being made or the applicant volunteering an Environmental Statement.

**A copy of any notice served by the Department under Section 26(4) or (6) i.e. confirmation (or not) of the Department's jurisdiction on regionally significant developments.**

16. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.5 of Development Management Practice Note 10 it is considered that the form of development proposed is not specified in the Planning (Development Management) Regulations (Northern Ireland) 2015 as a major development (i.e. regionally significant) prescribed for the purpose of section 26 (1) of the Planning Act (Northern Ireland) 2011 and it is noted that consultation with the Department has not taken place.

**An account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.**

17. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.5 of Development Management Practice Note 10 the account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take has been provided.

The PAN form indicates that a public consultation event fully staffed will take place between 2pm and 7pm on Thursday 18 June 2026. The venue identified on the PAN form is Holy Trinity Church Hall, 107 Ballylesson Road, Ballylesson, Belfast.

The event will be published in the Belfast Telegraph starting on 8 June 2026.

A notification letter will issue to all properties within 600 metres of the site boundary. Information relating to the proposed development will be available to view online at [www.ballylessonroad.consultationonline.co.uk](http://www.ballylessonroad.consultationonline.co.uk) during the period 18 June 2026 to 16 July 2026.

A copy of the Notice has also issued to Elected Members of the DEA and others as identified on the PAN form on 19 May 2026.

### Recommendation

18. In consideration of the detail submitted with the Pre-Application Notice (PAN) in respect of community consultation, it is recommended that the Committee agrees the information is submitted in accordance with the legislation and related guidance.



[www.lisburncastlereagh.gov.uk/resident/planning](http://www.lisburncastlereagh.gov.uk/resident/planning)  
Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL  
Tel: 028 9244 7300  
E-mail: [planning@lisburncastlereagh.gov.uk](mailto:planning@lisburncastlereagh.gov.uk)

### Proposal of application notice

### Planning Act (Northern Ireland) 2011

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Are you an agent acting on behalf of the applicant?

- Yes
- No

#### Applicant Details

Name/Company

Title

First name

Surname

Company Name

#### Address

Address line 1

Address line 2

Address line 3

Town/City

D02 HW20

Country

Ireland

242

### Contact Details

Telephone number

Mobile number

Email address

### Agent Details

#### Name/Company

Company / Organisation

Title

First name

Surname

#### Address

Address line 1

Address line 2

Address line 3

Town/City

Postcode

N. Ireland

Contact Details

Telephone number

07727019204

Mobile number

Email address

damien@tsaplanning.co.uk

Ref no.

3573PAN

Site Address

**Disclaimer:** Recommendations can only be based on the answers given to the questions.

If you cannot provide a postcode, then further details must be provided below for 'Description of site location' by providing the most accurate site description you can in order to help locate the site.

Number  Suffix

Property Name

Newgrove House

Address Line 1

191 Ballylesson Road

Address Line 2

Town/city

Belfast

Postcode

BT8 8JU

Description of site location (only complete if postcode is not known)

Description

Easting co-ordinates (x)

331799

366818

244

## Site Area

What is the area of the site?

60.5

Hectares

Please note - due to the size of site area this application may also be subject to the completion of an Environmental Impact Assessment report (EIA).

Please give a concise and accurate description of all elements of the proposed development that requires consent, including the purpose for which the land / buildings are to be used. Provide details of all buildings proposed and any ancillary works including access arrangements associated with the proposal. Please also include details of any demolition if the site falls within a designated area.

## Description of Proposed Development

Please give a brief description of the proposed development

Proposed new Golf Club to include an 18-hole signature golf course of Championship standard and club house with associated practice facilities including driving range, putting greens and a maintenance area. Development will involve the removal of various redundant agricultural outbuildings and structures to accommodate change of use with alterations/extensions of the Grade B1 listed buildings (Newgrove House and adjacent workers cottage) to provide a new club house and golf equipment storage cottage, with the erection of additional club house accommodation through a standalone detached single storey building, landscaped setting, and car parking areas. Proposal also includes relocated access and associated improvements from Ballylesson Road, upgrade to internal access road with new laneways and pathways, parking and ancillary site works. Course design to include the re-profiling of ground levels, the incorporation of existing Mill Race into layout, new footbridges, and provision of natural, semi-natural and maintained landscape and new water features (incorporating sustainable drainage principles including the creation of wet and dry swales, attenuation basins and earth berms).

Please indicate what type of application is being requested

- Outline permission  
 Full permission

## Floorspace Summary

Does the proposal include floorspace?

- Yes  
 No

What is the total gross floor space of proposed development (sq m)?

1400

## Renewable Energy

Does your proposal involve renewable energy development?

- Yes  No

## Determinations

Yes No

Has an Environmental Impact Assessment determination previously been made?

 Yes No

245

## Details of Proposed Consultation

Please add separate details for each proposed consultation

Proposed public event: In-person drop-in event (2pm - 7pm)  
 Venue: Holy Trinity Church Hall, 107 Ballylesson Rd, Ballylesson, Belfast BT8 8JT  
 Date and time: 18/06/2026 14:00

### Please add separate details for each publication used for the above consultation

Publication

Name of publication Belfast Telegraph  
 Proposed advert date start 08/06/2026  
 Proposed advert date finish 08/06/2026

Please specify details of any website and any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc.) and method of notification (please include date, time and with whom)

- An in-person drop-in event will be held at the Holy Trinity Church Hall on Thursday 18th June 2pm – 7pm to allow interested parties to view the display boards for the proposal and provide feedback via printed comment cards. The local elected representatives listed below, and businesses will be invited to this event. Members of the consultation team will attend the event to answer any questions that local residents and stakeholders may have, and to collect feedback on the proposal.
- On the same day, a dedicated and bespoke website [ballylessonroad.consultationonline.co.uk](http://ballylessonroad.consultationonline.co.uk) will be made available for interested parties to view the consultation documentation and site proposals. The website will run for a period of 28 days, until Thursday 16th July 2026. This will be an online version of the 'traditional' display boards for viewing, with a connected and easy to use feedback online comment card and direct email contact to the technical team.
- A period of identification of key stakeholder such as local community and political representatives and a subsequent engagement program throughout the Community Consultation phase. Electronic copies of the exhibition boards will be issued to the DEA Councillors, constituency MP & MLA's. Information provided will also include details of the website, in-person event and a contact number if they require further information. A series of meetings with key stakeholders including MPs, MLAs, Local Councillors and community groups will be undertaken.

Details of any other publicity methods (e.g. leaflets, posters)

- A neighbourhood information drop will take place to residents within a c.600m radius from the edge of the subject site. The leaflet will include information on the Online Pre-Application Community Consultation (PACC) process, the drop-in event at Holy Trinity Church Hall, and details of the point of contact within the Technical Team to ask questions, or to provide feedback on the proposal.
- A public notice will be published in the Belfast Telegraph with additional information including details of the website address, details of the drop-in event & a contact number for any interested parties to speak to a member of the development team. Key stakeholders will also be asked to share details of the consultation event on their social media platforms.

## Details of Other Parties Receiving a copy of this PAN

Yes  No

Please state which other parties have received a copy of this Proposal of Application Notice

Details for elected member(s) for District Electoral Area

**Elected member(s) for District Electoral Area:**  
 Downshire East Councillors • James Baird (UUP) • Kurtis Dickson (Alliance) • Andrew Gowan (DUP) • Uel Mackin (DUP) • Aaron McIntyre (Alliance)

**Date notice served:**  
 19/05/2026

**Elected member(s) for District Electoral Area:**  
 Member of Parliament Belfast South and Mid Down • Claire Hanna (SDLP) Member of Parliament Lagan Valley • Sorcha Eastwood (Alliance)

**Date notice served:**  
 19/05/2026

**Elected member(s) for District Electoral Area:**  
 Belfast South MLAs • Paula Bradshaw (Alliance) • Deirdre Hargey (Sinn Féin) • Kate Nicholl (Alliance) • Matthew O'Toole (SDLP) • Edwin Poots (DUP)

**Date notice served:**  
 19/05/2026

**Elected member(s) for District Electoral Area:**  
 Lagan Valley MLAs • Robbie Butler (UUP) • Paul Givan (DUP) • Michelle Guy (Alliance) • David Honeyford (Alliance) • Emma Little-Pengelly (DUP)

**Date notice served:**  
 19/05/2026

**Elected member(s) for District Electoral Area:**  
 Balmoral DEA Councillors • Natasha Brennan (Sinn Fein) • Tara Brooks (Alliance) • Sarah Bunting (DUP) • Dónal Lyons (SDLP) • Micky Murray (Alliance)

**Date notice served:**  
 19/05/2026

Details for Other Parties

**Other(s):**  
 David Burns – Chief Executive of Lisburn & Castlereagh City Council Ruth Young – President of Lisburn Chamber Quarterlands Group

**Date notice served:**  
 19/05/2026

**Authority Employee/Member**

Are you/the applicant/applicant's spouse or partner, a member of staff within the council or an elected member of the council?

Yes  
 No

Spouse or partner:

- Yes
- No

It is an important principle of decision-making that the process is open and transparent.

### Declaration

The information I / We have given is correct and complete to the best of my knowledge and belief.

I / We agree to the outlined declaration

Signed

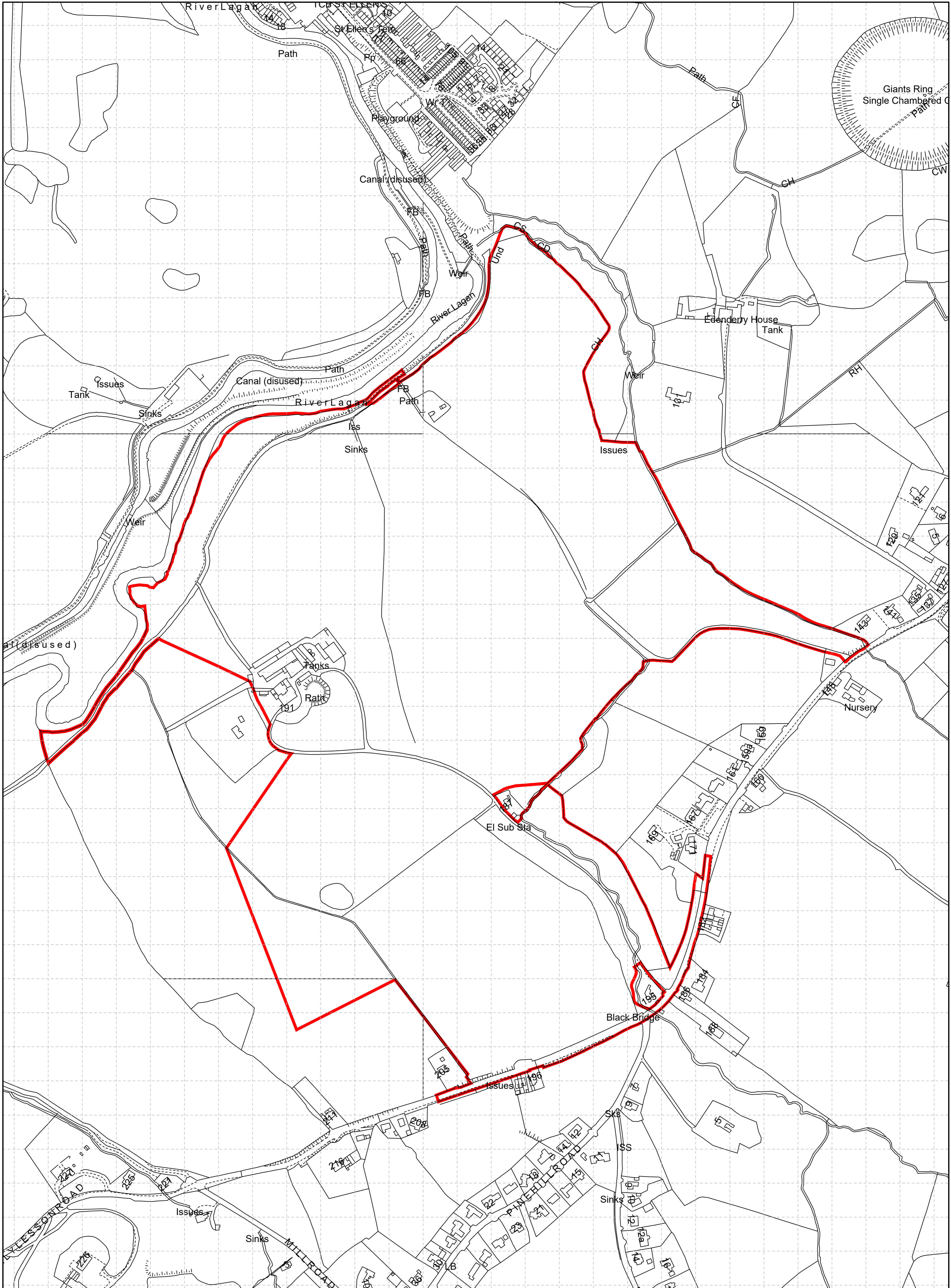
Damien Broderick

Date

18/05/2026

This information may be shared with other departments within the authority for the purposes of promoting investment. Please indicate by ticking the box below that you are providing your personal data on the basis of consent and are positively agreeing that it is shared with these departments and used for the purpose described, who may contact you and consider tailored support to meet your needs. Please note that availing of this service will have no influence on the planning process or the likelihood of you receiving planning permission.

I consent for my personal data to be shared with other departments within the authority



**GENERAL NOTES**

- Any discrepancies to be reported to the architect immediately and prior to commencement of works onsite.
- All structural queries shall be brought to the attention of the structural engineer.
- All specialist sub-contractors elements to be approved by the design team prior to ordering, manufacturing and commencement of works on site.
- Refer to M&E details, drawings for M&E elements.
- Please note that all sizes/calculations must be approved by a structural engineer prior to manufacturing and works on site.
- All fixed building services shall be commissioned by a suitably qualified person and copies of certificates forwarded to building control and the building owner upon completion.
- Contractor to provide Health & Safety Statements for the complete contract period.
- All materials & methods of construction to comply with relevant British Standards Codes of Practice or European Equivalent Standards & Norms.
- Contractor is required to carry out the works in accordance with current Building Regulations and general good building practice. It is the contractors responsibility to submit the relevant cards to Building Control for the required stages of notification throughout the contract.
- Do not scale from this drawings. All dimensions to be site verified.

**BUILDING PERFORMANCE**

Ground Floor	W/m <sup>2</sup> K
Walls	W/m <sup>2</sup> K
Roof	W/m <sup>2</sup> K
Windows	W/m <sup>2</sup> K
Doors	W/m <sup>2</sup> K
Air Tightness	m <sup>3</sup> /hr.m <sup>2</sup>
Primary Fuel	N/A
Ventilation	N/A
Electrical Lighting	N/A

**REVISION SCHEDULE**

REV	DATE	CHANGES	BY	VC	MMC
A	12.09.25	Revised to include extra length of road and verge			
B	10.04.26	Revised to include extra piece of land purchased			
C	29.04.26	Revised to include extra piece of land purchased			

**PROJECT NAME**  
BALLYLESSON GOLF CLUB  
NEWGROVE ESTATE

**DRAWING TITLE**  
OSNI ACE MAP REDLINE BOUNDARY

**DRAWING NUMBER**  
1573-RMI

**DRAWN** MMC    **CHECKED** VC    **SCALE** 1:2500@A1    **DATE** 03/09/25

**PURPOSE OF ISSUE**    **REVISION B**    **STATUS** N/A

**RMI ARCHITECTS**  
EST.1963

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SUITE 5, ALEXANDER HOUSE  
17 ORMEAU AVENUE, BELFAST, BT2 8HD    (028) 9024 8922  
www.rmi.uk.com

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Item 9 – Pre-application Notice (PAN) for the submission of an application or applications under Section 54 of The Planning Act (Northern Ireland) 2011 to vary Conditions 9, 10 & 22 (Remediation Strategy); Condition 14 (Acoustic Fencing); Condition 16 (Glazing Specifications); Condition 17 (Ventilation Specifications); and removal of Condition 20 (Pre-demolition Survey) of planning permission reference LA05/2021/0033/F as required at Carrow Hall residential development on lands formerly occupied by the Rolls Royce factory, north of Upper Newtownards Road, south of Inspire Business Centre, east of Ballyoran Lane and west of Carrowreagh Road, Dundonald.

## 1.0 Background

1. Section 27 of the Planning Act (Northern Ireland) 2011 requires a prospective applicant, prior to submitting a major application, to give notice to the appropriate Council that an application for planning permission is to be submitted.

### Key Issues

2. Section 27 (4) of the Planning Act (Northern Ireland) 2011 stipulates what information a PAN must contain. The attached report sets out how the requirement of the legislation and associated guidance has been considered as part of the submission.
3. Section 27(5) of the Planning Act (Northern Ireland) 2011 also stipulates that regulations may require that the PAN be given to persons specified in the regulations and prescribe (i)the persons who are to be consulted as respects a proposed application, and (ii)the form that consultation is to take.
4. It is stated in the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 that the prospective applicant must:
  - a) hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant as regards the proposed development; maintain a website to display details of the proposed development and facilitate comments from members of the public relating to the proposed development; and
  - b) publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing (i)a description of, and the location of, the proposed development, (ii)details as to where further information may be obtained concerning the proposed development, (iii)the date, time and place of the public event, (iv)a statement explaining how, and

by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, (v) a statement that comments made to the prospective applicant are not representations to the council or as the case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the council or as the case may be the Department at a later stage, (vi) details of the website maintained in accordance with 2(a), and (vii) the period of time to display details of the proposed development on the website.

2.0 **Recommendation**

It is recommended that the Members note the information on the content of the Pre-application Notice attached and agree that it is submitted in accordance with the relevant sections of the legislation and related guidance.

3.0 **Finance and Resource Implications**

There are no finance and resource implications.

4.0 **Equality/Good Relations and Rural Needs Impact Assessments**

4.1	Has an equality and good relations screening been carried out?	No
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4.2	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out  This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. EQIA is not required.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.  This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.	
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**Appendices:**

- Appendix 9(a)** - Report in relation to LA05/2026/0475/PAN
- Appendix 9(b)** – LA05/2026/0475/PAN – PAN Form
- Appendix 9(c)** – LA05/2026/0475/PAN – Site Location Plan

## Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	6 July 2026
Responsible Officer	Conor Hughes
Date of Report	17 June 2026
File Reference	LA05/2026/0475/PAN
Legislation	Section 27 of the Planning Act (Northern Ireland) 2011
Subject	Pre-Application Notice (PAN)
Attachments	PAN Form and Site Location Plan

### Purpose of the Report

1. The purpose of this report is to advise Members of receipt of a Pre-application Notice (PAN) for the submission of an application under Section 54 of The Planning Act (Northern Ireland) 2011 to vary Conditions 9, 10 & 22 (Remediation Strategy); Condition 14 (Acoustic Fencing); Condition 16 (Glazing Specifications); Condition 17 (Ventilation Specifications); and removal of Condition 20 (Pre-demolition Survey) of planning permission reference LA05/2021/0033/F as required at the Carrow Hall residential development on lands formerly occupied by the Rolls Royce factory, north of Upper Newtownards Road, south of Inspire Business Centre, east of Ballyoran Lane and west of Carrowreagh Road, Dundonald.

### Background Detail

2. Section 27 of the Planning Act (Northern Ireland) 2011 requires that a prospective applicant, prior to submitting a major application must give notice to the appropriate council that an application for planning permission for the development is to be submitted.
3. It is stipulated that there must be at least 12 weeks between the applicant giving the notice (through the PAN) and submitting any such application.
4. The PAN for the above-described development was received on 1 June 2026. The earliest possible date for the submission of a planning application is week commencing 24 August 2026.

### Consideration of PAN Detail

5. Section 27 (4) stipulates that the PAN must contain:

**A description in general terms of the development to be carried out.**

6. The description associated with the FORM PAN1 is as described above.
7. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.4 of Development Management Practice Note 10, it is considered that an adequate description of the proposed development has been provided.

**The postal address of the site, (if it has one).**

8. The postal address identified on the FORM PAN1 is as described above.
9. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that an adequate description of the location has been provided.

**A plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site.**

10. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.4 of Development Management Practice Note 10, it is accepted that a site location plan with the extent of the site outlined in red and submitted with the PAN form is sufficient to identify the extent of the site.

**Details of how the prospective applicant may be contacted and corresponded with.**

11. Having regard to the relevant section of the legislation and bullet point 4 of paragraph 2.4 of Development Management Practice Note 10 it is noted that the FORM PAN1 as amended and associated covering letter includes details of how the prospective applicant may be contacted and corresponded with.
12. The Form PAN1 includes the name and address of the agent. Any person wishing to make comments on the proposals or obtain further information can contact the agent Erin Donaldson, Tetra Tech, Elmwood House, 74 Boucher Road, Belfast.
13. In addition to the matters listed above, regulation 4 of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that a PAN must also contain the following.

**A copy (where applicable) of any determination made under Regulation 7 (1)(a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 in relation to the development to which the proposal of application notice relates.**

14. Having regard to the relevant section of the legislation and bullet point 1 of paragraph 2.5 of Development Management Practice Note 10 that the FORM PAN 1 indicates that no environmental impact assessment determination has been made.
15. It is accepted that this reference is made without prejudice to any future determination being made or the applicant volunteering an Environmental Statement.

**A copy of any notice served by the Department under Section 26(4) or (6) i.e. confirmation (or not) of the Department’s jurisdiction on regionally significant developments.**

- 16. Having regard to the relevant section of the legislation and bullet point 2 of paragraph 2.5 of Development Management Practice Note 10 it is considered that the form of development proposed is not specified in the Planning (Development Management) Regulations (Northern Ireland) 2015 as a major development (i.e. regionally significant) prescribed for the purpose of section 26 (1) of the Planning Act (Northern Ireland) 2011 and it is noted that consultation with the Department has not taken place.

**An account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.**

- 17. Having regard to the relevant section of the legislation and bullet point 3 of paragraph 2.5 of Development Management Practice Note 10 the account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take has been provided.

The PAN form indicates that a public consultation event fully staffed will take place between 3pm and 7pm on Tuesday 25 June 2026. The venue identified on the PAN form is on site sales office, Carrow Hall, Carrowreagh Road, Dundonald.

The event will be published in the Belfast Telegraph starting on 17 June 2026.

A notification letter will issue to all properties within 100 metres of the site boundary. Information relating to the proposed development will be available to view online at <https://consultationspace.com/CarrowHall/> .

A copy of the Notice has also issued to Elected Members of the DEA and others as identified on the PAN form on 2 June 2026.

**Recommendation**

- 18. In consideration of the detail submitted with the Pre-Application Notice (PAN) in respect of community consultation, it is recommended that the Committee agrees the information is submitted in accordance with the legislation and related guidance.



[www.lisburncastlereagh.gov.uk/resident/planning](http://www.lisburncastlereagh.gov.uk/resident/planning)  
Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL  
Tel: 028 9244 7300  
E-mail: [planning@lisburncastlereagh.gov.uk](mailto:planning@lisburncastlereagh.gov.uk)

### Proposal of application notice

### Planning Act (Northern Ireland) 2011

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Are you an agent acting on behalf of the applicant?

- Yes
- No

#### Applicant Details

Name/Company

Title

First name

Surname

Company Name

#### Address

Address line 1

Address line 2

Address line 3

Town/City

Country

255

## Contact Details

Telephone number

Mobile number

Email address

## Agent Details

### Name/Company

Company / Organisation

Title

First name

Surname

### Address

Address line 1

Address line 2

Address line 3

Town/City

Postcode

## Contact Details

256

Telephone number

Mobile number

Email address

Ref no.

## Site Address

**Disclaimer:** Recommendations can only be based on the answers given to the questions.

If you cannot provide a postcode, then further details must be provided below for 'Description of site location' by providing the most accurate site description you can in order to help locate the site.

Number

Suffix

Property Name

Address Line 1

Address Line 2

Town/city

Postcode

## Description of site location (only complete if postcode is not known)

Description

Easting co-ordinates (x)

374181

257

## Site Area

What is the area of the site?

9.48

Hectares

Please note - due to the size of site area this application may also be subject to the completion of an Environmental Impact Assessment report (EIA).

Please give a concise and accurate description of all elements of the proposed development that requires consent, including the purpose for which the land / buildings are to be used. Provide details of all buildings proposed and any ancillary works including access arrangements associated with the proposal. Please also include details of any demolition if the site falls within a designated area.

## Description of Proposed Development

Please give a brief description of the proposed development

Submission of an application or applications under Section 54 of The Planning Act (Northern Ireland) 2011 to vary Conditions 9, 10 & 22 (Remediation Strategy); Condition 14 (Acoustic Fencing); Condition 16 (Glazing Specifications); Condition 17 (Ventilation Specifications); and removal of Condition 20 (Pre-demolition Survey) of planning permission reference LA05/2021/0033/F, as required.

Please indicate what type of application is being requested

- Outline permission  
 Full permission

## Floorspace Summary

Does the proposal include floorspace?

- Yes  
 No

## Renewable Energy

Does your proposal involve renewable energy development?

- Yes  No

## Determinations

Has a determination been made as to whether the proposed development would be of Regional Significance?

- Yes  
 No

Has an Environmental Impact Assessment determination previously been made?

- Yes  
 No

## Details of Proposed Consultation

Please add separate details for each proposed consultation

258

Proposed public event: Drop in public information event with team members in attendance (3pm to 7pm).

Venue: On site sales office, Carrow Hall, Carrowreagh Road, Dundonald

Date and time: 25/06/2026 15:00

### Please add separate details for each publication used for the above consultation

Publication

Name of publication Belfast Telegraph

Proposed advert date start 17/06/2026

Proposed advert date finish 17/06/2026

Please specify details of any website and any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc.) and method of notification (please include date, time and with whom)

Letter drop to residents and businesses directly adjacent to the subject site (approx. 100m). The letter will contain consultation event information and consultation website address. Also included will be an email address and telephone number to facilitate feedback directly to the project team. A dedicated webpage (<https://consultationspace.com/CarrowHall/>) will also host this information online providing those that are unable to attend the in person event the opportunity to view the proposals, ask questions and provide feedback.

Details of any other publicity methods (e.g. leaflets, posters)

As above - letter drop to adjacent properties and publication of website to facilitate feedback. The website details will also be circulated to those receiving a copy of the PAN by email, and direct meetings can be facilitated as requested.

## Details of Other Parties Receiving a copy of this PAN

Are there any other parties receiving a copy of this PAN?

Yes  No

Please state which other parties have received a copy of this Proposal of Application Notice

Details for elected member(s) for District Electoral Area

### Elected member(s) for District Electoral Area:

Cllr Samantha Burns, Alderman Martin Gregg, Cllr John Laverty BEM, Alderman Hazel Legge, Cllr Sharon Lowry, Alderman Sharon Skillen.

### Date notice served:

02/06/2026

Details for Other Parties

### Other(s):

East Belfast MLAs & MP - Gavin Robinson MP, Andy Allen MBE MLA, Peter McReynolds MLA, Joanne Bunting MLA, David Brooks MLA

### Date notice served:

02/06/2026

Are you/the applicant/applicant's spouse or partner, a member of staff within the council or an elected member of the council?

- Yes
- No

Are you/the applicant/the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

- Yes
- No

It is an important principle of decision-making that the process is open and transparent.

### Declaration

The information I / We have given is correct and complete to the best of my knowledge and belief.

I / We agree to the outlined declaration

Signed

Erin Donaldson

Date

11/06/2026

Amendments Summary

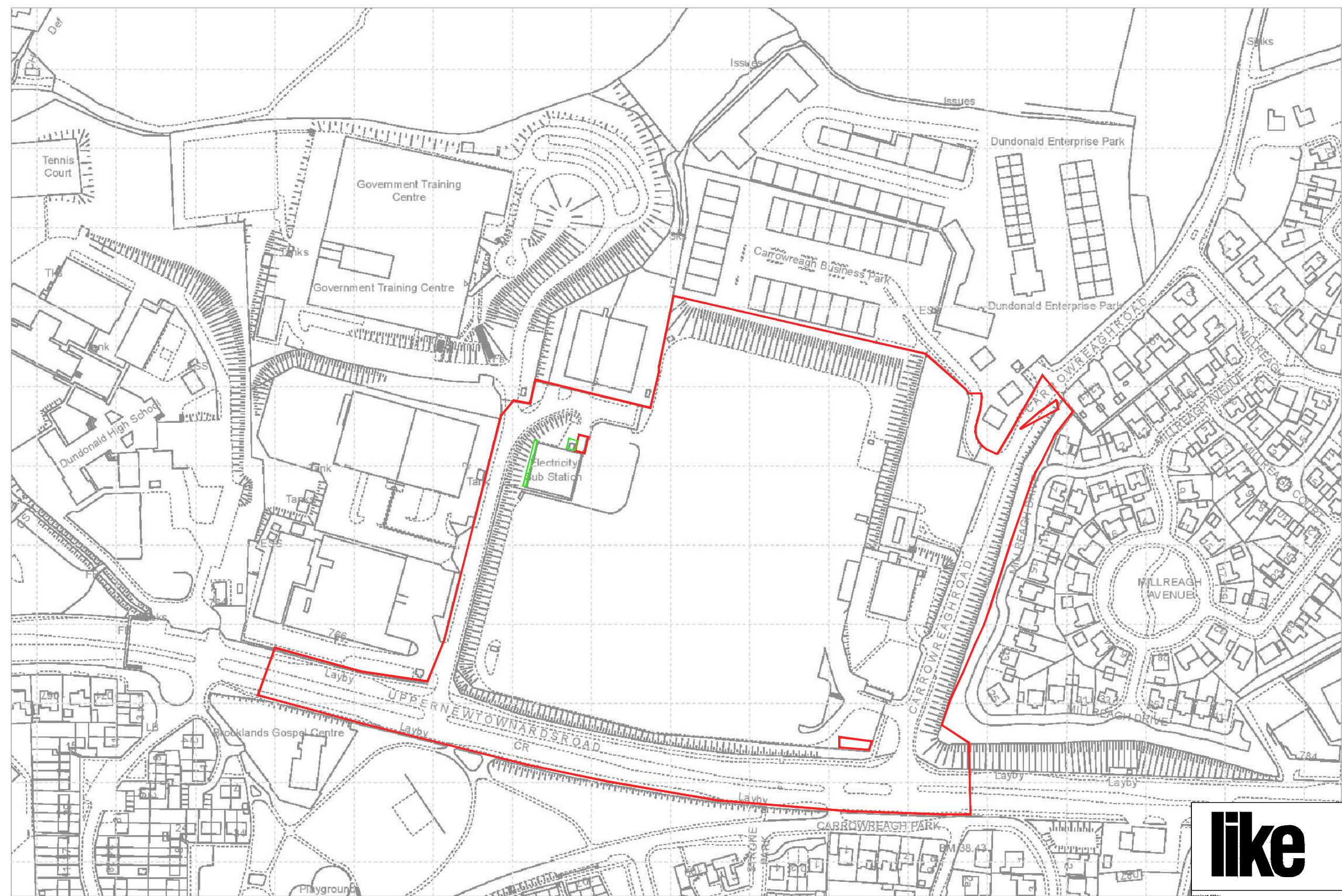
Amendment to description for clarification and updated to include website address now set up.

This information may be shared with other departments within the authority for the purposes of promoting investment. Please indicate by ticking the box below that you are providing your personal data on the basis of consent and are positively agreeing that it is shared with these departments and used for the purpose described, who may contact you and consider tailored support to meet your needs. Please note that availing of this service will have no influence on the planning process or the likelihood of you receiving planning permission.

I consent for my personal data to be shared with other departments within the authority

4 UPPER NEWTOWNARDS ROAD, CARROWREAGH, DUNDONALD, BT16 1UD, 185156417

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Project title: Mixed Use Development, Upper Newtownards Road, Dundonald			
Drawing title: Site Location Plan			
Drawn by: BJL	Approved: MM	Date: 24.09.20	Scale: 1:2500 @ A3
Job no. 1440-01		Series 100	Dwg no. 01
		Issue stage:	revision no. A

Every care has been taken to ensure accuracy in the compilation of this map at the time of publication. Land & Property Services cannot, however, accept responsibility for errors or omissions and when such are brought to our attention, the amendment of any future publication as appropriate shall be entirely

<b>Committee:</b>	Planning Committee
<b>Date:</b>	6 July 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 10 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. The Council is notified by WHP Telecoms Ltd and Beacon Comms of their intention to utilise permitted development rights to install communications apparatus at two locations within the Council area.</li> <li>2. The works consist of the installation of broadband and telecommunication apparatus, upgrades to existing radio base stations and alteration or replacement of a mast or antenna in accordance with Part 18 (Development by Electronic Communications Code Operators) F31 of the Planning (General Permitted Development) Order (Northern Ireland) 2015.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>1. The notification advises the Council of the location of the apparatus where they intend to utilise permitted development rights. Detail is also provided in relation to the nature and scale of the works proposed.</li> <li>2. Only the schedule of locations where the works are proposed has been appended to the report (see Appendix). However, the content of notifications detailed above are provided separately on Decision Time to assist Members in understanding the scope and nature of the proposed works.</li> <li>3. No comment is provided on the requirement for planning permission for the equipment listed. This letter is also referred to the enforcement section of the Unit. They will write separately to the operator should it be considered that the requirements of the Regulations cannot be met at any of the locations specified.</li> </ol>
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that Members note the detail of the notifications specific to the sites identified.</p>
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance or resource implications.</p>

4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out  This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. EQIA not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.  This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. RNIA not required.	

<b>Appendices:</b>	Appendix 10 – Notification from an Operator in respect of intention to utilise permitted development rights
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### List of Notifications from Telecommunication Operators in relation to intentions to utilise Permitted Development Rights July Planning Committee

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Hutchison 3G UK Limited	WHP Telecoms Ltd	Footway 44 metres northeast Hillsborough Road, Sprucefield shopping centre, Lisburn	Removal of existing 12m PH5 pole supporting 3 no. antennas and replacement with 19m PH7.2 pole and wraparound cabinet supporting 9no. antennas, removal of 2no. equipment cabinet, install 3no equipment cabinets, ancillary works	27/05/2026
2.	Beacon Comms	3 Three	Moss Road, Lisburn	Removal and replacement of 3.no antenna Internal upgrade with existing cabinets Development ancillary reworks thereto.	09/06/2026