



October 1st, 2025

Chairman : Alderman J Tinsley

Vice Chairman : Councillor G Thompson

Aldermen : O Gawith and M Gregg

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

Notice of Meeting

A meeting of the Planning Committee will be held on **Monday, 6th October 2025 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)

📎 *Disclosure of Interests form Sept 24.pdf*

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3.0 Minutes of the Planning Committee Meeting held on 8 September, 2025

For Approval

📎 *PC 08.09.2025 - 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

📎 *Item 1 - Schedule of Applications.pdf*

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- (i) LA05/2024/0401/F - Proposed battery energy storage system (BESS) 600MW, landscaping and ancillary development on lands approximately 230 metre east of 2 Moneybroom Road, Lisburn

📎 *Appendix 1.1 LA05 2024 0401F DM Officers Report Final.pdf*

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- (ii) LA05/2024/0714/F – Proposed erection of 30 dwellings including 14 detached, 12 semi-detached and 4 apartments (change of house type and reduction of 3 units to site 214-217, 224-239, 248-254 & 292-297 previously approved under S/2014/0623/RM), open space provision, landscaping, NIE substation and all other associated site works Lands approximately 80 metres west of 1-15 (odds) Ayrshire Road, and approximately 120 metres north of 2 - 4 Woodbrook Manor, Lisburn

📎 *Appendix 1.2 LA05 2024 0714F DM Officer report Final.pdf*

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

📎 *Appendix 1.3 LA05 2023 0069 Chapel Road (002).pdf*

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- (iv) LA05/2023/0251/F – New agricultural shed at 390 Ballynahinch Road, Hillsborough

- (v) LA05/2023/0494/F – Conversion of and single storey extension to disused mill to a dwelling with associated site works on lands approximately 33 metres southwest of 18 Gransha Road, Comber

Appendix 1.5 LA05.2023.0494 DM Officers report Final.pdf

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- (vi) LA05/2024/0850/F - Erection of a new community hall, car park and associated site works on lands 45metres north of 142-196 Ashmount Gardens, Lisburn

Appendix 1.6 LA05.2024.0850.F DM Officers report Final.pdf

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4.2 Statutory Performance Indicators - August 2025

For Noting

Item 2 - Statutory Performance Indicators - August 2025.pdf

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Appendix 2 Lisburn_Castlereagh_August_Monthly_MI.pdf

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4.3 Appeal Decision – LA05/2023/0134/A

For Noting

Item 3 - Appeal Decision -LA05 2023 0134a.pdf

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Appendix 3 Appeal decision LA05 2023 0134A (1).pdf

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

For Noting

Item 4 - Notifications from an Operator in respect of intention.pdf

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Appendix 4- List of Notifications - October 2025.pdf

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No 1 2 Rose Meadows.pdf

Not included

No 2 Ballymaconaghy Road.pdf

Not included

No 3 Forestside.pdf

Not included

No 4 27, Kilwarlin Road,.pdf

Not included

No 5- 41, Hill Road, Dromara, Dromore.pdf

Not included

No 6 4, Ballynacoy Road, Lisburn.pdf

Not included

4.5 Update to the Protocol of Operation of the Planning Committee

For Decision

 *Item 5 - Review of Protocol for the Operation of the Planning Committee.pdf*

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 *Appendix 5 Planning Committee Protocol.pdf*

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5.0 Any Other Business

LISBURN & CASTLEREAGH CITY COUNCIL

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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:

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:

Name:

Address:

Signed:

Date:

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*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, 8 September, 2025 at 10.00 am

PRESENT IN CHAMBER:

Alderman J Tinsley (Chair)

Alderman O Gawith

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

PRESENT IN REMOTE LOCATION:

Alderman M Gregg

Councillors D Bassett

IN ATTENDANCE:

Director of Regeneration and Growth
Head of Planning & Capital Development
Senior Planning Officers (MB, PMcF and GM)
Member Services Officers (CR and RN)

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

Commencement of Meeting

Councillor N Trimble arrived to the meeting at 10.01 am.

At the commencement of the meeting, the Chair, Alderman J Tinsley, welcomed those present to the Planning Committee. In particular, he extended a welcome to Councillor J Lavery, who had replaced Councillor U Mackin as a Member of the Committee. The Chair 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

There were no apologies.

2. Declarations of Interest

There were no declarations of interest made at this point.

The Chair, Alderman J Tinsley, stated that, by virtue of being Members of Council, all Members of the Planning Committee would have an interest in planning application LA05/2024/0717/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.

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2. Declarations of Interest (Contd)

During the meeting, Councillor D J Craig declared an interest in application LA05/2024/0717/F, as he had had several meetings with Council Officers in respect of it.

3. Minutes of Meeting of Planning Committee held on 4 August, 2025

It was agreed that the minutes of the meeting of Committee held on 4 August, 2025 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 2 local applications on the schedule for consideration at the meeting. Two other applications had been removed from the schedule – one as a consequence of the application having been withdrawn and the other due to legal proceedings having been issued by the planning applicant.

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) LA05/2024/0717/F – Proposed replacement changing rooms at Derriaghy CCFC, 22 Seycon Park, Dunmurry

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

No-one was registered to speak on this application.

At this point, Councillor D J Craig declared an interest in the above application and left the meeting (10.12 am).

There were no Members' queries put to Planning Officers.

Debate

During debate:

- Councillor P Catney stated that, living so close to this facility, knowing the success of the Club and taking on board the substantial community benefit this would bring to the local area, he was in support of the recommendation of the Planning Officer to approve planning permission. He stated that the application was identified as being within the greenbelt of the Lagan Valley Regional Park, but it was land zoned for recreation and open space.

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- (i) LA05/2024/0717/F – Proposed replacement changing rooms at Derriaghy CCFC, 22 Seycon Park, Dunmurry (Contd)

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.

Councillor D J Craig returned to the meeting (10.15 am).

- (ii) LA05/2022/0506/F – Retrospective application for temporary change of use of lands to car sales and car wash and temporary retention of and change of use of former school building as office at 44 Scroggy Road, Glenavy

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

No-one was registered to speak on this application.

A number of Members' queries were addressed by Planning Officers.

Debate

During debate:

- Councillor A Martin stated that he would have liked the applicant to be present in order that he could question why this development had been proceeded with in the absence of planning permission. Approving planning permission could set a precedent for future applications and Councillor Martin stated that he was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

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

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

Against: None **(0)**

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

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4.2 Statutory Performance Indicators – July 2025

It was agreed that information relating to Statutory Performance Indicators for July 2025 be noted.

4.3 Appeal Decision – LA05/2022/1173/O

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

4.4 Appeal Decision – LA05/2023/0632/F

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

4.5 Pre-application Notice (PAN) for the Construction of an Engineered Landfill Site for Non-Hazardous Wastes within the Quarry Void and Associated Infrastructure to Include Leachate Treatment Plant, Landfill Gas Plant, Weighbridge, Offices, Car Park and Wheel Wash and Other Associated Ancillary Development at Budore Quarry, 15 Sycamore Road, Dundrod

It was proposed by Councillor P Catney, seconded by Councillor D J Craig and agreed that information on the pre-application notice be noted and that it be submitted in accordance with the relevant sections of the legislation and related guidance.

4.6 Pre-application Notice (PAN) for the Expansion to Maghaberry to Provide Neighbourhood Community Comprising of a Health and Wellbeing Hub, a Community Hub, Extension to The Shed Restaurant/Coffee Shop, Offices, Affordable and Private Housing, Affordable and Private Support Housing for Over 55s in Categories 1 and 2, Respite Care, Guesthouse and Affiliated Self-Catering Apartments, Public Open Space including Landscaping, Gardens and Play Areas, and Access from Hammonds Road and Maghaberry Road on Lands to the North, East and South of 1C Hammonds Road, Upper Ballinderry, Situated Between Hammonds Road and Maghaberry Road

It was proposed by Councillor P Catney, seconded by Councillor A Martin and agreed that information on the pre-application notice be noted and that it be submitted in accordance with the relevant sections of the legislation and related guidance.

In response to comments regarding the venue for the public consultation event, the Head of Planning & Capital Development agreed to contact the applicant to request if Maghaberry Community Centre could be used for this purpose; however, he pointed out that the change of venue could not be guaranteed.

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4.7 Letter to Heads of Planning in Respect of the Planning Improvement Programme – Update of Development Plan Practice Notes

Members noted the contents of an update on forthcoming changes to the Local Development Plan Practice Notes, as provided by the Department for Infrastructure Regional Planning Policy and Casework Team.

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

Members noted from the report, information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at a number of locations in the Council area.

4.9 Local Development Plan 2023 Quarterly Update

Councillor P Catney left, and returned to, the meeting during consideration of this item of business (10.53 am and 10.55 am respectively), as did Councillor D Bassett (10.58 am and 11.00 am respectively).

Members noted from the report, an update on progress with the development of the Local Policies Plan.

Following discussion, the Head of Planning & Capital Development agreed:

- (a) that a report would be brought to Committee indicating the quantum of time in respect of the retail policy for Sprucefield; and
- (b) to give consideration to providing an update regarding development at Sprucefield under Any Other Business at the October meeting of the Committee and a briefing session for Members, possibly at the conclusion of the November meeting of the Committee.

4.10 Enforcement Quarterly Update

Members noted from the report, a planning enforcement update in respect of the caseload.

The Chair, Alderman J Tinsley, paid tribute to the hard work of the enforcement team.

5. Any Other Business

5.1 Update on Planning Application LA05/2022/0033/F Chair, Alderman J Tinsley

“In Committee”

It was proposed by Councillor P Catney, seconded by Councillor A Martin and agreed to go ‘into committee’ to consider this matter. Those members of the public and press in attendance left the meeting.

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5.1 Update on Planning Application LA05/2022/0033/F (Contd)
Chair, Alderman J Tinsley

Members were provided with an update in respect of the legal proceedings received in respect of the above application.

Resumption of Normal Business

It was proposed by Councillor D J Craig, seconded by Councillor P Catney and agreed to come out of committee and normal business was resumed (11.29 am).

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 11.29 am.

Chair/Mayor



Committee:	Planning Committee
Date:	06 October 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Schedule of Planning Applications to be Determined
1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> The following applications have been made to the Council as the Local Planning Authority for determination. 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. 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. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> The applications are presented in accordance with the current scheme of delegation. There is one Major application and five local applications. Four have been Called In (one of which was previously deferred), and one exception apply. <ol style="list-style-type: none"> LA05/2024/0401/F - Proposed battery energy storage system (BESS) 600MW, landscaping and ancillary development on lands approximately 230 metre east of 2 Moneybroom Road, Lisburn. Recommendation – Approval LA05/2024/0714/F – Proposed erection of 30 dwellings including 14 detached, 12 semi-detached and 4 apartments (change of house type and reduction of 3 units to site 214-217, 224-239, 248-254 & 292-297 previously approved under S/2014/0623/RM), open space provision, landscaping, NIE substation and all other associated site works Lands approximately 80 metres west of 1-15 (odds) Ayrshire Road, and approximately 120 metres north of 2 - 4 Woodbrook Manor, Lisburn Recommendation – Approval LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee. Recommendation – Refusal LA05/2023/0251/F – New agricultural shed at 390 Ballynahinch Road, Hillsborough. Recommendation – Refusal

	<p>e) LA05/2023/0494/F – Conversion of and single storey extension to disused mill to a dwelling with associated site works on lands approximately 33 metres southwest of 18 Gransha Road, Comber. Recommendation – Refusal</p> <p>f) LA05/2024/0850/F - Erection of a new community hall, car park and associated site works on lands 45metres north of 142-196 Ashmount Gardens, Lisburn. Recommendation – Approval</p> <p>2. The above referenced applications will be decided having regard to paragraphs 42 to 53 of the Protocol of the Operation of the Planning Committee.</p>	
2.0	<p><u>Recommendation</u></p> <p>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.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>Decisions may be subject to:</p> <ul style="list-style-type: none"> (a) Planning Appeal (where the recommendation is to refuse) (b) Judicial Review <p>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.</p> <p>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.</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></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 <u>or</u> rationale why the screening was not carried out.</p> <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>	

4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <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>	

Appendices:	<div>Appendix 1.1LA05/2024/0401/F</div> <div>Appendix 1.2LA05/2024/0714/F</div> <div>Appendix 1.3LA05/2023/0069/O</div> <div>Appendix 1.4LA05/2023/0251/F</div> <div>Appendix 1.5LA05/2023/0494/F</div> <div>Appendix 1.6LA05/2024/0850/F</div>

Lisburn & Castlereagh City Council

Committee	Planning Committee
Date of Committee Meeting	6 October 2025
Committee Interest	Major Application
Application Reference	LA05/2024/0401/F
Date of Application	30 April 2024
District Electoral Area	Lisburn South
Proposal Description	Proposed Battery Energy Storage System (BESS) 600MW, landscaping and ancillary development
Location	On lands approximately 230 metres east of No. 2 Moneybroom Road, Lisburn
Representations	0
Case Officer	Mark Burns
Recommendation	Approval

Summary of Recommendation

1. This application is categorised as a major planning application in accordance with the Development Management Regulations 2015 in that the site area of approximately 3.53 hectares exceeds one hectare in size.
2. The proposal is presented with a recommendation to approve as the proposed is considered to comply with Strategic Policy 01 Sustainable Development, , Strategic Policy 06 Protecting and Enhancing the Environment, Strategic Policy 18 Protecting and Enhancing the Historic Environment, Strategic Policy 19 Protecting and Enhancing Natural Heritage, Strategic Policy 21 Renewable Energy, Strategic Policy 22 Telecommunications and other Utilities and Strategic Policy 24 Flooding of Part 1 of the Plan Strategy.
3. The proposal is also considered to be an acceptable form of non-residential development in the open countryside consistent with operational Policy COU1 of Part 2 of the Plan Strategy.
4. The proposal has been considered against and complies with policy UT1 of the Plan Strategy in that it has been demonstrated that the visual and environmental impacts of utility development are kept to a minimum.

- 5. The proposed also complies with policy of TRA1 the Plan Strategy in that it is demonstrated that an accessible environment is created.
- 6. It is further considered that the development complies with policy TRA2 of the Plan Strategy in that it is demonstrated that the that there will be no intensification of the existing access onto the protected route and that the proposed access will not prejudice road safety or significantly inconvenience the flow of traffic.
- 7. The proposal complies with policy TRA7 of the Plan Strategy in that it is demonstrated that adequate parking and appropriate servicing arrangements have been provided having regard to the specific characteristic of the development and the relevant parking standards are met.
- 8. The advice of DfI Roads has been considered and the advice of the statutory road authority has been accepted that the proposed development will have no road safety or adverse traffic impact.
- 9. The proposal also complies with policy NH2 of the Plan Strategy in that it is demonstrated that the proposed development will not give rise to significant adverse effects on habitats or species of ecological or nature conservation value. The proposed development is also unlikely to result in any cumulative impact upon these features when considered alone or with other developments nearby.
- 10. The proposal also complies with policy NH5 of the Plan Strategy in that it is demonstrated that there will be no detrimental impact of the development on priority habitats and species.
- 11. The proposal also complies with Policy HE1 and HE2, of the Plan Strategy in that it is considered that the proposal would not harm the Historic Environment or Archaeology.
- 12. It is accepted that the proposal complies with the exception under policy FLD1 and FLD2 and FLD3 of the Plan Strategy that the requirements of these policies are satisfied.

Description of Site and Surroundings

Site

- 13. The site is located in the open countryside on the western edge of Lisburn City, close to the main Lisburn NIE substation.

14. The proposed facility covers an area of approximately 3.5 hectares of agricultural land, and the topography of the site is relatively flat throughout.
15. The site is beside a solar park which covers an area of around 40 hectares.
16. There is an existing access to the site from Moneybroom Road, which was constructed as part of the development of the solar park.

Surroundings

17. The Woodbrook housing development lies to the east of the site, and the existing solar park is adjacent to the southern boundary. The lands to the north and west are mainly in agricultural use as this is open countryside.

Proposed Development

18. The proposed application is for:

A proposed Battery Energy Storage System (BESS) with a capacity to store and generate 600MW of electricity with associated landscaping and ancillary development

The proposed project involves the installation of the following components:

- *1788 Outdoor Battery Cabinets placed in rows and groups on concrete pads. Each cabinet incorporates a ventilation and cooling system and is connected to a central management system on the site and controlled remotely.*
- *80 Bi-directional power conversion systems connected to groups of battery cabinets and are an element of the hardware required for the flow of electricity within the site.*
- *40 Transformer/Ring-Main Unit that allow electricity to be transferred between the main transformer and storage batteries.*
- *A transformer compound where electricity is transferred between the NIE substation and the BESS site.*
- *A battery control room which operates, isolates, and controls the export power from the BESS. It is where the SCADA operating system will be located and where an operator would control the project when on site. It will also be used for the storage of miscellaneous items and an office space for the convenience of site operatives who will visit occasionally.*
- *An NIE control room used to house the metering and control equipment to facilitate the measurement of energy into and out of the electricity network. The size of this building will be determined by the requirements*

of the DNO as statutory undertaker, though the relevant drawings with the application show a building in accordance with what has been previously agreed on similar sites in Northern Ireland. This part of the compound is accessed separately as it will be controlled by NIE.

- *A Security System required to prevent unauthorised access to the BESS and to protect the components. This will consist of a two-metre-high palisade fence. Security cameras will be positioned within the compound and will employ infrared technology, so no site lighting will be required. Signage in conspicuous locations mounted on the security fence will warn of the dangers of unauthorised entry.*
 - *A bund and planting assists with visual integration, acoustic impact, and to limit the requirement to move excavated materials from the site.*
 - *Underground cables connected to the existing electricity grid via underground cables. The cable route will be defined through a grid application process, but it is expected the cables will follow an existing laneway that runs from the site to Brokerstown Road, past the electricity substation.*
19. The applicant advises that the proposed BESS is designed to stabilise electricity supply and create a more resilient network. The facility will store electricity when there is a surplus of generation in the system, and discharge electricity onto the grid when there is a deficit of generation.
 20. The application was supported by several technical reports which were updated during the processing of the application. These reports are available and can be viewed on the planning portal and include:
 - Planning Design and Access Statement
 - Set of Architectural Drawings.
 - Phase 1 Preliminary Risk Assessment
 - System Overview Report
 - Battery Technology Report
 - Outline Emergency Response Plan
 - Acoustic Assessment
 - Biodiversity Checklist
 - Drainage Assessment
 - Outline Construction Method Statement
 - Outline Construction & Traffic Management Plan
 - Alternative Site Assessment (Within PDAS Statement)
 - Landscape Management Plan.
 21. The proposal is considered to have met the threshold for pre-application community consultation in accordance with the Schedule in the Planning (Development Management) Regulations (Northern Ireland) 2015 as energy infrastructure. This is an electricity generating station with capacity to generate more than 30 MW of electricity.

22. In accordance with Section 29 of the Planning Act (Northern Ireland) 2011, a Pre-Application Community Consultation (PACC) report was submitted with the application as the threshold for a Pre-application Notice and community consultation was reached.

Relevant Planning History

23. The relevant planning history associated with the application site includes the following:

Reference Number	Description	Location	Decision
S/2014/0492/F	Proposed solar farm and associated development.	Lands located 110m WNW of 29 Ballinderry Road Lisburn	Permission Granted

24. There is no planning history relating to the site itself. The solar park to the south of the site was originally granted planning permission in 2014 under S/2014/0492/F and is relevant because the access linked to this development is proposed as the access for the BESS.

Consultations

25. The following consultations were carried out.

Consultee	Response
NI Water Strategic	No Objection
Historic Environment Division	No Objection
Environmental Health	No Objection
DFI Roads	No Objection
NIEA WMU	No Objection
NIEA NED	No Objection
Rivers Agency	No Objection

Representations

26. No representations were received in relation to the proposal.

Environmental Impact Assessment (EIA)

27. 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 3 (a) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015.
28. An EIA determination was carried out and it was concluded that there was not likely to be any significant environmental impacts created by the proposed development and as such, an Environmental Statement was not required to inform the assessment of the application.

Pre- Application Community Consultation

29. The application was accompanied with a Pre-Application Community Consultation Report (PACC).
30. A leaflet and PAN letter were sent out to elected representatives for Lisburn and local MLAs on 1 December 2023 to provide background information in respect of the proposal including a first draft of the drawings.
31. A letter was sent to neighbours on 4 December 2023 to inform them of the Public Consultation meeting.
32. A Public Information Notice was placed in the Ulster Star on 12 January 2024, and the Public Consultation meeting was held on the 31 January 2024 in the LCCC Civic HQ buildings Lisburn.
33. The report indicates that public interest in the proposal was low with only four people attending the event and two of these were from outside the Council area and were seeking general information on BESS development.
34. The two others who attended were from households along the Moneybroom Road and were already aware of the development. They stated that noise mitigation should form an important part of the design process.
35. Following the event, it was decided to add a barrier at the entrance gate as additional acoustic mitigation.
36. In conclusion two representations were made in relation to the proposal. The issues included flooding, drainage, access, traffic, ground conditions and ecology. traffic, noise, pollution, working hours and type of development.
37. The agent's comments and responses to the representations are included in the PACC report. I am satisfied that the content of the PACC report is in

accordance with the practice note and that full and proper consultation was undertaken in advance of the application being submitted.

Regional Development Strategy

38. The Revised Regional Development Strategy (RDS) 2035 was published in 2010. It is the spatial strategy of the Stormont Executive, and it seeks to deliver the spatial aspects of the Programme for Government (PfG)
39. The RDS provides an overarching strategic planning framework to facilitate and guide the public and private sectors. It takes account of key driving forces and seeks to inform and guide the whole community in the ambition to create a dynamic, prosperous, and progressive Northern Ireland.
40. The RDS is material to decisions on individual planning applications Paragraph 2.4 states:

Transport, agriculture and energy supply are the main contributors to greenhouse gas emissions. Climate change is widely accepted as a major environmental threat with increases to annual rainfall and average temperatures potentially impacting on species and habitats.

41. At para 2.10 the RDS sets out eight aims, two of these are particularly relevant to the proposed development:
 - *Aim 5. Improved connectivity to enhance the movement of people, goods, energy and information between places.*
 - *Aim 7. Take actions to reduce our carbon footprint and facilitate adaptation to climate change. It is recognised that climate change is one of the most serious problems facing the world. We are all contributors to global warming and need to play our part to reduce and offset our impact on the environment. We need to reduce harmful greenhouse gas emissions to help reduce the threat of climate change and promote sustainable construction, consumption and production. We should aim to prevent waste and deal with it in line with the revised Waste Framework Directive. Everyone should contribute to reducing the Region's carbon footprint.'*
42. Chapter 3 of the RDS sets out strategic guidance. Paragraph 3.2 discusses the need for modern and sustainable infrastructure to underpin economic growth, highlighting the dependency of businesses on robust electricity connections. This is explained in more detail by RG 5 as follows:

RG5: Deliver a sustainable and secure energy supply

RG5 states that Northern Ireland needs a robust and sustainable energy infrastructure. This should deliver reliable and secure sources of energy to

communities and businesses across the Region. New generation or distribution infrastructure must be carefully planned and assessed to avoid adverse environmental effects, particularly on or near protected sites. At the plan or project level, this will require a Strategic Environmental Assessment or Environmental Impact Assessment and potentially a Habitats Regulation Assessment to identify likely effects and appropriate mitigation. Decision makers will have to balance impacts against the benefits from a secure renewable energy stream, and the potential for cleaner air and energy for industry and transportation.

- *Increasing the contribution that renewable energy can make to the overall energy mix. There will need to be a significant increase in all types of renewable electricity installations*
- *Strengthened the grid. With an increasing number of renewable electricity installations as well as increasing numbers of renewable heat installations we will need to strengthen the grid. It also states this means increasing electricity and connection capacity to strengthen the linkages between transmission and distribution networks.*
- *Develop “Smart Grid” initiatives. This will improve the responsiveness of the electricity grid to facilitate new forms of renewable generation, to improve reliability, productivity, and energy efficiency and empower customers to make a more informed choice in relation to energy usage.’*

43. The section of the RDS dealing with the Environment also focuses on energy issues and highlights the increasing and important contribution that renewable energy can make to the energy mix. Paragraph 3.23 states:

‘There needs to be significant investment in upgrading the electricity infrastructure.

44. RG9 states that to:

‘Reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality’.

45. In this context paragraph 3.25 states:

‘Consideration needs to be given on how to reduce energy consumption and the move to more sustainable methods of energy production.’

46. Paragraph 3.26 sets out the range of mitigation measures that need to be taken in this respect it includes a focus on increasing the use of renewable energies.
47. In this respect the RDS specifically states there will be a requirement to increase the numbers of renewable electricity installations *‘and the grid infrastructure to support them’.*

48. Chapter 4 of the RDS relates to regionally significant economic infrastructure. It includes a section on renewable energy development describing it as ‘vital’. Paragraphs 4.16 and 4.17 are highly relevant, stating:

4.16 To facilitate the provision of additional renewable power generation, primarily from onshore wind energy, and the need to address different areas of weakness in the grid, it will be necessary to strengthen the electricity grid in many parts of Northern Ireland. Grid up-grading will also be needed to ensure that proposed tidal stream and offshore wind developments are planned for properly. This will involve a significant programme of investment and grid strengthening, in the north and west, of the region.

4.17 Increased electricity interconnection capacity, allowing for the export and import of power, will help to ensure security and stability of electricity supply. It will provide increased opportunities for competitive trading in wholesale electricity, encourage new investment in generation and supply and enhance Northern Irelands security of supply. It is also important to facilitate the growth in power generation from renewable sources, while managing the challenging network management issues that increasing amounts of renewable integration on to the grid brings.

Local Development Plan

Local Development Plan Context

49. 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.

50. 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.

51. In accordance with the transitional arrangements the Plan Strategy and the Lisburn Area Plan (LAP) is the local development plan. Draft BMAP remains a material consideration.
52. The LAP indicates that the proposed site is located outside the development settlement limit of Lisburn and in the countryside.
53. Within draft BMAP the site remained in the countryside and the field that the development is proposed in is shown as forming part of the Moneybroom Wood site of Local Nature Conservation Importance (SLNCI) as indicated by Map 2/16. This is discussed further in the assessment section below.
54. New energy infrastructure is proposed in the open countryside. The following strategic policies in Part 1 of the Plan Strategy apply.
55. 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; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.

The Plan Strategy seeks to support the provision of jobs, services, and economic growth; and delivery of homes to meet the full range of housing needs integrated with sustainable infrastructure (physical and digital) whilst recognising the balance to be achieved in protecting environmental assets

56. Strategic Policy 18 Protecting and Enhancing the Historic Environment and Archaeological Remains states that:

The Plan will support development proposals that:

- a) *protect and enhance the Conservation Areas, Areas of Townscape Character and Areas of Village Character*
- b) *protect, conserve and, where possible, enhance and restore our built heritage assets including our historic parks, gardens and demesnes, listed buildings, archaeological remains and areas of archaeological potential*
- c) *promote the highest quality of design for any new development affecting our historic environment.*

57. Strategic Policy 19 Protecting and Enhancing Natural Heritage states that:

The Plan will support development proposals that:

- a) protect, conserve and, where possible, enhance and restore our natural heritage*
- b) maintain and, where possible, enhance landscape quality and the distinctiveness and attractiveness of the area promote the highest quality of design for any new development affecting our natural heritage assets*
- d) safeguard the Lagan Valley Regional Park allowing appropriate opportunities for enhanced access at identified locations thereby protecting their integrity and value*

58. A Battery Energy Storage System is proposed. Strategic Policy 21 Renewable Energy is relevant, and states that:

The Plan will support development proposals that:

- a) facilitate the delivery of renewable energy generating facilities (wind, solar, thermal, biomass and other technologies) in the most appropriate locations which aim to meet the regional target 56 for renewable energy production*
- b) minimise any potential visual intrusion and environmental impacts to protect both the rural and urban landscape, and natural and historic environment.*

59. BESS is classified as other utilities infrastructure, Strategic Policy 22, Telecommunications and Other Utilities is relevant, states that:

The Plan will support development proposals that:

- a) facilitate the delivery of sustainable telecommunications and other utilities infrastructure requirements to meet need over the Plan period, encouraging future proofing to adapt to technological change*
- b) minimise any potential visual intrusion and environmental impacts to protect both the rural and urban landscape, and natural and historic environment*

60. A Flood Risk Assessment and Drainage Assessment has been submitted as part of the proposal Strategic Policy 24 Flooding states that:

The Plan will support development proposals that:

- a) reduce the risks and impacts of flooding by managing development to avoid, where possible the potential for flooding*
- b) encourage the use of Sustainable Drainage Systems to alleviate issues around surface water flooding c) adopt a precautionary approach in*

instances where the precise nature of any risk is as yet unproven, but a potential risk has been identified

61. The following operational policies in Part 2 of the Plan Strategy also apply.
62. The proposal is for BESS in the 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.

63. In planning policy terms, whilst BESS is categorised as an electricity generating facility it is not a renewable facility and policy RE1 is not considered to apply.
64. The proposal is assessed as a utility a part of the electricity grid network as it stores energy from a range of generating facilities and then generates this back into the network. PolicyUT1 - Utilities states that:

To ensure that the visual and environmental impact of utility development is kept to a minimum, the provision of utility services, such as water, wastewater, electricity and gas to new development.

Proposals should be laid underground where considered feasible and viable. Proposals for all overhead electricity lines and associated infrastructure, either regional transmission or local distribution networks, will be subject to the following:

- a) pylons, poles and overhead lines should follow natural features of the environment, having regard to designated areas of landscape or townscape sensitivity, to minimise visual intrusion*
- b) avoidance of areas of nature conservation, the historic environment or archaeological interest, where possible, in particular where there is the potential for significant effects upon any International Site either alone or in combination with other plans and projects*

c) wirescape should be kept to a minimum

d) associated infrastructure works should be visually integrated, making use of existing and proposed landscaping

Proposed power lines should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP).

Regional transmission network pylons and overhead lines will be considered against this policy.

65. Irrespective of whether the requirements of policy for the proposed use in the open countryside are met the applicant is also required to demonstrate in accordance with policy COU 1 that the requirements of policies COU15 and COU16 are met.

Integration and Design of Buildings in the Countryside

66. 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

67. 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*

- e) *countryside, or otherwise results in urban sprawl*
- f) *it has an adverse impact on the rural character of the area*
- g) *it would adversely impact on residential amenity*
- h) *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*
- i) *the impact of ancillary works (with the exception of necessary visibility splays) would have an adverse impact on rural character*
- j) *access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing*

Natural Heritage

68. A Preliminary Ecological Assessment, which includes species surveys, and a Construction Environmental Management Plan are submitted with the application.
69. Policy NH2 – Species Protected by Law states that:

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.

70. 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

An existing access is to be utilised from the Moneybroom Road. 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 accompany development proposals.

71. The application proposes to use an existing access onto the Moneybroom Road which may result in the intensification of the use. 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.

Flooding

- 72. A large area of hard-surfacing is proposed, and the site is more than one-hectare. The drainage must be designed to take account of the potential impact on flooding elsewhere.
- 73. Policy FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states that:

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.

Historic Environment and Archaeology

74. Whilst there are no built heritages features within the site there a number of Rathes have been recorded close to the boundary of the site. (ANT 063:076 and ANT 064:100).

75. Policy HE1 The Preservation of Archaeological Remains of Regional Importance and their Settings states:

The Council will operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings. These comprise monuments in State Care, scheduled monuments and Areas of Significant Archaeological Interest (ASAs). Development which would adversely affect such sites of regional importance, or the integrity of their settings must only be permitted in exceptional circumstances. This approach applies to such sites which, whilst not scheduled presently, would otherwise merit statutory protection.

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

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.

77. Policy HE3 Archaeological Assessment and Evaluation states that:

Where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the Council will require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation. Where such information is requested but not made available the Council will refuse planning permission.

78. Policy HE4 Archaeological Mitigation states that:

Where the Council is minded to grant planning permission for development which will affect sites known or likely to contain archaeological remains, the Council will impose planning conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development, including where appropriate completion of a licensed excavation and recording examination and archiving of remains before development commences or the preservation of remains in situ.

Regional Policy and Guidance

Regional Policy

79. The SPPS 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.

80. 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.

81. 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.

82. 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.

83. 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.

84. 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.

85. The SPPS refers to the strategic infrastructure developments detailed by RDS. At paragraph 3.7 it states: ‘

Furthering sustainable development also means ensuring the planning system plays its part in supporting the Executive and wider government policy and strategies in efforts to address any existing or potential barriers to sustainable development. This includes strategies, proposals and future investment programmes for key transportation water and sewerage, telecommunications and energy infrastructure (including the electricity network)

86. With regards to Natural Heritage Paragraph 6.174 of the SPPS states 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.

87. Paragraph 6.182 of the SPPS 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.

88. 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.

89. With regards 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.

90. Paragraph 6.132 of the SPPS 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.

91. Paragraph 6.236 highlights that:

‘The importance of other strategic infrastructure to the region such as transport, energy and water is also recognised by Government’.

92. It continues with a key text of relevance in the consideration of the proposal. Paragraph 6.238 states that:

the aim of the SPPS in relation to telecommunications and other utilities is to facilitate the development of infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.

Retained Regional Guidance

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

Development Control Advice Note 15 – Vehicular Access Standards

94. 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:

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

Strategic Need

95. Strategic Policy 01 states that the Plan will support development proposals which further sustainable development including supporting sustainable infrastructure.
96. Strategic Policy 21 states that the plan will facilitate the delivery of renewable energy generating facilities in the most appropriate locations.
97. BESS is a generating facility, and also essential infrastructure to facilitate the delivery of intermittent renewable energy, therefore this policy is relevant to the consideration and facilitates this type of development.
98. Strategic Policy 22 states that the Plan will facilitate the delivery of sustainable telecommunications and other utilities infrastructure requirements to meet need.

99. The agent explains in the supporting documents the need for Energy Storage and the site location process they undertook. This is considered as part of the assessment of this proposal.
100. In December 2021 the Northern Ireland Executive signed off on the new Energy Strategy for Northern Ireland: The Path to Net Zero Energy¹⁰ which included the ambitious new target of meeting at least 70% of electricity consumption from a diverse mix of renewable sources by 2030. This target was increased to 80% through the Climate Change Act (Northern Ireland) in 2022.
101. Energy storage systems have been identified as an excellent method of maintaining the frequency of the grid within normal operating limits. Energy Storage Systems have already been successfully installed at scale across EU and the UK for the purpose of regulating the frequency of the grid.
102. In Northern Ireland the existing BESS facilities have already enhanced the local grid, but more battery installations will be required in the near future as part of grid modernisation efforts.
103. The proposed Battery Energy Storage System (BESS) is designed as a component of the national electricity grid to stabilise supply. This facility will store electricity when there is a surplus of generation in the system, and discharge electricity onto the grid at times of a deficit of generation (for example after a fault at a power station).
104. Such facilities are recognised to form an essential element of a modern electricity network, particularly in the context of the large-scale deployment of renewable energy generation dispersed across the electricity network.
105. The agent states in the statement that there are several drivers of the need to develop such facilities, but mainly this is related to the growth of renewable energy generators and the associated need to ensure the grid remains resilient as the proportion of renewable energy technologies such as wind and solar increases.
106. In terms of site selection, the agent sets out the reasoning behind the chosen one subject of this application. It is outlined in the supporting statement that an assessment of the Northern Ireland grid has been undertaken to determine the optimal locations for battery storage systems, utilising existing grid connection capacity.
107. Lisburn Sub-station is an important node on the high voltage electricity transmission circuit, where power is stepped down for consumers in Lisburn. Several large renewable generators are also connected to the substation, including Ballinderry Road solar park beside the proposed BESS site.
108. As discussed above, Lisburn is an important node on the regional electricity grid. The agent sets out the site selection process that was followed and explains how it was based on a range of considerations, including:

- Locating as close as possible to the existing substation
- Achieve maximum separation with existing residential property
- Sensitivity to landscape character
- Avoid areas that are sensitive in terms of ecology or heritage
- Landowner cooperation
- Access for construction and operational traffic
- Drainage, flooding, and existing land contamination
- Other constraints such as overhead electricity lines

109. Other criteria outlined in the supporting statement that was used in the site selection process included:

- The scale of the proposed facility was based on an assessment of the existing grid, with a relatively large-scale scheme (600MW) deemed to be appropriate here due to the characteristics of the established grid. The site compound area is around 3.3 hectares.
- The site search focused on the area close to the existing substation. The area around the substation is surrounded by existing and proposed residential development. There is a woodland immediately west of the housing area.
- The subject field is adjacent to the existing solar park, and it is the closest place where a BESS could be developed in the context of the land use constraints in the area.
- There is an existing access to the site, which was used during the development of the solar park. In visual impact terms the site is not visible from public viewpoints and its co-location with the solar park limits any likelihood of landscape harm.
- The site is well separated from any residential property, the Woodbrook Development is approximately 300 metres to the east.
- There are no overhead lines or other forms of existing infrastructure on the site. Although site is designated as being of nature importance, the expert assessment submitted with this application suggests that this designation was made in error because the site is normal agricultural pasture and is of no special ecological interest. This will be addressed in more detail further in the report.
- The lands are not affected by flooding, and it is relatively flat, which is ideal in construction terms.

110. In consideration of the submitted report from the agent it is accepted that the strategic need for a Battery Energy Storage facility at this location is demonstrated and that:

- the Plan will support development proposals which further sustainable development including supporting sustainable infrastructure.

- the Plan will facilitate the delivery of renewable energy generating facilities in the most appropriate locations
 - the Plan will facilitate the delivery of sustainable telecommunications and other utilities infrastructure requirements to meet need
111. These comments are subject to requirements of the operational policies in Part 2 of the Plan and all planning and environmental considerations also being satisfied.

Development in the Countryside.

Non-residential development in the open countryside

112. The detail submitted identifies that the site will be used for a Battery Energy Storage Facility (BESS)
113. The batteries are enclosed in cabinets arranged in rows on concrete pads. The eastern area of the site is occupied by electrical switch room buildings, electricity transformers and a service yard with a permeable stoned surface.

Telecommunications and Other Utilities

114. Policy COU1 confirms there a range of types of development that are acceptable in the countryside.
115. Although the Plan Strategy does not mention BESS development, it acknowledges the need to modernise the electricity grid and it supports such development where it is visually and environmentally sensitive.
116. Policy UT1 provides the operational policy for new Utility development. It confirms that the Plan Strategy facilitates this type of development and focuses on ensuring the visual and environmental impact of utility development is kept to minimum.
117. Photomontages are included at Appendix B of the Design and Access Statement to illustrate what the facility will look like in from high-level drone shots.
118. Eight Trina BESS cabinets are arranged in a row, and the cabinets are finished with a white glass reinforced plastic. Each cabinet measures approx. 1.3 metres in width and 2.3 metres in height.
119. Each row of Trina BESS battery cabinets, which usually consists of 16 units, is connected to a Bi-directional power conversion system (PCSK) These units measure approximately 3 metres in length by 2.2 metres in height.

120. The PCSK units then connect to a Trina transformer and ring-main unit. These measure approximately 5.6 metres in width and 2.3 metres in height. Again, these units are finished with a white glass reinforced plastic. The layout of the system is outline in detail on the site layout and site access drawing uploaded to the portal on 23 May 2024.
121. A Battery Control Room and NIE Building are located to the rear of the site.
122. The Battery control room operates, isolates, and controls the export power from the BESS. It is where the operating system will be located and where an operator would control the project when on site.
123. The NIE control room is used to house the metering and control equipment to facilitate the measurement of energy into and out of the electricity network.
124. Given the details and dimensions of the system as outlined above, the agent has stated that it is not possible to provide a photomontage from a public viewpoint on the ground because there are no public vantage points where this facility will be visible. The agent states that that this highlights the fact the facility will be practically invisible from public vantage points in the locality. I am in general agreement with this statement for the reasons set out later in this report.
125. The Design Statement goes on to say that the facility will be entirely surrounded by a bund and fence which means that there will be no views of the equipment from immediately outside the compound. The planting around the site will help soften the presence of the fence, eventually the fence will be entirely hidden by the hedging.
126. In summary it is considered that the proposed development will have no impact on the surrounding area in terms of landscape and visual issues and therefore complies with policy Strategic Policy 22 and Policy UT1

Battery Energy Storage System (BESS) Safety Features.

127. The Solo Renewables Overview Report submitted with the application provides an overview of how BESS work and the safety features that are built into this facility.
128. The batteries themselves are solid metal and the Solo Renewables Overview Report submitted with the application (page 1, para 4) confirms that the batteries are incombustible.
129. At para 4 page1 of the report it is confirmed that the batteries are incombustible, and it is also confirmed that the batteries do not ignite when exposed to high heat Para 6 (page 2). It goes on to say that this is even the case when they were tested by forcing them to overheat, the gas released is not consequential.

130. As a further safety feature, and even though the testing demonstrates that the batteries can't go on fire, the battery cabinets are controlled by an automated safety system which monitors the temperature of every individual battery cell. If any cell overheats, this will be detected by the control system which will turn off the battery cabinet, or perhaps turn-off the whole facility until engineers visit and examine the issue.
131. As a further backup in the scenario that the control system fails, each of the 1788 cabinets on the site also has a built-in fire suppression system consisting of a smoke detector, temperature detector, and aerosol extinguishing agent which floods the cabinet. Each cabinet has a 1-hour fire wall rating to prevent any likelihood of the fire spreading to a nearby cabinet.
132. Appendix B of the Overview Report is useful, and in particular paragraph 6 (page 42) in that it provides an overall summary of the safety features of the BESS operation. It states that

Each Trina Storage BESS Rack is continuously monitored and controlled via a Battery Management System (BMS). The main function of the BMS is to protect the battery Cells from any form of electrical or thermal stresses that may happen during normal operation of the battery, and which might lead to thermal runaway. This is accomplished by the continuous monitoring of the voltage, temperature and current of each battery Cell. These values are compared against established normal operating parameters as well as historical data collected for each battery Cell. This historical information is used to predict and detect deterioration of any individual battery Cell which is not conforming to normal operating parameters giving an early warning of a potential issue within that Cell. If a fault is detected by the BMS it is first categorised depending on its severity from CAT1-CAT5. The severity of the detected fault informs the corrective action taken by the BMS. These actions range from a warning message for the operator, adjustment of thermal management systems to increase or decrease the BESS internal temperature, isolation and shutdown of an individual battery Module or an entire BESS, to the deployment of the fire suppression system.

133. In summary, the facility has multiple layers of in-built safety features to prevent a fire and to ensure that if a fire did occur, it would be suppressed.
134. As the site is located in the open countryside it is a requirement of policy COU1 that the requirements of policies COU15 and COU16 are also met.

COU15 - Integration and Design of Buildings in the Countryside

135. Turning then to policy COU 15 the proposed design of the proposed BESS is considered acceptable for the same reasons as set out for policy UT1 above.
136. The modest sizes of the storage units and equipment units along with the fact that site will be surrounded by a 1.75 metres berm with a 1.75 metres acoustic

fence on top will ensure that the proposal will not be a prominent feature in the landscape.

137. Overall, it is considered that the design of the proposal is visually acceptable and that it is appropriate for the site and the overall locality in that it will not be a prominent feature in the landscape and will complement the existing adjacent solar farm in the vicinity. The requirement of criteria a) is met.
138. In terms of Criteria (b) the proposal will visually cluster with the established Solar Farm and its ancillary buildings which is located in the adjacent lands to the south.
139. In terms of criteria (c), the modest size of the buildings associated with the BESS along with the existing and proposed landscaping will ensure that the proposal blends into the existing landform.
140. The facility will be entirely surrounded by a bund and fence which means that there will be no views of the equipment from immediately outside the compound. The planting around the site will help soften the presence of the fence and eventually the fence will be entirely hidden by the hedging when it matures.
141. All existing boundary vegetation is to be retained and there is additional boundary planting proposed on all boundaries.
142. The site therefore does not lack established natural boundaries to provide a suitable degree of enclosure. The requirements of criteria d) are met.
143. In terms of criteria (e), the proposal would not rely primarily on new landscaping for integration purposes. As well as the retaining the existing planting and vegetation new landscaping is also proposed as detailed on the landscaping plan uploaded to the portal on 23 May 2024.
144. In terms of criteria (f), the design as discussed above is appropriate for the site and its locality in that it is simple in form and designed and located to complement the existing Solar Farm.
145. With regards to criteria (g), it is considered that any ancillary works associated with the internal road layout and car parking areas would integrate into their surroundings. Access will be taken via an existing farm lane off Moneybroom Road. This access was used as the main construction entrance during the construction of the solar park at this location and it is of a suitable standard to facilitate the construction of the BESS.
146. For the reasons outlined above, the proposed building can be visually integrated into the surrounding landscape, and the design of the buildings are appropriate, and policy tests associated with Policy COU 15 are met.

COU16 – Rural Character and Other Criteria

147. For the reasons outlined above, the new development will not be prominent in the landscape and would be sited to cluster with existing solar farm located to the south of the site. Criteria (a) and (b) are met.
148. As detailed above, the facility will be entirely surrounded by a bund and fence which means that there will be no views of the equipment from immediately outside the compound. The planting around the site will help soften the presence of the fence and eventually the fence will be entirely hidden by the hedging when it matures. The proposal will not mar the distinction between the settlement of Lisburn and the Countryside and will therefore not have an adverse impact on the rural character of the area. Criteria (d) and (e) are met.
149. The application seeks to provide equipment associated with a BESS and ancillary units and while these are not visible, they are in keeping with the pattern of development and in particular when read with the adjacent solar farm. Criteria (c) is met.
150. In relation to criteria (f) a Noise Impact Assessment was submitted with the application. No issues of noise or nuisance are identified that would impact adversely or significantly on any residential properties close to the site. Environmental Health in their response dated 16 May 2025 stated that they had no objections subject to conditions.
151. In respect of criteria (g) and (h) all of the proposed services are provided underground. No adverse environmental impact is identified in terms of connecting this development to services and the ancillary works will not harm the character of the area as some of them are already in place.
152. In respect of criteria (i) for the reasons set out in the following paragraphs, access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

Access and Transport

153. A Construction & Traffic Management Statement was prepared to address transportation matters associated with the proposal which will be accessed from an existing access on the Moneybroom Road.
154. It describes the access arrangements proposed for both the temporary construction phase and also the permanent operational phase of the BESS.
155. The Traffic Management plan states that the main traffic impact associated with the development will be during the construction phase, which this is a relatively short process of around eight months.
156. The proposed route for all heavy goods vehicles accessing the site associated with the construction of the BESS is via Moneybroom Road. Existing Visibility

splays of 2.4 metres by 90 metres are available both directions at the existing laneway access point. The long length of the laneway ensures there is no reasonable likelihood of vehicles queuing on the road.

157. During the construction phase the management plan confirms that there is ample space within the proposed compound to allow vehicles to manoeuvre and for storage of construction materials/components during the construction phase. The site development manager will be responsible for ensuring that traffic movements are staggered.
158. The compound is of a large size that allows the largest vehicles associated with the construction phase (15.4m articulated lorry) to turn, park, offload, and drive out of the site. All construction vehicles will therefore enter and exit the site in forward gear. During the construction and operational phases all traffic associated with the development will use this access to the site.

Operations Phase

159. Once operational the BESS is a totally automated system that will be controlled remotely. The construction access will continue to be the point of access for the site.
160. Once operational, there are anticipated to be around 10 to 20 visits to the site a year for equipment maintenance. These would typically be made by car or van. The site layout indicates that there are 5 car parking spaces and 1 disabled space and that there is sufficient space to ensure these vehicles can enter and exit the site in a forward gear
161. DfI Roads were consulted with the proposal layout of the access arrangements, and they responded on 22 July 2024 stating that they had no objection to the proposal. Officers have no reason to disagree with the advice offered by DfI Roads on traffic impact or road safety grounds.
162. The application is compliant with all the requirements of policies TRA1 and TRA2 of the Plan Strategy in that the utilisation of the existing access is acceptable as it has been demonstrated that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic.
163. The proposal also provides an accessible means of access to the site and building and sufficient parking is provided within the confines of the site for the proposed use in accordance with the requirements of policy TRA7. An assessment of the requirement for parking provision has been made against the published parking standards and the requirement is met in full.

Natural Heritage

164. A Biodiversity Checklist and Ecological Statement were submitted in support of the application.
165. The Ecological Statement from the agent stated that:

The site is within an existing agriculturally improved grassland. The field was quite waterlogged on the date of the visit, and substantial areas of rush were recorded.

It was being grazed by sheep. An existing access lane connects the site to the Moneybroom Road to the west.

There are occasional trees along the lane boundary. All of these are to be retained. An area of bramble and gorse scrub was recorded along the western boundary of the field, next to a stream.

Trees were observed on the west side of the stream, including alder, oak, willow, hazel, sycamore, and beech. Solar panel arrays were observed in the adjacent field to the south of the boundary, separated by a post and wire fence line.

There is also a small area of boundary gorse scrub found along the north-east site boundary. Woodland habitat is located beyond the eastern field boundary. This forms part of Moneybroom Wood Site of Local Nature Conservation Importance (SLNCI) as outlined in Map 2/016 of the Belfast Metropolitan Plan 2015 (Draft Plan). The map appears to incorrectly extend from the woodland into the grassland field of the proposed Page | 12 development site. There is no woodland habitat within the red line boundary of the proposed development site.

The site and the surrounding area were searched for field signs of protected species such as badger in accordance with current NIEA guidelines. This extended to 25m beyond the red-line boundary.

There were no field signs of badger, nor any evidence of badger setts. It is not envisaged that any priority habitats will be adversely impacted by the proposed development proposal, and no follow-up habitat surveys are deemed required.

Furthermore, it is not envisaged that any priority species will be impacted by the proposed development. No follow-up species surveys are required.

166. In a response NED stated that:

The site contains grassland, hardstanding, hedgerows, scrub, trees and is adjacent to watercourses and ponds. NED notes the Biodiversity Checklist has confirmed the absence of badger setts on and adjacent to the site. NED recommends that the informatives are included in a decision notice.

167. DAERA Natural Environment Division (NED) confirmed in their response that they had no objection to the development. NED stated that they had considered

the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. Officers have no reason to disagree with this advice.

168. For the reasons outlined, the proposal is not likely to have an adverse impact on habitats or species of ecological or nature conservation value, the proposed development is unlikely to result in any cumulative impact upon these features when considered alone or with other developments nearby. The requirements of policies NH2 and NH5 are met.

Historic Environment and Archaeology

169. There are no identified features of nature, conservation or archaeology on the site.
170. Natural Environment Division (NED) have been consulted in relation to the proposal and stated that:

The application site is in close proximity to two archaeological enclosures (ANT 063:076 and ANT 064:100 on the Historic Environment Record of Northern Ireland) which are potential raths (early medieval enclosed farmsteads). These recorded archaeological sites and monuments nearby, and the proximity of a waterway on the boundary of the application area, are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site.

171. HED further stated that they were content with the proposal 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 construction, or to provide for their preservation in situ.
172. Based on the advice from HED and the information submitted it is considered that the proposal would not harm the historic environment or archaeology and complies that it complies with Policy HE1 and HE2, of the Plan Strategy.

Flooding

173. A Flood Risk Assessment and Drainage Assessment by O'Sullivan MacFarlane (OSM) was submitted in support of the application.
174. With regards to FLD1 Development in Fluvial (River) Flood Plains Dfi Rivers have stated that:

The consultant has carried out a sensitivity analysis for 75% blockage on the bridge upstream of the site. This is a conservative check carried out by the consultant and although unlikely, if the bridge was to suffer a 75% blockage the western portion of the site would be liable to flooding. This scenario could be further mitigated by regular maintenance being carried out by the riparian landowners. This is not required under policy and therefore Rivers Directorate would be unable to sustain an objection under FLD 1. Rivers Directorate, while not being responsible for the preparation of the Flood Risk Assessment, accepts its logic and has no reason to disagree with its conclusions.

175. The proposal is therefore compliance with criteria FLD 1.

176. With regards to FLD2 - Protection of Flood Defence and Drainage Infrastructure, DfI Rivers have confirmed that a suitable maintenance strip of minimum 5m is in place, and this is identified on Drawing No. 2327/A02 Rev C submitted with this application. The proposal therefore complies with this requirement.

177. In relation to Policy FLD3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains DfI Rivers have stated that:

The Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible, 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.

178. The proposal therefore complies with policy FLD3, and a suitably worded condition will be included should the application be approved:

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.

179. Water Management Unit has also considered the impacts of the proposal on the surface water environment and in a response received on 6 September 2024 which advised that they are content subject to all relevant statutory permissions obtained and any discharge consent conditions agreed.

180. NI Water in a response received on 20 September 2024 confirmed that they had no objections to the proposal. No connection to the foul or storm sewer is required.

181. Based on a review of the information provided and the advice received from both DfI Rivers, Water Management Unit and NI Water, it is considered that the proposed development is being carried out in accordance with the requirements of policies FLD 1, 2 and 3 of the Plan Strategy.

Consideration of Representations

182. No representations were received in relation to the proposal.

Conclusions

183. For the reasons outlined above, it is accepted the proposal complies with policies UT1 of the Plan Strategy in that the design of the development ensures that the visual and environmental impact of utility development is kept to minimum. The proposed BESS system can also be integrated into the open countryside with adversely impacting on the rural character of the area. All other planning and environmental considerations are also met for the reasons set out in the report

Recommendations

184. It is recommended that planning permission is approved subject to the following conditions:

- 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

- The vehicular access shall be provided in accordance with the drawing 02 “Site Layout 02” which was published on the planning portal 23rd May 2024. The area within the visibility splays and any forward sight line shall be clear 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.

- Hard surfaced areas shall be provided in accordance with the drawing 02 “Site Layout 02” which was published on the planning portal 23rd May 2024, to provide adequate facilities for parking and turning 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 and turning within the site.

- The access gradient 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.

- Any existing street furniture or landscaping obscuring or located within the proposed carriageway, sight visibility splays, forward sight lines or access shall, after obtaining permission from the appropriate authority, be removed, or adjusted at the applicant’s expense.

Reason - In the interest of road safety and the convenience of road users.

- Gates or security barriers at the access shall be located at a distance from the edge of the public road that will allow the largest expected vehicle to stop clear of the public road when the gates or barriers are closed.

Reason – To ensure waiting vehicles do not encroach onto the carriageway.

- The rated sound levels emanating from the proposal shall be in strict accordance with Table 9 of the Noise Impact Assessment published to the Consultee Hub on 31 July 2024, including the sound power levels associated with plant and equipment as indicated within Section 5 of the Noise Impact Assessment. All plant and equipment shall be maintained for the life of the approved development.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- The number of each type of equipment shall not exceed that shown on approved drawing Site Layout 02, and listed as follows:
 - 40 - TX & RMU (transformer and main ring units)
 - 80 - PCSK (bi-directional power conversion systems)
 - 1788 - BESS (outdoor battery racks)
 - 1 – Substation

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- The sound level of the 110/33 kV substation shall not exceed 94.1dB(A) and any associated low frequency noise shall not exceed the figures as presented in Table 8 of the Noise Impact Assessment.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- The cyclonic fans of the PCSK invertors shall not be operated at more than a 50% fan speed, unless otherwise agreed with the Planning Service Unit.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- A 3.5m high acoustic barrier shall be erected along the site's boundary as presented on approved drawing Site Layout 02 prior to the commencement of any work on the site. The barrier should be constructed of a suitable material (with no gaps), should have a minimum self-weight of at least 25 kg/m² and so retained thereafter.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- Within two months of the site becoming fully operational, the applicant shall submit an acoustic verification report to the Council for approval, including consideration of low frequency noise assessed in accordance with an established methodology. The applicant shall demonstrate compliance with the predicted levels at the identified noise sensitive receptors (NSR 1-6) as indicated within Table 6 of the 'Response from Aona Environmental' published to the Consultee Hub on 08 April 2025. The noise survey information, including all noise and weather data collected, shall be provided to the Council.

Noise monitoring shall be undertaken in accordance with ISO 1996-1:2-16 Acoustics Description, measurement and assessment of environmental noise – Part 1: Basic quantities and assessment procedures.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- In the event of a reasonable and justified noise complaint, the applicant shall investigate and undertake all noise monitoring deemed appropriate, with a noise assessment methodology presented to the Council at least two weeks prior to undertaking the assessment. All noise and weather data collected shall be provided to the Council. The applicant shall determine and implement a mitigation strategy to reduce noise as deemed necessary.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with FLD 3 and Section 16 of LDP 2032, to be agreed with the Planning Authority 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 and urban creep.

Reason – In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere

- No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Lisburn & Castlereagh City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site.
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ.
 - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

- No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

- A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition. These measures shall be implemented, and a final archaeological report shall be submitted to Lisburn & Castlereagh City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Lisburn & Castlereagh City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

- A full formal earthing report should be submitted to the Council prior to the construction of the development. This report should take into account both a fault originating in the Battery Energy Storage System (BESS) and for one associated with Lisburn Main Substation.

Reason: To assess the safety and effectiveness of the installation's protective earthing system

- Prior to decommissioning works commencing, a final Decommissioning Environmental Management Plan (DEMP) must be submitted for agreement with the Council. The final DEMP must be site specific and include all necessary mitigation measures for the decommissioning phase of the development to avoid any pollutant egress to the adjacent surface water environment. The approved final DEMP shall be adhered to and implemented in full throughout decommissioning in accordance with the approved details, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

- Within 12 months of the cessation of electricity storage at the site all structures shall be removed and the land restored in accordance with a scheme to be submitted to and agreed in writing with the Council at least one year prior to the commencement of any decommissioning works.

Reason: To restore and maintain the landscape quality of the area.

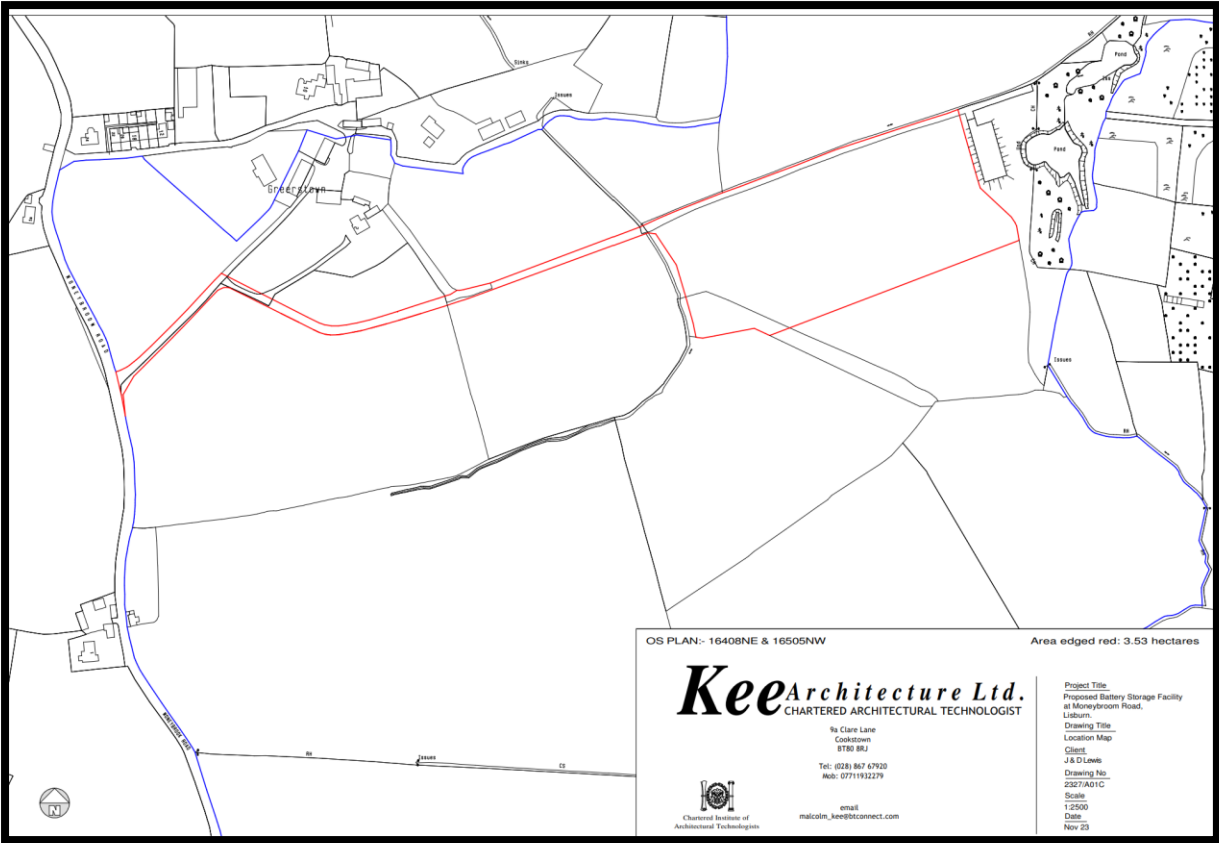
- All hard and soft landscape works shall be carried out in accordance with the Landscaping Plan published to the Planning Portal 23 May 2024 and the approved details. The works shall be carried out no later than the first available planting season after construction works have been completed, unless otherwise approved in writing by the Planning Authority.

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.

Site Location Plan – LA05/2024/0401/F



Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	06 October 2025
Committee Interest	Local (Exceptions Apply)
Application Reference	LA05/2024/0714/F
District Electoral Area	Lisburn South
Proposal Description	Proposed erection of 30 dwellings including 14 detached, 12 semi-detached and 4 apartments open space provision, landscaping, NIE substation and all other associated site works (change of house type and reduction of 3 units to site nos. 214-217, 224-239, 248-254 & 292-297 previously approved under S/2014/0623/RM),
Location	Lands approximately 80 metres west of Nos.1 to15 (odds) Ayrshire Road and approximately 120 metres north of Nos. 2 and 4 Woodbrook Manor, Lisburn
Representations	None
Case Officer	Peter McFadden
Recommendation	Approval

Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Scheme of Delegation in that the application requires a legal agreement to secure the delivery of affordable housing.
2. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies HOU1, HOU3, HOU4 and HOU5 of Lisburn and Castlereagh City Council Plan Strategy in that the detailed 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.
3. Furthermore, the density is not significantly different than that found in the established residential area 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 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.
- 6. The proposed complies with Policy 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.
- 7. It is also considered that the development complies with Policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the development and proposed layout 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.
- 8. 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.
- 9. The proposed development complies with Policies FLD 1, 2 3 of the Plan Strategy in that the detail submitted demonstrates that adequate drainage can be provided within the site to service the proposal this was confirmed by NI Water and all other consultees being content if that was the case.
- 10. The proposed development fully complies with Policy RE2 by integrating a comprehensive suite of renewable energy technologies and sustainable design features, including photovoltaic panels, thermally efficient insulation and building fabric, high-efficiency boilers, airtight construction, low-energy light fittings, and a climate-resilient drainage system. These measures align with the provisions of Policy RE1 and have been designed to ensure appropriateness to the location, with careful consideration of visual and amenity impacts. The development supports Council's commitment to sustainable development and renewable energy integration, contributing to a low-carbon and resilient future.

Description of Site and Surroundings

Site Context

- 11. This 1.8-hectare site is located on lands approximately 80 metres west of 1 to 15 Ayrshire Road and approximately 120 metres north of 2 and 4 Woodbrook Manor, Lisburn.
- 12. The existing site is relatively flat in nature having been cleared in preparation for development as part of a larger housing scheme.; There has been sparse regrowth of grass and other vegetation in some areas. Two electricity pylons are located within the site.
- 13. The site is surrounded to the east and south by the existing residential development (Woodbrook Development) while to the north is open countryside.

Surrounding Context

- 14. The wider surrounding area to the south and east offers a wide range of convenient amenities, shops and schools. In addition to a range of commercial and leisure facilities in the locality. The site is in close proximity to Lisburn with a wider range of social activities that this offers, including educational institutions, public parks, and local retail/business outlets.

Proposed Development

- 15. This is a full application for the proposed erection of 30no. dwellings including 14no. detached, 12no. semi-detached and 4no. apartments, open space provision, landscaping, NIE substation and all other associated site works.
- 16. It is in substitution for change of house type and reduction of three units at sites 214-217, 224-239, 248-254 & 292-297 previously approved under S/2014/0623/RM,
- 17. The following documents are submitted in support of the application:
 - Landscape Management Plan
 - Biodiversity Checklist and Preliminary Ecological Assessment (PEA)
 - Design and Access Statement
 - Supporting letter from NIE regarding the revised layout requirements
 - Acoustic/Noise report

Relevant Planning History

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

Reference Number	Proposal	Decision
S/2003/0466/O	New residential neighbourhood inc. mix	Permission Granted 8/2/2006

	of house types, local neighbourhood facilities, primary school with nursery unit, amenity & formal open space, play space, structural landscaping and ancillary works.	
S/2014/0632/RM	New residential development and 297 dwellings, comprising mix of house types, landscaping, parking and associated site and access works	Permission Granted 21/9/2018
LA05/2019/0851/F	Proposed erection of 1 No. detached dwelling, along with associated car parking, landscaping and site works	Permission Granted 21/11/2019
LA05/2019/1206/F	Proposed erection of 38 no dwellings (semi-detached, detached & townhouses) including vehicular access, landscaping and all other associated site works (area previously approved under S/2014/0623/RM)	Permission Granted 9/10/2020
LA05/2019/0332/F	Proposed erection of 2no. dwellings (comprising of 2 detached dwellings), along with associated car parking, landscaping and associated site works. (Proposed change of house type to site nos. 85 & 86 of residential development previously approved under reference S/2014/0623/RM)	Permission Granted 2/09/2019
LA05/2019/0333/F	Proposed erection of 9no. dwellings (comprising of 5 detached and 4 semi-detached dwellings), along with associated car parking, landscaping and associated site	Permission Granted 2/09/2019

	works (proposed change of house type to site nos. 70-77 & 87 of residential development previously approved under reference S/2014/0623/RM)	
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Consultations

19. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
DfI Rivers Agency	No objection
Housing Executive	No objection
LCCC Environmental Health	No objection
NI Water	No objection
NIEA Natural Heritage	No objection
NIEA Water Management Unit	No objection

Representations

20. No representations have been received in respect of the application.

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.
- 22. The site area is 1.86 hectares and exceeds the thresholds set out in Section 10(b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2017.
- 23. An EIA determination was carried out and it was concluded that given the scale and nature of the proposal and the previous planning history on the site there is not likely to be any unacceptable adverse environmental impacts created by the proposed development and as such, an Environmental Statement was not required to inform the assessment of the application.

Local Development Plan

24. 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

25. 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.

26. In accordance with the transitional arrangements the existing Lisburn Area Plan and draft BMAP remain material considerations.
27. The Lisburn Area identifies the application site as being located within the Development limits of Lisburn.
28. In draft BMAP the site is located within the settlement limits of Lisburn and falls within the area zoned for housing under designation LC04/13 and an area zoned for housing (LC03/14).
29. Significant weight is attached to the housing zonings with development having already been granted permission and being completed on a large part of the zoning.
30. 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.

31. 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.

32. 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 states 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.

33. The strategic policy for Protecting and Enhancing the Environment is set out in Part 1 of the Plan Strategy. Strategic Policy 05 – 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.

34. 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.*

35. 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.*

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

Housing in Settlements

37. As this application is for residential development 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).

38. 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.

39. 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.*

40. 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.

41. 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.

42. This proposal is for 30 dwellings (including change of house types and revised layout due to identified constraints on the site) on a site that measures 1.86 hectares.

43. 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 take 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.

44. 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.

45. 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.

46. 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

47. Given this is a large site the potential impact on the natural environment is considered.

48. 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.

49. 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

50. The proposed dwellings should be accessible to all. 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 accompany development proposals.

51. New access roads are proposed linked to the existing road network. 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.

52. The justification and amplification states that:

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.

53. 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

54. DfI Rivers Agency Flood Map (NI) indicates that the development does not lie within the Present Day or Climate Change 1 In 100-year fluvial floodplain. However, due to the number of dwellings proposed the drainage must be designed to take account of the impact on flooding elsewhere.
55. 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

56. It is a requirement for all new housing to be sustainable. RE2 Integrated Renewable Energy states:

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.

Justification and Amplification

The Council will encourage greater integration of renewable energy technologies, both in the design of new buildings and through the appropriate retrofitting of such technologies to existing buildings. For many buildings this will mean increased consideration of the benefits of small-scale renewable energy technologies.

This is referred to as 'micro-generation' and is widely accepted to be the production of heat and/or electricity from low or zero carbon energy sources.

New large-scale urban, public sector and rural development proposals can maximise the benefits that can be derived from integrated renewable technology.

Some forms of micro-generation development currently benefit from permitted development rights under the Planning (General Permitted Development) Order (Northern Ireland) 2015. This legislation should be referred to when considering the retrofitting of small-scale renewable energy development.

Regional Policy and Guidance

Regional Policy

57. The SPPS 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.

58. 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.

59. 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

60. 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.

61. 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.

62. 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.

63. The site is proposed to be developed for housing development. 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.

Retained Regional Guidance

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

Creating Places

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

66. 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.

67. 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.

68. 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

69. 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

Housing in Settlements

Policy HOU 1 – New Residential Development

- 70. This application is for 30 residential units’ settlement limits of Lisburn and falls within the area zoned for housing under designation LC03/14 and in draft BMAP. Significant material weight is attached to the proposed lands being within a housing zoning.
- 71. Weight is also given to the fact that planning permission has already been granted for housing on this portion of zoned land as new residential development is acceptable on zoned housing land the policy tests of Policy HOU1 are met.

Policy HOU3 - Site Context and Characteristics of New Residential Development

- 72. The application site presently consists of bare ground. Some existing vegetation exists on the northern and eastern boundaries, and two electricity pylons are located within the site.
- 73. NIE Networks had concerns around the previously proposed housing layout and house types, and the inability for the previous housing layout and house types to comply with its internal clearance policy, 6/025 V4, as well as HSE Guidance Note GS6 (Avoidance of Danger from Overhead Power Lines), Working in Proximity of Low Voltage Overhead Power Lines (2012), both during and after the construction stage, in regards to units 234 – 241 (from the previous proposed layout and house types).
- 74. NIE Networks advised the applicant that they, would have been obligated to report the matter to the Health and Safety Executive for NI, in regard to the site being an unsafe construction site.

75. The appointed design team in conjunction with NIE have altered the housing layout to take account of the safe working constraint and the proposal as submitted fully complies with NIE networks clearance policies and that the safety of the site can be deemed satisfactory.
76. NIE networks have been consulted during the processing of the application and has no objection to the planning application based on consideration of the plans and associated documentation that has been submitted.
77. The proposed design of the residential properties is also reflective of those previously approved and already constructed on the wider site under planning approval S/2014/0623/RM.
78. A mixture of detached, semi-detached houses and apartments providing a mixture of residential types again reflective of the pattern of development approved and now built in the earlier phases of development.
79. The proposed dwellings and apartments vary in size and design but are typical of suburban residential setting. Several of the dwellings also have garages and sunrooms.
80. The form and general arrangement of the buildings are characteristic of those built and currently under construction again within the wider approved scheme.
81. Again, the plot sizes and general layout proposed is consistent with and comparable with the approved and built development in the general vicinity of the site.
82. It is considered that the character of the wider 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 by either the form, scale or layout of the proposed development.
83. In terms of the general layout and arrangement of the rooms in each of the units, the position of the windows and separation distance also ensure that there is no substantial overlooking into the private amenity space of neighbouring properties from the proposed dwellings or apartments.
84. The separation distances between the existing and proposed development have been considered and are acceptable and again minimise any overlooking from existing properties.
85. The proposed layout and relationship between buildings are not dominant or overbearing and no loss of light would be caused.
86. Private amenity space of an average of 130 square metres is proposed per dwelling and for the apartments there is 444 square metres of communal open space.

87. Having regard to the detail of each residential property proposed and the relationship between the buildings in each plot and considering the guidance recommended in the Creating Place document, criteria (a) of policy HOU3 is met.
88. Regarding criteria (b), the site is not within an identified area of archaeological potential.
89. No other landscape characteristics/features have been identified that required integration into the overall design and layout of the development and as such all the requirements of policy HOU3 are met.

Policy HOU4 - Design in New Residential Development

90. The proposed layout includes a variety of different house types and an apartment block. A description of these house types is outlined below.
91. There are four designs for the 14 detached properties. House type B1 is 3-bedroom single storey dwelling with ensuite, lounge, kitchen and bathroom. House types C1 and G have three bedrooms but two-storey with ensuite, lounge, kitchen, bathroom and downstairs WC. Several detached properties also have sun lounges. House type I is a two-bedroom two-storey property with open plan living downstairs.
92. The 12 semi-detached dwellings in house types Dx, E, G, G1 are three-bedroom two storey with ensuite, lounge, kitchen, bathroom and downstairs WC. are three-bedroom two storey with ensuite, lounge, kitchen, bathroom and downstairs WC.
93. The external material finishes include concrete interlocking roof tiles grey or blue/grey in colour; walls to be smooth render in off white or white in colour and select facing brick and the windows and doors are uPVC with rainwater goods to be uPVC pipes and guttering. These are acceptable for the site and its location in the urban context.
94. The size and design of the buildings means that they are not dominant or overbearing. This in combination with the separation distances between the properties will ensure that no loss of light to any adjacent property will arise.
95. The layout of the rooms in each of the units, the position of the windows along with the separation distance also ensures that there is no overlooking into the private amenity space of neighbouring properties.
96. The proposed layout is consistent with the form of housing found in the surrounding area. The proposed dwellings all face towards the road network, in curtilage parking spaces are provided for each dwelling and the apartments will have adequate parking provision.
97. Each dwelling will be provided with their own private rear amenity space. The provision of private amenity varies by plot ranging from a minimum of approximately 40 square metres up to 457 square metres which is consistent with the guidance set out in Creating Places that the average amenity space standard for the development as a whole should be around 70 square metres per dwelling in this case it is 130 square metres and not less than 40 square metres

for any individual dwelling.

98. The apartments will be provided with approximately 444 square metres of communal amenity block which is greater than the 10 square metres amenity space provision advised within Creating Places.
99. The variety of house types are designed to current building control requirements to provide accommodation that is wheelchair accessible for persons with impaired mobility. The proposed design and finishes are considered to draw upon the mix of materials and detailing exhibited within the surrounding area and will ensure that the units are as energy efficient as possible.
100. For the reasons outlined above, criteria (a), (e) and (f) of policy HOU 4 are met.
101. There is no requirement for the provision of local community or neighbourhood facility for this scale of development. A local neighbourhood facility has been identified in the wider scheme, and the site is accessible to shops and other neighbourhood facilities. Criteria (c) of policy HOU 4 is met.
102. Boundary treatments around and within the site are proposed to separate each unit and details of these are provided in the proposed site boundary detail drawing. There is a mixture of fencing and boundary walls such as estate fencing proposed. These are acceptable for this type of development in the urban context.
103. A landscaped grass area is proposed as communal open space as part of the overall development. The proposed landscaping uses appropriate spaces for planting, and it softens the visual impact of the development. For the reasons outlined above, criteria (b) of policy HOU 4 are considered to be met.
104. The application proposes a density for the residential development of 16 per hectare and this is in line with the nearby and adjacent developments as approved under S/2014/0623/RM and LA05/2019/1206/F. The design of the properties is not incongruous to the established grain or detailed design of the buildings found in the immediate vicinity or wider context. It is also noted that there are constraints to building on the entire site as previously noted in the report.
105. The proposed development will provide a residential density with that found in the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area. The average unit size as outlined earlier in the report exceeds space standards set out in supplementary planning guidance.
106. 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 which meet the required parking standards. Criteria (g) and (h) of policy HOU4 are met.

107. The careful delineation of plots with appropriate fencing and privacy walls will serve to deter crime and promote personal safety. Criteria (i) is met.
108. Provision is made for a designated bin storage for the apartment block and provision is available for householder waste storage at each dwelling and its safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria (k) is met.

Policy HOU 5 - Public Open Space in New Residential Development

109. Detail submitted with the application indicates that the site does exceed one hectare. As such open space must be provided as an integral part of this development.
110. In the previous application this portion of the site had 0.07 hectares of open space. The revised layout due to the identified constraints now provides more private amenity space. It also results in public open space provision of in the order of 0.13 acres, which is more than the previous approved layout and satisfies the policy test of 10% public open space across the entire site. The Public open space has been designed as an integral part of the development with easy and safe access from the dwellings. It is of demonstrable recreational or amenity value, designed to be multi-functional and its location and appearance considers the needs of disabled persons, and it respects the amenity of nearby residents.
111. The site is also well connected to the approved and wider Woodbrook development.
112. 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.

Policy HOU10 - Affordable Housing

113. Policy HOU10 requires a 20% affordable housing provision. In the context of the proposed scheme, this equates to 6 units.
114. A draft of Section 76 agreement has been submitted for consideration. It details that six units are to be provided within the proposed development as affordable housing. Two dwellings (2 bedroom semidetached) (house type I) and 4 apartments (house type K) are proposed. The site numbers are 253-254 and 214-217.
115. It is recommended that no more than twenty dwellings are occupied until the six affordable housing units are constructed and available for occupation.
116. 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

117. A Biodiversity Checklist and Preliminary Ecological Appraisal was submitted with the application dated 2nd March 2023. It was carried out by a qualified ecologist.
118. The Ecological Survey included a Habitat Survey, protected species surveys and Appraisal for Bats and roosting potential.
119. The Preliminary Appraisal states that:
120. *From a desk-based survey, the application site is not located within proximity to any site that has been nationally or internationally designated for its nature conservation importance.*

The closest nationally designated site is Slievenacloy Area of Special Scientific Interest (ASSI) which is located c4.5km north of the site.

The closest internationally designated site – Lough Neagh & Lough Beg Special Protection Area (SPA) & Ramsar is located c12km north-west of the site.

These sites are of national and international importance and are protected by the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order, 2002.

The application site is not necessary for the conservation management of these designated sites and there are no major watercourses in proximity to the site that could provide hydrological connectivity to them.

The closest locally designated site – Moneybroom Wood Site of Local Nature Conservation

121. With regards to habitats, it states that:

Bats

Foraging & Commuting Potential

The hedgerows surrounding the site were assessed as having ‘Low’ potential for foraging and commuting bats.

Roosting Potential

The semi-mature trees that occur within site boundaries were assessed as having either ‘Negligible’ or ‘Low’ bat roosting potential.

Nesting, Roosting & Foraging Birds

The hedgerow vegetation within the site would offer nesting opportunities mainly for smaller species of birds.

Badgers

No evidence of badger activity was identified within the application site and a 30m area surrounding the redline boundary.

Smooth Newt

No areas of significant standing water or suitable newt habitat were identified within proximity to the application site.

122. NIEA NED responded confirming that the proposal is unlikely to have a significant impact on protected and/or priority species and habitats.
123. Having regard to the content of the submitted reports and the advice of NED, for the reasons outlined above, it is considered that the proposed development will give rise to no significant adverse effects on habitats or species of ecological or nature conservation value, the proposed development is unlikely to result in any cumulative impact upon these features when considered alone or with other developments nearby and as such policies NH2 and NH5 of the Plan Strategy are met.

Access Movement and Parking

124. The P1 Form indicates that the proposal will use an existing access to a public road for both vehicular and pedestrian traffic. No amendments to that access are proposed and it is not a protected route.
125. Access to the site will be via the wider scheme which was approved under S/2014/0623/RM and which has been constructed.
126. The detail associated with the application parking schedule indicates 69 parking spaces for the proposed development. Broken down as 36 in curtilage, 17 on street and 16 unassigned.
127. DfI Roads have not expressed any concerns in relation to the detailed layout, access and arrangement of the parking and final PSD drawings have been returned.
128. Based on a review of the detail submitted with the application and advice from DfI Roads it is considered that the proposed complies with Policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways.
129. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the development layout 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.
130. 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 and appropriate servicing arrangements has been provided so as not to prejudice road safety or inconvenience the flow of traffic.

Planning and Flood Risk

131. The information submitted indicates that water connection would be through the public mains, that the storm water would be disposed of through the mains and that the foul would be disposed of via the mains.
132. A drainage plan has been submitted and all details forwarded to DfI Rivers Agency. They responded in that they have no objections.
133. Rivers Directorate's comments as stated in previous correspondence dated 12th September 2017, under S/2014/0623/RM, remain applicable to this site. Rivers Directorate has no objection to the alternations as detailed in this application.
134. Information submitted with the application indicates that water connection, surface water and foul sewerage will be through the public mains. NI Water was consulted and 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.
135. Water Management Unit have also been consulted on the application and advise that it has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment. However, if NI Water advise that they are content that both the receiving Waste-Water Treatment Works (WWTW) and the associated sewer network for this development can take the additional load, with no adverse effect on the WWTW or the sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal. As discussed above NI Water has confirmed there is capacity at the WWTW, and foul sewer connection and it recommends approval therefore it is considered that the proposal will not adversely affect the water environment.
136. Based on a review of the information and advice received from DfI Rivers, Water Management Unit and NI Water, it is accepted that the proposal complies with policies FLD1, 2, and 3 of the Plan Strategy.

Renewable Energy

137. The agent upon request submitted details of how the proposed development satisfies policy RE2 of the plan strategy.
138. The proposed development incorporates a range of measures to integrate renewable energy technologies and sustainable design principles, ensuring compliance with Policy RE2 and alignment with the provisions of Policy RE1.
139. These measures are detailed below:

Photovoltaic (PV) Panels

PV panels provide on-site renewable energy generation, significantly reducing reliance on non-renewable energy sources and supporting the council's sustainability objectives. Their placement has been optimised to avoid

overshadowing and ensure minimal visual or amenity impact on neighbouring properties, in line with Policy RE1 requirements.

Thermally Efficient Insulation and Building Fabric

The use of thermally efficient insulation and robust building fabric aligns with passive solar design principles, reducing energy demand for heating and cooling. This contributes to the development’s energy efficiency, supports Policy RE2’s focus on sustainable design, and ensures compliance with building regulations, with no adverse visual or amenity impacts.

High-Efficiency Boilers

High-efficiency boilers reduce energy consumption and carbon emissions, supporting the microgeneration focus of Policy RE2. As internal systems, they have no external visual or amenity impacts, making them appropriate for the location and compliant with Policy RE1.

Airtight Construction

Airtight construction minimises heat loss and enhances energy efficiency, aligning with Policy RE2’s emphasis on sustainable design. This measure supports the development’s overall energy performance without impacting the visual or amenity character of the site, ensuring compliance with Policy RE1.

Low-Energy Light Fittings

The use of low-energy light fittings contributes to the development’s sustainability by reducing energy demand, supporting Policy RE2’s focus on renewable and efficient energy use. External lighting is designed to minimise light pollution, ensuring no adverse amenity impact on the surrounding area.

Climate-Resilient Drainage System

The climate-resilient drainage system supports the sustainability aims of Policy RE2 by ensuring the development is adaptable to environmental challenges. It is integrated into the site layout to maintain amenity value and avoid adverse impacts on neighbouring properties or the local environment.

140. Having regards to the content of the submission it is considered that the proposed development fully complies with Policy RE2 by integrating a comprehensive suite of renewable energy technologies and sustainable design features, including photovoltaic panels, thermally efficient insulation and building fabric, high-efficiency boilers, airtight construction, low-energy light fittings, and a climate-resilient drainage system.
141. These measures align with the provisions of Policy RE1 and have been designed to ensure appropriateness to the location, with careful consideration of visual and amenity impacts. The development supports Council’s commitment to sustainable development and renewable energy integration, contributing to a low-carbon and resilient future.

Recommendation

142. The application is presented with a recommendation to approve subject to conditions and to the Section 76 planning agreement to ensure that the developer fulfils his obligations with regards to the delivery of affordable housing in accordance with the requirements of policy HOU10 of the Plan Strategy.

Conditions

143. 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 accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 3110 Revision A bearing the Planning Service date stamp of the 9th of June 2025, 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.

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

REASON: In the interest 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 No. 3110 Revision A bearing the Planning Service

date stamp of the 9th of June 2025 and the DfI Roads Private Streets Determination date stamp of the 18th of June 2025.

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 No. 3110 Revision A bearing the Planning Service date stamp of the 9th of June 2025 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.

- The development hereby permitted shall not commence until any structure /retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG300 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

REASON: To ensure that the structure is designed and constructed in accordance with CG300 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges

- Prior to occupation of the proposed dwellings, window systems (glazing and frame) shall be installed in strict accordance with the Inward Sound Level Impact Assessment dated 13th February 2025.

Reason: To achieve internal noise level in line with BS8233

- Two 2.4m high acoustic barriers (relevant to the garden levels) shall be erected along the boundaries as presented on approved drawing (06A Boundary Treatment Plan) prior to occupation of the development. The barriers should be constructed in strict accordance with approved drawing (29 Acoustic Fence Detail), of a suitable material (with no gaps), and shall have a minimum self-weight of at least 5 kg/m2 and so retained thereafter.

Reason: To protect the amenity of neighbouring dwellings with respect to noise

- Foul sewage shall be connected to the main sewer with Northern Ireland Water approval and maintained thereafter for the lifetime of the development.

Reason: To protect the amenity of neighbouring dwellings with respect to odour



Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	6 October 2025
Committee Interest	Local Application (Called-In)
Application Reference	LA05/2023/0069/O
Date of Application	20 January 2023
District Electoral Area	Kilultagh
Proposal Description	Dwelling, garage and associated site works
Location	Site fronting onto Chapel Road, Aghalee and adjacent to and west of 16 Magees Road, Aghalee
Representations	Six
Case Officer	Peter McFadden
Recommendation	Refusal

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. The application is presented to the Planning Committee with a recommendation to refuse.
3. It is recommended that planning permission is refused as the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.
4. The proposal is also contrary to COU10 of the Lisburn and Castlereagh City Council Development Plan Strategy as it has not been demonstrated that the farm business has been established for at least 6 years, the new building is not visually linked or sited to cluster with an established group of buildings on the farm and exceptionally, the alternative site proposed is not acceptable, as it has not been demonstrated there are no other sites available at another group of buildings on the farm or out-farm, and where there are either: demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group.

5. The proposal is contrary to Policy COU16 of the Lisburn and Castlereagh Plan Strategy 2032 in that it is not sited to cluster with an established group of buildings, and it will result in an adverse impact on the rural character of the area.

Description of Site and Surroundings

6. The application site is located on land to the west of 16 Magees Road, Aghalee. The site is accessed via an existing agricultural gate to the south-west of the site.
7. The site is generally flat and there are four buildings along the western boundary. There is a dwelling to the east, no.16 and agricultural fields to the west and north of the site.
8. There is a mature boundary along the west of the site made of trees and hedgerow and the domestic boundary of no.16 along the eastern side of the site.
9. There are three domestic dwellings on the opposite side of the road to the south. All three dwellings are two-storey.
10. The surrounding area is open countryside, and the land is mainly in agricultural use.

Proposed Development

11. Outline permission is sought for a dwelling and garage.

Relevant Planning History

12. The Planning history associated with the application site is set out in the table below:
13. The planning history shows that permission has been granted for a replacement dwelling to the east of the site at 16 Magees Road (highlighted in yellow). The remaining history is for a farm dwelling to the north site (highlighted in blue).

Reference Number	Description	Location	Decision
S/2011/0241/F	Replacement Dwelling and garage	16 Magees Road Ballinderry Upper Lisburn	Permission Granted
LA05/2016/1077/F	Replacement Dwelling and garage in substitution of previous approval S/2011/0241/F	16 Magees Road Ballinderry Upper Lisburn	Permission Granted
LA05/2018/0496/F	Proposed change of house type to dwelling and garage approved under LA05/2016/1077/F	16 Magees Road Ballinderry Upper Lisburn	Permission Granted
LA05/2023/0883/F	Proposed change of house type to dwelling approved under LA05/2021/0020/RM	Adj to 16 Magees Road, Ballinderry Upper, Lisburn, BT28 2JE	Permission Granted
LA05/2024/0593/CLEUD	Commencement of works to Planning application LA05/2021/0020/RM for approved 2 storey dwelling	Approx. 50m N/E of 16 Magees Road, Ballinderry Upper, Lisburn, BT28 2JE	Permission Granted
LA05/2021/0020/RM	Proposed dwelling and garage	Approx 50m North East of 16 Magees Road Upper Ballinderry Lisburn	Permission Granted
LA05/2018/0453/O	Proposed farm dwelling under PPS21	Approx 50m north east of 16 Magees Road Upper Ballinderry Lisburn	Permission Granted
LA05/2016/0283/O	Proposed farm dwelling	150 metres north of junction of Magee's Road and Chapel Road Aghalee	Permission Refused

Proposal

14. This is an outline application for a farm dwelling and garage.
15. A site location plan has been submitted; no siting, massing or design details have been submitted as the application relates to an outline application.

16. The following documents are submitted in support of the application.

- Biodiversity checklist
- An Ecology report

Consultations

17. The following consultations were carried out:

Consultee	Response
LCCC Environmental Health	No Objection
DfI Roads	No Objection
NI Water	No Objection
DAERA	No Objection
DFI Rivers	No Objection
NIEA - NED	No Objection

Representations

18. Following the statutory advertisement and neighbour notification (publicity) process, a total 6 objections to the proposal have been received. These representations can be summarised as follows:

- Land ownership.
- Concerns regarding traffic safety and the access.
- Concerns regarding the property facing no.23a and overshadowing.
- Objection raised with regard to several planning applications within the planning history section.
- Objection raised to the processing of several planning applications within the planning history section

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 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 existing Local Development Plan is the Plan Strategy and the Lisburn Area Plan 2001. DraftBMAP remain material considerations.
22. This site is in the open countryside in LAP and draft BMAP. No other designation applies.
23. Strategic Policy 09 of the Plan Strategy Housing in the Countryside 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.

Development in the Countryside

Development in the Countryside

23. Policy COU1 – 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.’

24. This is an application for a farm dwelling and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU10, COU15 and COU16.

Policy COU10 Dwellings on Farms

25. *Planning permission will be granted for a dwelling house on a farm where all of the following criteria are met:*

a) the farm business must be currently active and it must be demonstrated, with sufficient evidence, such as independent, professionally verifiable business accounts, that it has been established for at least 6 years

b) no dwellings or development opportunities outwith settlement limits have been sold off from the farm holding within 10 years of the date of the application

c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.

26. *Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided it is demonstrated there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:*

demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group(s).

The grant of planning approval for a dwelling on an active and established farm will only be permitted once every 10 years.

Justification and Amplification

27. *New dwellings on farms will not be acceptable unless the existing farming business is both active and established. The applicant will therefore be required to provide the farm's business ID supplied by the Department for Agriculture, Environment and Rural Affairs (DAERA) along with other evidence to prove active farming over the required period, such as audited accounts compiled by an accountant. DAERA will confirm the business ID number. Other relevant consultees will be consulted as necessary on applications for dwellings on farms.*
28. *For the purposes of this policy 'agricultural activity' refers to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition.*
29. *Under this policy permission will not be granted for a dwelling where a rural business is artificially divided solely for the purpose of obtaining planning permission or has recently sold off a development opportunity from the farm (replacement dwelling or other building capable of conversion/reuse). For the purposes of this policy, 'sold off' will mean any development opportunity disposed of from the farm holding to any other person including a family member.*
30. *Whereby exception an alternative site is proposed the applicant will be required to submit appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive or Environmental Health Department of the Council to justify the siting. Additionally, evidence relating to the future expansion of the farm business (including valid planning permissions, building control approvals or contractual obligations to supply farm produce) may be required.*

Integration and Design of Buildings in the Countryside

31. 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.
32. *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

33. 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.'*

Waste Management

Treatment of Waste Water

34. A private package treatment plant is proposed to serve the development. Policy WM2 - 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.**'*

Access and Transport

Access to Public Roads

35. A New access is proposed to the public road. 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.’

Natural Heritage

Species Protected by Law

36. A bio-diversity checklist and PEA is submitted with the planning application. 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.'

Habitats, Species or Features of Natural Heritage Importance

37. 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 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.'

Regional Policy and Guidance

38. The SPPS 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.

39. 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

40. This proposal is for a farm dwelling. Bullet point three of paragraph 6.73 of the SPPS states that:

provision should be made for a dwelling house on an active and established farm business to accommodate those engaged in the farm business or other rural dwellers. The farm business must be currently active and have been established for a minimum of 6 years; no dwellings or development opportunities shall have been sold off or transferred from the farm holding within 10 years of the date of the application; and, the proposed dwelling must be visually linked or sited to cluster with an established group of buildings on the farm holding. Dwellings on farms must also comply with LDP policies regarding integration and rural character. A dwelling on a farm under this policy will only be acceptable once every 10 years.

41. It is further stated at paragraph 6.78 of the SPPS 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.

Retained Regional Guidance

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

Building on Tradition

43. Paragraph 2.7.0 of Building on Tradition states that:

In addition to villages and towns, evidence of less formalised settlement patterns are spread across our countryside. These patterns including farm type and size are reflective of different agricultural activities as well as the influence of the linen industry which supported the development of small holdings.

44. Paragraph 2.7.1 of Building on Tradition states that:

The form of the farmstead is dictated by the scale and the type of farming practiced, local climate and topography, as well as building materials available locally. The most common form in the last century reflected improvements in farming with buildings serving different functions becoming more segregated and arranged around a farmyard.

45. It also notes with regards to visual integration that the following points be considered:

- *Work with the contours (not against them)*
- *Look for sheltered locations beside woodland*
- *Make use of natural hollows*

- *void full frontal locations where bad weather can damage buildings*
- *Avoid north facing sloping sites (difficult to achieve good passive solar gains)*
- *Look for sites with at least two boundaries in situ and preferably three Look for sites that face south (easy to achieve good passive solar gains).*

46. It also includes design principles that have been considered as part of the assessment:

- *Get the size and scale right relative to what is existing.*
- *Understand and reflect the character and layout of the group in terms of the relationship between buildings and landscape.*
- *Avoid the use of typical suburban features such as dormer and bay windows, porticos and pediments on the building and concrete kerbs, tarmac, blockwork walls, pre-cast concrete fencing and ornate gates and lampposts around the site.*
- *Retain existing hedgerows, boundaries and mature vegetation.*
- *Acknowledge building lines and informal setbacks.*
- *Maximise rural landscape treatments such as gravelled lanes and driveways, grass verges and local native species for new planting.*

47. With regards to waste-water treatment, Building on Tradition [page 131] states that:

If Consent for Discharge has been granted under the Water (Northern Ireland) Order 1999 for the proposed development site, a copy of this should be submitted to accompany the planning application. This is required to discharge any trade or sewage effluent or any other potentially polluting matter from commercial, industrial or domestic premises to waterways or underground strata. In other cases, applications involving the use of non-mains sewerage, including outline applications, will be required to provide sufficient information about how it is intended to treat effluent from the development so that this matter can be properly assessed. This will normally include information about ground conditions, including the soil and groundwater characteristics, together with details of adjoining developments existing or approved. Where the proposal involves an on-site sewage treatment plant, such as a septic tank or a package treatment plant, the application will also need to be accompanied by drawings that accurately show the proposed location of the installation and soakaway, and of drainage ditches and watercourses in the immediate vicinity. The site for the proposed apparatus should be located on land within the application site or otherwise within the applicant's control and therefore subject to any planning conditions relating to the development of the site.

Assessment

48. The principle of development for a farm dwelling COU 10 requires that the farm business to be active and established for at least six years. Evidence is therefore required to confirm that the farm business is active and that the land and buildings which will be considered to meet the criteria of this policy, namely the field on which the site is located and the buildings to which the proposed dwelling will be visually linked or sited to cluster with, be established within that farm business for at least 6 years.
49. DAERA have confirmed that the business has been in existence for more than 6 years and the applicant has claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years. This part of the policy is capable of being met and the applicant is entitled to a dwelling on the holding subject to all the other requirements of the policy being met.
50. The agent was asked to confirm that the buildings adjacent to the site and field on which the site is located have been within the ownership of the farm business for at least 6 years. The agent supplied information which suggested that the field and buildings were bought in 2023. When asked to confirm when the buildings and field were included within the farm business the agent failed to provide this information. The applicant's solicitor however provided a letter quoting planning appeal decision 2014/A0269. This appeal states:

Criterion (c) of Policy CTY 10 requires that the new building is visually linked or sited to cluster with an established group of buildings on the farm. Immediately adjacent to the appeal site is a dwelling, garage and storage shed. It is the appellant's residence and has been the address associated with the farm business for many years. As the policy only requires linkage with established buildings on a farm not the main farm complex the appeal proposal meets the requirements of the policy. Criterion (c) is met.

51. A more recent planning appeal was highlighted to the agent (2021/A0133) in which it is stated –

I consider that a farm holding comprises the extent/quantum of the land owned. As such, I consider it indisputable that the farm holding detailed previously is intrinsically linked to the appellant's farm business. Whilst the farm business ID number itself has not changed; the composition of the holding has because the appeal site was added to it in 2019. For this reason, I consider the appellant's farm business has been amended from that date. Whilst I concur with the appellant that a business can expand and contract, in the particular circumstances of this case, as the appeal site was only brought into the farm business in 2019, it could not possibly be part of an active and established farm business for at least 6 years as required by policy.

The appellant referred me to appeals 2014/A0269 and 2018/A0210. Each case must be assessed on its own merits and in its own evidence base. In planning appeal 2014/A0269, determining weight was given to a background paper. The appellant did not provide a copy of this paper in his evidence. I also note that other factors that applied in that case are not replicated in this appeal. In respect of planning appeal 2018/A0210, it was concluded that the farm business was not

currently active, and that appeal was actually dismissed. I consider that both appeals are distinguishable from the particular circumstances of the current appeal.

52. The policy context has changed in the intervening period but the general thrust of the findings of the 2021 planning appeal are applicable in this case. The appeal referred to by the solicitor is distinguishable from this application and of limited weight for the reasons set out above.
53. This farm business has, however, been amended, as farm businesses will naturally through time. It is clear that the field on which the site is located has been added to the farm business and has not been within the established farm business for at least 6 years. A proposed dwelling, under this policy and for this farm business does not meet criteria a) because the applicant seeks to build within a field which has not been established within the farm business for at least 6 years.
54. A search of the planning portal against the applicants submitted Farm Map confirms that there are no records of any development opportunities having been sold off from the holding in the intervening period. Criteria (b) of Policy COU10 is met.
55. The main dwelling associated with the farm business is located across the road to the south-west of the site, at 23 Chapel Road. This is approximately 30 m southwest from where the proposed dwelling is shown to be sited.
56. There are four farm buildings to the west of where the dwelling is proposed to be located. Whilst these agricultural buildings are associated with the farm, however, as stated the ownership of the field on which the site is located, and the buildings have not been within the farm business for at least 6 years and not eligible for consideration for the reasons outlined above.
57. There are buildings on the farm at 23 Chapel Road which is the principal farm dwelling at which a dwelling could be sited. The proposed siting for the new dwelling would therefore not be visually linked or sited to cluster with an established group of buildings on the farm. The proposal therefore fails to meet criteria c).

Integration and Design of Buildings in the Countryside

58. This is an outline application and as such no design details have been provided. These details would be provided at Reserved Matters stage and would be assessed against the policy provisions set out in the Plan Strategy and the Guidance contained within Building on Tradition.
59. Outline permission is sought for a farm dwelling sited to be set back from the road and to the east of existing agricultural buildings. While the buildings have been discussed and assessed within this report under COU10, under this policy the site would allow a dwelling not to be prominent in the landscape. When viewed from

both long and short approach views, the proposed development will not read as a prominent feature in the landscape as the new development is sited immediately adjacent to the buildings. The proposal meets criteria a).

60. Therefore, under this policy, which does not stipulate a specific established amount of time, the new dwelling is considered to be sited to cluster with an established group of buildings. The proposal meets criteria b).
61. This is an outline application, and details of the dwelling have not been submitted. A modest sized dwelling, when viewed from all public vantage points could blend into the landform and integrate well with existing landscaping and buildings that could provide an acceptable backdrop due to the proposed siting thus criteria (c) can be met.
62. Existing natural boundaries to the west of the site and 16 Magees Road to the east at this location are considered to provide a suitable degree of enclosure. For reasons set out above the proposed development does not primarily rely on the use of new landscaping for integration however, additional planting maybe conditioned to be provided at reserved matters stage to afford additional enclosure to the north boundary that will improve the biodiversity value of the site and further aid integration of the dwelling thus criteria (d) and (e) can be met.
63. Design details would be provided at reserved matters stage. As assessed, the proposed dwelling does not meet the criteria of COU10, however, it is considered that a new dwelling of appropriate scale and design would integrate appropriately within this site and wider locality.

Rural Character and other criteria

64. The proposed new dwelling would not be considered as unduly prominent in the landscape for the reasons outlined in paragraphs 52. Criteria (a) is met.
65. As previously mentioned, the proposed new dwelling will cluster with the agricultural buildings adjacent to the site. Criteria (b) is met.
66. As assessed, the proposed does not meet the criteria for COU10 and so a dwelling is not acceptable in principle. It is however considered that a new dwelling would respect the existing pattern of development exhibited in the area, in that the proposed scheme adopts a pattern of dispersed rural dwellings and farm buildings. Criteria (c) has been met.
67. It is considered that the proposal would comply with criteria (d), the site is not adjacent to a settlement to mar the distinction between a settlement and the surrounding countryside as it does not result in urban sprawl when viewed with the existing buildings.
68. This proposal will have an adverse impact on the rural character of the area by virtue of the introduction of a new single dwelling in the countryside, which is

unacceptable in principle and is not capable of integrating with existing buildings on the farm. Criteria (e) is not met.

69. In respect of criteria (f) a dwelling is capable of being sited and designed to ensure that the proposal will not have an adverse impact on residential amenity. A dwelling within this site will be a suitable distance from the closest dwelling, namely 16 Magees Road. This criterion cannot be accurately assessed within an outline application.
70. In respect of criteria (g) and (h) all of the proposed services are provided underground or from existing overheads lines along the road frontage or adjacent to the site. No adverse environmental impact is identified in terms of connecting this development to services and the ancillary works will not harm the character of the area as they are already a feature of the landscape at this location.
71. In respect of criteria (i) for the reasons set out at paragraphs 68-70 access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic. Criteria (i) is met.
72. For the reasons outlined in the preceding paragraphs it is considered that not all of the criteria of policy COU16 are or can be met in particular criteria e) for the reasons previously provided under COU10

Access and Transport

73. Detail submitted with the application indicates that it is proposed to amend the existing access to the site.
74. DfI Roads have been consulted and offer no objections subject to conditions in relation to the provision of access arrangements at reserved matters stage, car parking and the alteration of street furniture if required.
75. Based upon a review of the information provided and the advice from the statutory consultee on highway safety (DfI Roads), it is accepted that any new access to the public road can be accommodated without prejudice to road safety or significant inconvenience to the flow of traffic. The requirements of policy TRA2 of the Plan Strategy are met in full.

Waste Management

76. Detail submitted with the application indicates that source of water supply will be from mains. Surface water will be disposed of via soakaway and foul sewage is to be disposed via Septic tank.
77. On the basis of what has been included in the application form NI Water were consulted and have raised no objection to the proposal and has indicated that there is available capacity at the Wastewater Treatment Works.

78. LCCC Environmental Health were consulted and offered no objection however note a condition that if a septic tank is required this would be required to be shown on the site plan submitted at reserved matters.
79. Advice from Water Management Unit refers to standing advice and explains that the onus is on the applicant to ensure that all other regulatory consents are in place.
80. On the basis of what the applicant has outlined in their application form and the views of relevant consultees it is not considered the proposal would be contrary to Policy WM2 Treatment of Wastewater.

Natural Heritage

81. Following a site inspection the existing boundaries surrounding the site were noted. The supporting statement states that existing boundary vegetation is to be retained where possible and if conditioned, this will ensure the proposal will not result in any undue harm to interests of natural heritage importance. It is also noted that the development proposals are not located within any designated sites.
82. Additional screening can also be provided on any undefined boundaries. No issues of concern shall arise consistent with policy tests set out in the Plan Strategy.

Consideration of Representations

83. As noted above, six letters of representation have been received by the Council's Planning unit in relation to the application following the statutory advertisement and neighbour notification (publicity) process.

84. The issue raised are listed below:

- Land ownership.

This has been investigated and discussed within the planning report assessment.

- Concerns regarding traffic safety and the access.

DFI Roads were consulted and offered no objection to the proposed development.

- Concerns regarding the property facing no.23a and overshadowing.

This application is for outline permission and no details of the proposed dwelling design or location within the block plan have been submitted, other than an indicative block plan drawing. The details of a dwelling and its location within the site would be assessed at reserved matters stage. It is my planning judgment that the proposal does not meet policy and is to be refused.

- Objection raised with regard to several planning applications within the planning history section.
- Objection raised to the processing of several planning applications within the planning history section

Objections have been raised with regard to several applications previously processed by the Council. An objection to this application is not the process in which to investigate those concerns. I have considered the objections and the points raised and none of the information relates to the accurate processing of this application.

Conclusions

85. For the reasons outlined above, it is considered that the proposal does not comply with policies COU1, COU10 and COU16 for the reasons set out in this report

Recommendations

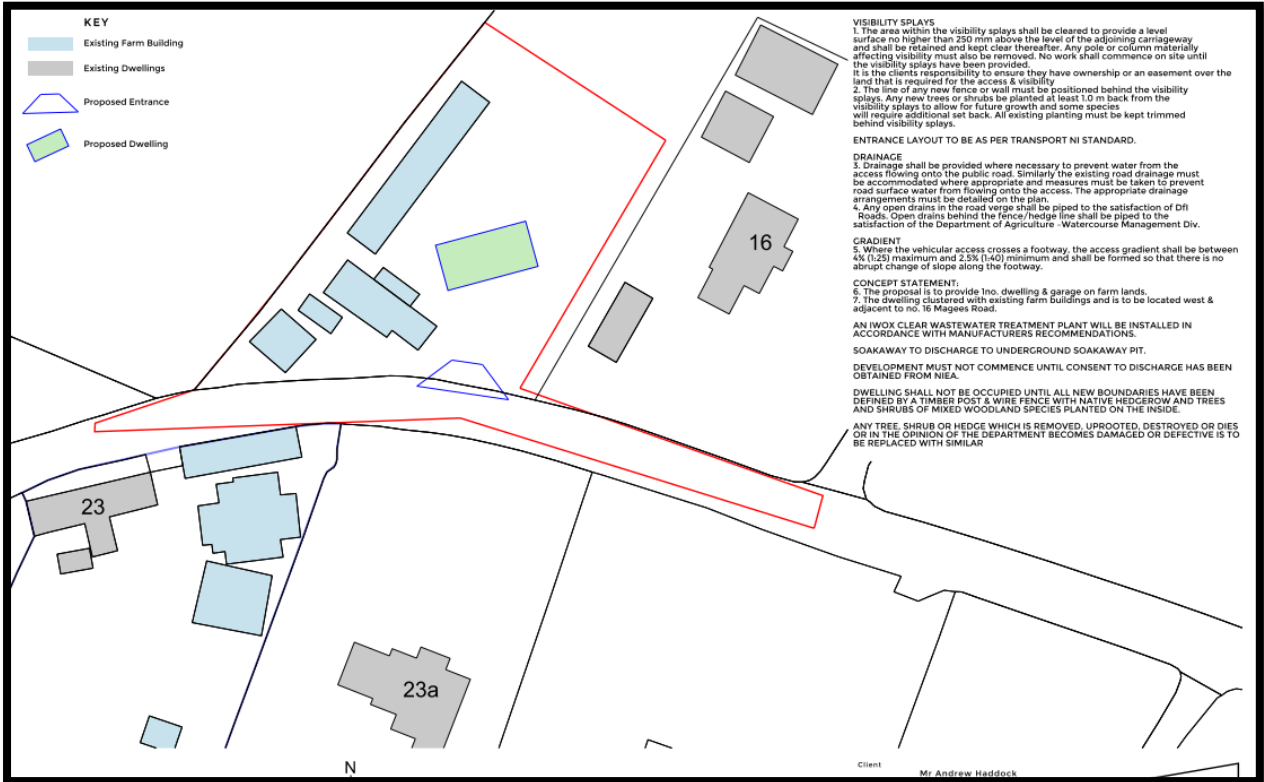
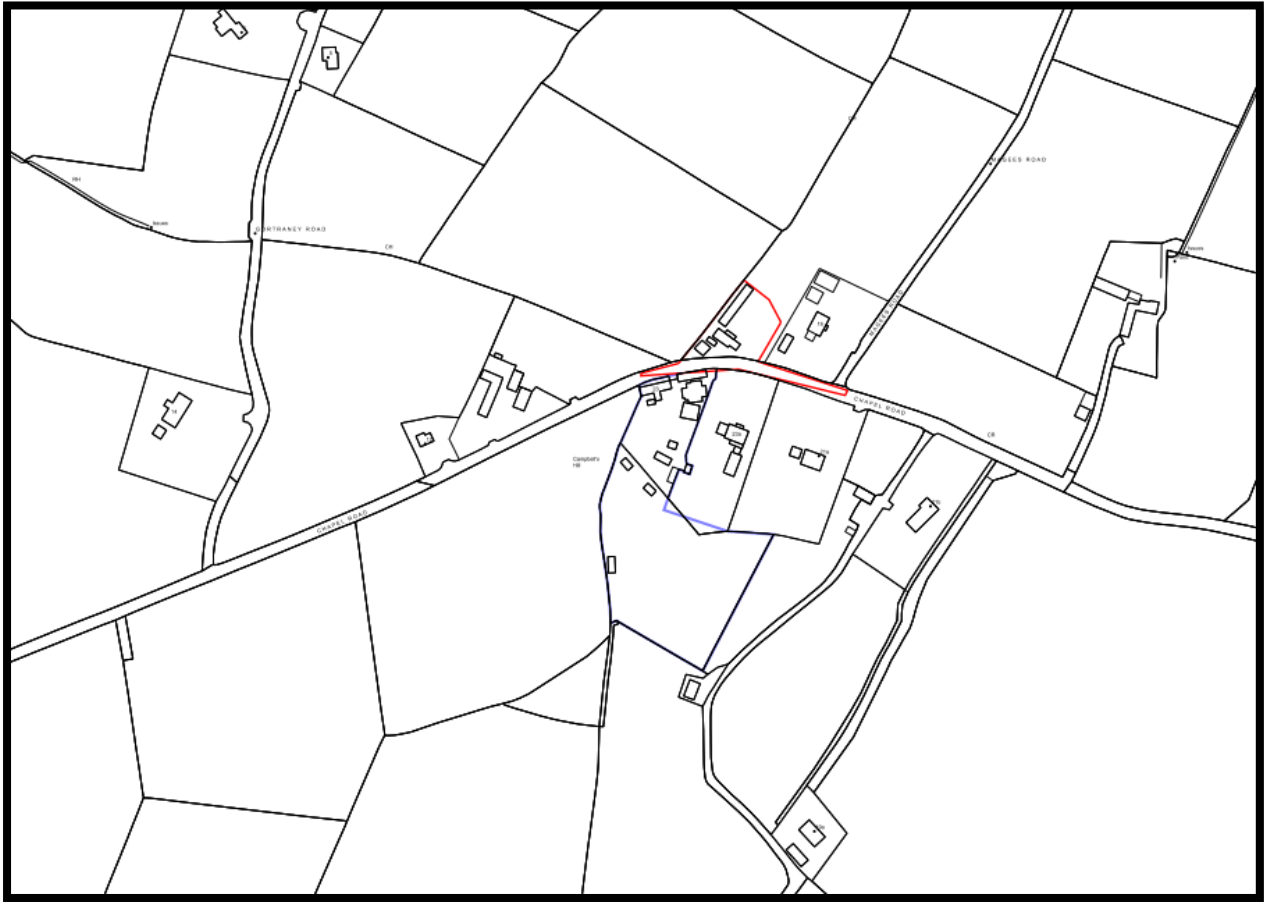
86. It is recommended that planning permission is refused.

Refusal Reasons(s)

87. The following reasons for refusal are recommended:

- The proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not an acceptable form of development in the countryside.
- The proposal is contrary to policy COU10 of the Lisburn and Castlereagh City Council Plan Strategy in that site is not located within the farm business that has been established for at least 6 years, the new building is not visually linked or sited to cluster with an established group of buildings on the farm and exceptionally, the alternative site proposed is not acceptable, as it has not been demonstrated there are no other sites available at another group of buildings on the farm or out-farm, and where there are either: demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group(s).
- The proposal is contrary to policy COU16 of the Lisburn and Castlereagh Plan Strategy 2032 in that it is not sited to cluster with an established group of buildings, and it will result in an adverse impact on the rural character of the area.

Site Location Plan & Block Plan – LA05/2023/0069/O



Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	6 October 2025
Committee Interest	Local Application (Called-In)
Application Reference	LA05/2023/0251/F
Date of Application	16 March 2023
District Electoral Area	Downshire East
Proposal Description	Agricultural Shed
Location	390 Ballynahinch Road Royal Hillsborough
Representations	None
Case Officer	Kevin Maguire
Recommendation	Refusal

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 refused as the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.
3. The proposal is also contrary to COU12 of the Lisburn and Castlereagh City Council Development Plan Strategy 2032 in that it has not been demonstrated that the agricultural business is currently active and established for a minimum of 6 years.

Description of Site and Surroundings

4. The application site is an irregular parcel of land measuring approximately 0.5 hectares located on the southern side of Ballynahinch Road, Royal

Hillsborough. Access to the main part of the site is gained via an existing tarmac laneway.

5. The dwelling and associated farm buildings at No. 390 Ballynahinch Road are set back from the Ballynahinch Road by approximately 115 metres. It is at a slightly higher level than the road with the land rising gently in a westerly direction towards the rear boundary of the site.
6. The site encompasses a detached two-storey dwelling surrounded by hardstanding, with a tarmac parking area to the front and further parking/circulation to the side and rear.
7. There is a small private amenity space including grass to the rear of the dwelling with a larger garden area to the front of the site. There is a small watercourse to the southern boundary of the site running along the existing laneway.
8. Directly to the north of the dwelling are a group of connected agricultural type buildings. The buildings are two-storey pitched, and single lean-to buildings and typical barrel-vaulted corrugated metal sheds built into the existing rising topography to the west. The buildings are finished in a mix of rough cast render, exposed blockwork and metal painted green. There are steps providing access to the upper floor of the main stone building with a domestic type of garage associated with the dwellinghouse further back using the same architectural design and materials.
9. The boundaries of the site were observed as follows.
 - Northern - Beech hedging along laneway. Post and wire fence and agricultural gate around main part of the site with existing buildings defining boundary to northwest.
 - Southern - Mixed species hedge along laneway with a mainly undefined boundary along the main part of the site to the southwest.
 - Eastern - Post and wire fence.
 - Western - Mixed species hedging and remaining boundary undefined to the northwest.

Surroundings

10. The application site is seen to be located within a rural landscape. Its character is defined by rolling agricultural lands with several dwellings accessing onto Ballynahinch Road (including 389, 393 and 397). There is further farm buildings related with the dwellings at Nos. 389 to the north and 397 to the east.

Proposed Development

- 11. This application seeks full permission for a new agricultural shed. This will necessitate the partial removal of some of the existing structures on site.
- 12. The most recent elevation drawings provided show the proposed shed dimensions, design and detailed layout of the building. It has a 7.7 metre ridge height and floorspace of approximately 306 square metres with a green agricultural sheet cladding and plastered blockwork finish.
- 13. The applicant provided details of animals kept in the years 2022-2023 and 2023-2024, advising that sheep are kept all year and calves (March to October) While not noted on the application form or P1C, the agent later confirmed in an email that the shed is to be ‘used for dry goods and machinery only’.

Relevant Planning History

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

Reference Number	Description	Decision
S/2004/2029/O	Detached Dwelling	Permission Refused 14 December 2005
LA05/2021/0739/F	Two storey extension to both side and rear. New single storey porch to front	Permission Granted 21 September 2021

- 15. There is no planning history evident in relation to the agricultural buildings currently on site however they are evident on aerial mapping from as far back as 2003.

Consultations

- 16. The following consultations were carried out:

Consultee	Response
WMU	No objections
DFI Roads	No objections
DAERA	No/No/Yes
HED	No objections
LCCC Environmental Health	No objections
DfI Rivers	No objections

Representations

17. No representations have been received in respect of this application.

Local Development Plan

18. 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 of applications must be in accordance with the plan unless material considerations indicate otherwise.

Plan Strategy 2032

19. 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.’

20. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan. Draft BMAP remains a material consideration.
21. The site is located within the open countryside in the Lisburn Area Plan (2001) and the last revision of draft BMAP and out with any defined settlement development limit.

22. This is a proposal for an agricultural shed in the open countryside. The following strategic policies in Part 1 of the Plan Strategy apply.

23. 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; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.

The Plan Strategy seeks to support the provision of jobs, services, and economic growth; and delivery of homes to meet the full range of housing needs integrated with sustainable infrastructure (physical and digital) whilst recognising the balance to be achieved in protecting environmental assets.

24. The site is in close proximity to a scheduled rath. Strategic Policy 18 Protecting and Enhancing the Historic Environment and Archaeological Remains states that:

The Plan will support development proposals that:

- a) *protect and enhance the Conservation Areas, Areas of Townscape Character and Areas of Village Character*
- b) *protect, conserve and, where possible, enhance and restore our built heritage assets including our historic parks, gardens and demesnes, listed buildings, archaeological remains and areas of archaeological potential.*
- c) *promote the highest quality of design for any new development affecting our historic environment.*

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

26. The proposal is for non-residential development in the 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.'

Development in the Countryside

Agricultural and Forestry Development

27. The proposal is for the construction of a new agricultural shed. Policy COU12 states that planning permission will be granted for development on an agricultural or forestry holding where it is demonstrated that all of the following criteria are met:

- a) the agricultural or forestry business is currently active and established (for a minimum of 6 years)*
- b) it is necessary for the efficient use of the agricultural holding or forestry enterprise*
- c) in terms of character and scale it is appropriate to its location*
- d) it visually integrates into the local landscape and additional landscaping is provided as necessary*
- e) it will not have an adverse impact on the natural or historic environment*
- f) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.*

In cases where development is proposed applicants will also need to provide sufficient information to confirm all of the following:

- there are no suitable existing buildings on the holding or enterprise that can be used
- the design and materials to be used are sympathetic to the locality and adjacent buildings
- the proposal is sited beside existing farm or forestry buildings.

Exceptionally, consideration may be given to an alternative site away from existing farm or forestry buildings, provided there are no other sites available at another group of buildings on the holding, and where:

- *it is essential for the efficient functioning of the business; or*
- *there are demonstrable health and safety reasons.*

28. The Justification and Amplification of the Policy states that:

'Planning permission will only be granted for agricultural, and forestry buildings/works subject to the criteria stated, as well as the criteria for an active and established business set out under Policy COU10.

Prior to consideration of any proposed new building, the applicant will be required to satisfactorily demonstrate that renovation, alteration or redevelopment opportunities do not exist elsewhere on the agricultural or forestry holding. Any new buildings should blend unobtrusively into the landscape.

Sufficient information to demonstrate why a location away from the existing agricultural or forestry buildings is essential for the efficient functioning of that agricultural or forestry holding will be required. If justified, the building will be required to visually integrate into the landscape and be of appropriate design and materials. A prominent, skyline or top of slope ridge location will be unacceptable.

All permissions granted under this policy will be subject to a condition limiting the use of the building to either agricultural or forestry use as appropriate'.

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 with 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

Access to Public Roads

31. The proposed development utilises and potentially intensifies the use of an existing access lane to the in-situ agricultural buildings. 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 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.'

Natural Heritage

Species Protected by Law

32. An existing agricultural building is to be demolished to accommodate the new shed. 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.'

Habitats, Species or Features of Natural Heritage Importance

33. 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 (including 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 features.

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

Historic Environment and Archaeology

Policy HE1 The Preservation of Archaeological Remains of Regional Importance and their Settings

34. The site is in close proximity to a scheduled rath. Policy HE1 relates to the Preservation of Archaeological Remains of Regional Importance and their Settings. Its states that:

'The Council will operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings. These comprise monuments.

in State Care, scheduled monuments and Areas of Significant Archaeological Interest (ASAs). Development which would adversely affect such sites of regional importance, or the integrity of their settings must only be permitted in exceptional circumstances. This approach applies to such sites which, whilst not scheduled presently, would otherwise merit statutory protection'.

35. Furthermore, the justification and amplification of the policy states that:

In assessing proposals for development in the vicinity of monuments in state care the Council will pay particular attention to the impact of the proposal on:

- *the critical views of, and from the site or monument including the protection of its setting*
- *the access and public approaches to the site or monument*
- *the experience, understanding and enjoyment of the site or monument by visitors.*

36. Policy HE4 relates to archaeological mitigation and states that:

'Where the Council is minded to grant planning permission for development which will affect sites known or likely to contain archaeological remains, the Council will impose planning conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development, including where appropriate completion of a licensed excavation and recording examination and archiving of remains before development commences or the preservation of remains in situ'.

Regional Policy and Guidance

Regional Policy

37. The SPPS was published in September 2015. It is the most recent regional 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.

38. 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.

39. This proposal is for an agricultural shed on an existing farm holding. Bullet point 11 of paragraph 6.73 of the SPPS states that:

Agriculture and forestry development: provision should be made for development on an active and established (for a minimum 6 years) agricultural holding or forestry enterprise where the proposal is necessary for the efficient operation of the holding or enterprise. New buildings must be sited beside existing farm or forestry buildings on the holding or enterprise. An alternative site away from existing buildings will only being acceptable in exceptional circumstances.

40. It is further stated at paragraph 6.78 of the SPPS 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'.

Assessment

Agricultural and Forestry Development

41. The proposal is for an agricultural shed incorporating the removal of a section of existing shed and creation of approximately 306 square metres of floorspace.
42. The most up-to-date P1C form states that the applicant is the owner of the active farm business. The form states that the Business ID number was '*allocated to the applicant on 06/03/2023*' however it indicates that there was a farm business previously on the farm holding.

43. The P1C form confirms that the single farm payment or other farm subsidies have been submitted to DAERA, and the applicant has provided details of the Farm Number, Sheep Flock Number and Herd Number for reference. Related to this is inventory details as per end of 2022 which recorded keeping of 19 lambs.
44. The first step of the policy test is to determine if the development is located within an active and established agricultural or forestry holding. DAERA Countryside Management Inspectorate Branch were consulted. The consultation response notes under Question 2 that the farm business ID identified on the P1C form has not been in existence for more than 6 years. It also notes that the current farm business did not make claims through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years, with years 2023-2025 having been claimed.
45. The applicant further noted that they only moved into the farm in 2021 with the first year dedicated to maintenance works including fencing and registering with DAERA. There is no previous farm business relating to the applicant at this or any other location. It was noted by the applicant that the previous owner of the farm rented out the land to a local farmer in conacre.
46. Further details were also confirmed by DAERA:
 - The Business number is new and was not transferred from another farm
 - Proposed site is located in field 3/030/173/1 which was claimed for BPS/FSTP in years 2023, 2024 and 2025 by the business listed on the application form.
47. As noted earlier in this report, planning permission will be granted for such development where it is demonstrated all the criteria of policy COU12 are met.
48. Criterion a) requires the agricultural business to be currently active and established for a minimum of 6 years. The evidence provided by the applicant and supplemented by clarification from DAERA would indicate that the agricultural business has only been established through the allocation of a business ID in August 2022 and that subsidies have been claimed since 2023.
49. The applicant has provided further clarification on the farm business ID relating to the farm prior to its purchase in 2021, and the issuing of a new business ID to the current owners in 2022.
50. The wording of the policy relates to the agricultural business which is currently active and established for a minimum of 6 years. This does not refer to the agricultural holding or the area of land owned/farmed by the applicant. Notwithstanding this point, the additional farm business ID provided by the applicant relating to the previous owner of the farm was referred to DAERA for comment.

51. In their response DAERA noted that this was a dormant business ID as there has been no activity within the previous 5 years. Following further clarification with DAERA they have noted that no claims had been made by this business. In these circumstances there is no clear evidence that there was an active farm business prior to the new owners taking over the farm, and as noted above while some of the fields may have been farmed under other farm businesses in conacre the evidence provided by the applicant and DAERA response would indicate that this was not consistent for the necessary 6 years required under policy.
52. On this basis and the submitted evidence it has not been demonstrated that the agricultural business has been established for a minimum of 6 years, and the proposal would therefore fail to meet the requirements of criterion a) of Policy COU12.
53. Criterion b) requires that the development is necessary for the efficient use of the agricultural holding or forestry enterprise. The applicant and agent have provided information in relation to the necessity for this shed including the following:
 - The new shed is essential for the growth and future of the farm.
 - Applicant has submitted details (photographs of existing shed). It is advised that the existing shed is in poor condition and has *'rotten steel supports and rotten wooden beams* and the new shed will be a replacement for the old one.
 - Confirmed new shed will be used for storage of dry hay / animal compound feed and storage of farm machinery to protect and prolong life due to weather but also to help prevent theft.
54. The proposed building measures (306 square metres and the reasons put forward by the applicant for the new structure have been noted. Notwithstanding these points, the proposed shed represents a substantial increase in the existing floorspace at the site and is not a direct replacement for the buildings being removed which the applicant has advised are in poor condition. With regards to the size of the proposed building it is not considered that this increase would be commensurate with the size and scale of the overall farm holding. It has not been clearly demonstrated why the existing buildings could not be altered to accommodate the farm machinery and dry feed which has been provided as the reason for the proposal, or that a shed of this size is required for the purposes outlined. It has therefore not been demonstrated that this development would be necessary for the efficient use of the agricultural holding.
55. Criteria c) requires that any proposed farm building in terms of its character and scale is appropriate to its location. In this case the proposed shed would be an agricultural building relating directly to an existing agricultural holding. The scale and design proposed would not be out of character to the existing group of agricultural buildings. It is therefore considered the proposal would adhere to criterion c).

56. Criterion d) requires that any agricultural development visually integrates into the local landscape and additional landscaping is provided as necessary. The proposed development is bound to the south by existing agricultural buildings and the associated farm dwelling at No. 390 Ballynahinch Road, however the northern and northwestern boundaries of the site, which are adjacent to the area being developed are undefined. The application proposes no additional landscaping along the new boundaries, given the set back from the main road and the retention of hedgerows along this carriageway, as well as the rising ground to the west and northwest to the rear of the site, it is considered that an agricultural shed at this location would on balance visually integrate into the local landscape.
57. A more detailed consideration of the potential impact on the natural environment is provided later in this report, however given the scale of the proposal it is considered that the development would not adversely impact on natural heritage interests.
58. The remains of a rath on the HED Sites and Monuments Record are located approximately 90 metres to the northwest of the proposed site. The rath is scheduled for protection and the remains, which are outlined by trees, is clearly visible when travelling along Ballynahinch Road.
59. HED were consulted and had advised that they were content that the proposal satisfies policy subject to including conditions requesting agreement and implementation of a developer-funded programme of archaeological works.
60. It is considered that the proposal would on balance meet Policy HE1 and not adversely impact on the setting of this protected site. On balance therefore, Criterion e) would be met.
61. The proposed development is located to the north of an existing cluster of farm buildings. The site includes the applicants dwelling at No. 390 Ballynahinch Road however the site to be developed is over 100 metres from any third-party residential properties. Therefore, is unlikely to result in any unacceptable levels of noise or other amenity impacts such as overshadowing or overlooking. In addition, given the proposed use of the shed it is unlikely that it would generate unacceptable emissions or odour that would be deemed unacceptable. In considering these points it is contended the proposal would satisfy Criterion f) of Policy COU12.
62. The policy further outlines that in cases such as this where development is proposed applicants will also need to provide sufficient evidence to confirm the following:
 - there are no suitable existing buildings on the holding or enterprise that can be used
 - the design and materials to be used are sympathetic to the locality and adjacent buildings

- the proposal is sited beside existing farm or forestry buildings.

63. Based on the assessment noted under Criterion b) of this policy, it is contended it has not been demonstrated that there are no suitable existing buildings on the farm holding that could be re-purposed to accommodate the applicant's agricultural machinery and dry feed for the animals on the farm. The applicant has submitted a supporting statement outlining the reasons for the new shed and has not specifically provided a detailed explanation of why the other buildings on the holding could not be utilised, subject to the necessary alterations.
64. No specific details or inventory of all of the equipment to be stored has been provided by the applicant and although the applicant has cited the storage of a tractor and trailer it is not considered that this and the storage of dry feed would be enough to justify the shed proposed.
65. The design of the proposed building is in keeping with other agricultural buildings in the local area and the materials used (sheet cladding coloured green and plastered blockwork would be sensitive and comparable with existing building on the site.
66. As noted previously, the location for the proposed shed partly replaces an existing farm structure which sits beside and clusters with a group of existing agricultural buildings.

Integration and Design of Buildings in the Countryside

67. Turning then to Policy COU15 it is noted that the development would be sited approximately 95 metres from the public road. When viewed from this public road (Ballynahinch Road) to the north east the site and surrounding land rises to the west with the existing agricultural buildings located directly to the west and those along with the topography would be providing the backdrop for the proposed shed and in that respect it is not considered to be prominent and would comply with Criteria a) and c). Given the clustering with the existing farm buildings and farm dwelling the proposal would also comply with criterion b).
68. The proposed site extends around the wider farm holding encompassing the dwelling and surrounding curtilage as well as the adjoining agricultural buildings. The wider site includes a number of existing mature boundaries however the area to be developed on includes post and wire fencing to the northeast and northwest boundaries with buildings to the rear (southwest) and the farmhouse/parking area to the south. While the proposal does not include any additional planting given the nature of the site, the position beside existing buildings and the type of proposal it is not envisaged that site would fail to provide a suitable level of enclosure and would on balance meet criteria d) and e).

69. The scale of the building would be appropriate to the site and in comparison, with the existing buildings on site and the design and materials used would be typical of agricultural development in a rural setting, therefore the proposal would comply with Criterion f).
70. Lastly, the proposal is sited on hardcore on a slightly sloping terrain however topography is not significant enough to require substantial cut and fill at the site. The proposal does not propose any upgrade to the existing access onto the Ballynahinch Road. No ancillary works are required and criterion g) is met.

COU16 Rural Character and other Criteria

71. As noted above under Policy COU15, the proposal would not be unduly prominent and would be sited to cluster with existing development on the farm, therefore criteria a) and b) are satisfied.
72. The site is clustered with other farm buildings and would not be out of keeping with the traditional pattern of development in the area; therefore, the proposal meets criterion c) of the policy.
73. The site is not located within proximity to any identified settlement development limit and therefore would unlikely mar the distinction between a settlement and surrounding countryside, therefore Criterion d) is met.
74. The proposed development is not out of keeping with other similar type development in the immediate area of the site and would therefore not be seen as having an adverse impact on the character of the rural area. Criterion e) is met.
75. The development is sited next to a dwelling controlled by the applicant and this when considered together with the siting and design of the proposed agricultural building in a group of existing buildings will not likely result in adverse impact on residential amenity. Criterion f) is met.
76. Regarding services, the proposed shed does not include toilets based on the floor plans submitted and therefore sewerage is unlikely to cause an issue or have an adverse impact on the environment or character of the locality. It is therefore contended the proposal would meet Criterion g).
77. As stated under Policy COU15 the proposal does not propose any changes to the access and will not require any substantial ancillary works, therefore based on this the proposal would meet Criteria h) and i).
78. On balance the application would meet the criteria under Policy COU16.

Access and Transport

Access to Public Roads

79. The application form submitted with the proposal notes that it is to use an existing unaltered access to a public road with no upgrades proposed or additional accesses. Based on the information supplied in support of the proposed development the scale of farming operations is small and not likely to result in the intensification of the use of the existing access.
80. No additional parking required for the proposal at the site and an adequate amount of circulation space is being retained.
81. DfI Roads have been consulted and have raised no objections on the grounds of road safety or adverse traffic impact. Having considered this advice and the other supporting information it is considered that the proposal would on balance meet the requirements of policy TRA2 of the LCCC Plan Strategy.

Natural Heritage

82. A Biodiversity Checklist submitted in support of the application indicates this building is not for handling livestock which produces air emissions, such as nitrogen. In later supporting information submitted it has been noted that the proposed shed is to be used exclusively for dry goods and machinery. There is no requirement to consider the impact of the proposed development in terms of odour or water quality.
83. The Biodiversity Checklist has not identified any concerns with impacts of the proposed development on designated sites and priority habitats or protected and priority species. Part 2 refers to whether the development involves the conversion, modification, demolition or removal of any building which include 'agricultural buildings (e.g. barns and outbuildings) of traditional brick or stone construction and/or exposed wooden beams.
84. From the information provided the application involves the removal of part of the existing structure relating to a block wall and lean-to corrugated metal roof (including rooflights) with part of the upper wall of the shed being open to the elements. Having regard to the content of the checklist it is unlikely that the existing shed would result in adverse impact on protected or priority species or priority habitats, with particular reference to bats.
85. Aside from the existing buildings on site, the proposed building is not sited near to any further features of natural heritage. There is a small watercourse to the south and east of the dwelling however this is an adequate distance away from the proposed building. Due to the nature of the proposed use of the building it is unlikely that any contamination will result which would adversely impact on this watercourse or underground strata.
86. In overall consideration on the points noted above it is considered that on balance the proposal is not likely to be contrary to policies NH2 and NH5 of the LCCC Plan Strategy.

Historic Environment and Archaeology

- 87. The site is in proximity to a scheduled rath (DOW022:046) which is located approximately 115 metres to the west.
- 88. Policy HE1 relates to the Preservation of Archaeological Remains of Local Importance and their Settings. A consultation response with Historic Environment Division (HED) noted that this archaeological site relates to a scheduled rath and the recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site.
- 89. Given the separation distance, topography of the site and position of the application site adjacent to an existing cluster of farm buildings, it is not considered that the proposal would adversely impact on the integrity of the scheduled monuments setting from the perspective of critical views on public approaches to the site.
- 90. Regarding the potential for impacting upon unrecorded archaeological remains within the site HED have advised they are content that the proposal satisfies policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ.
- 91. In consideration of the above comments, it is considered that the development would comply with Policy HE1 and HE4 of the LCCC LDP Strategy.

Conclusions

- 92. It is considered that on balance that it has not been demonstrated that the agricultural or forestry business has been established for a minimum of 6 years and that the requirements of policies COU1 and COU12 are not met.

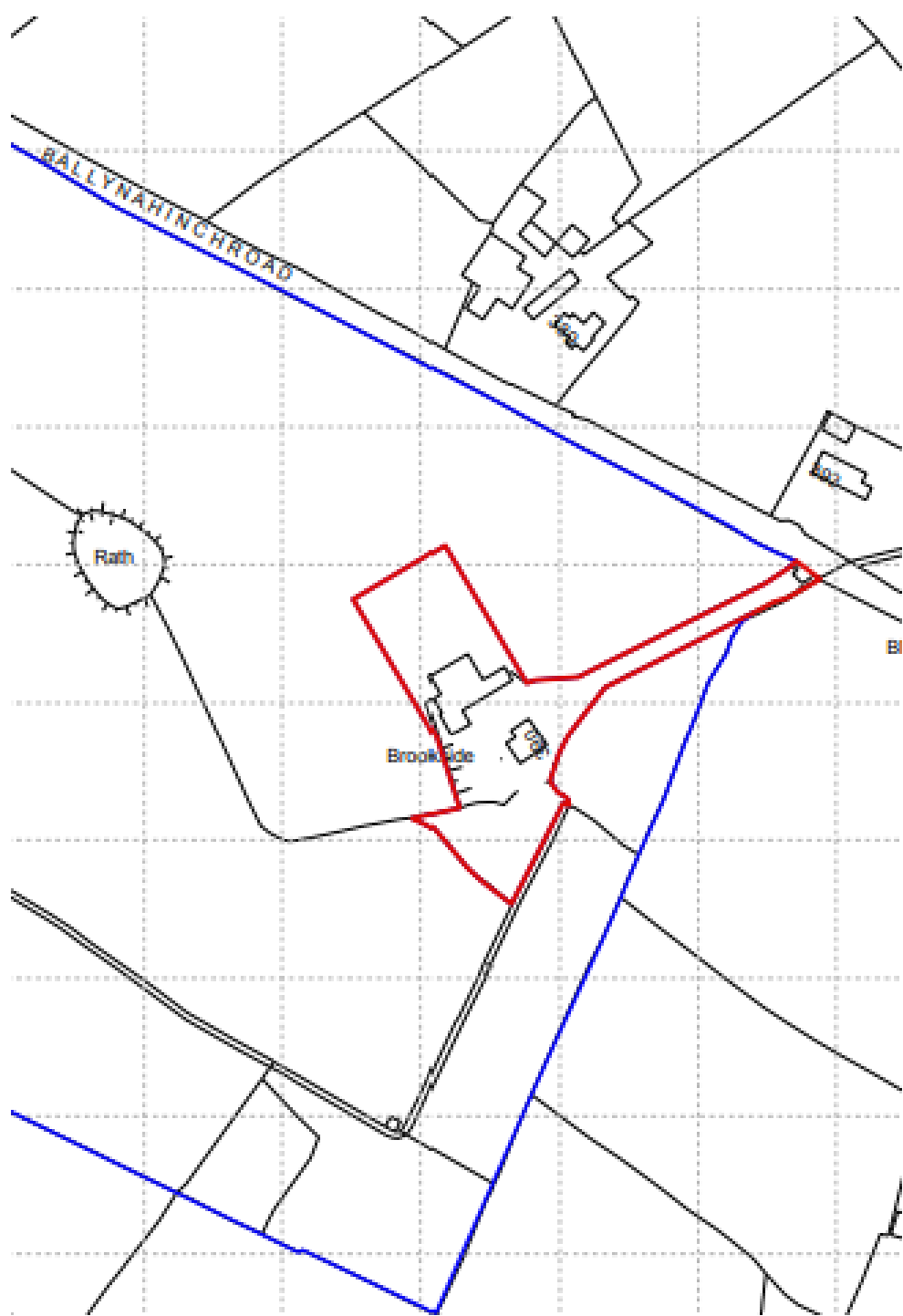
Recommendations

- 93. It is recommended that planning permission is refused.

Refusal Reasons

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Local Development Plan Strategy 2032 in that it has not been demonstrated that this would be an acceptable development in the countryside and would contribute to the aims of sustainable development.
- The proposal is contrary to Policy COU12 (a) of the Lisburn and Castlereagh City Council Local Development Plan Strategy 2032 in that it has not been demonstrated that the agricultural business has been established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 (b) of the Lisburn and Castlereagh City Council Local Development Plan Strategy 2032 in that it has not been demonstrated that the proposal is necessary for the efficient use of the agricultural holding.

Site Location Plan – LA05/2023/0251/F



Site Location Plan
Scale 1:2500

Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	06 October 2025
Committee Interest	Local Application (Called-In)
Application Reference	LA05/2023/0494/F
Date of Application	14 June 2023
District Electoral Area	Castlereagh East
Proposal Description	Conversion of and single storey extension to disused mill to provide a dwelling and associated site works
Location	Approximately 33 metres southwest of 18 Gransha Close, Comber, BT23 5RD
Representations	12 objections and 1 in support
Case Officer	Kevin Maguire
Recommendation	Refusal

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. The application is presented to the Planning Committee with a recommendation to refuse.
3. It is recommended that planning permission is refused as the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.
4. The proposal is contrary to Policy COU4 of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered that this proposal would result in a sympathetic conversion of a vernacular building or suitably locally important building for use as a single dwelling where this would secure its upkeep and retention.

5. The proposal is contrary to Policy COU4 of the Lisburn & Castlereagh City Council Plan Strategy, in that it has not been adequately demonstrated that the building is reasonably capable of being made structurally sound or otherwise improved.
6. The proposal is contrary to Policy COU4 (b) of the Lisburn & Castlereagh City Council Plan Strategy, in that it would not maintain or enhance the form, character and architectural features, design and setting of the existing building and would have an adverse effect on the character or appearance of the locality.
7. The proposal is also contrary to Policy COU4 (c) of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered the proposed new extension is sympathetic to the scale and massing of the existing building.
8. The proposal is contrary to Policy COU15 (f) of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered the design of the building is appropriate for the site and its locality.

Description of Site and Surroundings

Site

9. This site is located approximately 33 metres southwest of No. 18 Gransha Close and incorporates an irregular shaped site approximately 0.13 hectares in size. The site is in a low-lying parcel of land which is mostly flat but rises to the west.
10. On the site is a small roofless structure located close to the road which is linear in plan and is noted visually to be in poor condition. The structure has a mixture of construction materials, including natural stone random rubble, with red/brown brick at various places, including the eastern gable which faces towards the public road.
11. The eastern gable, given the form and outlook is taken to be the 'front' of the structure and includes a large opening. The top section over this opening is supported by a metal beam supporting the remaining brick work above. While there appears to have been some removal of overgrowth in recent years the sides and rear of the structure are still quite overgrown. The interior includes collapsed debris from the structure itself as well as some larger branches from adjacent trees.
12. With regards to the boundaries the application site is undefined to the southwest and southeast, with the latter facing towards the bank of the adjacent Gransha River. The northern boundary faces onto the public road at Gransha

Close and is defined by a low portion of wall associated with the adjacent road bridge, a post and rail fence with a small portion (approximately 5 to 6 metres) and an agricultural type of gate providing access into the site. The northwestern portion of the boundary is defined by a row of mature deciduous trees along the roadside. There is a small roadside verge between the site and the public road.

Surroundings

- 13. The site is located within the open countryside, and the surrounding lands are predominantly in agricultural in use.
- 14. No 18 Gransha Road, is a single storey dwelling with several outbuildings, located approximately 28 metres from site on the other side of the road from the application site.
- 15. No 15 Gransha Road is a 1.5 storey dwelling, located to the southwest being approximately 56 metres away on a higher parcel of land, separated by a large stand of mature and overgrown vegetation.
- 16. The site is adjacent to the Gransha River to the east. The road passes over a small stone bridge crossing the river immediately to the east.

Proposed Development

- 17. This is a full application for the conversion of and single storey extension to a discussed mill to provide a dwelling and associated site works.
- 18. The following documents are submitted in support of this application:
 - Archaeological baseline survey
 - Design and Access Statement
 - Structural Inspection Report (including updated version)
 - Preliminary bat roost assessment
 - Bat survey
 - Biodiversity Checklist
 - Tree Survey Report
 - Flood Risk Assessment

Relevant Planning History

- 19. There is no relevant planning history associated with the site.

Consultations

20. The following consultations were carried out:

Consultee	Response
NIEA Natural Environment Division	No objections
NIEA Water Management Unit	No objections
NI Water	No objections
DfI Roads	No objections
Shared Environmental Services	No objections
Historic Environment Division	No objections
DfI Rivers	No objections
Environmental Health	No objections

Representations

21. There have been 12 objections received in relation to this application. The points raised have been summarised below:

- Development is contrary to Policy COU4 and SPPS
- The original building and its purpose will be lost with proposed design.
- The removal of any adjacent trees would likely severely compromise the existing stone walls already in poor condition, which may result in a ‘new build’ by default.
- Concerns that the stone wall at the bridge will have to be removed to accommodate visibility splays which would have a visual impact.
- Not clear how the application will reduce the ground levels in order to provide the requirements for the visibility splays or affect the bridge.
- There is a blind corner at the entry which would cause significant risk when existing the site.
- Additional traffic generation on narrow road.
- Septic tank is in the floodplain and too close to proposed building.
- The site is located in an area of known flooding through proximity of floodplain and mill race, and construction could push flooding to neighbouring properties.

- Removal of stone wall along bridge would currently also hold back floodwater from road.
- It is questionable whether the applicant is in 'actual possession' of the existing stone wall to the bridge, which is within the application site.
- The existing and proposed floor plans show the same thickness of walls which is misleading as the need for insulation/tanking to meet building regulations will likely make the conversion walls much thicker.
- The provision of a new ground floor at least 150mm above the external ground level in accordance with building regulations and the FRA would compromise available heights at first floor and make plans shown unviable.
- A large number of trees will have to be removed to allow any dwelling to be constructed on the site which will have a visual as well as ecological impact.
- It was requested that trees on the site should be protected.
- There are two retained trees within 5 metres of the building which may cause insurance issues.
- Invasive species have been present and are identified on the site.
- Invasion of privacy of neighbouring dwelling.
- Proposal does not 'protect the established rural pattern' of Gransha Close in terms of spacing of dwellings.
- Potential for building to be used as a short term rental.
- No need for the development in this location.
- Lack of light for proposed development.
- Request has been made to consider additional protection for this structure through the local plan.

22. These issues are considered in greater detail later in the report.

Local Development Plan

23. 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

24. 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.

25. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the BUAP. Draft BMAP remains a material consideration. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Belfast Urban Area Plan (BUAP). Draft BMAP remains a material consideration.
26. The site is located in the countryside in the BUAP. In the last revision to draft BMAP (2014) this site is located in the open countryside.
27. This application is for new housing 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.*

28. The following operational policies in Part 2 of the Plan Strategy also apply.
29. The proposal is for the conversion and reuse of a building for residential use. 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.

Conversion and Reuse of Buildings for Residential Use

30. Policy COU4 – The Conversion and Reuse of Buildings for Residential Use states:

Planning permission will be granted for proposals for the sympathetic conversion, with adaptation if necessary, of a non-listed vernacular building or a suitable locally important building (such as former school houses, churches and older traditional barns and outbuildings) for use as a single dwelling where this would secure its upkeep and retention. Such proposals will be required to be of a high design quality and to meet all of the following criteria:

- a) the building is of permanent construction*
- b) the conversion or reuse would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality*
- c) any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building*
- d) the conversion or reuse would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings*
- e) the nature and scale of the use is demonstrated to be appropriate to a countryside location.*

Buildings of a temporary construction such as those designed and used for agricultural purposes, including sheds or stores will not be eligible for conversion or reuse under this policy.

Exceptionally, consideration may be given to the sympathetic conversion or reuse of a traditional non-residential building to provide more than one dwelling where the building is of sufficient size; the scheme of conversion involves minimal intervention; and the overall scale of the proposal and intensity of use is considered appropriate to the locality.

In all cases evidence of a building's condition must demonstrate that it is reasonably capable of being made structurally sound or otherwise improved.

A former dwelling previously replaced and retained as an ancillary building, or where it was conditioned for demolition but has subsequently become immune from enforcement action, will not be eligible for conversion back into residential use under this policy.

Integration and Design of Buildings in the Countryside

31. 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

32. 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.*

Habitats, Species or Features of Natural Heritage Importance

33. As the existing building is being converted, and the site is adjacent to a watercourse and area of overgrown vegetation, consideration is given to the potential for an adverse impact or damage to be caused to designated/protected sites and priority/protected species and habitats.
34. Supporting ecological reports are submitted with the application including a bat roost assessment, bat survey, ecological appraisal for badgers and Biodiversity Checklist including preliminary ecological assessment (PEA).
35. Policies NH2 Species Protected by Law advises that for 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.*

In the case of nationally protected species it is noted that:

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.

36. It is stated at policy NH5 Habitats, Species or Features of Natural Heritage Importance 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.

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

37. A private package treatment plant is proposed and Policy WM 2 - Treatment of Wastewater 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.

Access and Transport

38. The proposal involves the alteration of an existing access to the public road. 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.

39. The justification and amplification states:

For development proposals involving a replacement dwelling in the countryside, where 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.

Flooding

40. The site is adjacent to a designated watercourse. Policy FLD1 relates to development in Fluvial (River) Flood Plains and states that:

New development will not be permitted within the 1 in 100-year fluvial flood plain (AEP of 1%) plus the latest mapped climate change allowance, unless

the applicant can demonstrate that the proposal constitutes an exception to the policy in the following cases:

Exceptions in Defended Areas

On previously developed land protected by flood defences (confirmed by DfL Rivers as structurally adequate) in a 1 in 100 year plus climate change allowance fluvial flood event.

Proposals that fall into any of the following categories will not be permitted by this exception:

- a) essential infrastructure such as power supply and emergency services*
- b) development for the storage of hazardous substances*
- c) bespoke development for vulnerable groups, such as schools, residential/nursing homes, sheltered housing*
- d) any development located close to flood defences.*

Proposals involving significant intensification of use will be considered on their individual merits and will be informed by a Flood Risk Assessment.

Exceptions in Undefended Areas

The following categories of development will be permitted by exception:

- a) replacement of an existing building*
- b) development for agricultural use, transport and utilities infrastructure, which for operational reasons has to be located within the flood plain*
- c) water compatible development, such as for boating purposes, navigation and water based recreational use, which for operational reasons has to be located in the flood plain*
- d) the use of land for sport or outdoor recreation, amenity open space or for nature conservation purposes, including ancillary buildings. This exception does not include playgrounds for children*
- e) the extraction of mineral deposits and necessary ancillary development.*

Proposals that fall into any of the following categories will not be permitted by this exception:

- a) bespoke development for vulnerable groups, such as schools, residential/nursing homes, sheltered housing*
- b) essential infrastructure*
- c) development for the storage of hazardous substances.*

Development Proposals of Overriding Regional or Sub-Regional Economic Importance

A development proposal within the flood plain that does not constitute an exception to the policy may be permitted where it is deemed to be of overriding regional or sub-regional economic importance and meets both of the following criteria:

- a) demonstration of exceptional benefit to the regional or sub-regional economy*
- b) demonstration that the proposal requires a location within the flood plain and justification of why possible alternative sites outside the flood plain are unsuitable.*

Where the principle of development is established through meeting the above criteria, the Council will steer the development to those sites at lowest flood risk.

Minor Development

Minor development will be acceptable within defended and undefended flood plains subject to a satisfactory flood risk assessment.

Where the principle of development is accepted by the Council through meeting any of the above 'Exceptions Tests', the applicant is required to submit a Flood Risk Assessment (FRA) to demonstrate that all sources of flood risk to and from the proposed development have been identified; and there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

Flood Protection/Management Measures

In flood plains the following flood protection and management measures proposed as part of a planning application, unless carried out by DfI Rivers or other statutory body, will not be acceptable:

- a) new hard engineered or earthen bank flood defences*
- b) flood compensation storage works*
- c) land raising (infilling) to elevate a site above the flood level within the undefended fluvial flood plain.*

Historic Environment and Archaeology

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

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.

42. Policy HE4 Archaeological Mitigation states that:

Where the Council is minded to grant planning permission for development which will affect sites known or likely to contain archaeological remains, the Council will impose planning conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of

the development, including where appropriate completion of a licensed excavation and recording examination and archiving of remains before development commences or the preservation of remains in situ.

Regional Policy and Guidance

Regional Policy

43. The SPPS 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.

44. 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.

45. This proposal is for a conversion and extension of an existing stone structure to a dwelling. Bullet point two of paragraph 6.73 of the SPPS states that:

provision should be made for the sympathetic conversion and re-use, with adaptation, if necessary, of a locally important building (such as former school houses, churches and older traditional barns and outbuildings), as a single dwelling where this would secure its upkeep and retention. Provision should also be made for the conversion of a locally important building to provide more than one dwelling where the building is of sufficient size, the conversion involves minimal intervention; and the intensity of the use is considered appropriate to the locality. A former dwelling previously replaced and retained as an ancillary building to the new replacement dwelling will not be eligible for conversion back into residential use under this policy.

46. It is further stated at paragraph 6.78 of the SPPS 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.

Retained Regional Guidance

47. Whilst not policy, the following guidance document remains a material consideration:

Building on Tradition

48. Paragraph 3.1.0 of Building on Tradition states that the previous planning policy (PPS21) placed:

a significant emphasis on the role that our historic building stock can play in meeting the needs of the community and also in achieving sustainable development. Older buildings are not only part of our heritage, but considerable energy is also embodied in the building material used in their construction. The energy requirement for their reuse and refurbishment is considerably less than that for replacement. So, the sustainability principle of reduce, reuse, recycle applies to our building stock just as much as it does to every other aspect of resource consumption.

49. At paragraph 3.1.1, further notes that:

there is considerable potential to convert and reuse former schools, churches, mills, and farm buildings bringing new life to many beautiful and outstanding historic buildings that presently lie empty. This is a key aspect of the sustainability strategy for the countryside - nurturing our built heritage, bringing empty and redundant buildings into use and conserving the best of our traditional buildings.

50. At paragraph 3.2.1 notes that:

In design terms, the sympathetic conversion of a suitable building for a variety of alternative uses is considered acceptable where

- reuse or conversion would maintain or enhance the form, character or architectural features, design and setting of the existing building and
- new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building.

51. Paragraph 3.3.1 further clarifies that:

'The essential characteristics of vernacular buildings (relating to simplicity of form, proportion, solid and simple construction) are set out'...in policy. It notes that 'Rural vernacular or traditional architecture is defined as the construction of small plain buildings in the countryside (particularly before 1925) where the dominant influence in siting, materials, form and design is the local 'folk tradition'. Such vernacular buildings will have been typical, i.e., of a common type in any given locality and will lack the individualistic and 'educated' design features that characterised international fashions in formal architecture during the same period'.

52. Paragraph 3.3.2 notes that:

'The retention and sympathetic refurbishment of non-listed vernacular structures is encouraged, particularly where they make an important contribution to the heritage, appearance or character of the locality.

Aspects of the setting of these buildings, including hedgerows, trees, boundary walls and existing access arrangements are also integral to the contribution these buildings make to the character and appearance of local landscapes. Preserving and maintaining the physical setting of such sites is therefore an important design consideration. There are many good examples which demonstrate how to keep and integrate these building into exciting and innovative new projects....'

53. In addition to listing the advantages of re-use Paragraph 3.5.0 notes that the previous policies for replacement dwellings and conversions:

encourages the sympathetic conversion, with adaptation, if necessary, of suitable buildings where this would secure upkeep and retention. Specifically for listed buildings but also favourable and were deemed appropriate for vernacular structures, this process will involve conservation and managing change so that their character and special interest is maintained. Applicants should have regard to the following principles of conservation:

- *Minimum Intervention*
- *Maximum retention of fabric*
- *Reversibility*
- *Legibility*

54. Paragraph 3.7.0 to 3.7.2 states that:

'Maintaining and enhancing building form, character and architectural features is a central concern of Policy CTY 4. The policy requires a design approach that respects and reinforces the signature characteristics and architectural traditions of the area.

This is achieved through restoration and repair of the existing structure and through the blending in of new buildings or extensions. Rather than proposals for new additions that copy the existing historic architectural style, any new element should blend with the existing structures and landscape setting by having regard to the following qualities:

- *Context, including landscape setting*
- *Appropriate siting*
- *Appropriate height and massing*
- *Compatible scale*
- *Good proportion overall and also in its elements and details*
- *Choice of materials and colours should*

- complement the surrounding context

The extension should be designed to become an integral part of the property both functionally and visually, well-proportioned and in balance with the shape of the existing property. The height, width and general size of an extension should be integrated so as not to dominate the character of the existing structure’.

55. With regards to wastewater treatment, Building on Tradition [page 131] states that:

If Consent for Discharge has been granted under the Water (Northern Ireland) Order 1999 for the proposed development site, a copy of this should be submitted to accompany the planning application. This is required to discharge any trade or sewage effluent or any other potentially polluting matter from commercial, industrial or domestic premises to waterways or underground strata. In other cases, applications involving the use of non-mains sewerage, including outline applications, will be required to provide sufficient information about how it is intended to treat effluent from the development so that this matter can be properly assessed. This will normally include information about ground conditions, including the soil and groundwater characteristics, together with details of adjoining developments existing or approved. Where the proposal involves an on-site sewage treatment plant, such as a septic tank or a package treatment plant, the application will also need to be accompanied by drawings that accurately show the proposed location of the installation and soakaway, and of drainage ditches and watercourses in the immediate vicinity. The site for the proposed apparatus should be located on land within the application site or otherwise within the applicant’s control and therefore subject to any planning conditions relating to the development of the site.

56. In this particular case the DfC publication ‘Historic Buildings of Local Importance – A guide to their identification and protection’, which has been noted under Policy COU4 in the LCCC Plan Strategy, would also be relevant to consider. It notes that ‘*the significance placed on the historic building of local importance is key to its protection under planning policy*’. It notes in one of the examples provided that ‘*some buildings, even if in poor condition, may be important to a community*’.

Assessment

The Conversion and Reuse of Buildings for Residential Use

57. Policy COU4 of the LCCC Planning Strategy notes that planning permission will be granted for the sympathetic conversion, with adaptation, if necessary, of a non-listed vernacular building or a suitable locally important building (such as

former schoolhouses, churches and older traditional barns and outbuildings) for use as a single dwelling where this would secure its upkeep and retention.

58. Under this policy 'Vernacular Buildings' are those that reflect the local 'folk tradition' and are typical of a common type of building in a particular locality, generally pre-1925. For the purposes of this policy a 'Locally Important Building' is a building, structure or feature, whilst not statutory listed, has been identified by the Council as an important part of their heritage, due to its local architectural or historic significance. On this latter point concerning locally important buildings, such sites would be identified by Councils through their local development plan process. In the case of LCCC no locally important buildings or features have yet been identified within the Council area through this process.
59. It is noted from the archaeological baseline survey that 8 sites of industrial heritage are located within 500 metres of the site, and these are predominantly linked with mills arranged along the line of the Gransha River. This building could potentially be pre-1925 as a structure at this location is shown on the first edition map. It is not listed and in poor condition, including no roof, partially collapsed walls with more recent interventions to support the outer walls with the inclusion/addition/fixing of brick work and the metal supporting beam above the opening in the eastern gable.
60. There is also considerable overgrown vegetation within the building and along its walls with no substantive visual evidence to confirm that the remaining structure on site relates to what it is claimed to be constructed for i.e. a flax mill. The archaeological baseline survey noted:

'no sign of a wheel pit could be discerned, or of any fittings relating to use either as a mill or as a smithy, but these could easily be concealed by the rubble and growth of vegetation'.
61. The archaeological report notes that:

'the 1st edition OS mapping is the earliest to show the proposed development location in reliable detail and shows the proposed development site sitting at the end of a long mill race, with an eastwards running sluice feeding back into the Gransha River in the general vicinity of the southern site boundary'.
62. However, the report also raises some doubt when it notes the 3rd edition map (1901), where there is a small discrepancy in the building location and alignment between the 2nd and 3rd edition maps and it is:

'unclear whether this marks a demolition of the mill and the rebuild of a reorientated smithy, or inaccuracy of mapping on the 2nd edition with both editions marking the same building'.
63. In addition, the report states that:

'the 1919 map shows that the building 'has a smaller footprint again than the 1901 plan suggesting a possible reuse/reworking of the upstanding remains'.

64. This, in addition to the lack of visual evidence of fittings relating to use either as a mill or as a blacksmith, would raise concerns over how much of the remaining structure relates to any former use.
65. Historic Environment Division were consulted on the submission of the archaeological report and confirm that the site contains a feature of archaeological interest, a flax mill recorded on the Department's Industrial Heritage Record (IHR 02740), and as a site of local archaeological importance would be protected under Policy HE2 of the Plan Strategy.
66. Overall HED have welcomed the plans for retention and reuse of the purported surviving mill building as part of the scheme however the structure remains unlisted and has not been scheduled.
67. It is accepted based on the evidence submitted there was a flax mill on site, which may have been in addition to the building on site or was used as a blacksmith at a later stage. On balance however, given the poor condition of the structure and its lack of remaining visual features relating to its purported use as a flax mill it is not considered that this proposal would result in a sympathetic conversion of a vernacular building for use as a single dwelling where this would secure its upkeep and retention. The condition and deterioration of the structure is such that it has lost any distinctive features that would link the structure to the flax industry.
68. Notwithstanding the views expressed above, the policy also requires that such proposals, if considered acceptable, must also be required to be of a high design quality and to meet a number of criteria.
69. The first of these criteria is that the building is of permanent construction. Based on what is currently on the ground and including other sources such as the archaeological information received and response from HED it is clear that the remains of the building has been there for a long period of time and is not of temporary construction, therefore it is considered to meet Criterion a).
70. Criterion b) requires that the conversion or reuse would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality. The information received shows that the development proposes to utilise the existing building footprint and the existing stonework, with the section brickwork indicated to be replaced.
71. The large opening to the eastern gable would be glazed, with minimal additional openings on the ground floor and roof lights above to mezzanine. The application was submitted with existing plans including elevations showing the existing condition of the building. This drawing also indicates an extrapolated line showing the height of the pitch where the building was likely to

reach. While the proposals would maintain the footprint of the existing structure, based on the current structure on the ground it is not clear that the proposed ridge height would be in keeping with the form of the previous building on site and would be substantially larger than the current structure given its condition and inclusion of more recent interventions including brick and metal beam at the apex of the former building.

72. Regarding the setting as noted the proposal involves an extension to the existing structure. This extension is significantly larger than the original structure and given views of the site and structure when travelling in a westerly direction along Gransha Close, it is considered that this proposed extension would adversely impact the setting of what currently remains on the site and the local character of the area. Based on these considerations it is contended that the application as submitted with the interventions required and extension proposed would not adequately satisfy the requirements of Criterion b) of Policy COU4.
73. Criterion c) has partly been covered in the paragraph above. In terms of scale and massing, the proposed extension is to provide additional living space which would more than double the overall footprint of the existing structure. It is considered that, in the context of the clear views of the site when travelling along Gransha Close, this extension would not be sympathetic to the scale and massing of the remaining structure on site. In this respect that proposals would be contrary to Criterion c) of Policy COU4.
74. In relation to Criterion d) it is noted that the existing building to be converted is approximately 27 metres from the corner of No 18 which is the closest dwelling on the other side of the road. While the proposed eastern gable facing the road is predominantly glazed and would face in the general direction of the neighbours dwelling, the distance and its orientation towards the front of the dwelling would limit the potential adverse impacts on amenity including overlooking.
75. There is amenity space at a closer distance however this is adjacent to the public road already with the private amenity area set further back to the side and rear of No 18. Given the low-lying nature of the two properties, separation distance and scale, overshadowing is not a significant issue in this instance.
76. The site is also close to No 15 to the west, which is at a higher site level than the proposal however the separation distance to the proposed dwelling is approximately 50 metres. Number 15 has a large rear garden which stretches down to the boundary with the proposal. The two sites divided by a thick area of mature trees and other planting. The site plan as submitted shows some trees will need to be removed to accommodate the proposal however the majority will remain and these remaining trees along with additional new tree and hedge planting provide an adequate buffer between the two sites. Based on the distance, existing landscaping and design it is not considered that there will be significant adverse amenity impacts.

77. Finally, Criterion e) relates to whether the nature and scale of the use is demonstrated to be appropriate to a countryside location. The local area is rural but is characterised by scattered residential units and a number of single dwellings and farm complexes are located in close proximity to the site. Based on this the nature and scale of the use outlined within this proposal is not likely to be inappropriate to this location.
78. Additionally, the policy requires that in all cases evidence of a building's condition must demonstrate that it is reasonably capable of being made structurally sound or otherwise improved.
79. The application was submitted with a Visual Structural Inspection report. The report details how the existing structure could be stabilised and brought back into use:
- ***Paragraph 4.1 & 4.2:*** *Although the building is in an advanced state of disrepair with significant overgrowth, where there are remaining walls, they would appear generally to be in good condition, however, to fully appreciate the current condition the site would need to be cleared of vegetation and rubble.*
 - ***Paragraph 4.4:*** *There will be localised elements of structure which will need to be taken down and rebuilt as required, some due to the precarious condition which poses a health and safety risk to anyone working in the vicinity.*
 - ***Paragraph 4.7:*** *Buildings of this vintage are unlikely to contain foundations with the walls built directly off large foundation stones at or near ground level. Also the floors may have been earthenware floors or minimal concrete screeds. This should be considered when forming new ground floor slabs as modern floor build-up will be deeper with the risk of undermining the existing walls during installation.*
80. Having regard to the matters raised a partial or full removal and rebuild of the existing walls of the property would not be consistent with the aims and thrust of the policy and would essentially result in a new build, potentially using the building materials of the previous structure on site.
81. Further clarification was requested on the Applicants behalf in relation to this point.
82. An amended visual structural report was provided by the applicant and while similar it made some changes to a number of the points in the original report, namely the following (amendments highlighted in bold and underlined):
- ***Paragraph 4.4:*** *There will be localised elements of structure where consideration should be given to dismantling and repairing as required, due to the precarious condition which poses a health and safety risk to anyone working in the vicinity. An example of this would be a small area of facing brick to the left hand side of the main opening, which will require*

propping whilst the broken bricks are repaired. Large scale removal or rebuild of the existing stone and brick walls is not necessary.

- **Paragraph 4.7:** *Buildings of this vintage are unlikely to contain **modern concrete strip foundations** with the walls built directly off large foundation stones at or near ground level. Also the floors may have been earthenware floors or minimal concrete screeds. A new foundation and floor should be installed no deeper than the existing base stones to maintain structural integrity.*
83. While the amended text within the structural report suggests that the walls as constructed would not need to be fully removed and gives an example of the level of intervention needed, there would still be a concern that this has been clearly noted as a 'visual structural assessment' with 'no opening up' carried out. The amended plan again notes that the site would need to be initially cleared of vegetation and rubble to fully appreciate the current condition (see underlined text). In relation to the removal of clay bricks, there are a number of areas, some quite low down in the side walls, where brick may need to be removed, with the impact of this removal unknown based on the information submitted. On this basis there are remaining concerns regarding the structural integrity of the remaining building and the level of intervention that would be needed to successfully convert into the proposed dwelling.
 84. In order to better understand the risks associated with utilising the existing structure the Council independently reviewed the structural assessments submitted to date. This review noted that again any meaningful assessment could not be made without the removal of extensive vegetation currently on the structure. It has further stated that the possibility exists that the process of removing this vegetation could cause damage to the walls if it has become implanted in the fabric.
 85. With regards to the new foundations the assessment advises that the new foundation could potentially lead to collapse of the random rubble walls, and this operation will require the walls to be underpinned. While it is noted that the walls can be treated to make them more robust these types of walls are 'unforgiving' and no further detail has been provided in the second structural assessment to indicate how the new foundations will be installed while ensuring the random rubble walls 'remain sound'. The review further highlights how the survey does not provide clarification on whether the new floor slab 'with insulation and screed' will require the underside of the floor to be dropped below the level of the wall base stones, which also has the potential for further destabilisation.
 86. The review does note that aside from the points raised above, the proposal would result in minimal change to the existing building, with additional loads not significant for such a structure and removal of timber heads can be achieved safely with careful propping. Notwithstanding these points, the initial concerns regarding the extent of vegetation penetration and issues associated with its removal and potential impact on foundations, as well as the absence of information within the submitted structural assessment to address these points,

it is considered that the proposal as submitted has not demonstrated that the building's condition is reasonably capable of being made structurally sound or otherwise improved.

Integration and Design of Buildings in the Countryside

87. Taking into account the topography, as well as existing and proposed vegetation, the relatively short-range views from the winding nature of Gransha Close at this location, it is considered that the proposed dwelling within this site would not create a prominent feature within the local landscape. Criteria (a) is capable of being met.
88. The detail provided indicates that the proposed dwelling will partly comprise of the structure on site. In addition, the site is close to existing dwellings at No 15 and 18 to the west and east of the site respectively. For this reason, it is considered to be sited with the established buildings. Criteria (b) is met.
89. With regard to criteria (c), the development is sited so as to blend into the landscape using the existing band of mature landscaping along the western boundary in particular which is proposed to be retained and would provide a backdrop for the proposed dwelling. On this basis the proposal would comply with Criterion (c).
90. While not all the boundaries of the site are currently defined, the proposed vegetation and remaining trees along the western boundaries of the site in particular, together with the location of the proposed dwelling in a natural hollow between the higher areas of ground to the east and west, would on balance provide a suitable degree of enclosure for the proposed dwelling. New trees are proposed however the development would not rely on these to provide enclosure. For these reasons, criteria (d) and (e) are on balance capable of being met.
91. The overall proposed dwelling would not be in keeping with the scale and form of the existing building on site which it proposes to utilise as part of this proposal. The existing building is a single storey stone structure which appears to have encompassed a pitched roof and is well integrated into the local landscape. The proposed extension, with a footprint which would more than double the size of the of the existing building on site, is also single storey pitched roof with materials which would not be incongruous with the existing building and local landscape. Both elements are linear in form. The scale of the extension as previously noted is inappropriate when attached to the existing structure on site, as noted in Policy COU4. On that basis the design of the building would be inappropriate on this site and this specific locality. Overall, it is considered that criteria (f) is not met.
92. The ancillary works comprise a new access required to achieve better visibility. Due to the nature of the site in respect of its topography it is considered that the required ancillary works required would be minimal. Some trees along the frontage of the site will need to be removed to provide visibility splays at the

access however the plans have indicated the provision of a hawthorn hedge behind the splays and given the lower level of the building of the site in comparison of the rising carriageway it is considered acceptable. All the other ancillary works associated with the installation of a septic tank underground and connecting to existing overhead utilities would be minimal. Criteria (g) is capable of being met.

Rural Character

93. The proposed dwelling would be sited so as not to be prominent in the landscape, and it can be sited to cluster with an established group of buildings in relation to the building being converted and the existing dwellings close to the site. These matters are dealt with in the preceding section and for the same reasons criteria (a) and (b) of Policy COU16 are met.
94. The proposed dwelling incorporates the conversion of an existing stone and brick structure with a new extension proposed to the side and rear of this existing building. This proposal, given the presence of the existing structure, would not adversely impact the established pattern of settlement in the area and therefore the requirement of criteria (c) is met.
95. This site is not adjacent to any settlement development limit which would mar the distinction between a settlement and the surrounding countryside and as the existing building being replaced is largely in situ it does not result in urban sprawl. Furthermore, the dwelling sited, designed and oriented to ensure that no adverse impact on residential amenity or rural character would be likely. Criteria (d), (e) and (f) are considered to be met.
96. From the consultations undertaken there is no reason why all the necessary services cannot be provided. As per applications of this kind (single dwelling) NIEA Water Management Unit have referred to standing advice and through this have raised no objections. NI Water have indicated that there is a watermain within 20 metres from the site boundary. Other services such as provision of electricity would be applied for separately. In that respect it is not considered that based on the consultation responses received the provision of these services would result in impact on the environment or character of the locality.
97. Criteria h) and i) both relate to roads and the provision of access to the site. As with Criterion g) of Policy COU15 a small amount of vegetation will have to be removed for visibility splays, and this will be compensated by new planting including a variety of different species and hawthorn hedging. The road safety of the proposed access will be considered in more detail of this report but it is contended following consultation with DfI Roads the proposal would adequately meet Criterion i) of Policy COU16.

Policy WM2 - Waste Management

98. The application submit proposes that surface water and foul sewage will be disposed of through a soakaway and septic tank respectively. With regards to

the septic tank in particular Environmental Health and Water Management Unit were consulted and offer no objections in principle subject to it being sited as generally indicated in the plans with suitable levels and adequate area of subsoil irrigation for the disposal of effluent.

99. Advice from Water Management Unit refers to standing advice and explains that the onus is on the applicant to ensure that all other regulatory consents are in place.
100. Consideration of flood risk is included as a criterion for assessment in Policy WM 2. This issue will be dealt with later in this report however in summary a Flood Risk Assessment has been submitted which DfI Rivers have been consulted on and are now content.
101. On the basis of the above it is considered that the proposal would meet this policy.

Access and Transport

102. The proposal seeks permission for the conversion of an existing non-residential building with the creation of a new access for both vehicular and pedestrian use. The application form notes an alteration to an existing access however this relates to an agricultural access and while this access point may be utilised it will essentially result in a new access with visibility splays of 42 metres in each direction.
103. DfI Roads have been consulted and following the submission of amended plans showing the visibility splays and they have offered no objection subject to standard conditions including the proposal is to be built in accordance with the visibility splays and forward site distance and the parking is as shown on the submitted plans.
104. Taking the above into account it is considered that the development as proposed satisfies the policy requirements of Policy TRA2 in that the access will not prejudice road safety or significantly inconvenience the flow of vehicles.

Flooding

105. The application site is located a short distance from Ballystockart River to the south and east and DfI Rivers initial response has confirmed that the site lies in the 1 in 100-year strategic flood plain. It was requested that the applicant undertake a Flood Risk Assessment (FRA) that would verify the more accurate extent of the flood plain and require a river model.
106. In accordance with Policy FLD1 the development will only be suitable to that part of the site which is found to be outside the determined flood plain. The policy notes that there are exceptions for development within the floodplain, including the use of land for amenity space.

107. The FRA shows a plan indicating the estimated 1% AEP (2080) Floodplain extents and indicates that the proposed dwelling would be sitting outside of the area in this floodplain and within the application site relating to make up the eastern and southern part of the site and relate to amenity space.

108. In relation to freeboard the FRA notes that:

'for design purposes it is usually recommended that the finished floor level of all buildings, roads, as well as any vulnerable infrastructure such as electrics, tank cover levels, etc. be located 600mm above the 1%AEP (2028) flood levels. Typically, the 600mm freeboard on finished floor levels is normally to ensure that even with further climate change causing increasing river flows. However, with the higher flood level as a result of a 67% bridge blockage JKB Consulting recommends a minimum freeboard of 600mm should be applied to the 1% AEP (2080) plus 67% bridge blockage Flood Levels. The recommended finished floor level is 52.20mOD'.

109. On a later site plan the finished floor level was not shown however the closest datum point shown to the building is '51.11' which would be over a metre less than what has been recommended. It is noted that this relates to an existing building already on site. However, from site visit it was noted that the ground within the existing structure to be converted is slightly lower than the surrounding land and the finished floor level within the building should be brought up to the level as stipulated in the FRA. Following further clarification with the agent a finished floor level of 52.2 has now been included on the most up-to-date site plan.

110. DfI Rivers were consulted on the FRA responding that the site lies in a 1 in 100-year fluvial flood plain and the Planning Authority have to deem that the proposal would have to meet one of the exception tests as per Policy FLD1. The Council requested further information on this point from the applicant.

111. Further information was received advising their view that the development fell under Exception d) Exceptions in Undeveloped Areas 'in that the development relates to:

'the use of land for sport or outdoor recreation, amenity open space or for nature conservation purposes, including ancillary buildings'.

112. The applicant also notes that there is 'no development proposed in the flood plain for this development only the garden amenity area which is ancillary to the building'.

113. It has been noted from plans and the FRA that the buildings are outside of the identified 1 in 100-year flood area, with only the front/side amenity space at potential risk of flooding under the defined 1 in 100-year area. Based on this it is accepted that the development would on balance fall within that policy exception.

114. A further consultation response was received from Dfl Rivers which noted that while the FRA provided an extent of the floodplain, an updated site layout has been provided which showed a turning head to be constructed within the Q100CC fluvial flood plain. This plan was subsequently amended to remove the turning head however Dfl Rivers subsequently noted the applicant was requested to further amend the plan to include the finished floor levels to show that recommendation detailed in Section 7.3 of the Flood Risk Assessment. A finished floor level of 52.2mOD has been incorporated into the design of the proposed development. The applicant subsequently updated this plan to show the FFL associated with the proposed dwelling this is at 52.2 as per Dfl Rivers comments.
115. On balance the application would meet the requirements within policy FLD1 in the LCCC Local Development Plan Strategy.

Natural Heritage

116. The application was submitted with a Biodiversity Checklist and Preliminary Bat Roost Assessment. The Biodiversity Checklist, which included an Ecological Statement, identified priority habitats which included existing native and semi-native plant species within the site. In relation to protected species the statement assessed badgers, otters, common lizard, smooth newt, red squirrel, birds, bats and invasive plant species.
117. A badger sett was found during survey but was well outside the 25-metre buffer required, with the application submitting a preliminary ecological appraisal for badgers, however the development would therefore not adversely impact this. There was no evidence of otters, common lizards or smooth newts within the site during the survey. Sixteen common bird species were recorded on the site or within 50 metres. On bats the statement noted that the site is assessed as low foraging potential and while trees are to be removed these are generally too small to have bat roost features, with all trees assessed having negligible bat roost potential, however it states that a preliminary bat roost assessment is required.
118. A preliminary bat roost assessment was submitted with the application and the results show that in relation to trees these are generally small and mid-sized with no potential bat roost features and are therefore assessed as having negligible bat roost potential. With regards to the structure on site, it notes that *'this is the ruin of an old barn, essentially the remaining four walls with many small holes'* and on this basis is *'assessed as having low bat roost potential'*. On this basis, a bat roost potential emergence survey was deemed to be required.
119. A Bat Roost Activity Survey was subsequently submitted in support of the proposal to gain *'an accurate assessment of the activity and behaviour of bats at this site and to determine if bats were using the barn to roost'*. The results

provided show there are no bat roosts within the barn, but 3 species were recorded using the site to forage. On this basis the report recommended no further surveys were required.

120. A number of consultations were sent to NIEA Natural Environment Division (NED) during the processing of the application. NED acknowledged receipt of the Biodiversity Checklist and bat roost potential survey however as the ecologist assessed the buildings within the site to have bat roosting potential it was advised that further surveys were required. Following the submission of these and the badger report a further round of consultation was undertaken.
121. Based on this NED noted that it was content that the proposed development is unlikely to significantly impact protected or priority species or habitat. It noted the bat survey has indicated no bats were recorded emerging or re-entering the building and is therefore accepted that it is unlikely to currently support roosting bats, however if bats are found during development all works must cease and advice sought from NIEA Wildlife Team.
122. This advice also applies to badgers, which while they acknowledge there are no setts located within the site there is a possibility that they may do in the future. NED note some vegetation will require removal which may support breeding birds, so any removal of the buildings/structures and vegetation should be undertaken outside of the bird breeding season from March to August (inclusive).
123. A condition relating to retained trees was recommended in the response. Further consultations and responses were received following submission of letters of representation, however the advice remained that NED was content with the proposal subject to recommendations.
124. Later in the processing of the application a revised site layout and Tree Plan updating the trees to be removed around the boundaries of the site to accommodate the building and associated visibility splays was submitted and further consultation was undertaken on that basis. The response from NIEA noted that further mitigation in the form of tree planting is proposed and NED are content with the mitigation shown, advising that a condition is attached to the decision notice to ensure that the trees to be retained are protected during the construction phase.
125. Taking the information submitted in support of the application and the responses received from the statutory consultee it is contended that the proposal would also comply with the requirements of Policy NH2 and NH5 of the LCCC Plan Strategy.

Historic Environment and Archaeology

126. The HED map viewer show the site is close to a flax mill site and associated mill race (IHR 02740:000:00, 02740:001:00, 02740:002:00).

127. The application was submitted with an Archaeological Baseline Survey. The survey outlines potential features associated with the flax mill, which appeared on the 1st and 2nd edition maps, but also notes potential error or oversimplification in the mapping in terms of where the mill sat relative to the mill race. Later maps show the building labelled as a smithy, and note a slightly different orientation, with the raised mill race *'shown as a grassy strip'*. The survey notes it *'is most likely that this is a re-use of the mill building, or a portion of the mill building, rather than a fresh construction on the same footprint, but this cannot be certain given the ambiguities in mapping'*. In terms of archaeological potential this principally relates to the elements of industrial heritage, *'with the origins of the mill potentially predating the 19th century by an indeterminate amount. Any surviving remains of the original phases/fabric of the building and mill races, either in the extant portion of the structure or surviving subsurface, would be of importance in clarifying the history and development of the site'*.

In relation to the potential physical impact of the proposed development on archaeological remains the survey notes that such impacts would be expected:

'to the upstanding structure through clearance and renovation, as well as ancillary development', and this 'would be a moderate to high level of impact, and mitigation would therefore be required'. This is recommended to include a *'Level 3 Historic Building Survey once stabilised and cleared of all debris and undergrowth...augmented with the excavation of the interior surfaces of the building down to the depth required for construction to record and identify evidence for any historic phases'*. The proposed extension to the existing structure *'should also be topsoiled stripped under archaeological supervision...with 3 short trenches, each 20m in length', shown in the survey mainly to the south of the existing built form.*

128. Historic Environment Division (HED) were consulted on the proposal and have reviewed the baseline survey submitted. They have advised that they welcome 'the retention and reuse of the surviving mill building as part of this scheme and is content that this proposed development may be acceptable to the above-mentioned policy requirements providing pre-development archaeological mitigation takes place. It further notes that:

'the mitigation proposed, including an initial Level 3 building survey of the mill, is appropriate, however the proposed test trenching regime would need some amendments' and these could be dealt with through a number of conditions recommended in the response including the requirement for a developer funded programme of archaeological works.

129. The existing structure on site does not benefit from being either scheduled or listed. Through the processing of the application and receipt of representations it was advised that the mechanism for the identification of the structure as a Historic Building of Local Importance is through the Local Development Plan process. In the guidance document it notes that it may however not be feasible for the LDP to identify and bring forward policies specific to individual heritage assets. The council is only commencing formulation of its Local Plan Policy,

this may take some time to produce, and Councils are free to decide on a process which is suitable for their needs which is clear/ logical and may reflect that used to identify listed buildings.

130. On the basis of the representations received, which sought to identify the site as a Historic Building of Local Importance is through the Local Development Plan, the Council further queried the likelihood of statutory potential with HED. The response from HED notes that they consider the site, which is contained within the industrial heritage record, to be an archaeological site of local importance and as such Policy HE2 applies.

131. It further notes that as the site is to be incorporated into the development, they consider that policies COU4 and HE13 are appropriate and:

‘HED is supportive of the use of this building under these policies’.

The Council would clarify that Policy HE13 relates to buildings within settlements, however this site is located within a rural setting, therefore this policy would not apply in this case. The response from HED further noted that:

‘under Policy COU4 – the Industrial Heritage site IHR 02740:001:00 is a “non-listed vernacular building”.

132. In summary, from an archaeological heritage perspective there is no reason to object to the proposal, and the development would comply, subject to conditions, with Policies HE2 and HE4 of the LCCC Local Development Plan Strategy. Determination of whether the structure on the site is a ‘non-listed vernacular building’ and whether the proposal would be acceptable on the site is considered under the assessment of Policy COU4 earlier in this report.

Consideration of Representations

133. The following details relate to points raised in the representations received by third parties on the application:

- Development is contrary to Policy COU4 and SPPS

The objection queries the existing structure as a ‘locally important building’ in the context of Policy COU4. It is noted, however that as per the policy a ‘Locally Important Building’ is a building, structure or feature, whilst not statutory listed, has been identified by the Council as an important part of their heritage, due to its local architectural or historic significance. In this case the Council has not identified any such buildings through the LDP process.

- The original building and its purpose will be lost with proposed design

It is contended that the proposed extension is significantly larger than the original structure and given views of the site would not maintain or enhance its relationship with the existing structure. It is noted that the existing structure is in a poor condition and lacks obvious architectural features which would provide a link to its historical use or purpose.

- The removal of any adjacent trees would likely severely compromise the existing stone walls already in poor condition, which may result in a 'new build' by default

The Councils assessment would share concern that due to the level of vegetation within and close to the existing structure that removal of this would have the potential to impact on the structural integrity of the buildings. The structural assessment submitted with this application has not adequately addressed this issue which has identified significant overgrowth which would need to be cleared to fully appreciate its current condition.

- Concerns that the stone wall at the bridge will have to be removed to accommodate visibility splays which would have a visual impact.

The latest plans show that the parapet wall is to be unaltered, with retention of this not impacting on the 2 x 42 metre visibility splays. DfL Roads have been consulted and have raised no objection. In addition, they have noted that the verge in front of the parapet wall does not provide any structural stability to the parapet wall, therefore any reduction in the level of the verge will not compromise the wall's structural integrity.

- Not clear how the application will reduce the ground levels in order to provide the requirements for the visibility splays or affect the bridge.

DfL Roads have advised that there is kerbing located 600mm from the wall and back filled with concrete, which appears like a normal roadside verge. The kerb height exceeds 300 mm at points along the frontage of the parapet wall, therefore it will not be possible to lower it to below 250 mm. As it would not impede a driver's sight line along the length of the required visibility splays to any approaching vehicles, there are no concerns to the final verge/kerbing level slightly exceeding 250 mm.

- There is a blind corner at the entry which would cause significant risk when existing the site.

The drawing details as provided have been fully consulted with DfL Roads who have no issues with the visibility splays or forward sight distance demonstrated.

- Additional traffic generation on narrow road.

The application is for a single dwelling. Following further consultation with DfL Roads it is not envisaged that the scale of this proposal would warrant the refusal on the basis of an unacceptable level of traffic generation.

- Septic tank is in the floodplain and too close to proposed building.

Under the most up-to-date plans the septic tank is not located in the 1 in 100-year floodplain. NIEA Water Management Unit and Environmental Health have been consulted and have not raised objections to the proposed location, subject to the approval of discharge consent.

- The site is located in an area of known flooding through proximity of floodplain and mill race, and construction could push flooding to neighbouring properties.

A Flood Risk Assessment has been submitted, and it has been determined that the proposed building is located outside of the 1% AEP (2080) floodplain. DfI Rivers have been consulted and have advised that while not being responsible for the preparation of the Flood Risk Assessment, accepts its logic and has no reason to disagree with its conclusions. On that basis it is not considered that the proposal would lead to flooding on the site or further downstream.

- Removal of stone wall along bridge would currently also hold back floodwater from road.

The latest plans show that the parapet wall is to be unaltered.

- It is questionable whether the applicant is in 'actual possession' of the existing stone wall to the bridge, which is within the application site.

As noted, the amended plans show that the visibility splays do not require the removal of this stone wall and therefore will not be affected by the proposal. The remainder of the visibility splay will be over the application site and public road.

- The existing and proposed floor plans show the same thickness of walls which is misleading as the need for insulation/tanking to meet building regulations will likely make the conversion walls much thicker.

The nature of the existing structure means that any renovation would likely require drylining. The requirement for insulation to meet building regulations would be considered under separate legislation, however it is not contended that any reduction in the internal space would result in the development being contrary to planning policy.

- The provision of a new ground floor at least 150mm above the external ground level in accordance with building regulations and the FRA would compromise available heights at first floor and make plans shown unviable.

The mezzanine element of the proposal only makes up a small portion of the total floorspace of the dwelling. From the plans submitted it is unclear what this area will be used for. In this case this could not be a reason for refusal and would be subject to assessment by building control.

- A large number of trees will have to be removed to allow any dwelling to be constructed on the site which will have a visual as well as ecological impact.

An updated site layout plan indicates the trees to be removed, trees retained and additional trees to be planted. Due to the topography of the site and immediate area, as well as the trees to be retained and additional planting, it

is not envisaged that a dwelling on this site would result in unacceptable visual impact. Natural Environment Division have been consulted and have advised that they would have no concerns based on the plans submitted, subject to protection of existing trees and works to trees being undertaken outside breeding season.

- It was requested that trees on the site should be protected

The LCCC Tree Officer has been consulted however it was determined that the trees on site do not satisfactorily meet the required six criteria under legislation for establishing a TPO. In particular, issues included the position of the trees in the sunken topography combined with the rural nature of the locality and lack of distinctiveness compared with surrounding trees as well as the poor health and condition of some of the trees.

- There are two retained trees within 5 metres of the building which may cause insurance issues.

Insurance for the property would be outside the remit of planning.

- Invasive species have been present and are identified on the site

The Ecological Statement has advised that Himalayan Balsam has been found on the site. NED have been consulted and have raised no issue with this. Management or removal of such species would be undertaken under separate spaces. NED Standing Advice invasive species and have included conditions/informatives should the application be approved.

- Invasion of privacy of neighbouring dwelling

The building to be converted is approximately 27 metres from the corner of No 18 which is the closest dwelling and on the other side of the road. The distance and its orientation towards the front of the dwelling would limit the potential adverse impacts on amenity including overlooking. The site is also close to No 15 to the west however the distance between the proposed dwelling and existing is approximately 50 metres with the two sites currently divided by a thick area of mature trees and other planting.

- Proposal does not 'protect the established rural pattern' of Gransha Close in terms of spacing of dwellings

The site is located in an area that is characterised by scattered detached dwellings and agricultural development. It is contended that the reuse of the existing structure on this site would not result in an adverse impact on the established rural pattern in the area.

- Potential for building to be used as a short-term rental

The application has been submitted to provide a dwelling and not to provide a short-term rental and must be considered on the basis of what has been

applied for. Should it be used solely as a short term let consideration will be taken of whether enforcement action is necessary.

- No need for the development in this location

This proposal has been submitted to the Council as a proposed conversion of an existing structure. Such proposals are not based on need but rather whether they comply with planning policy. In this case it is not considered whether the proposal fully complies with Policy COU4 of the Local Development Plan Strategy.

- Lack of light for proposed development

While there are trees adjacent to the site, mainly to the west, a dwelling on this site should retain an acceptable amount of light from the east and south, and as such would not form a reason for refusal.

- Request has been made to consider additional protection for this structure through the local plan

The mechanism through which council may consider identification of Historic Buildings of Local Importance is through the Local Development Plan (LDP), it may however not be feasible for the LDP to identify and bring forward policies specific to individual heritage assets. The council is only commencing formulation of its Local Plan Policy, this may take some time to produce, and Councils are free to decide on a process which is suitable for their needs which is clear/ logical and may reflect that used to identify listed buildings.

Conclusion

134. For the reasons outlined above, the proposal on balance fails to meet the requirements of policies COU1 and COU4 of the LCCC Local Development Plan Strategy.

Recommendation

135. It is recommended that planning permission is refused

Refusal Reasons

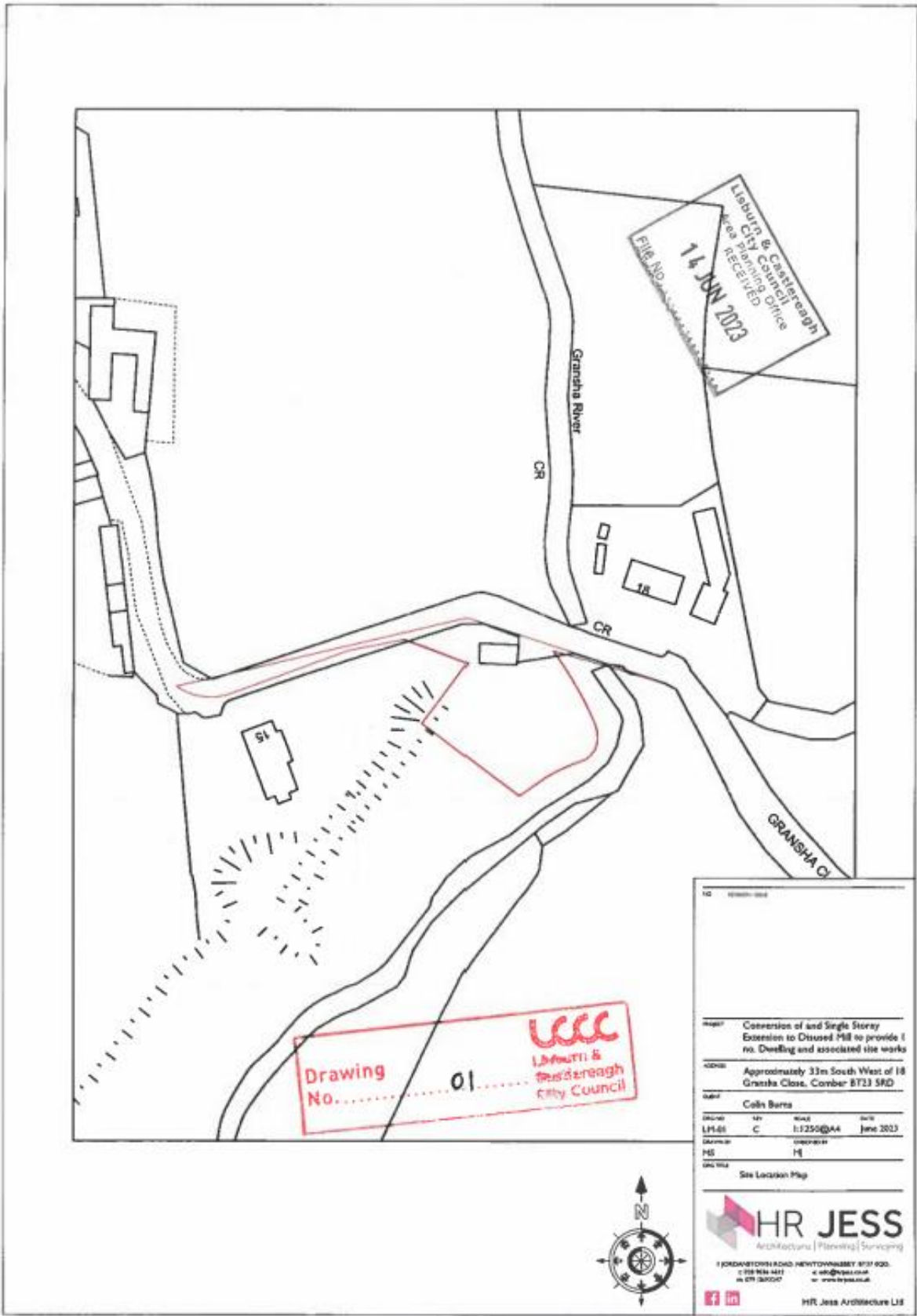
136. The following refusal reasons are recommended:

- The proposal is contrary to Policy COU1 of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered that this proposal would be a type of development which is acceptable in the countryside that will contribute to the aims of sustainable development.
- The proposal is contrary to Policy COU4 of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered that this proposal would result in a sympathetic conversion of a vernacular building or suitably locally

important building for use as a single dwelling where this would secure its upkeep and retention.

- The proposal is contrary to Policy COU4 of the Lisburn & Castlereagh City Council Plan Strategy, in that it has not been adequately demonstrated that the building is reasonably capable of being made structurally sound or otherwise improved.
- The proposal is contrary to Policy COU4 (b) of the Lisburn & Castlereagh City Council Plan Strategy, in that it would not maintain or enhance the form, character and architectural features, design and setting of the existing building and would have an adverse effect on the character or appearance of the locality.
- The proposal is contrary to Policy COU4 (c) of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered the proposed new extension is sympathetic to the scale and massing of the existing building.
- The proposal is contrary to Policy COU15 (f) of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not considered the design of the building is appropriate for the site and its locality.

Site Location Plan – LA05/2023/0494/F



Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	6 October 2025
Committee Interest	Council Interest
Application Reference	LA05/2024/0850/F
Date of Application	10 November 2024
District Electoral Area	Downshire East
Proposal Description	Erection of a new community hall, car park and associated site works
Location	Lands 45 metres north of 142-196 Ashmount Gardens, Lisburn
Representations	Two
Case Officer	Callum Henderson
Recommendation	Approval

Summary of Recommendation

1. The application has been referred to the Planning Committee for determination in accordance with the Protocol for the Operation of the Planning Committee as the application site is situated on council owned land and the Council therefore has an interest in the proposal.
2. This application is presented to the Planning Committee with a recommendation to approve as the proposal is in accordance with the requirements of policy CF01 of the Plan Strategy as it will serve a local need of the residents of Hillhall and the building is designed to a high standard.
3. The proposal also meets the requirements of policy OS1 of the Plan Strategy as it has been demonstrated that the loss of open space is outweighed by the substantial community benefits and the proposal will have no significant detrimental impact on amenity, character or biodiversity of the area.
4. In addition, the proposal satisfies the requirements of policies TRA1, TRA2 and TRA7 of the Plan Strategy as the proposal will create an accessible environment and has been designed to create safe access arrangements onto

Ashmount Gardens with appropriate car parking and servicing arrangements. The proposal will therefore not prejudice road safety or inconvenience the flow of traffic.

5. The proposal complies with Policies NH2 and NH5 of the Plan Strategy as it has been demonstrated that the proposal will not likely harm a European protected species or result in the unacceptable adverse impact on or damage to known priority habitats, species or features of natural heritage importance.
6. The proposal also complies with policies FLD1 and FLD 3 as a Flood Risk Assessment and Drainage Assessment were submitted which demonstrates that the proposed development will not be at risk of flooding or exacerbate flooding elsewhere.

Description of Site and Surroundings

Site

7. The application site is located within the northeastern corner of the Hillhall Estate facing Ashmount Gardens and is comprised of a largely rectangular piece of grassed open space that falls away from Ashmount Gardens towards the River Lagan.
8. Access is proposed from Ashmount Gardens. There are no defined boundaries as this is a rectangular plot cut out of a larger area of existing open green space.

Surroundings

9. The larger area of open green space is bounded by mature deciduous trees to the north and east. It is bounded by housing to the south and by the Barbour Nursery School bookending the open space to the east.

Proposed Development

10. Full planning permission is sought for a community hall, car parking and associated site works.
11. The application is also supported by a:
 - Biodiversity Checklist and accompanying Ecological Statement
 - Supporting Statement
 - Flood Risk Assessment & Drainage Assessment
 - Community Audit and Feasibility Study

Relevant Planning History

12. The relevant planning history associated with the site is listed below:

Reference Number	Description	Location	Decision
S/2007/0761/F	To carry out remedial works to paths and river bank edge to repair existing bridges, incorporating a new bridge, fishing platforms, wetland areas, multi-use games areas	Lands adj to River Lagan at Millbrook, Huguenot, Hillhall, Hilden & Glenmore	Permission Granted 31/05/2007

Consultations

13. The following consultations were carried out:

Consultee	Response
DFI Roads	No objection
LCCC Environmental Health	No objection
NIE	No objection
NI Water	No objection
NIEA – WMU	No objection
DfI Rivers	No objection
Lagan Valley Regional Park Office	Object to loss of open space
Shared Environmental Services (advice)	No objection

Representations

14. There were two objections received in response to the neighbour notification. The concerns contained within these objections are summarised below:

- Loss of open space
- Estate does not need another community building
- Loss of views and light from dwellings along Ashmount Gardens
- Loss of property value
- Anti-social behaviour

15. These issues are considered in greater detail later in the report.

Local Development Plan

16. 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

17. 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.

18. 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.

19. Under the LAP and Draft BMAP the site is situated within the Settlement Development Limits of Lisburn and within an area of Existing Recreation and Open Space.

20. As explained above, this application is for a proposed community facility.

21. The following strategic policies in Part 1 of the Plan Strategy apply. 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; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.

22. Strategic Policy 06 Protecting and Enhancing the Environment states:

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.

23. Strategic Policy 10 Education, Health, Community and Culture states:

The Plan will support development proposals that:

- (a) *Meet an identified need for services and facilities across the Council area*
- (b) *Cater for expansion of existing facilities to meet the anticipated needs of the community in terms of health, education, community and cultural services.*

24. Strategic Policy 17 Open Space, Sport and Outdoor Recreation states:

The Plan will support development proposals that: a) protect and enhance existing open space and provide new open space provision b) support and protect a network of accessible green and blue infrastructure c) support and promote the development of strategic and community greenways.

25. The proposed building is a community hall. The following operational policies in Part 2 of the Plan Strategy also apply.

Community Facilities in Settlements

26. The proposed community hall, is considered as a community use as defined in Part D1 of the Planning (Use Classes) Order (NI) 2015 within the settlement development limits of Lisburn.

27. Policy CF01 Necessary Community Facilities in Settlements states that:

Planning permission will be granted for a community facility in settlements in the following circumstances:

- a) in designated city or town centres, villages and smaller settlements*
- b) on previously developed land (brownfield sites)*
- c) on land identified within the Local Development Plan for the provision of education, health, community uses or cultural facilities*
- d) on land zoned for residential use, where identified through Key Site Requirements, or in accordance with Operational Policy HOU2.*

Justification and Amplification

For the purpose of this policy Community Facilities are those defined in Part D1 of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended).

Open Space

28. The proposed community hall will be located on existing open space. Policy OS1 Protection of Open Space states that:

Development that will result in the loss of existing open space or land zoned for the provision of open space will not be permitted, irrespective of its physical condition and appearance.

An exception will be permitted where it is demonstrated that redevelopment will bring substantial community benefits²⁴ that decisively outweigh the loss of the open space.

An exception may also be permitted where it is demonstrated that the loss of open space will have no significant detrimental impact on amenity, character or biodiversity of an area in either of the following circumstances:

- a) an area of open space of 2 hectares or less, where alternative provision is made by the developer and is as accessible to current users and equivalent in terms of size, usefulness, attractiveness, safety and quality*
- b) playing fields and pitches within settlement limits, where it is demonstrated by the developer that the retention and enhancement of that facility can only be achieved by the development of a small part of the existing open space, limited to a maximum of 10% of overall area, which will have no adverse impact on the sporting potential of the facility.*

Natural Heritage

29. The proposal is located on existing green open space adjacent to the River Lagan and natural heritage features may be impacted. A biodiversity checklist and ecological statement were submitted as part of this application.

European and Ramsar Sites – International

30. The site is adjacent to the River Lagan which is hydrologically linked to Belfast Lough designated sites. 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.

Species Protected by Law

31. A bio-diversity checklist and Ecological Statement are submitted with the application. It states within Policy NH2 Species Protected by Law that:

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.

Habitats, Species or Features of Natural Heritage Importance

32. It is stated at policy NH5 Habitats, Species or Features of Natural Heritage Importance 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.*

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

33. The proposal involves the construction of a new access onto Ashmount Gardens as well as new parking facilities.
34. Policy TRA1 – Creating an Accessible Environment states:

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)³² and a Design and Access Statement may also be required to accompanying development proposals.

35. 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.

36. Policy TRA 7 – Car Parking and Servicing Arrangements in New Developments 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 standards³³ 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

37. The site is adjacent to the River Lagan and a large area of hardstanding is proposed for parking within the site. The proposal has the potential to impact on flooding and drainage. Policy FLD1 – Development in Fluvial (River) Flood Plains states:

New development will not be permitted within the 1 in 100 year fluvial flood plain (AEP of 1%) plus the latest mapped climate change allowance, unless the applicant can demonstrate that the proposal constitutes an exception to the policy in the following cases. The proposal sits outside of the 1 in 100 year Fluvial Flood Plains and therefore no exception is required as detailed in later sections of Policy FLD1.

38. 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 hardsurfacing 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 justification and amplification section states:

Pluvial or surface water flooding occurs as a result of high intensity rainfall which overwhelms natural or man-made drainage systems resulting in water flowing overland and ponding in depressions in the ground. It is a particular problem in urban areas which are often dominated by non-permeable surfaces (eg roofs, roads and car parks). Such development inhibits the natural run-off process, often by removing opportunities for surface water storage and restricting infiltration of water into the ground. Surface water run-off and flooding has increased steadily with the expansion of urban areas, the infilling of green spaces and the cumulative effects of minor development such as house extensions and the paving of gardens to provide for patios and car parking.

All of these factors have combined to intensify surface water runoff and place additional pressures on the drainage network. Modern urban drainage systems are designed only to cope with a 1 in 30 year rainfall event while older parts of the network will invariably be operating to a much lower standard.

When carrying out a drainage assessment consideration should be given to the use of sustainable drainage systems (SuDS) as the preferred drainage solution.

The Council will consult DfI Rivers, and any other public body as necessary, for advice on development proposals affecting flood defences and drainage infrastructure where relevant.

Regional Policy and Guidance

Regional Policy

39. The SPPS was published in September 2015. It is the most recent regional 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.

40. 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. It states that 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.

41. 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.

42. Paragraph 4.11 of the SPPS states that:

there are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development.

43. By way of example, it explains that the planning system has a role to play in minimising potential adverse impacts, such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development.

44. Paragraph 4.12 of the SPPS states:

that 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.

45. Paragraph 6.174 of the SPPS states 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.

46. 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.

47. 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.

48. Paragraph 6.199 of the SPPS acknowledges that the Government recognises that open space, sport and outdoor recreation is important to society now and in the future. It supports many cultural, social, economic, health and environmental benefits.

49. Paragraph 6.213 of the SPPS states that:

planning authorities should carefully consider development proposals for all sport and outdoor recreational activities, including facilities ancillary to water sports.

50. It also advises that:

relevant planning considerations will include: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage.

Retained Regional Guidance

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

- Development Control Advice Note 15 – Vehicular Access Standards
- Parking Standards

Assessment

CF01 Necessary Community Facilities in Settlements

52. The proposed community hall is positioned within the Hillhall Estate and sits on land designated as existing area of Recreation and Open Space within the settlement development limits of Lisburn.
53. There is a general presumption in favour of community facilities in city or town centres. Lisburn is classified as a city in the settlement hierarchy and benefits from having a defined city centre boundary.
54. Whilst the proposal sits outside of the boundary of the city centre of Lisburn, as preferred in Policy CF01, it is considered that the proposal sits within an established residential neighbourhood within a settlement, specifically the Hillhall Estate and such facilities should be positioned where they are likely to be needed, and thus be easily accessible to residents.
55. The centre of an established residential estate within the settlement of Lisburn is considered to be an appropriate location for a community hall and furthermore is considered to be in compliance with the criteria a) of Policy CF01 which seeks to direct such community facilities toward sustainable locations within settlements. For the reasons set out above the Hillhall estate, and specifically the application site, is an acceptable location for a community facility and criteria a) of policy CF01 is met.
56. The application is applied for by Lisburn Cathedral and Hillhall Community Regeneration group. Notice was served on Lisburn & Castlereagh City Council as the Council own the land. Certificate C was completed on the application form to serve notice on the Council. The Council is also a potential funder of the project. The Council interest is noted, and the project is in line with the community plan vision to have an empowered, prosperous, healthy, safe and inclusive community.
57. It is further stated in the justification and amplification of Policy CF01 that:

Necessary community facilities to serve a local need should be designed to a high standard and located to provide focal points and landmark features. The location and design of such facilities should also respect the amenities of proposed and existing housing.
58. The proposal is positioned in an existing open clearing which is presently grassed. The boundaries of the site will consist of extensive native tree and shrub planting to soften the defined boundary of the community hall. The building is designed to be utilised as a space for the local community and will be managed through a partnership of the Hillhall Regeneration Group and the Lisburn Cathedral Partnership.
59. The internal layout of the building consists of a lobby with an office, meeting room, accessible W.C., kitchen and a main hall. The proposed building is rectangular in shape and measures 22.2 metres in length and 10.5 metres in width and is 270 square metres in size. It is single storey with a gable roof measuring 6.0 metres in height.

60. The proposed wall finishes are annotated to match the precedent in the area for light coloured render found on the adjacent dwellings along Ashmount Gardens and throughout the Hillhall Estate. The proposed roof is a silver/grey metal roofing system. The proposed windows and doors are dark black to the rear and blue to the front elevations. The proposed materials and finishes are considered to be of a high quality and appropriate to the landscape setting as well as being in keeping with adjacent character of the dwellings and nearby nursery.
61. Views of the proposal would be limited to Ashmount Gardens, with this being at the northeastern corner of the Hillhall Estate. Given the nature of the development, constituting a community use, the community asset seeks to be highly accessible to the wider community it is proposed to serve, however, the proposal still includes extensive boundary planting to soften this transition from the proposed community hall site to the wider green open space. The proposed building is single storey in height and subordinate in scale and form to the adjacent two storey dwellings along Ashmount Gardens. Additionally, the site slopes down from the street and away from the dwellings opposite, further reducing its impact on any nearby residential receptor.
62. There will be no adverse impacts upon the amenity of neighbouring residential properties in terms of overlooking, overshadowing or loss of light. There are adequate separation distances of over 30 metres to the nearest dwelling along Ashmount Gardens. Furthermore, there is extensive planting proposed between what would be a front-to-front elevation separation between that of the dwellings and the proposed community hall. This separation distance and relationship with the dwellings along Ashmount Gardens would be similar to that of the nearby Barbour Nursery School which achieves similar separation distances.

OS1 Protection of Open Space

63. The new community hall and ancillary works are proposed on existing open space. There is a general presumption against the loss of open space unless one of two exceptions are met. The first being that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. The second exception as set out in Policy OS1 allows for the loss of open space where it is demonstrated that the loss of open space will have no significant detrimental impact on amenity, character or biodiversity of an area and complies with two further criteria relating to the alternative provision of such open space or enhancement of a facility can only be achieved by development of a small part of existing open space.
64. This development is small in scale, and the proposal has been identified as a necessary community facility through consultation with the community that has experience notable population growth in the preceding decade. This is evidenced by super output area (SOA), Hillhall 1 having grown by 28.8% in population from 2010 to 2020, with Hillhall 2 seeing a 6% increase during this

time. This increase in population requires sufficient services and amenities to be provided where they are needed.

65. In the submitted 'Community Audit & Feasibility Study', carried out by 'Paradigm Niche Consulting' and 'Jayne Murray Public Relations', nearly 320 people were surveyed with 94% of respondents stating that there was a need for more investment in services within the Hillhall area, 96% of respondents stating they need a multi-purpose community hub located within Hillhall, and 87% responding that they would be happy to pay for services. Approximately two thirds of the respondents stated there were no accessible or adequate services currently available for young people, older people or for families who lived within the area.
66. The existing area of open space is c.1.68ha. The community hall would see 0.25 hectares of the 0.48-hectare site developed for the building and parking, with 0.23 hectares remaining green space within the site. Overall c.1.4 hectares of open space will remain.
67. The existing open space consists of a grassed area with no sporting facilities or other amenities therefore this loss of open space is considered to be minor and proportionate, resulting in less than a fifth of this space dedicated to a community facility that has significant backing and community buy-in as evidenced through the community consultation. There is no loss of amenity or impact on the character of the area for the reasons outlined earlier in paragraphs 56 - 60. The impact on biodiversity is considered later in the report in detail, but it is confirmed that there is no loss of biodiversity.
68. Additionally, Lagan Valley Regional Park were consulted due to the proximity to the River Lagan. In their response the regional park confirmed that the application site lay outside of their boundary, however, they had concerns with the perceived loss of open green space.
69. Although the loss of any open green space is generally resisted for the reasons outlined above it is considered that the proposal complies with Policy OS1 in that the loss of a small area of open green space is considered to be outweighed by the community benefits that the proposal would bring to the community in the Hillhall Estate and beyond. The proposal also will have no detrimental impact on amenity, character or biodiversity of the area.

Parking & Access

Policy TRA1 - Creating an Accessible Environment

70. The proposal will create an accessible environment as the siteworks are designed to provide level access to the building and footpaths within the site linking to Ashmount Gardens to give priority to pedestrians. Two disabled parking spaces will also be provided at the front door of the building for ease of access.

71. It is considered that the development as proposed is in accordance with the requirements of policy TRA1 of the Plan Strategy.

Policy TRA2 - Access to Public Roads

72. The proposal will create a new access onto Ashmount Gardens which is not a Protected Route. Given this street is a 30mph zone, visibility splays of 2.4m x 70m are to be provided. This is considered to be appropriate in consultation with DfI Roads who offered no objection to the proposals.
73. It is therefore considered that the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles and is considered to be in compliance with Policy TRA2 of the Plan Strategy.

Policy TRA7 - Car Parking and Servicing Arrangements in New Developments

74. Policy TRA7 seeks to prevent a proliferation of parking with such requirements tailored to the specific need of the site it is to serve. The proposed car parking layout demonstrates that 35 No. car parking spaces will be provided, two of which will be for mobility impaired users.
75. The proposal is a Class D use however there is no specific parking standards for a community hall. It is envisioned that many of the journeys to this community hall will be via active travel methods, given the placement of the hall within the community it is to service and therefore it is considered that the proposal would have sufficient parking provisions to cater for the use of the community hall.
76. The proposal is considered to be in accordance with Policy TRA7.

Waste Management and Flood Risk

77. The proposal is within the settlement of Lisburn City and proposes to dispose of foul waste via main sewers. Surface water is proposed to be disposed of via an existing watercourse, in this case the River Lagan.
78. The application was accompanied by consent to discharge which is consented by DfI Rivers who deemed that the total maximum discharge of 2.15 l/s presented no risk to the effectiveness of the river for drainage purposes.
79. The Flood Maps (NI) indicates that the development does not lie within the 1 in 100-year fluvial flood plain including the most up to date allowance for climate change.
80. The application was accompanied with a Flood Risk Assessment & Drainage Assessment on account of a portion of the northwest of the site suffering a

flooding event on the 29 December 1978 and the amount of hard surfacing is in excess of the 1,000 square metres threshold set out in Policy FLD3.

81. DfI Rivers was consulted and offered no objection to the proposal and accepted the findings of the submitted Flood Risk Assessment & Drainage Assessment, published to the planning register 21st November 2024.
82. It is considered that the submitted plans showing the proposed ground works in combination with the Flood Risk Assessment & Drainage Assessment demonstrate the proposals resilience to flooding in consultation with DfI Rivers and NIEA – Water Management Unit, who offered no objection. The proposal is considered to comply with Policies FLD1 and FLD3 of the Plan Strategy.

Natural Heritage

83. The site is located adjacent to the River Lagan which is hydrologically linked to European and Ramsar sites at Belfast Lough therefore the potential impact on these sites was considered and advice sought from Shared Environmental Service.
84. Shared Environmental Service is content that the proposal is not likely to have a significant effect on the conservation objectives of the European sites due to the 30 metres plus terrestrial buffer between the application site and the River Lagan as mentioned in the Ecological Statement and a hydrological distance of 27km to designated sites within Belfast Lough (allowing for significant magnitude of dilution/dispersal). The proposal complies with policy NH1 of the Plan Strategy.
85. A biodiversity checklist has been submitted as part of this application along with an accompanying ecological statement prepared by Ayre Environmental Consulting. It is a requirement of policy OS1 that there is no significant detriment to the biodiversity of the site as a result of the development.
86. In Part 1 - Designated Sites and Priority habitats, it has been identified that:
 - The site is within 50 metres of woodland
 - Broad-leaved woodland border the wider open green space.
87. In Part 2 – Protected and Priority Species Checklist, it has been identified that:
 - Development affects or is within 50 metres of broad-leaved treelines and scattered broad-leaved trees are present throughout the site
 - Development affects or is within 25 metres of a woodland and hedgerows
 - Protected/priority species are known to be present (All species).
88. The ecological statement states: -

Badgers – The application site, boundaries and 25 metre buffer zone outwith was inspected for field evidence indicating the presence of badgers or their protected site of refuge. No field evidence was identified to suggest the presence of badgers or their protected sites of refuge. No evidence of mammal trails, snuffle foraging holes, dung pits or latrine lines were identified while no actual or potential sites of refuge were recorded within the application site or 25 metre buffer zone.

Bats – There are no built structures or trees located within the application site boundaries. Current development proposals indicate the provision of a planted landscape buffer to the northeast, southwest and northwest boundaries. The inclusion of this is considered suitable and will minimise potential impacts associated with any artificial illumination of the community hall and the adjacent woodland block adjacent to the northeast boundary. No impact upon roosting bats are predicted to arise should the current proposals be granted.

Lighting - There is no proposed external lighting detailed on the submitted plans.

89. The ecologist recommended: -

In the absence of identified actual or potential ecological constraints, no further species-specific surveys or site assessments are considered necessary to inform the current application.

90. No trees are being felled or hedgerow removed. It is considered based on a review of the submitted information that the policy requirements of NH2 and NH5 are met, and the proposal will not likely harm any protected species or result in the unacceptable adverse impact on or damage to known priority habitats, species or features of natural heritage importance.

Consideration of Representations

91. Two objections were received in response to neighbour notification of the application. The issues raised are set out below:

- Loss of open space

The proposal will see the loss of less than a fifth of what is currently underutilised green open space. There are provisions in policy OS1 – Protection of Open Space, for a portion of such spaces to be used for development that will bring substantial community benefits that decisively outweigh the loss of open space. It is considered that the proposal does offer such benefits that outweigh the loss of open space as expanded upon in the report.

- Estate does not need another community building

While the estate does benefit from the nearby Hillhall Resource Centre, it is stated in the submitted 'Community Audit & Feasibility Study' that this building has become limited in size and scope, and the community has outgrown the current building footprint. Additionally, a commercial unit known locally as the Chit Chat café within the Hillhall Estate requires substantial modernisation and the organisation is considered to have outgrown the buildings usefulness.

The growth in population witnessed in both Hillhall SOAs, in combination with the responses to consultation that showed overwhelming support for the community hall, as detailed in paragraph 62, are considered to demonstrate the increased need for services in the area.

- Loss of views & light from dwellings along Ashmount Gardens

Given the separation distances of over 30m to the nearest dwelling, the sunken nature of the site in comparison to the dwellings, and the single storey nature of the building are considered to preclude any amenity concerns relating to loss of light as detailed in paragraph 60. A loss of a view is not considered to be a material planning consideration, loss of outlook however is and as noted above, this is not considered to be a risk with this application. It should be noted that the extensive border planting is considered to offer an aesthetic and ecological benefit.

- Loss of property value

While loss of property value is not a material planning consideration, harm to neighbouring amenity, outlook, or an areas character are material planning considerations and have been assessed in this report and are not considered to have negative impact upon the aforementioned material concerns.

- Anti-social behaviour

The proposal is to be managed by the established Hillhall Regeneration Group that have a track record of running similar sites in the wider area. The community hall would be afforded ample natural surveillance by virtue of being opposite a row of residential terraces at Ashmount Gardens. Furthermore, the site is to have a perimeter security fence so as to prohibit unauthorised access outside of operating hours. It is therefore considered to insofar as possible design out any potential for anti-social behaviour and is not considered to promote such behaviour in this residential area.

Conclusions and Recommendation

92. For the reasons outlined above, the recommendation is to approve planning permission as the proposal is in accordance with the requirements of policy CF01 and exception is demonstrated to policy OS1 of the Plan Strategy.
93. The building is designed to a high standard, and no detriment is caused to amenity, character or biodiversity of the area for the reasons outlined in the report. An accessible environment, safe access arrangements and appropriate car parking will be included within the site therefore the proposal will not prejudice road safety or inconvenience the flow of traffic.
94. It is recommended that planning permission is approved.

Conditions

95. The following conditions are recommended:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by section 61 of the Planning Act (Northern Ireland) 2011

2. The vehicular access, including any visibility splays and any forward sight distance, shall be provided 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 satisfactory means of access in the interest of road safety and the convenience of road users.

3. The access gradient 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 satisfactory means of access in the interests of road safety and the convenience of road users.

4. No building shall be occupied until hard surfaced areas have been constructed to ensure 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.

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

Reason: In the interest of road safety and the convenience of road users.

6. Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with Policy FLD 3 and Section 16 of Part 2 of the LDP 2032, to be agreed with the Planning Authority in writing 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 and urban creep.

Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

Site Location Plan – LA05/2024/0850/F



Committee:	Planning Committee
Date:	06 October 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 2 – Statutory Performance Indicators – August 2025

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 provided the Council with monthly monitoring information against the three statutory indicators. A sheet is attached (**see Appendix**) summarising the position for each indicator for the month of August 2025.
2. This data is unvalidated management information. The data has been provided for internal monitoring purposes only. They are not validated official statistics and should not be publicly quoted as such.
3. Members will note that the performance against the statutory target for local applications for August 2025 was 27.5 weeks. Fewer applications were processed in August than in preceding months, but this was due to leave commitments. This is the second month that the processing times for local applications was below 30 weeks which is encouraging and evidence that the focus on reducing the number of older planning applications is beginning to be reflected in the average number of weeks taken to process applications this month.
4. The performance against statutory targets for major applications for August 2025 was 62.4 weeks. The types of major applications that are processed by the Unit are complex in nature and involve protracted consultation processes including the preparation of Section 76 planning agreements.
5. It is still a priority to bring at least one major application forward to Committee each month. Six decisions for major applications issued in the first five months of this financial year and our performance in year to date is 46.2 weeks.

	<p>6. Procedures are now in place for managing Section 76 agreements and this should see a reduction in the processing times for this category of application more aligned to the timescales to what has been achieved over the quarter rather than looking at the monthly figures.</p> <p>7. 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. In August 75% of cases were decided in 39 weeks.</p>	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee notes the information in relation to the August 2025 Statutory Performance Indicators.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance or resource implications.</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></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 <u>or</u> 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 <u>or</u> 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>	

Appendices:	Appendix 2 – Statutory Performance Indicators – August 2025
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Statutory targets monthly update - August 2025 (unvalidated management information)
Lisburn and Castlereagh

Major applications (target of 30 weeks)					Local applications (target of 15 weeks)				Cases concluded (target of 39 weeks)			
	Number received	Number decided/ withdrawn ¹	Average processing time ²	% of cases processed within 30 weeks	Number received	Number decided/ withdrawn ¹	Average processing time ²	% of cases processed within 15 weeks	Number opened	Number brought to conclusion ³	"70%" conclusion time ³	% of cases concluded within 39 weeks
April	1	1	27.4	100.0%	50	81	47.6	17.3%	29	13	96.2	38.5%
May	3	2	119.2	50.0%	40	59	56.6	20.3%	20	17	86.0	52.9%
June	1	2	76.6	50.0%	59	85	42.2	24.7%	25	21	16.0	85.7%
July	0	0	-	-	49	69	25.6	23.2%	13	21	27.4	76.2%
August	0	1	62.4	0.0%	61	52	27.5	23.1%	15	12	38.2	75.0%
September												
October												
November												
December												
January												
February												
March												
Year to date	5	6	46.2	50.0%	259	346	41.3	21.7%	102	84	49.7	67.9%

Source: NI Planning Portal

Notes:

- 1. DCs, CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures
- 2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".
- 3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.

Committee:	Planning Committee
Date:	06 October 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 3 – Appeal Decision – LA05/2023/0134/A

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. An application for an advertisement sign (retrospective) on land opposite 61 Gransha Road, Comber was not consented on 19 February 2024. 2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 15 April 2024. 3. The procedure followed in this instance was by written representation with a site visit by the Commission which took place on 21 August 2025. 4. The main issue in the appeal is the effect of the advertisement on the amenity of the rural area. 5. In a decision received on 29 August 2025 the Commission confirmed that the appeal was dismissed. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. The signage that was subject to appeal was positioned on a metal gate across an agricultural access, bounded on either side by posts and a native hedgerow along the road frontage. It was 3 metres wide and 1.25 metres high and the sign had yellow, green and black letters and images relating to a furnishing business. 2. The Commissioner observed that combined with the limited backdrop the sign appeared of a significant size and scale and the bright colours and images to be obvious, dominant and harmful to the amenity of the area. Consequently, she concluded the size and scale of the sign was dominant and detracted from the unique quality of the countryside viewed from the Glen Road and, to a lesser extent, the short-range view across the junction at the Ballymaglaff Road. 3. This appeal is presented to the Members for information and future reference to assist with learning.
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.</p>

3.0	<u>Finance and Resource Implications</u>	
	No cost claim was lodged by any party in this instance.	
4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
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 <u>or</u> 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 <u>or</u> 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 – LA05/2023/0134/A
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Appeal Decision

Planning Appeals Commission
92 Ann Street
BELFAST
BT1 3HH
T: 028 9024 4710
E: info@pacni.gov.uk

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Appeal Reference:	2024/A0007
Appeal by:	Norman Harvey
Appeal against:	The refusal of advertisement consent
Proposed Development:	1 Advertisement Sign (Retrospective)
Location:	Land opposite 61 Gransha Road, Comber, BT23 5RF
Planning Authority:	Lisburn and Castlereagh City Council
Application Reference:	LA05/2023/0134/A
Procedure:	Written Representations with commissioner's site visit on 21 st August 2025
Decision by:	Commissioner Carrie McDonagh, dated 29 th August 2025

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the advertisement on the amenity of the rural area.
3. Section 3(1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 (the Regulations) states that a Council shall exercise its powers under the Regulations only in the interests of amenity and public safety taking into account the provisions of the local development plan, so far as material and any other relevant factors.
4. The Lisburn and Castlereagh City Council Local Development Plan 2032 Plan Strategy (PS), adopted in September 2023, 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. In accordance with the subject legislation, any conflict between a policy contained in the DDP and those of the PS must be resolved in favour of the PS.
5. The Court of Appeal declared the adoption of the Belfast Metropolitan Area Plan 2015 (BMAP) unlawful in 2017; therefore, the policies contained therein do not carry determining weight in this appeal. The Belfast Urban Area Plan (BUAP) operates as the DDP for the area, with the draft Belfast Metropolitan Area Plan 2004 remaining a material consideration in certain circumstances. Within the BUAP and dBMAP, the appeal site is located within the countryside. Neither plan contains specific policies that are pertinent to the appeal. Whilst the Strategic

Planning Policy Statement for Northern Ireland (SPPS) remains material in accordance with paragraph 1.9 thereof, as the Council has adopted its PS, the previously retained policies, such as the Planning Policy Statements, now cease to have effect within this Council Area. Accordingly, there is no conflict between the DDP and the PS. Determining weight is therefore given to the policy provisions of the PS.

6. Policy AD1 “Amenity and Public Safety” relates to advertisements. It states that consent will be granted for the display of an advertisement where (a) it respects amenity, when assessed in the context of the general characteristics of the locality, and (b) it does not prejudice public safety. The Council’s concern relates only to criterion (a) considering the advertisement to harm amenity when assessed in context of the general characteristics of the locality due to the size, scale, dominance and siting.
7. The Justification and Amplification of Policy AD1 (J&A) Paragraph 2 states that care is also necessary to ensure that advertisements do not detract from the qualities and amenities of our countryside whilst paragraph 3 requires that in assessing the impact on amenity, several matters will be taken into account including the size, scale, dominance and siting of the advertisement in relation to the scale and characteristics of the surrounding area. Paragraph 4 relates specifically to the amenity of the countryside. It states:

“The amenity of the countryside is particularly important and there is a need to protect its unique qualities from the negative effects of advertising. The only advertisements likely to be acceptable in the countryside are those proposed on the site of, and which relate to an existing or approved commercial enterprise. Such advertisements should be small in scale and not detract from the quality and character of the local landscape.”
8. Paragraph 10 of the J&A refers to the Supplementary Guidance at Part F: Guidance for Outdoor Advertisements. In reference to poster panel displays, it states that they are out of place in the countryside and will generally be unacceptable.
9. The appeal site is located on the northern side of Gransha Road, opposite its junction with Glen Road and semi-detached dwellings at Nos. 59 and 61 Gransha Road. The field is generally flat and also fronts the Ballymaglaff Road, east of the Glen Road. The appeal signage board is in-situ, positioned on a metal gate across an agricultural access, bounded on either side by posts and a native hedgerow along the road frontage. Drawing 02 confirms the sign panel is 3 metres wide and 1.25 metres high. It has a synthetic base, printed letters of yellow, green and black in colour and images relating to a furnishing business (Belmont Furnishings).
10. The appellant refers to the sign at less than 4sqm as small in scale and argues its position on a gate, in a natural gap in the hedgerow, and with no illumination does not harm rural amenity. The Council disagree, arguing it occupies the entirety of the agricultural gate in width and height and presents as the same height of the adjoining hedge; thus, any views of the access are concealed. Consequently, the appearance and operation of the agricultural access and character of the immediate locality are changed.

11. The Council relied on static and transient views of the sign from the junction of Glen Road, Gransha Road and Ballymaglaff Road, and when viewed from both long and short approach views from eastern and western directions to demonstrate the siting, size and scale are harmful to rural amenity. From my on-site observations, the Ballymaglaff Road is reasonably straight in the general area of the appeal site, with the traffic travelling at high speed in the lead up to the road junction and a gentle bend in the Gransha Road beyond. When travelling westward along the Ballymaglaff Road, I agree with the appellant that the signs position set within a natural gap in the hedgerow limits long range views. The sign is only seen short range across a distance of circa. 20m, with the eye being drawn to the left turn into Glen Road and dwellings beyond opposite the appeal site. I found the sign to be less visible when travelling along the Gransha/Ballymaglaff Road route eastward. This is due to the sign's location, set back within the gap in the hedge on the same side of the road and the road alignment on approach to the appeal site. Notwithstanding, should a driver have to slow to navigate the junction, it is viewed within the roadside hedge to be large in scale in this short-range view.
12. As viewed from the Glen Road, the straight alignment as the road rises towards the junction with Ballymaglaff/Gransha Road results in the sign being clearly visible at the top of the hill over longer range views. Combined with the limited backdrop it appears of a significant size and scale to the left of this junction. Users wait opposite the sign for a gap in the traffic on the Gransha/Ballymaglaff Road and I found its scale, bright colours and two images to be obvious, dominant and harmful to the amenity of the area. The natural gap in the hedgerow, relied on by the appellant, is not immediately apparent from this critical view as the sign fills the full width and height of the field access. Consequently, the size and scale of the sign is dominant and detracts from the unique quality of the countryside as viewed from the Glen Road and to a lesser extent, the short-range view across the junction at the Ballymaglaff Road.
13. The Council further argue that the siting is inappropriate as the advertisement is not associated with a business at the appeal site. The sign relates to a furniture business located at Locksley Business Park, 39 Montgomery Road, Castlereagh, which the Council advise is 5392 metres and 15 minutes' drive from the appeal site. The appellant argues that the area is characterised by signage of commercial and other developments, such as at Le Mon Hotel entrance (c 600 m southwest), Granshaw Presbyterian Church (c 300 m southwest), La Mon Estate (c 400m east on Glen Road) and Gransha Road/Ballygowan Road junction (subsequently removed). In this general context, they argue the appeal sign does not have an unacceptable impact on amenity. The Council advise that the signs at Le Mon Hotel are immune, and whilst the other examples do not have planning permission, they are generally of a smaller scale and relate to a commercial unit or a business that is operating in the grounds of the site on which the sign is located and thus are sited to not detract from the quality and character of their local landscape.
14. Whilst I am not persuaded that the size and scale of the examples provided notably differ, I agree with the Council that their siting is not on all fours with the appeal sign as those advertisements are on the same site as the business or unit to which the advertisement relates or in the case of the church, the signage is within the church grounds and relate to the detail of the church services. As such,

they do not assist in persuading me that the requirements of Paragraph 4 of the J&A to Policy AD1 should be given lesser weight in the consideration of whether the sign detracts from the unique qualities and amenity of the countryside.

- 15. Whilst enforcement action was not taken on previous signs at the appeal site directing road users to the Le Mon hotel, those signs have been removed and are not the subject of this appeal. I do not accept the appellant’s argument that the absence of enforcement action on those previous signs means that the Council considered them acceptable under planning policy. In the absence of evidence that the previous signs were lawful, I attach little weight to the existence of the previous signs of similar scale for an unrelated business. For the reasons set out above, I agree with the Council that Policy AD 1 (a) is offended.
- 16. The absence of an objection on road/public safety and compliance with criterion b) of Policy AD 1 does not outweigh the non-compliance with the amenity aspect under criterion a).
- 17. For the reasons given above, the sign does not respect amenity, when assessed in the context of the general characteristics of the locality, due to its size, scale, dominance and siting. Accordingly, the Council has sustained its reason for refusal based upon Policy AD1 of the PS, and the appeal must fail.

This decision is based on the following drawings refused by Lisburn and Castlereagh City Council on 16th February 2024 -

Drawing No	Title	Scale
1 (ACE map ref: 347)	Location Map	1:2500 @ A4
2 (Architect Ref: 347-101)	Advertisement Details	1:25 @ A1

COMMISSIONER CARRIE MCDONAGH

List of Documents

Planning Authority: - Lisburn and Castlereagh City Council

“A1” Statement of Case & Appendices
“A2” Rebuttal

Appellant: - Mark McIntrye on behalf of appellant Norman Harvey
“B1” Statement of Case

Committee:	Planning Committee
Date:	06 October 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 4 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. The Council is notified by Cornerstone and Openreach, of their intention to utilise permitted development rights within the Council area to install communications apparatus. 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. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. The notifications advise 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. 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. 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.
2.0	<p><u>Recommendation</u></p> <p>It is recommended that Members note the detail of the notifications specific to the sites identified.</p>
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance or resource implications.</p>

4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
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 <u>or</u> 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 <u>or</u> 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.	

Appendices:	Appendix 4 – Notifications 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 October Planning Committee

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Openreach	BT	2 Rose Meadows, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus	18/08/2025
2.	Cornerstone	KTL	Land at Ballymaconaghy Road Bus Stop SW, Ballymaconaghy Road, Belfast	The proposed upgrade of a telecommunications base station comprising the removal and replacement of the existing 20m high monopole with an upgraded 20m high monopole, and ancillary development thereto.	18/08/2025
3.	Cornerstone	KTL	Land at Forestside SW, Upper Knockbreda Road, At Junction, Belfast	The proposed upgrade of an existing telecommunications base station comprising the removal, and replacement of a 20m high monopole, supporting 6 no antennas, 1 no dish, internal, upgrade of existing cabinet and ancillary development thereto.	20/08/2025
4.	Openreach	BT	27 Kilwarlin Road, Hillsborough	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus	21/08/2025
5.	Openreach	BT	41 Hill Road, Dromara, Dromore	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus	08/09/2025
6.	Openreach	BT	4, Ballynacoy Road, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus	11/09/2025

Committee:	Planning Committee
Date:	06 October 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Update to the Protocol of Operation of the Planning Committee

1.0 **Background**

1. In July 2025, a letter to the Chief Executive from the Department for Infrastructure outlined that a new statutory rule relating to Pre- application Community Consultations and Pre-determination hearings was made.
2. The updated rules set out in the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 were in response to streamlining of these processes in line with a joint improvement programme developed from Northern Ireland Audit Office and Public Accounts Committee reports.

Key Issues

1. In respect of pre-determination hearings Regulation 7 of The Planning (Development Management) Regulations (Northern Ireland) 2015 states:

Pre-determination hearings

7. (1) The classes of development prescribed for the purposes of section 30(1) are those developments to which a direction under Article 17 of the GDPO applies where the Department has notified the council that it does not intend to determine the application under section 29(1).

(2) The persons who submit representations to the council in respect of the application in accordance with paragraph (1) are prescribed for the purposes of section 30(1), as persons to whom the council are to give an opportunity of appearing before and being heard by a committee of the council.

2. The statutory rule revokes Regulation 7 (Pre-determination hearings) removing the mandatory requirement to hold a pre-determination hearing. As a consequence of the change, the Protocol for the Operation of the Planning Committee needs updated to take account of this.
3. Paragraph 34 of the Protocol for the Operation of the Planning Committee states:
 1. *The Planning Committee has a **mandatory** requirement to hold pre-determination hearings for those major applications which have been referred to the Department for Infrastructure for call-in consideration but returned to the Council for determination. The pre-determination hearing should be heard by the Planning Committee and the related application should be decided by the Planning Committee.*

	<p>4. It is recommended that this paragraph is deleted as a result of change to the regulation.</p> <p>5. The Council may still at its own discretion hold pre-determination hearings for the reasons set out in paragraphs 35 to 37 of the Protocol. It is not commonly used and reserved for those applications where there is significant public interest and a range of complex issues need explored.</p>	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee agree the proposed change to the Protocol for the Operation of the Planning Committee in respect of Pre-determination hearings with the deletion of paragraph 34.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance or resource implications.</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	EQIA is not required as there is no change in policy.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	RNIA is not required as there is no change in policy.	

Appendices:	Appendix 5 – Protocol for the Operation of the Planning Committee (Revision 2.0)
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**Lisburn &
Castlereagh
City Council**

Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee

Reviewed: December 2024

Effective Date:

Revision 2.0

www.lisburncastlereagh.gov.uk



Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee

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PURPOSE OF THE PROTOCOL

1. The purpose of this Protocol is to outline practical handling arrangements for the operation of Lisburn & Castlereagh City Council's Planning Committee (the "Committee").
2. The Protocol should be read in conjunction with the relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors. It is not intended to replace either document.

REMIT OF THE PLANNING COMMITTEE

Development Plan

3. The Committee will have an oversight role to ensure that the Local Development Plan is monitored annually, particularly in terms of the availability of housing and land for economic development. The Committee will also need to ensure that the Plan is reviewed every 5 years, giving consideration to whether there is a need to change the Plan strategy or zonings, designations and policies.

Development Management

4. The main role of the Planning Committee in relation to development management is to consider planning applications made to the Council as the Local Planning Authority and to decide whether or not they should be approved. The Planning Committee will have full delegated authority, meaning that the decisions of the Planning Committee will not go to the full Council for ratification.

Enforcement

5. The enforcement of planning controls will be delegated to authorised Officers, with the Planning Committee receiving quarterly reports on the progress of enforcement activities.

SIZE OF THE PLANNING COMMITTEE

6. A membership and quorum, as outlined in the Council's Standing Orders, is required for the Planning Committee to convene. Business shall not be transacted unless 50% of the Members of the Committee are present.
7. The Lisburn & Castlereagh City Council Planning Committee will comprise 11 Members with no substitutions permitted.
8. The Head of Planning and Capital Development (or authorised planning officer) is expected to attend all Planning Committee meetings, in addition to Planning Officers presenting their reports.

FREQUENCY OF MEETINGS

9. In accordance with the Council's Standing Orders, Planning Committee meetings will usually be held on a monthly basis. The Planning Committee will normally meet on the first Monday in every month. The Committee shall from time to time fix its own day and hour of meeting and notify the Council. The following will be published on the Council's website at least 5 working days in advance of the meeting:
- Committee meeting dates and times; and
 - The Schedule of Applications to be determined by the Planning Committee

SCHEME OF DELEGATION

10. A Scheme of Delegation is where decision making for local applications is delegated to an appointed Officer rather than the Council, thereby enabling speedier decisions and improved efficiency. Section 31(1) of the Planning Act (Northern Ireland) 2011 requires a Council to produce a Scheme of Delegation for operation in its area.
11. The Council's Planning Scheme of Delegation relates only to applications falling within the category of **local development** as defined under regulation 2 of The Planning (Development Management) Regulations (Northern Ireland) 2015. Certain statutory restrictions that apply to the Council's Scheme of Delegation prevent certain types of applications from being delegated to Officers, thereby requiring them to be determined by the Planning Committee. These restrictions are set out in Part A of the Council's approved Scheme of Delegation.
12. The Council's Scheme of Delegation is approved by the Department for Infrastructure in accordance with Section 31 of the Planning Act (Northern Ireland) 2011.
13. In accordance with regulation 10 of the Planning (Development Management) Regulations (Northern Ireland) 2015, the Scheme is available to view on the Council's website www.lisburncastlereagh.gov.uk. A copy is also available at the Island Civic Centre, The Island, Lisburn, Co Antrim, BT27 4RL.
14. The Scheme of Delegation will be reviewed periodically to ensure that it remains current and relevant.

ENFORCEMENT

15. Planning Officers will prepare a quarterly report on the progress of formal enforcement cases which will be circulated to all Members of the Council, detailing the number of notices issued, and convictions obtained, as opposed to providing details of individual cases.

REFERRAL OF DELEGATED APPLICATIONS TO THE PLANNING COMMITTEE

Weekly List of Delegated Applications with recommendation to refuse and/or approve with objections received

16. Where applications have been delegated to Officers and the decision is to refuse planning permission, **Members of the Council** will be notified by email of the recommendation and the reason for the recommendation. If a recommendation is to approve and objections have been received, **Members of the Council** will also be notified by email of the nature of the objections and how they have been considered. If considered appropriate, Members can then request that an application be referred to the Planning Committee for determination.
17. Planning reasons explaining why the application should be determined by the Planning Committee must accompany all such requests. Members should refer to paragraphs 9 of DMPN 15 – Councils Schemes of Delegation which offers examples of sound and appropriate reasons for referral¹.
18. In such cases, Members **must** submit a request to the Planning Unit via email to the planning@lisburncastlereagh.gov.uk inbox clearly stating the planning reason(s) for the request. A Member has 5 working days from the date of the email notification sent to Members under paragraph 16 above in which to submit a request.
19. On receipt of a request, the Chairperson (or Vice Chairperson where applicable) shall liaise with an authorised officer where the reasons provided are not considered sound or appropriate.
20. Where it is agreed that the reason(s) is not sound or appropriate, the referring Member will be advised accordingly.
21. A notification email will be issued to all Members on a weekly basis to advise which applications have been referred to Planning Committee.
22. The Head of Planning and Capital Development or authorised officer may also consider it prudent to refer a delegated application to the Planning Committee for determination. Where the authorised officer considers it prudent to refer a delegated application to Committee, the matter will be discussed and agreed with the Chairperson presiding on this application.

¹ https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn-15-scheme-of-delegation-v1-april-2015_0.pdf

FORMAT OF PLANNING COMMITTEE MEETINGS

23. Lisburn & Castlereagh City Council will operate its Planning Committee in accordance with its own Standing Orders. The Schedule of Applications to be determined by the Planning Committee will be posted to the Planning Portal website 5 working days prior to the Committee Meeting.

Standard Items

24. The agenda will allow for the inclusion of the following items:
 - Notice of meeting;
 - Apologies;
 - Approval of the minutes of the previous meeting;
 - Declaration of Interests;
 - Schedule of Planning Applications;
 - Other Reports for Noting
 - Development Plan and Enforcement matters (quarterly)
 - AOB

Committee Papers

25. All Planning Committee Members will be sent an agenda in advance of the Committee meeting. The following papers (where appropriate) will also be provided:
 - Minutes of the previous meeting for approval as a complete record;
 - Schedule of Applications to be Determined (including those brought back following deferral) for consideration by the Committee;
 - Details of applications of regional significance which will have an impact upon the Council area and the Council is a statutory consultee or where it may wish to make a representation;
 - Performance Management Reports;
 - Details of Local Development Plan issues (as required);
 - Details of relevant Enforcement Matters (as required); and
 - Details of proposed Pre-determination hearings (as required).
26. A Pre-Planning Committee Meeting may be held with the Chairperson and Vice Chairperson and other officials in advance of the scheduled Committee meeting taking place.
27. Where necessary, Planning Officers will prepare an addendum report to provide Members with any relevant updates since the agenda was issued.
28. Planning Committee meetings will be open to the public except when access may be restricted in accordance with Section 42 of the Local Government Act (Northern Ireland) 2014.

Declaration of Interests

29. At the beginning of **every** meeting, Members will be asked to declare whether they have a pecuniary and/or significant private or personal non-pecuniary interest in any item on the agenda.
30. Should a Member declare such an interest they must have regard for the Members Code of Conduct and it is recommended that they leave the meeting room for the duration of that item unless they have registered to speak on the item. In this circumstance the Member will be invited into the room to address the Committee and answer questions at an appropriate time. At the end of the item Members will then be invited to return to the meeting room and notified of the Committee's decision before the meeting recommences.
31. Where a Member, in advance of the relevant Committee meeting, has taken a firm view on a planning application (in essence they have "pre-determined" the application) that Member should make an open declaration at the beginning of the relevant meeting and leave the meeting room for that entire item unless they have registered to speak on the item. In this circumstance the Member will be invited into the room to address the Committee and answer questions at an appropriate time. At the end of the item Members will then be invited to return to the meeting room and notified of the Committee's decision before the meeting recommences.
32. Where a Councillor declares an interest in either of the above circumstances and does not leave the room without providing valid justification, the matter should be challenged by the Chair of the Committee, or other Councillors.
33. To ensure there is effective monitoring of declarations of interests a report will be brought for noting to the Governance and Audit committee on annual basis. The report will include a list of all declarations made in that calendar year relating to the work of the Planning Committee.

PRE-DETERMINATION HEARINGS

~~34. The Planning Committee has a **mandatory** requirement to hold pre-determination hearings for those major applications which have been referred to the Department for Infrastructure for call-in consideration but returned to the Council for determination. The pre-determination hearing should be heard by the Planning Committee and the related application should be decided by the Planning Committee.~~

35. The Council may also hold pre-determination hearings, at their own discretion, where it is considered necessary to take on board local community views as well as those in support of the development. In deciding whether to apply discretion, Members will take into account the following:
 - Relevance of the objections in planning terms;
 - The extent to which relevant objections are representative of the community, particularly in the context of pre-application community consultation and

- The numbers of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.
36. Applicants and those who have submitted relevant representations will be afforded an opportunity to be heard by the Council before it takes a decision. When holding a pre-determination hearing, the procedures will be the same as those applied to normal Planning Committee meetings. The Planning Officer will produce a report detailing the processing of the application to date, and the planning issues to be considered. In circumstances whereby the Committee decides to hold the hearing on the same day as it wishes to consider and determine the application, the report to Members will also include a recommendation.
37. Pre-determination hearings should take place **after** the expiry of the period for making representations on the application but **before** the Committee meets to discuss the application. Whilst the Committee will endeavour to hold its pre-determination hearings out with the Committee meeting at which the application will be considered, it is recognised that this may not always be possible.

PUBLIC SPEAKING

Procedures for Public Speaking

38. The following procedures will apply to Lisburn & Castlereagh City Council Planning Committee meetings.

Registering Requests

39. Failure to comply with the following criteria will result in an invalid request to speak:
- Requests to speak should be received in writing to the Planning Unit or by email to planning@lisburncastlereagh.gov.uk no later than 12 noon on the last working day prior to the scheduled Committee meeting.
 - The request must state whether they wish to speak in support or in opposition to a planning application.
 - Requests must be accompanied with a legible written representation of no longer than two sides of an A4 page. This can be written or typically typed in a font such as Arial, minimum size 10, summarising the points to be addressed and provide supplementary information (to include, for example, photographs or otherwise) in support of their case. The written submission is not intended to replace a speaking note if a speaker wishes to expand on the points raised in the meeting. Exceptions to this, so as to accommodate equality of access, will be at the discretion of the Chairperson.
 - A contact number and/or email address must be provided to allow individuals to be invited to/participate in meetings either in person or remotely through on-line access.

- Late requests may be accepted by the Chairperson in exceptional circumstances.

Circulation of Information

40. The written representation submitted when registering to speak will be circulated to Members in advance of the Committee meeting. Any written representation received after this time will **not** be circulated unless it is agreed by the Chairperson.
41. No documentation must be circulated at the meeting to Members by speakers. If speaking remotely the sharing of any media will not be permitted.
42. MPs/MLAs and all Members may speak about an application. They will be afforded **3 minutes**. Where more than one elected representative is registered to speak for or against a proposal they are encouraged to seek areas of common ground to avoid duplication of issues and questions. Where possible elected representatives are encouraged to share the speaking time allowed.
43. Members of the public in support or objection to a proposal will be afforded **3 minutes** to speak about an application. Where more than one person is registered to speak for or against a proposal only one person from those objecting to the proposal and one person in support of the proposal will be allowed to speak.

Questions of Clarification

44. Members of the Planning Committee can seek clarification from those individuals who have addressed the Committee through the Chairperson. Members must not enter into a debate on any issue raised until the Chairperson opens the formal debate of all issues before the Committee.
45. When invited by the Chairperson, Planning Officers can address any issues raised and Planning Committee Members can question Planning Officers through the Chairperson.
46. The Chairperson may agree to accept representations outside these procedures.

COMMITTEE DECISIONS

47. The main role of the Planning Committee is to consider applications made to the Council as the Local Planning Authority and decide whether or not they should be approved.

Committee Decision Making Options

48. The Committee will discuss applications presented to it before taking a vote.
49. Where the recommendation by the officer is accepted the following options are available

- Approve the application with conditions as recommended;
- Approve the application with amended conditions;
- Refuse the application for the reasons recommended;
- Refuse the application with additional or different reasons recommended.

50. Where the recommendation by the officer is not accepted the following options are available:

- Approve the application demonstrating how the relevant policy has been fully engaged with appropriate conditions in consultation with an authorised officer;
- Approve the application with conditions to be drafted by an authorised officer and approved by Members at the next Planning Committee meeting;
- Refuse the application with a precise reason or reasons for refusal demonstrating how the relevant policy has been fully engaged.

51. Members must be present for the complete discussion on the item otherwise they cannot take part in the debate or vote on that item.

52. Except where a decision on a planning application is unanimous a recorded vote will be taken.

53. The Chairperson of the Planning Committee has a casting vote.

Decisions Contrary to officer recommendation

54. The decision as to whether planning permission should be approved or refused lies with the Committee. The views, opinions and recommendations of Planning Officers may on occasion be at odds with the views, opinions or decision of the Planning Committee or its Members. This is acceptable where planning issues are finely balanced.

55. The Committee can accept or place a different interpretation on, or give different weight to the various arguments and material considerations.

56. If the Committee is minded to make a decision contrary to Officer recommendation in accordance with paragraph 50 then:

- The proposer of the motion to go against the Planning Officer's recommendation, or the Chairperson, should state the planning reasons for the proposed decision before a vote is taken. The reasons should be clear, necessary, reasonable and be based on material planning considerations;
- The Authorised Planning Officer present at the meeting should be given the opportunity to comment upon whether the proposed reasons for the decision are valid and, if an approval is proposed, to recommend appropriate conditions;
- A detailed minute of the Committee's reasons for departing from the recommendation should be taken and a copy placed on the application file.

Appeal contrary to officer recommendation

57. In the event of an appeal against a refusal of planning permission contrary to Officer recommendation, the Committee should decide who should attend the appeal to defend the decision. The following options are available:

- Members who proposed and seconded a motion to refuse contrary to Officer recommendation may be called as Council witnesses; and
- Different Planning Officers from those who made the original recommendation and/or decision making process may be used.

Decisions Contrary to Local Development Plans

58. Councils are required by the Planning (Notification of Applications) Direction 2017 to formally notify the Department where they are minded to grant planning permission for certain types of application.

59. Councils are required by the Planning (Notification of Applications) Direction 2017 to formally notify the Department where they are minded to grant planning permission for certain types of application.

60. The direction restricts the grant of planning permission and requires a council to send information to the Department.

61. The schedule attached to the notification direction sets out the following circumstances when councils should notify the Department.

- A major development application which would significantly prejudice the implementation of the local development plans objectives and policies;
- A major development application which would not be in accordance with any appropriate marine plan adopted under the Marine Act (Northern Ireland) 2013; or
- A government department or statutory consultee has raised a significant objection to a major development application.

62. If a Committee Member proposes, seconds or supports a decision which is contrary to the Local Development Plan or which will significantly prejudice the implementation of the Local Development Plan's objectives and policies, they will need to provide valid planning reasons to justify their decision and/or clearly explain why their decision will not significantly prejudice the implementation of the Local Development Plan's objectives and policies.

63. If the decision would significantly prejudice the implementation of the current and/or emerging Local Development Plan's objectives and policies then the Planning Officer must be given the opportunity to comment on the reasons provided by Members under paragraph 58 above and on whether the decision requires referral to the Department for Infrastructure.

64. The reasons for any decisions which are made contrary to the Local Development Plan will be formally recorded in the minutes and a copy placed on the application file.

DEFERRALS

65. The Planning Committee can decide to defer consideration of an application to a future meeting for the following reasons:

- For further information;
- Further negotiations; and/or
- For a site visit.

66. Members should be aware that deferrals will inevitably have an adverse effect on processing times, and therefore should be an exception. Deferral of a decision to a later Committee meeting can, however also be used to allow time for reflection, where the Committee is minded to refuse a proposal against officer recommendation. This can allow time to reconsider, manage the risk associated with the action, seek legal advice and ensure that Planning Officers can provide additional reports and draft reasons for refusal.

SITE VISITS

67. It is important that requests for site visits are handled in a consistent and organised manner, and that administrative and procedural arrangements on site are understood. The reasons for a site visit should be clearly stated and minuted.

68. Site visits form part of the meeting of the Planning Committee and Members intending to declare a pecuniary and/or significant private or personal non-pecuniary interest in an application or who have pre-determined an application should not attend the site visit. As minimum, those Members who proposed and seconded the site visit should make every effort to attend, so that they understand the issues when the matter is considered at the following Planning Committee meeting. If a Member is unable to attend as site visit they should give consideration to their ability to participate in the decision making process when the item is returned to a later meeting.

Arranging a site visit

69. Where a site visit is deemed to be required by Members, the site visit will be carried out in accordance with relevant legislation and guidance in place at the time of the site visit.
70. A Planning Officer will contact the applicant/agent to arrange access to the site. Invitations will be sent to Members of the Planning Committee. Only Members of the Planning Committee, Planning Officers and Council Officials will be permitted to attend the site visit.
71. The full Planning Committee should attend unless there are good reasons not to.

72. It is important for the integrity of the planning process that Planning Committee Members do not carry out their own unaccompanied site visits.
73. A record of the date of the site visit, attendees and any other relevant information will be retained.

Site Visit Procedure

74. The Chairperson of the Planning Committee will oversee the conduct of site visits. They will start promptly at the time notified to Members and interested persons. At the request of the Committee Chairperson, the Planning Officer may be invited to describe the proposal to Members. Whilst Committee Members will be expected to be familiar with the Planning Officer's report, plans/drawings may be used where necessary.
75. The Planning Officer may indicate 'matters of fact' in relation to the proposal and surrounding land which Members can then take account of. Through the Committee Chairperson, Members can ask the Planning Officer for factual clarification on any planning matter relating to the proposal or surrounding land, such as distances to adjoining properties or the location of proposed car parking.
76. At no time during the site visit should Members debate the merits of the planning application. To do so out with the Planning Committee meeting might imply that Members had made their minds up.
77. At no time during the site visit should the applicant, their agent, any objector or any other Member of the public be allowed to address Members. The public right to address the Planning Committee does not arise until the item is reached on the Committee agenda.
78. In order to assist Members to retain their objectivity, they should keep together in one group with the Chairperson, Planning Officers and Council Officials and should avoid breaking away into smaller groups. Once the site visit is concluded, Members should leave the site promptly.

Record Keeping

79. The Council will keep a record of Member's attendance at the site visit.
80. The record will be presented to the next meeting of the Planning Committee scheduled to discuss the particular application.

REVIEW OF DECISIONS

- 81. Best practice suggests that in order to assess the quality of decision making, Members should inspect a sample of implemented planning decisions on an annual basis.
- 82. Lisburn & Castlereagh City Council's Planning Committee will on an annual basis inspect a sample of implemented planning decisions to assess the quality of the decision making.
- 83. In addition, to give assurances that the Scheme of Delegation is operating effectively, this inspection will also include a sample of decisions delegated to officers.

LEGAL ADVISER

- 84. The Lisburn & Castlereagh City Council Planning Committee will have access to legal advice on planning matters at each of its meetings.

REVIEW OF PROTOCOL

- 85. The reform of local government saw the majority of planning functions transfer to Local Councils in April 2015. This Protocol will therefore be monitored and procedures reviewed as necessary to ensure that they remain current and relevant to the operational needs of the Lisburn & Castlereagh City Council Planning Committee.

TRAINING

- 86. A Member shall not participate in decision making at meetings of the Planning Committee if they have not attended the training prescribed by the Council.
- 87. Members of the Planning Committee shall also endeavour to attend any other specialised training sessions provided, since these are designed to extend the knowledge of the Member on planning law, regulations, procedures and development plans and to generally assist the Member in carrying out their role properly and effectively.