



January 6th, 2026

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 Laverty BEM, A Martin and N Trimble

**Notice of Meeting**

A meeting of the Planning Committee will be held on **Monday, 12th January 2026 at 10:00 am**, in the **Council Chamber and Remote Locations** for the transaction of business on the undernoted Agenda.

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

# Agenda

## 1.0 Apologies

## 2.0 Declaration of Interests

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

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

 *Disclosure of Interests form Sept 24.pdf*

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## 3.0 Minutes of the Planning Committee Meeting held on 1 December 2025

*For Approval*

 *PC 01.12.2025 - 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) LA05/2024/0618/F – Erection of 83 dwellings and 21 apartments totalling 104 residential units (comprising an amendment to planning permission LA05/2017/1153/F) with associated car parking, detached garages, landscaping, access arrangements and site works on lands at Comber Road Dundonald (northeast of Comber Road and 75 metres southwest of 4 Millmount Village Drive)

 *Appendix 1.1 LA05 2024 0618F Comber Road Final.pdf*

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(ii) LA05/2023/0281/F – Public Realm improvement works which include enhanced civic spaces at The Square and Lower Main Street. Also upgrade of streetscape to include new high-quality surfacing, rationalisation of parking with defined parking/loading bays introduced; upgraded street furniture and new cycle stands, lighting and street tree planting on lands within Royal Hillsborough at Lisburn Street, Ballynahinch Street extending through Main Street, the Square to Dromore Road, Park Street and Park Lane

 *Appendix 1.2 LA05 2023 0281F Hillsborough Final.pdf*

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(iii) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 Committee: Planning Committee Date: 12 January 2026 Report from: Head of Planning and Capital Development and 32 Millmount Village Crescent and

(iv) LA05/2022/0831/F – Proposed retention of agricultural building and underground slurry tank on land adjacent to 112 Back Road, Drumbo

(v) LA05/2023/0170/F – Proposed infill dwelling and garage at 92 Glenavy Road, Lisburn

(vi) LA05/2023/0368/O – Dwelling and garage at Clogher Road, adjacent to and immediately northwest of 115a Saintfield Road, Lisburn

#### 4.2 Statutory Performance Indicators - November 2025

For Noting

**4.3 Notification by telecommunication operator(s) of intention to utilise permitted development rights.**

*For Noting*

□ *Item 3 - Notifications from an Operator in respect of intention.pdf*

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□ *Appendix 3 - List of Notifications - January 2026.pdf*

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**4.4 Avian influenza prevention zone**

*For Noting*

□ *Item 4 - Avian influenza prevention zone.pdf*

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□ *Appendix 4 Letter to Heads of Planning re Avian Influenza Prevention Zone - 05.11.25.pdf*

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**4.5 Local Development Plan 2032 Quarterly Update**

*For Noting*

□ *Item 5 Report for Noting LDP Quarterly Update Jan 2026 (003).pdf*

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**4.6 Enforcement Quarterly Update**

*For Noting*

□ *Item 6 FINAL Planning Committee Enforcement Quarterly Update Jan 2026.pdf*

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□ *Appendix 6 Enforcement Quarterly update Jan 2026.pdf*

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**5.0 Any Other Business**

## LISBURN &amp; CASTLEREAGH CITY COUNCIL

## MEMBERS DISCLOSURE OF INTERESTS

## 1. Pecuniary Interests

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

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

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

## 2. Private or Personal Non-Pecuniary Interests

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

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

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

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

### Pecuniary Interests

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

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Date of Meeting:

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

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Nature of Pecuniary Interest:

**Private or Personal Non-Pecuniary Interests**

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

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Date of Meeting:

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

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Nature of Private or Personal Non-Pecuniary Interest:

Name:

Address:

Signed:

Date:

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

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**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 1 December, 2025 at 10.02 am****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Aldermen O Gawith and M Gregg

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

**PRESENT IN REMOTE LOCATION:**

Councillor D Bassett

**IN ATTENDANCE:**Director of Regeneration and Growth  
Head of Planning & Capital Development  
Principal Planning Officer (PS)  
Senior Planning Officers (MB, PMcF and GM)  
Member Services Officers (CR, EW and FA)Cleaver Fulton RankinMr B Martyn, Legal Advisor  
Ms C McPeake (remote attendance)  
Mr P Lockhart (remote attendance)

Before commencing the business on the agenda, the Chair, Alderman J Tinsley, advised that correspondence had been received late the previous night in respect of the first application on the schedule, LA05/2023/0344/F. The Head of Planning & Capital Development pointed out that the late representation had not been uploaded to the Planning Portal, nor had the applicant had sight of it. In consultation with the Chair, it was agreed that the meeting be adjourned for approximately 30 minutes to allow the representation to be circulated to Members for consideration, to allow the applicant to have sight of the objection and to afford Officers time to consider its contents and offer advice. This application would then be moved to the end of today's schedule.

Adjournment of Meeting

The meeting was adjourned at 10.05 am.

Resumption of Meeting

The meeting was resumed at 10.44 am.

Councillor D J Craig arrived to the meeting during the adjournment.

## Commencement of Meeting

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

### 1. Apologies

It was agreed to accept an apology for non-attendance at the meeting on behalf of the Vice-Chair, Councillor G Thompson.

### 2. Declarations of Interest

There were no declarations of interest.

### 3. Minutes of Meeting of Planning Committee held on 3 November, 2025

It was proposed by Councillor J Laverty, seconded by Alderman M Gregg and agreed that the minutes of the meeting of Committee held on 3 November, 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 1 major and 3 local applications on the schedule for consideration at the meeting.

##### 4.1.1 Applications to be Determined

The Legal Advisor, Mr B Martyn, highlighted paragraphs 43-46 of the Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee which, he advised, needed to be borne in mind when determinations were being made.

- (i) LA05/2023/0377/F – Proposed social housing scheme comprising 20 apartments (mix of 18 2 bed and 2 1 bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, carparking, new site access and all associated site and access works on lands adjacent to 3-19 Moira Road, Lisburn

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

Messrs D Broderick and E Neeson were in attendance remotely and they addressed a number of Members' queries.

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(i) LA05/2023/0377/F – Proposed social housing scheme comprising 20 apartments (mix of 18 2 bed and 2 1 bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, carparking, new site access and all associated site and access works on lands adjacent to 3-19 Moira Road, Lisburn (Contd)

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

### Debate

At the discretion of the Chair, Alderman J Tinsley, a number of Members' questions were permitted to be answered during the debate stage. In response to queries raised, the Head of Planning & Capital Development confirmed, that should the planning application be approved, conditions 6 and 7 dealing with impact of noise, could have additional wording inserted to require that a report be submitted to verify that necessary mitigation works had been carried out.

During debate:

- the Chair, Alderman J Tinsley, welcomed this application which would greatly improve the site at Moira Road. The provision of wheelchair access to the development, as well as its proximity to public transport, was also welcomed;
- Alderman O Gawith welcomed this application. He was glad to see the development set back off the road and more in line with the adjacent commercial properties, which meant no overbearing onto the road. He stated that he was disappointed that the level of energy efficiency would only be as per requirements, rather than the opportunity taken to provide anything more innovative and more efficient;
- Councillor D Bassett welcomed this application, particularly the inclusion of 2 wheelchair accessible ground floor apartments;
- Councillor D J Craig stated that, with the assurances provided by Officers, he was content that approval be granted to this application. He looked forward to seeing how the Housing Association would control tenants within the facility and ensure they adhered to the terms and conditions they signed up to; however, that was outside of the Council's control;
- Councillor P Catney welcomed this application, which together with the recently developed Eurospar, would improve the area. He referred to the provision of bike racks at the proposed development but stated that there was no bike lane on the busy Moira Road. He stated that the Council could do more to enhance sustainable travel; and
- Alderman M Gregg stated that social housing was much welcomed and much needed in the area. He welcomed the additional wording that was identified for conditions 6 and 7, but was surprised it was needed. He welcomed the fact that the application met policy RE2 and that the fabric first approach was being taken, although if the facility could be developed to higher standards that would be welcomed. He had had concerns regarding the number of parking spaces, but those had been addressed during discussion. Alderman Gregg was in support of the recommendation of the Planning Officer to grant planning permission.

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(i) LA05/2023/0377/F – Proposed social housing scheme comprising 20 apartments (mix of 18 2 bed and 2 1 bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, carparking, new site access and all associated site and access works on lands adjacent to 3-19 Moira Road, Lisburn (Contd)

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve this application, it being noted that additional wording would be included in conditions 6 and 7, as discussed.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (11.39 am).

Resumption of Meeting

The meeting was resumed at 11.49 am.

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

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

The Committee received Mr A McCready, accompanied by Mr R Belshaw, to speak in support of the application and a number of Members' queries were addressed.

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

Debate

During debate:

- Alderman O Gawith stated that, unfortunately, the Committee had been drip-fed information in respect of this application. It was not convincing to him, especially given that there was a small building there that could have been brought up standard to store the small amount of hay that would be generated from a two-acre holding. Alderman Gawith was in support of the recommendation of the Planning Officer to refuse planning permission; and
- the Chair, Alderman J Tinsley, stated that he believed it was sometimes harder for a small farmer to produce as much as they could. He understood that storing hay until it was dry would command a better price when it was sold and he also appreciated that the applicant would be taking on more land at a later stage. He agreed with the point made by Alderman Gawith that

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

information had been drip-fed. However, he considered this was a genuine case and all the pieces did add up. Alderman Tinsley was satisfied in respect of integration with the surrounding land and the condition of the field and was not in support of the recommendation of the Planning Officer to refuse planning permission.

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

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Alderman M Gregg, Councillor J Laverty, Councillor A Martin and Councillor N Trimble (9)

Against: Alderman J Tinsley (1)

It was agreed that, prior to adjourning the meeting for lunch, items 4.2 – 4.7 on the agenda would be considered.

Councillor P Catney left the meeting at 12.44 pm.

#### 4.2 Statutory Performance Indicators – October 2025

During this item of business, Councillor P Catney returned to the meeting (12.46 pm), Councillor A Martin left the meeting (12.47 pm) and Alderman O Gawith left, and returned to, the meeting (12.46 pm and 12.49 pm).

It was agreed that information relating to Statutory Performance Indicators for October 2025 be noted. The Chair, Alderman J Tinsley, welcomed the improvement in performance outlined in the report and commended Officers for that.

#### 4.3 Appeal Decision – LA05/2023/0863/A

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

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

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

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4.5 Pre-Application Notice (PAN) for the refurbishment of existing Household Recycling Centre and Council Operations Depot. Upgrade of existing site entrance and construction of improved internal traffic flows with a new split level recycling centre, vehicle parking, shed and new staff office and welfare building at Carryduff Household Recycling Centre, Comber Road, Carryduff

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 Consultation from DfI Planning on the Review of Planning Fees

Members were provided with a copy of a draft response to the above consultation and noted that a separate report seeking approval of the response would be presented to the Regeneration and Growth Committee.

4.7 Proposed Change of Dates to Planning Committee Meetings

The Head of Planning & Capital Development reported that, due to Christmas/New Year holidays, Easter holidays and May Day, Planning Committee meetings in January, April and May were required to be rescheduled. It was proposed by Councillor S Burns, seconded by Alderman M Gregg and agreed that meetings take place as follows:

- January – Monday 12<sup>th</sup>
- April – Monday 13<sup>th</sup>
- May – Monday 11<sup>th</sup>

#### Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned for lunch at this point (12.55 pm).

#### Resumption of Meeting

The meeting was resumed at 1.33 pm.

Councillor A Martin had returned during the lunch break.

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

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

The Committee received Mr N Reid and Councillor U Mackin to speak in support of the application.

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

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

### Debate

During debate:

- Alderman M Gregg stated that perhaps there was a gap in policy to allow the establishment of new farms or hobby farms. He found it bizarre that, should the applicant in this case build a garage or a small permanent structure made of brick and tile under permitted development, that would be a further building and the agricultural shed applied for would be allowed under policy as it would be considered a cluster. He stated that, between the Committee making a decision and the decision being issued, there could well be another building established beside the applicant's house, which would then be considered a cluster. Alderman Gregg stated that, of all the refusal reasons listed, COU15 (b) and COU16 (b), relating to clustering, were the only two he struggled to have met by this application. He agreed with Officers that the exception in this case would struggle to make that apply. In deeming this an exception, a precedent would be set. Despite his view that this application should be approved, Alderman Gregg could not consider the proposal to form part of a cluster and, unfortunately, had to support the recommendation of the Planning Officer to approve planning permission;
- Councillor N Trimble, on behalf of everyone, apologised to the applicant for how long this application had taken to consider and the number of times it had been heard. He appreciated that, every step of the way, there had been valid reasons for deferment but there had not been a good outcome of process. He stated that, in general terms, this was a sound application as this was the type of structure that an agricultural development should be, was in the best location possible and was meeting a verifiable agricultural need. Although the dwelling had been replaced a number of years ago, it was still a farmhouse dwelling and there had been a farm business at this location for years. The difficulty was that, had even only one of the pre-existing agricultural sheds that had been cleared to make way for the new dwelling been retained, then policy would absolutely be met. It was a huge weakness of policy that it referred to a group of buildings. Whilst that may be appropriate for 99% of cases where there was a group of buildings or structures on a farm, this case had demonstrated that there was a viable route for how there could not be additional structures on a viable farm. The Committee was not in a position to change policy or to reinterpret it, rather it could only strictly apply it. Councillor Trimble stated that, if the application was not approved today, he had no doubt it could very easily come back without any change to the application, but the lay of the land could have changed in that a structure could be built through permitted development that did not require full planning permission and, if there was one additional building on the site, the application would meet policy. He could not argue with the fact that there was not an existing group of buildings on the farm;

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

- Councillor P Catney referred to reference having been made previously to a small chicken shed at the site. However, he stated that, whilst he had sympathy for the applicant, he was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor D J Craig stated that policy had let this application down. This was a very bureaucratic system and this was one occasion where the Committee found itself in disagreement with policy. There was no cluster at this site. Although mention had been made to a chicken shed at the site, he had not witnessed that at the site visit.

At this stage, Councillor D J Craig sought clarification from Officers regarding the presence of a chicken shed. Although at debate stage, the Chair, Alderman J Tinsley, permitted Officers to respond. The Head of Planning & Capital Development stated that Officers had not observed a chicken shed when on site, but acknowledged that that was in excess of 12 months ago. This was the first time this had been drawn to Officers' attention.

Alderman Tinsley also permitted Mr Reid to provide a description of the chicken shed which, he stated, had been in place since 2020.

Following discussion, it was proposed by Councillor D J Craig and seconded by Alderman O Gawith that this application be deferred to allow Officers to visit the site and verify information that had come to light in respect of the presence of a chicken shed in order that the Committee could come to a conclusion on this application having considered the full information. On a vote being taken this proposal was agreed, the voting being 9 in favour and 1 against. The Chair, Alderman J Tinsley asked that Mr Reid provide as much information as possible regarding the history of the chicken shed.

Given that the applicant was a teacher, Councillor N Trimble asked that consideration be given to the application being heard at a time outside of term-time. The Chair, Alderman J Tinsley, agreed that this could possibly be accommodated by scheduling the application to be heard at the end of a future meeting.

#### Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (2.28 pm).

#### Resumption of Meeting

The meeting was resumed at 2.32 pm.

## PC 01.12.2025

(iv) LA05/2023/0344/F – Erection of discount food store (with solar panels on roof), provision of accesses, car parking, landscaping and associated site works on land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn

The Senior Planning Officer (GM) presented the above application as outlined within the circulated report. She went on to address the content of the late representation submitted the previous evening.

The Committee received Mr C Fegan, accompanied by Mr D Monaghan and Mrs E Greenlees) to speak in favour of the application and a number of Members's queries were addressed.

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

### Debate

During debate:

- Councillor P Catney stated that, in light of what had been passed at Stormont that no new liquor licences would be issued, it was necessary to look at the hospitality sector and how it was affected in city centres. This would be a surrender of a licence that would go out to a supermarket close to Sainsbury's, which already had licence. Therefore, there were more factors coming into play than the out-of-town shopping centre. As for where the proposed development was situated, Councillor Catney believed the applicant could have given more consideration to sustainable transport. Councillor Catney was not against the application, but stated that some decisions made had consequences for the nighttime economy and city centres;
- Councillor N Trimble welcomed the application. He believed the Committee should be in favour of more development, not less, when it came to expanding the retail core in the vicinity. This development would bring employment and economic opportunity to the area. He stated that he was encouraged by the pedestrian construction. Being able to get access to the greenway from all areas of the site was welcomed and would be a good improvement. Councillor Trimble was in support of the recommendation of the Planning Officer to approve planning permission;
- the Chair, Alderman J Tinsley, was also in support of the recommendation of the Planning Officer to approve planning permission. A development such as this would bring more jobs. He was comforted by the fact that the plan was to retain the two existing Lidl stores in Lisburn. Alderman Tinsley commended Officers for taking the time to deliberate on the content of the late representation; and
- Councillor D J Craig stated that this development was an excellent opportunity for the city as a whole. He remembered in 2005 having meetings with regard to another retailer coming to that site. He now welcomed the fact that a lower cost retailer would be operating at Sprucefield which would add to the spread of facilities at the Sprucefield site and cater for all levels of shoppers. Councillor Craig referred to the vote of confidence for the Sprucefield site by well-known manufacturer, Tesla, having installed of a number of electric vehicle charging points, making Sprucefield one of the key charging sites for electric vehicles in Northern Ireland.

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(iv) LA05/2023/0344/F – Erection of discount food store (with solar panels on roof), provision of accesses, car parking, landscaping and associated site works on land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn (Contd)

Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve this application.

5. Any Other Business

5.1 Member Services Officer – Early Retirement  
Chair, Alderman J Tinsley

The Chair, Alderman J Tinsley, advised that this was the last Planning Committee meeting at which Member Services Officer, Mrs C Roe, would be in attendance before her forthcoming early retirement. He paid tribute to her work with the Council and particularly the Planning Committee.

Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman J Tinsley, thanked those present for their attendance and wished them all a Happy Christmas.

There being no further business, the meeting was terminated at 3.19 pm.

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Chair/Mayor

<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Schedule of Planning Applications to be Determined

1.0 **Background**

1. The following applications have been made to the Council as the Local Planning Authority for determination.
2. In arriving at a decision (for each application) the Committee should have regard to the guiding principle in the SPPS (paragraph 3.8) that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
3. Members are also reminded about Part 9 of the Northern Ireland Local Government Code of Conduct and the advice contained therein in respect of the development management process with particular reference to conflicts of interest, lobbying and expressing views for or against proposals in advance of the meeting.

**Key Issues**

1. The applications are presented in accordance with the current scheme of delegation. There are two Major applications and four Local. Three have been Called In (one previously deferred) and one Exceptions apply.
  - a) LA05/2024/0618/F – Erection of 83 dwellings and 21 apartments totalling 104 residential units (comprising an amendment to planning permission LA05/2017/1153/F) with associated car parking, detached garages, landscaping, access arrangements and site works on lands at Comber Road Dundonald (northeast of Comber Road and 75 metres southwest of 4 Millmount Village Drive)  
Recommendation – Approval
  - b) LA05/2023/0281/F – Public Realm improvement works which include enhanced civic spaces at The Square and Lower Main Street. Also upgrade of streetscape to include new high-quality surfacing, rationalisation of parking with defined parking/loading bays introduced; upgraded street furniture and new cycle stands, lighting and street tree planting on lands within Royal Hillsborough at Lisburn Street, Ballynahinch Street extending through Main Street, the Square to Dromore Road, Park Street and Park Lane  
Recommendation – Approval
  - c) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos. 16-22, 30

and 32 Millmount Village Crescent and lands 40m to the south nos.11-22  
 Millmount Village Way  
 Recommendation – Approval

- d) LA05/2022/0831/F – Proposed retention of agricultural building and underground slurry tank on land adjacent to 112 Back Road, Drumbo  
 Recommendation – Refusal
- e) LA05/2023/0170/F – Proposed infill dwelling and garage at 92 Glenavy Road, Lisburn  
 Recommendation – Refusal
- f) LA05/2023/0368/O – Dwelling and garage at Clogher Road, adjacent to and immediately northwest of 115a Saintfield Road, Lisburn  
 Recommendation - Refusal

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

### **Recommendation**

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

3.0

### **Finance and Resource Implications**

Decisions may be subject to:

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

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

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

4.0

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

4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.	

	The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.	
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 <b>or</b> 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>	

<b>Appendices:</b>	Appendix 1.1	LA05/2024/0618/F
	Appendix 1.2	LA05/2023/0281/F
	Appendix 1.3	LA05/2023/0316/F
	Appendix 1.4a	LA05/2022/0831/F Addendum Report including Appendices 1.4a(i) to (iv)
	Appendix 1.4b	LA05/2022/0831/F Planning Report 01/12/25
	Appendix 1.4c	LA05/2022/0831/F Planning Report 03/11/25
	Appendix 1.4d	LA05/2022/0831/F Planning Report 03/02/25
	Appendix 1.4e	LA05/2022/0831/F Site Visit Report 21/01/25
	Appendix 1.4f	LA05/2022/0831/F Planning Report 06/01/25
	Appendix 1.4g	LA05/2022/0831/F Planning Report 02/12/24
	Appendix 1.5	LA05/2023/0170/F
	Appendix 1.6	LA05/2023/0368/O

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	12 January 2026
Committee Interest	Major Application
Application Reference	LA05/2024/0618/F
District Electoral Area	Castlereagh East
Proposal Description	Erection of 83 dwellings and 21 apartments totalling 104 residential units (comprising an amendment to planning permission LA05/2017/1153/F) with associated car parking, detached garages, landscaping, access arrangements and site works
Location	Lands at Comber Road Dundonald northeast of Comber Road and 75 metres southwest of 4 Millmount Village Drive
Representations	One
Case Officer	Mark Burns
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This application is categorised as a major planning application in accordance with the Development Management Regulations 2015 in that the area of the site exceeds two hectares. The proposal also requires a legal agreement to secure the delivery of affordable housing at this location.
2. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of the Plan Strategy. The layout and design of the proposed buildings create a quality residential environment and when the buildings are constructed, they will not adversely impact on the character of the area. The development will also not have a detrimental impact on the amenity of existing residents in properties adjoining the site by reason of overlooking or dominance.
3. Furthermore, the density is not significantly different than that found in the established residential area to the north in the Millmount development and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area.
4. It is considered that the proposal is also in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for

affordable housing as an integral part of the development. This provision will be subject to a Section 76 Planning Agreement.

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

### Description of Site and Surroundings

#### Site Context

11. The application site is approximately 5.49 hectares in size and is relatively flat throughout. Parts of the neighbouring lands are currently being developed in line with previous approved phases of development.
12. The Comber Greenway and a former railway line run along the northeastern boundary and Billy Neil playing fields are located to the southeast. An open water course crosses the site in its northern section and the Enler River runs parallel with the Comber Greenway on its northern side.

## Surrounding Context

13. In the surrounding area lands to the north and northeast are mainly residential in character having been developed as part of Millmount village urban extension. Lands to the southeast and west of the site are primarily rural in character and in agricultural use with the occasional of dwelling dispersed throughout the landscape.

## **Proposed Development**

14. Erection of 83 dwellings and 21. apartments totalling 104 residential units (comprising an amendment to planning permission LA05/2017/1153/F) with associated car parking, detached garages, landscaping, access arrangements and site works.

15. The application is supported with the following documents:

- Design and Access Statement.
- Pre Application Community Consultation.
- Preliminary Risk Assessment
- Drainage Assessment.
- Archaeological Programme of Works.
- Transport Assessment.
- Noise Assessment.
- Landscape Management and Maintenance Plan.
- Outdoor Lighting Report.
- Outline Construction Environmental Management Plan.
- Preliminary Ecological Appraisal

## **Relevant Planning History**

16. The relevant planning history is as follows:

Ref Number.	Proposed Development	Decision.
LA05/2016/0985/F	Erection of 7 detached dwellings, with car-parking, landscaping, associated site works and access arrangements from Millmount Road, Dundonald.	Granted at appeal August 2021
LA05/2017/1153/F	Proposed mixed use development comprising housing (119 units) and 18 no. industrial units (Class B1b/B1c and B2 employment uses) with associated public open space, related access improvements, parking and ancillary site works.	Granted September 2020

LA05/2022/0861/F	Erection of 38 no dwellings (including a change of house type to sites 89-119 of planning approval LA05/2017/1153/F) with associated car parking, detached garages, landscaping and access arrangements and associated site works	Granted May 2024
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17. The planning history granted in September 2020 and May 2024 are relevant material considerations as the principle of developing zoned employment land for mixed use development has been previously agreed. This proposal is for an amendment to the residential part of an approved mixed-use development granted under application reference LA05/2017/1153/F and LA05/2022/0861/F. The employment part of the mixed-use scheme has already been commenced and is protected through a Section 76 planning agreement.

### Consultations

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

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

### Representations

19. One letter of objection has been submitted in respect of the proposal. The following issues have been raised:

- Construction Traffic
- General Construction Mess

### Environmental Impact Assessment (EIA)

20. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment as the site area exceeds the thresholds set out in Section 10 (b) of

Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015.

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21. An EIA determination was carried out, and it was concluded that the scale and nature of the proposal means that it is not likely to cause any significant adverse environmental impacts. As such, an Environmental Statement was not required to inform the assessment of the application.

### Pre-Application Community Consultation

22. The application exceeds the threshold for major developments as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site is over two-hectares in size.
23. On this basis the applicant was required to engage in pre-application community consultation (PACC).
24. A Pre-Application Community Consultation report dated August 2024 has been submitted in support of the application. It provides a record of the consultation that have taken place to inform interested parties of the application proposals.
25. The format of the report is in accordance with the Development Management Practice Note and contains the relevant information required.
26. A Public Information Notice was placed in the Belfast Telegraph on 16 May 2024, and the Public Exhibition was held on the 23 May 2024 in the Enler Community Centre. Four people attended the event.
27. Information about the application site and details of the proposed development were also displayed on a dedicated project website along with details of how attendees could provide comment, as well as the next steps in respect of the planning process.
28. Leaflets were distributed to approximately 300 properties within 200 metres of the proposed development site. The information pack included a free-post feedback form and details of a free consultation phone line. Distribution took place on 16 May 2024.
29. In total, 16 individuals actively took part by engaging with the project team through attending the public exhibition event (4 people), completing a feedback form online (7 people) or via post (1 person), by emailing our consultation email address (3 people) or by using our live chat function (1 person).
30. The report concludes that all feedback received has been considered by the project team. A summary of the feedback is provided in Chapter 4, and the applicant's response is set out in Chapter 5 of the PACC report.

## Local Development Plan Context

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

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

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

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

33. As a consequence, the Plan Strategy and the Belfast Urban Area Plan (BUAP) is the statutory development plan for the area. However, draft BMAP remains a material consideration.
34. The BUAP identifies the application site as being located outside the settlement limit of Metropolitan Castlereagh.

In draft BMAP the site is located within the settlement limit of Metropolitan Castlereagh and zoned for employment use within the context of designation MCH08. The principle of the loss of employment land is not revisited in this report as there is a history of approval for mixed use development and only the housing layout is amended. There is no encroachment into the part of the site that was still to be developed for employment as part of the mixed-use development as highlighted in the planning history section above.

35. In respect of the amended residential proposal the strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

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

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

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

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

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

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

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

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

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

*Development will be required to deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in*

*proportion to its scale, impact of the development and the sustainability of its location.*

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

- a) *improvements to the transport network, including walking and cycling routes, public transport or, where necessary appropriate parking provision*
- b) *affordable housing*
- c) *educational facilities and/or their upgrades*
- d) *outdoor recreation*
- e) *protection, enhancement and management of the natural and historic environment*
- f) *community facilities and/or their upgrades*
- g) *improvements to the public realm*
- h) *service and utilities infrastructure*
- i) *recycling and waste facilities.*

40. New dwellings and apartments are proposed at this location. The following operational policies in Part 2 of the Plan Strategy therefore apply.

### **Housing in Settlements**

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

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

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

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

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

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

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

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

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

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

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

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

- a) *the design of the development must draw upon the best local architectural form, materials and detailing*
- b) *landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
- c) *where identified as a Key Site Requirement adequate provision is made for necessary local community facilities, to be provided by the developer*
- d) *residential development should be brought forward in line with the following density bands:*
  - *City Centre Boundary 120-160 dwellings per hectare*
  - *Settlement Development Limits of City, Towns and Greater Urban Areas: 25-35 dwellings per hectare*
  - *Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare.*
  - *Within the above designated areas, increased housing density above the indicated bands will be considered in town centres and those locations that benefit from high accessibility to public transport facilities*
- e) *a range of dwellings should be proposed that are accessible in their design to provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range*

of dwelling types and designs should be provided to prevent members of society from becoming socially excluded

- f) dwellings should be designed to be energy and resource efficient and, where practical should include integrated renewable energy technologies to minimise their impact on the environment
- g) a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way
- h) adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points
- i) the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance
- j) the design and layout should where possible include use of permeable paving and sustainable drainage
- k) the design and layout design must demonstrate appropriate provision is made for householder waste storage and its collection can be facilitated without impairment to the access and maneuverability of waste service vehicles
- l) the development is designed to deter crime and promote personal safety.
- m) Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

44. The Justification and Amplification states that:

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

45. It also states that:

Accessible Accommodation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

50. The Justification and Amplification states that:

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

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

*Affordable Housing – affordable housing is:*

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

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

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

## **Natural Heritage**

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

*European Protected Species*

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

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

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

*National Protected Species*

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

*mitigated or compensated against.*

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

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

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

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

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

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

### **Access and Transport**

54. The P1 Form indicates that there will be a new access point serving the site from the Comber Road.

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

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

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

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

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

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

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

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

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

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

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

*Development proposals will provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to published standards<sup>33</sup> or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.*

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

- a) *where, through a Transport Assessment or accompanying Travel Plan, it forms part of a package of measures to promote alternative transport modes*
- b) *where the development is in a highly accessible location well served by public transport*
- c) *where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking*
- d) *where shared car parking is a viable option*

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

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

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

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

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

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

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

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

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

## Flooding

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Renewable Energy**

63. Policy RE 1 Renewable Energy Development states that:

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

- a) *public safety, human health, or residential amenity*
- b) *visual amenity and landscape character*
- c) *biodiversity or the natural or historic environment*
- d) *local natural resources, such as air quality or water quality or quantity*
- e) *public access to the countryside.*

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

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

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

64. Renewable Energy is encouraged in new residential development. Policy RE2 Integrated Renewable Energy states:

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

### **Regional Policy and Guidance**

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

*The provisions of the 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.*

### **Regional Policy**

66. 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.*

67. As this proposal is for new Industrial use / units in a settlement it is stated at paragraph 2.1 of the SPPS 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.*

68. 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.*

69. 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.*

70. 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.

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

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

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

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

73. 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.*

74. 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.*

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

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

76. Paragraph 6.132 of the SPPS further states that:

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

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

### **Retained Regional Guidance**

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

### Creating Places

79. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.
80. 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.*
81. 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.*

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

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

### Parking Standards

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

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

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

84. Paragraph 4.10 states that:

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

## Assessment

### New residential development

#### Policy HOU 1 – New Residential Development

85. This is new residential development within the settlement limit of Castlereagh, the planning history granted in September 2020 and May 2024 are relevant material considerations as the principle of developing zoned employment land for mixed use development has been previously agreed. The employment component of the mixed-use development is not adversely affected, has already commenced, and is secured through a Section 76 planning agreement.
86. This application only proposes a change of house type on and as such, more weight is attached to the recent planning history than the historical employment designation and the tests associated with policy HOU1 are considered to be met for this reason.

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

87. The lands to the north and northeast at Millmount village are currently under construction for housing. The development comprises a mix of detached, semi-detached and terrace housing along with a number of apartment blocks.
88. The dwellings are set in medium sized plots with in-curtilage and communal off-street parking. Areas of public open space and two playparks are also provided as part of the overall scheme.
89. The scheme is typical of a suburban residential scheme.
90. The form and general arrangement of the buildings is considered to be characteristic of those built and currently under construction in the adjacent Millmount Village to the northeast.
91. The plot sizes and general layout proposed is consistent with and comparable with other built development in the general vicinity of the site.
92. Based on a review of the information provided, it is considered that the character of the area would not be significantly changed by the proposed residential development and it is considered that the established residential character of the area would not be harmed.
93. The layout of the rooms in each of the units, the position of the windows and separation distance also ensures that there is no overlooking into the private amenity space of neighbouring properties. The buildings are not dominant or overbearing and no loss of light would be caused.
94. Having regard to this detail and the relationship between the buildings in each plot it is considered that the guidance recommended in the SPG published with

the draft Plan Strategy equivalent to the Creating Place document and that criteria (a) of policy HOU 3 met.

95. With regard to criteria (b) no archaeological, historic environment or landscape characteristics/features have been identified that require integration into the overall design and layout of the development. This part of the policy is met.

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

96. There are number of different house types of varying size from 110 square metres to 191 square metres.
97. A sample description of the some of the dwellings is outlined below.
98. House type G2 is a detached four-bedroom dwelling measuring approximately 130 square metres in floor area. This dwelling will have a ridge height of approximately 9.5 metres.
99. The materials proposed for the dwelling include smooth self-coloured render with brick base select stone wall details, concrete interlocking roof tiles, with blue/black coloured ridge tiles, solid hard wood doors to main front entrance, double glazed uPVC windows and dark grey uPVC gutters and downpipes.
100. House type SR4.3 is a pair of semi-detached dwelling with each measuring approximately 109 square metres in floor area and will have a ridge height of approximately 8.7 metres.
101. The materials proposed for the dwelling include smooth self-coloured render with select stone wall details and timber cladding, concrete interlocking roof tiles, with blue/black coloured ridge tiles, solid hard wood doors to main front entrance, double glazed uPVC windows and dark grey uPVC gutters and downpipes.
102. Three blocks of apartments are proposed at the entrance to the site. Block A/B contains 8 two-bedroom apartments, is double fronted and faces both the comber road and the internal access road. The Apartment block is approximately 12.7 metres in height.
103. The materials proposed for apartment block A/B are consistent with those proposed for the dwellings and comprise smooth self-coloured render with selected stone wall detailing and areas of timber cladding. The roofs will be finished with concrete interlocking tiles, including blue/black coloured ridge tiles. The main front entrance will incorporate solid hardwood doors, with double-glazed uPVC windows throughout. Rainwater goods will be dark grey uPVC gutters and downpipes.
104. The residential dwellings are designed to current building control standards and to be as energy efficient as possible. Further consideration is given to this issue later in the report.

105. The finishes considered to be acceptable and in keeping with the established character of this area and will ensure that the units are as energy efficient as they will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily a fabric first approach. This is addressed in more detail below.
106. The variety of house types provided are accessible capable of providing accommodation that is wheelchair accessible for those with impaired mobility.
107. The provision of private amenity space varies from plot to plot ranging from a minimum of 52 square metres up to 208 square metres. The average provided across the site is generally consistent with the guidance in the creating places document for a medium density housing development.
108. For the reasons outlined above, criteria (a), (d) (e) and (f) of policy HOU 4 are considered to be met.
109. A landscape management plan dated 16 October 2025 was submitted in support of the application. It outlines the strategy and approach for the future long-term management and maintenance of the external public spaces associated with the proposed development.
110. It details that the objectives are to introduce new tree, shrub and hedge planting of sizes and species to provide both age and species diversity.
111. The landscape plan demonstrates how the existing tree group to the northeast of the site are to be retained and protected during construction. The management plans also set out how the proposal will be complemented by additional tree planting to increase the screening effect of the boundary planting supplemented where necessary on all other boundaries.
112. It is considered that this written management plan, in association with the detailed planting plan, is sufficient to ensure integration of and maintenance of external public spaces and that the implementation of planting works should be conditioned to be carried out in the first available planting season prior to prior to the occupation of that phase of the development.
113. For the reasons outlined above, criteria (b) of policy HOU 4 is considered to be met.
114. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. The site is on the Comber Road and accessible to shops and other neighbourhood facilities currently under construction at the village centre at Coopers Mill. Criteria (c) of policy HOU 4 is met.
115. The agent has also confirmed that the scheme will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily through a fabric first approach (for example reducing heating costs with good air tightness, thermal performance and reducing the effects of solar gain) and including renewable energy measures, such as solar

panels. The specific energy efficient measures proposed in the scheme are outlined below.

#### Photovoltaic (PV) Panels

116. The development incorporates high-efficiency photovoltaic panels strategically positioned on rooftops to maximise solar energy capture. The panels are designed to integrate seamlessly with the architectural aesthetic of the buildings, using low-profile mounting systems to minimise visual prominence.
117. 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 optimized 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

118. The development employs advanced thermally efficient insulation materials and a high-performance building fabric, including high-quality wall, roof, and floor insulation, as well as double- or triple-glazed windows. These elements are incorporated into the design to enhance thermal performance and reduce heat loss.
119. 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 the policy RE2 focus on sustainable design, and ensures compliance with building regulations, with no adverse visual or amenity impacts.

#### High-Efficiency Boilers

120. High-efficiency condensing boilers are installed in each dwelling, designed to meet or exceed modern energy performance standards. These systems are compact and integrated within the building's utility spaces to maintain the aesthetic integrity of the development.
121. 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

122. The development is designed to achieve a high level of airtightness, meeting or exceeding the requirements of current building regulations. This is accomplished through meticulous construction techniques, including sealed joints, high-quality membranes, and airtight window and door installations.
123. Airtight construction minimises heat loss and enhances energy efficiency, aligning with the policy RE2 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

124. Low-energy LED light fittings are installed throughout each dwelling, both internally and externally, to reduce electricity consumption. These fittings are selected for their compatibility with the development's aesthetic and functional requirements.
125. The use of low-energy light fittings contributes to the development's sustainability by reducing energy demand, supporting the policy RE2 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

126. The drainage system is designed to meet Northern Ireland Water's consent requirements, incorporating sustainable drainage systems (SuDS) to manage surface water effectively and compensate for climate change impacts, such as increased rainfall and flood risk.
127. 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. Criteria (f) is considered to be met.
128. The internal road layout provides for safe and convenient access through the site and the provision of dropped kerbs and tactile paving will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for in curtilage parking. No on-street parking is provided or required as part of the proposal. This issue is dealt with in more detail later. In the interim Criteria (g) and (h) of policy HOU 4 are considered to be met.
129. The careful delineation of plots with appropriate fencing will serve to deter crime and promote personal safety. Criteria (i) is considered to be met.
130. Permeable paving and sustainable drainage is proposed as part of the development in line with criteria (j) of the policy is met.
131. Provision can be made for householder waste storage within the driveways for each other unit and its safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria (k) is met.

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

132. Detail submitted with the application indicates that the site exceeds one hectare and that more than twenty-five residential units are proposed. As such open space must be provided as an integral part of this development.

133. Detail submitted with the above application demonstrated that areas of open space were provided throughout the site.
134. The areas of open space are designed to protect the watercourse running through the northern portion of the site and also to provide a buffer between the Comber Road and the proposed dwellings on the southern boundary.
135. A Linkage is also proposed on the northern boundary between beside the paly park which will connect the development to the Comber Greenway.
136. More than 100 dwellings are proposed as part of this development therefore an equipped children's play park is also required in line with the policy.
137. An equipped children's play area is proposed as part of the wider development and is located in the north western portion of the site. There is also a linkage between the site and the adjacent Millmount development across the Comber Green Way.
138. 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. Suitably worded conditions will be attached should the application be granted to ensure the open space and play is delivered early in the scheme and not at the end.

#### Policy HOU10 - Affordable Housing

139. Policy HOU10 requires a minimum of 20% of the proposed residential development is affordable housing. In the context of the proposed scheme, this equates to 21 units.
140. The agent confirms, as detailed on the site layout plan, that a total of 21 apartment units is to be provided across the site. These units are located at plots 101 to121, positioned at the entrance to the site.
141. This provision will be subject to a Section 76 planning agreement, and the affordable housing requirement should be phased to be delivered in tandem with the occupation of housing within the overall development. To ensure the provision is met in full no more than 60 of the private residential units shall be occupied until the affordable housing units are constructed and available for occupation.
142. 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**

143. Preliminary Ecological Assessment (PEA) was submitted by RPS in support of the application.

144. In their response dated December 2025 NIEA (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 objection.

145. NED set out that the application site is hydrologically connected to Strangford Lough Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar and Strangford Lough (Parts 1 and 3) Area of Special Scientific Interest (ASSI) which are of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) and The Environment (Northern Ireland) Order 2002.

146. Shared Environmental Services (SES) had previously been consulted on the earlier applications, and it was not considered necessary to consult with them again as the proposal is still for residential development and the density of development is not significantly increased.

147. In their previous responses SES raised no objection and offered the following advice that is considered to still apply. In their response they stated that:

*Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site. HRA Stage 1 screening has concluded no viable pathway to any European Site and the proposal is eliminated from further assessment at HRA Stage 1.*

### **Watercourse**

148. NED in their most recent response stated that had assessed the outline Construction Environmental Management Plan (oCEMP), completed by RSK, dated October 2025. And that they noted that a five-metre working strip shall be maintained along the undesignated watercourse along the western boundary line. NED went on to say that:

*NED also note that silt fencing or similar will be used between construction works and watercourses which will act as a vertical, permeable, interceptor to any potential sediment runoff from the working site into the aquatic environment. NED welcome the mitigation measures detailed in paragraphs 6.19-6.23 to be implemented during the construction of the new proposed outfall into the Enler River. NED have included an appropriate condition below, that all mitigation measures in the CEMP are adhered to.*

### **Badgers**

149. In a previous response NED had requested clarification in relation to the use of piling on site and clarification from the ecologist regarding the area surveyed for badgers. In their recent response NED commented that:

*NED note from the submitted oCEMP that piled foundations will be required during construction of the residential dwellings due to historical infill at the site. As highlighted in the previous response noise and vibrations from*

*activities such as piling can cause disturbance to badgers. Badgers and their places of refuge are protected at all times under the terms of the Wildlife (Northern Ireland) Order 1985 (as amended).*

*A suitable buffer should be implemented between the badger setts located both within and nearby the site and any piling activities. NED note the oCEMP details that mini-bottom-driven piling will be utilised within 100m of any badger sett. It has also been proposed that any sett within 25m of site works shall be temporarily closed under licence for the duration of construction works. NED are content that 25m is a sufficient buffer between badger setts and all locations of mini-piling.*

*The temporary closure of one sett, the sett denoted within the Badger survey report as sett B1, is required to facilitate development works.*

150. NED have included a condition that a wildlife licence is obtained from NIEA for the closure of this sett. NED advise that the wildlife licence may be subject to further conditions.

### **Otters**

151. In a previous response NED had also highlighted that if piling was proposed, an extended otter survey would also be required. NED have stated that the watercourses adjacent to the site were surveyed up to 150m from the site boundaries. In their response NED stated that:

*No evidence of otter holt or resting spot was recorded by the ecologist. NED are therefore content the proposal is unlikely to have a significant impact to otter.*

*The ecologist did record evidence of commuting and foraging otter in close proximity to the site. NED welcome the mitigation measures outlined in section 6 of the oCEMP regarding the protection of otters during construction.*

### **Newts**

152. In their consultation response dated February 2025 NED stated that:

*Newts are protected at all times under the terms of the Wildlife (Northern Ireland) Order 1985 (as amended). NED note from figure 3 that there are three bodies of standing water on site. Section 4.3.5 of the PEA states "It is likely that these pools are ephemeral in nature and likely to be subject to significant drying during the summer months." NED are content that the proposal is unlikely to have a significant impact to newts.*

### **Birds.**

153. NED have highlighted that boundary trees and hedgerows contain suitable habitat for nesting birds. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. NED thus advises that any removal of trees and hedgerow on site

should be undertaken outside the bird breeding season which occurs from 1st March to 31st August, or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.

### **Lighting**

154. In their previous response NED requested a lighting plan showing the light spill in lux and the use of wildlife friendly lighting with less than 1 Lux of light spill directed towards the watercourse corridor to the northeast of the site. In their most recent response NED stated that:

*NED are content that Outdoor lighting report, dated 16/10/25 shows the light spill at the site boundary with the Enler River to be 1 lux and under.*

155. NED have included a condition that the lighting plan is adhered to.

156. In summary NED concluded that based on the submitted information, that they had no objection to the proposal.

157. Based on a review of the detail submitted with the application and the advice received from NED, it is accepted that appropriate mitigation and/or compensatory measures have been proposed to outweigh the impact on priority habitats and priority species consistent with policies NH2 and NH5 of the Plan Strategy.

### **Access and Transport**

158. The P1 Form indicates that the proposal involves the construction of a new access to the public road for both vehicular and pedestrian use.

159. The proposed road layout is broadly in line with that approved under the previous approval LA05/2017/1153/F Once the whole scheme is built out the site will avail of two access points onto the Millmount Road and Comber Road.

160. Detailed roads information was submitted with the original application including a Transport Assessment, Road Safety Audit and Travel Plan. Given that this application is for a change of house type only it is not considered necessary to submit that level of information again with this submission.

161. Detail submitted with the application demonstrates that the proposed development will link with existing pedestrian infrastructure in the area and tactile paving, dropped kerbs Road will be provided to assist pedestrians manoeuvring around the site.

162. The policy tests associated with TRA1 is capable of being met.

163. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the creation of the new access (previously approved under LA05/2017/1153/F) 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.

164. The proposal is also considered to comply with policy TRA3 of the Plan Strategy in that the detail demonstrates that access onto the Comber Road has previously been accepted in principle and also complies with policy TRA2.
165. 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.
166. The detail associated with the application indicates that some of the dwellings will have garages and all will have in curtilage car parking. Communal Parking is provided for the apartments.
167. The proposal continues to provide for connectivity to active travel networks and as such, policy tests associated with TRA8 continue to be met.
168. Advice received from DfI Roads confirms that they have no objection subject to the endorsement of PSD drawings. Based on a review of the detail and advice from DfI roads, it is accepted having regard to the nature and scale of the proposed development, that the proposal complies

### **Planning and Flood Risk**

169. As previously stated above all drainage issues were dealt with through the previous application LA05/2017/1153/F and the site still has a valid Schedule 6 from DfI Rivers which runs until May 2026.
170. However, for completeness the applicant has submitted an amended Drainage Assessment (DA) for this portion of the site.
171. The DA concludes that the NI Flood maps indicate no fluvial or coastal flood plain within the proposed site and that there is marginal pluvial flooding estimated in lower lying areas. It further states that there is no recorded historical flooding and it is not estimated to be in the inundation zone of a reservoir.
172. The statement confirms It is proposed to limit discharge to equivalent greenfield rate of 10 l/s/ha. The site drainage has been designed to serve the wider development area, with attenuation and flow control provided as part of an overall drainage masterplan.
173. DfI Rivers have also confirmed that sections of proposed culverting have approval from Rivers Directorate Area Office under Schedule 6 of the Drainage Order 1973, dated 22nd May 2024. They also state that that the sections of culverting proposed are to provide access to the site.
174. The proposed development will therefore utilise a portion of the overall discharge rate. This is achieved through use of a flow control device and

attenuation in the form of oversized infrastructure providing 1290m<sup>3</sup> of storage volume. Consent has been secured to discharge to the adjacent watercourse and details of the schedule 6 are contained at Appendix E of the Drainage Assessment.

175. Water Management Unit has also considered the impacts of the proposal on the surface water environment and in a response received 5 February 2025 they stated that If are content that the WWTW and associated sewer network for this development can take the additional load, with no adverse effect on the WWTW and sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.
176. NI Water in a response received on 21 October 2025 confirmed that there was available capacity at the Wastewater Treatment Works and that there was a public foul sewer within 20 metres of the proposed development boundary which can adequately service these proposals.
177. 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 FLD 2, 3 and 4 of the Plan Strategy.
178. Policies FLD1 and FLD 5 are not applicable to the site.

#### **Contaminated Land/Human Health**

179. An updated Generic Quantitative Risk Assessment (GQRA) has been provided by RSK Ireland Ltd dated August 2024 in support of this planning application. The GQRA is informed by site investigations and environmental monitoring data from previous rounds of investigations in 2020 and updated one in 2022.
180. A Remediation strategy dated October 2024 is also submitted in support of the application.
181. The PRA & GQRA are undertaken to identify potential contamination sources on the site and to assist the client in identifying potential environmental liabilities that may be present which will have consequences for the future commercial development of the site.
182. The report describes the ground conditions in relation to Geology, Ground Gas, and Radon, Hydrology in relation to aquifer characteristics and groundwater vulnerability and Groundwater abstractions and Hydrology in terms of surface watercourses and flooding.
183. A summary of potential contaminant sources is provided for in table 4 in relation to on-site and off-site sources. Sensitive receptors and plausible pathways where potential contamination could come into contact with receptors are outlined at paragraphs 4.2 and 4.3 of the report.
184. Section 8 makes reference to the findings of the risk assessment that was undertaken.

185. With regard to Human Health considerations, exceedance for several PAH compounds were returned within proposed soft landscaping areas. Asbestos was also identified in several soil samples.
186. Section 8.2 makes reference to Ground Gas and recommends gas protection measures within all proposed buildings.
187. Section 8.3 makes reference to Controlled Waters and confirms that the PRA identified potential risks to shallow groundwater and the controlled water receptors associated with potentially reduced quality made ground. It was concluded that the site does not pose an unacceptable risk to controlled water receptors.
188. By way of remediation, the following measures were highlighted by the application in the Remediation Strategy:
  - *A physical barrier in the form of a capping layer to the proposed gardens and landscaped areas due to localised reduced quality shallow soil identified in the soil samples across the site.*
  - *Works in relation to capping must be supervised by an appropriately qualified person to ensure capping layer is installed with appropriate material and works verified.*
  - *Gas protection measures should be incorporated into the proposed development buildings and should comprise two or more of the following three types*
    - *structural barrier of the floor slab*
    - *ventilation measures*
    - *gas resistant membrane*
189. Advice received from the Regulation Unit dated April 2025 confirms that they have no objection to the proposal subject to conditions aimed at ensuring the protection of environmental receptors.
190. Advice is also received from the Councils Environmental Health Unit in relation to gas protection measures and soil capping layer that has been proposed. EHO have commented that a clean cover system is to be installed to form an encapsulation layer above the contaminated soils.
191. The clean cover system shall be installed in the gardens, soft landscaped areas and communal areas as detailed in the Remediation Strategy. A minimum capping system of 700mm shall be provided within private gardens, soft landscaped areas and communal areas to include 500mm of subsoil and 200mm of clean material.
192. In relation to contamination and in receipt of the reports mentioned above and also commented upon by Regulation Unit, Environmental Health were content subject to the mitigation proposals highlighted above.

## Consideration of Representations

193. One letter of objection was received in opposition to the proposed development. Below is a brief summary in relation to the points raised.

### Construction Traffic /General Construction Mess

194. Concern is expressed in relation to the presence of lorries and other site traffic during the construction phase of the development that would increase noise and pollution levels along with a general mess.

195. It is not uncommon for a development site to generate noise until the development is completed. These are considered to be normal impacts in relation to the development of land the issue raised is given little weight in the assessment of this application. That said it does not remove the obligation of the developers and their contractors to be considerate neighbours and to not cause nuisance for the duration of the works.

## Conclusions

196. For the reasons outlined above, it is accepted that the proposal complies with the local development plan designation including the operational policies associated with HOU1, HOU3, HOU4, HOU5, HOU10, TRA1, TRA2, TRA7, TRA8, NH2, NH5 and FLD2, FLD3 and FLD4 for the reasons set out in the report.

197. This recommendation is subject to a Section 76 planning agreement and the affordable housing requirement should be phased to be delivered in tandem with the occupation of housing within the overall development.

## Conditions

198. The following conditions are recommended:

- 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**

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

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

- All hard and soft landscape works shall be carried out in accordance with Drawing 23-061 L101 published to the Planning Portal on 16 October 2025 and the approved details. The works shall be carried out no later than the first available planting season after occupation of that phase of the development.

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

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

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

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

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

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

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

- No retained tree as identified on Drawing 23-061 L101 published to the Planning Portal on 16 October 2025 shall be cut down, uprooted or destroyed or have its roots damaged nor shall arboriculture work or tree surgery take place on any retained tree without the written consent of the Council. Any retained tree that is removed, uprooted or destroyed shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

- Full details of the children's play areas identified on 23-061 L101 and published to the Planning Portal on 16 October 2025 shall be submitted to and agreed in writing with the Council within 3 months of the date of the

commencement of the works. The play park area shall be fully implemented and operational prior to the occupation of the 50 dwelling.

**Reason:** To ensure the sustainability and maintenance of the play equipment in the designated areas.

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

**Reason –** In order to safeguard against surface water flood risk.

- Prior to occupation of the proposed dwellings (Units 116-122), glazing capable of providing a sound reduction index of at least 33 dB RW, or 29 dB RW + Ctr, shall be installed to all habitable rooms as detailed in the Noise Impact Assessment dated October 2025. **Reason:** To achieve internal noise level in line with BS8233.
- Prior to occupation of proposed dwellings (Units 39-41, 69-73, 99-100, 113-122), passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction of at least 33 dB RW, or 29 dB RW + Ctr, when in the open position (with respect to noise transmission from the exterior to the interior of the building), shall be installed. Mechanical ventilators shall not have an inherent sound pressure level (measured at 1 metre) in excess of 30dB(A), whilst providing a flow rate of at least 15 litres per second. All installed mechanical ventilators shall meet the requirements contained within, "The Building Control Technical Booklet K – Ventilation 1998".

**Reason:** To achieve internal noise level in line with BS8233.

- The development shall not be occupied until the remediation measures as described in the Remediation Strategy dated August 2024 have been implemented to the satisfaction of the Council. The Council must be given 2 weeks written notification prior to the commencement of remediation work.

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

- A clean cover system shall be installed to form an encapsulation layer above the contaminated soils. The clean cover system shall be installed in the gardens, soft landscaped areas and communal areas as detailed in the Remediation Strategy dated August 2024. A minimum capping system of 700mm shall be provided within private gardens, soft landscaped areas and communal areas to include 500mm of subsoil and 200mm of clean material.

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

- Prior to occupancy of the development a validation report containing full details of the selected cover system, the sampling methodology and results must be submitted to the Council. The clean cover system shall be validated in accordance with Liverpool City Council Guidance – Verification Requirements for the remediation of Contaminated Land Cover Systems. Installation of the clean cover system must be overseen and validated by a suitably qualified environmental consultant.

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

- The development shall not be occupied until the preferred ground gas protection measures in line with Wilson and Card Classification – Characteristic Situation 2 classification, as detailed in the Remediation Strategy dated August 2024, have been implemented.

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

- Prior to occupancy of the development a validation report containing full details of the selected gas protection system must be submitted to the Council. Verification of the gas protection measures shall be carried out by a suitably qualified person.

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

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

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

- In the event that previously unknown contamination is discovered, falling outside the scope of the remediation scheme, development on the site shall cease. The Council shall be advised and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination – CLR11) that details the nature of the risks and any necessary mitigation measures shall be submitted for approval by the Council.

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

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

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

- The development hereby approved shall be carried out in strict accordance with the Outline Construction Environmental Management Plan published to the Consultee Hub on 20 October 2025.

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

- The outline Construction Environmental Management Plan (oCEMP), completed by RSK, dated October 2025, shall be implemented in full in accordance with the approved details and all works shall conform to the approved oCEMP, unless otherwise approved in writing by the Planning Authority.

Reason: To protect the Enler River and downstream designated sites.

- No further development activity, including piling works, shall take place within 25m of badger setts until a wildlife licence has been obtained from NIEA for the temporary closure of the sett.

Reason: To protect badgers and their setts on the site.

- The Outdoor Lighting report, completed by Lighting Reality, dated 16/10/25 shall be implemented in full in accordance with the approved details and all works shall conform to the approved lighting plan, unless otherwise approved in writing by the Planning Authority.

Reason: To reduce the impact of artificial lighting to wildlife.

- The development hereby permitted shall not be occupied until the remediation measures as described in the RSK Ltd Remediation Strategy ref. 604895-R2 (02) dated August 2024 have been implemented to the satisfaction of the Council. The Council must be given 2 weeks written notification prior to the commencement of remediation work.

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

- If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at

<https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

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

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

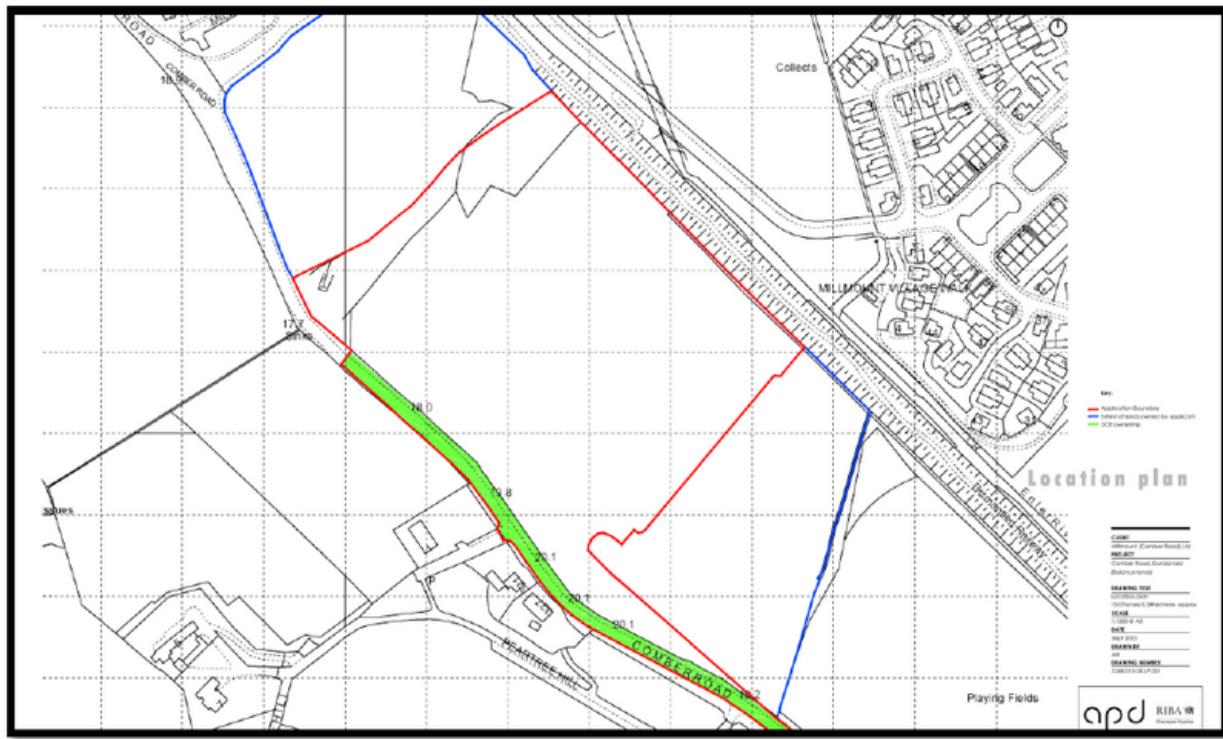
- After completing the remediation works under Conditions ....and ....; and prior to occupation of the development, a verification report needs to be submitted in Regulation Unit writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at

<https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

- The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

## Site Location Plan – LA05/2024/0618/F



## Lisburn & Castlereagh City Council

Committee	Planning Committee
Date of Committee Meeting	12 January 2026
Committee Interest	Major Application
Application Reference	LA05/2023/0281/F
Date of Application	31 March 2023
District Electoral Area	Downshire West
Proposal Description	Public Realm improvement works comprised of upgrades to the street scape to include new high-quality surfacing, rationalisation of parking with defined parking/loading bays introduced; upgraded street furniture and new cycle stands, lighting, street tree planting and enhanced civic spaces at The Square and Lower Main Street. on lands within Royal Hillsborough village centre.
Location	Lisburn Street, Ballynahinch Street extending through Main Street, The Square to Dromore Road, Park Street and Park Lane Royal Hillsborough
Representations	Sixty-one
Case Officer	Peter McFadden
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 2.5 hectares exceeds the one-hectare threshold.
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 02 Improving Health and Well-being, Strategic Policy 03 Creating and Enhancing Shared Space and Quality Places, Strategic Policy 06 Protecting and Enhancing the Environment, Strategic Policy 18 Protecting and Enhancing the Historic Environment and Strategic Policy 20 Transportation Infrastructure of Part 1 of the Plan Strategy.

3. It also complies with all relevant operational policies of the Plan Strategy as set out below.
4. The proposed complies with policy of TRA1 the Plan Strategy in that it is demonstrates that the Public Relam is designed to create and maintain an accessible development.
5. The advice of DfI Roads has been taken account of as the statutory road authority and it is further considered that the development complies with policy TRA2 in that the works proposed do not prejudice road safety or significantly inconvenience the flow of traffic. All works to the public roads and footways are designed to be safe for both pedestrian and road users and consideration has be given to the nature and scale of the public realm improvements, character of Royal Hillsborough as a place, the contribution of the proposal to the creation of a quality environment in a conservation area, together with understanding the impact that the changes to the public road and footpath network will have on the speed and volume of traffic.
6. Having regard to the advice of the Department for Communities the scheme also complies with policies HE1, HE2, HE3 and HE4 of the Plan Strategy in that the proposal will not harm the buried archaeology in the areas where the public realm works are proposed.
7. Any potential impacts on listed buildings within the project area which are of special architectural and historic interest and protected by Section 80 of the Planning Act (NI) 2011 have been fully considered. No works are required to buildings abutting the public realm that require listed building consent. Having regard to the advice of DfC the public realm works are in accordance with policy HE9.
8. Conservation Officer welcomes this sympathetic Public Realm Improvement scheme complementing the existing built fabric and natural surroundings.
9. The enhancement to the character and appearance of the Royal Hillsborough Conservation Area is in accordance with the requirements of policy HE10.
10. As the proposed works involve the dressing of surfaces that potentially affect surface water drainage the proposal are considered against the requirements and are in accordance with policies FLD3 and FLD5.

#### Description of Site and Surroundings

##### Site

11. Within the 2.55-hectare site the proposed works consist of environmental improvements to the public realm of Hillsborough including footpaths, roads and hard surfaced public open spaces in the following parts of Royal Hillsborough.
12. At Lisburn Street the works are proposed to commence approximately adjacent to Hillsborough Presbyterian Church and 60 Lisburn Street extending southwards to the junction with Ballynahinch Street and Main Street.
13. At Ballynahinch Street the works are proposed to commence just passed the entrance to Downshire Primary School and Hillsborough Village centre extending back to the junction with Lisburn Street and Main Street.
14. The proposed works include all of Main Street, the public car park the public areas around the Cenotaph and Dr Boyd Park, the Courthouse and Square, Dromore Road up to the junction with Park Street, Park Street up to the entrance of the Forest Park and Park Lane.

### **Surroundings**

15. The site lies entirely within the settlement of Royal Hillsborough and most of the proposed works are also inside the Conservation Area. A mixture of existing residential, retail and other business, leisure and community uses access directly on the public footpath and road network within the project area albeit no works are proposed to any of the buildings adjacent to the public realm as part of the project.

### **Proposed Development**

The proposed application is for: Public Realm improvement works comprise of upgrades to the street scape to include new high-quality surfacing, rationalisation of parking with defined parking/loading bays introduced; upgraded street furniture and new cycle stands, lighting, street tree planting and enhanced civic spaces at The Square and Lower Main Street. on lands within Royal Hillsborough village centre.

16. The application was supported by 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:
  - Design and Access Statement
  - Set of Drawings covering all aspects of the proposal
  - Tree Survey
  - Community Consultation Report
  - Road Safety audit
  - Outdoor Lighting Report

17. 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

18. Due to the size of the site and scale and nature of the proposed development there is an extensive planning history for the neighbouring buildings. Having reviewed the planning history none of the applications impacted directly on the public realm works and are not included for this reason.

19. For completeness the pre-application notice received in advance of the planning application is referenced below:

LA05/2022/1007/PAN	Hillsborough Village; from Lisburn Street extending through Main Street Ballynahinch Street and Dromore Road. This includes Park Street and Park Lane.	Environmental Improvement works throughout Hillsborough Village Centre comprising footpath resurfacing, street lighting upgrade and tree and shrub planting, with the rationalisation of on-street village centre car parking
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### Consultations

20. The following consultations were carried out, and further consultations occurred during the processing of the application as required.

Consultee	Response
DFI Roads	No objection
Rivers	No objection
Historic Environment Division	No objection
Environmental Health	No objection
NI Water Strategic	No objection
Conservation officer LCCC	No objection

## Representations

21. Sixty-one representations are received in relation to the proposal. Of those fifty-four are recorded as objections, four are representations in support of the proposal and three are general comments.
22. The following issues of general concern are raised:
  - Parking provision
  - A roads lead agenda to the overall project
  - Crossing points in wrong location and again roads lead
  - Materials (loss of setts)
  - Roads calming measures not included
  - Lack of statutory consultation
  - Policy issues
  - Lack of detail
  - Specific issues at the courthouse
  - Specific issues on Park Lane, Park Street

## Pre- Application Community Consultation

23. The application was accompanied with a Pre-Application Community Consultation Report (PACC).
24. A leaflet and PAN letter were sent out to elected representatives and local MLAs to provide background information in respect of the proposal on 25<sup>th</sup> November 2022. This included details regarding the dedicated website and information on how to respond/provide comments.
25. A Public Information Notice was placed in Belfast Telegraph on 30<sup>th</sup> November /2022.
26. In anticipation of the planning submission and to comply with legislation requirements, a pre-planning consultation process took place within Hillsborough Village Centre running from the 1<sup>st</sup> of December to the 16<sup>th</sup> December 2022 with consultation boards on display with two manned drop-in events on Thursday 1<sup>st</sup> and Thursday 8<sup>th</sup> December 2022 at the same location.
27. A dedicated website was also available to receive comments. The website contained the same information as that at the village centre. This was available from 1<sup>st</sup> December 2022 to 23rd February 2023.
28. The report indicates that public interest in the proposal was high with 235 responses.

29. The issues are covered in the PACC submitted. The agent's comments and responses to the representations and these were taken account of in the design of the public realm scheme are included in the PACC report.

## Local Development Plan

### Local Development Plan Context

30. 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.
31. 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."*

32. 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.
33. The LAP indicates that the proposed site is located within the settlement limit of Royal Hillsborough.
34. Within the last revision to draft BMAP the site remains in the settlement of Royal Hillsborough. Most of the site is also with the Conservation Area. The only area outside is a small section of Ballynahinch Street adjacent to Downshire primary school.

35. In respect of the proposed public realm works 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."*

36. Strategic Policy 02 Improving Health and Well-being states that:

*"The Plan will support development proposals that contribute positively to the provision of quality open space; age-friendly environments; quality design; enhanced connectivity (physical and digital); integration between land use and transport; and green and blue infrastructure. Noise and air quality should also be taken into account when designing schemes, recognising their impact on health and well-being."*

37. Strategic Policy 03 Creating and Enhancing Shared Space and Quality Places states:

*"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 support more balanced communities must offer a variety of house types, sizes and tenures to meet different needs. Creating shared neighbourhoods should provide opportunities for communities to access local employment, shopping, leisure, education and community facilities."*

38. Strategic Policy 05 Good Design and Positive Place states:

*"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."*

39. Strategic Policy 06 Protecting and Enhancing the Environment states that:

*"The Plan will support development proposals that respect the historic and natural environment and biodiversity. Proposals must aim to conserve, protect and where possible enhance the environment, acknowledging the rich variety of*

*assets and associated historic and natural heritage designations. Proposals should respect the careful management, maintenance and enhancement of ecosystem services which form an integral part of sustainable development.”*

40. 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.”*

41. Strategic Policy 20 Transportation Infrastructure states that:

*“The Plan will support development proposals that:*

- a) *provide or improve an integrated transport network servicing the needs of our community and future growth*
- b) *deliver sustainable patterns of development, including safe and accessible environments*
- c) *encourage a modal shift from private car dependency through integration of transport and land use*
- d) *facilitate Park & Ride, active travel (public transport, cycling and walking) and strategic greenways to move towards more sustainable modes of travel both within the Council area and linking to wider regional networks.”*

42. In respect of the detailed design including the treatments of surfaces, alterations to kerbs and/or road lines and the hard and soft landscaping the following operational policies in Part 2 of the Plan Strategy also apply.

## **Historic Environment and Archaeology**

43. DfC Historic Environment Division (Historic Monuments) notes that this scheme is within the Area of Archaeological Potential for Hillsborough and works are proposed are to take place near Hillsborough Courthouse (DOW 014:048) and Hillsborough Fort (DOW 014:012), both of which are Scheduled Historic Monuments of Regional Importance, scheduled for protection under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995.

44. 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 (ASAI). 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."*

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

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

46. Policy HE3 - Archaeological Assessment and Evaluation states:

*"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."*

47. Policy HE4 - Archaeological Mitigation states:

*"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."*

48. DfC Historic Environment Division (Listed Buildings) note a significant number of listed buildings which are of special architectural and historic interest and protected by Section 80 of the Planning Act (NI) 2011 and in proximity to the proposed scheme as follows:

- HB19/05/001 A St. Malachy's Parish Church of Ireland Main Street Grade A
- HB19/05/005 War Memorial Main Street Grade B2
- HB19/05/006 2 Main Street Grade B2
- HB19/05/007 4-6 Main Street Grade B2

- HB19/05/008 A-B 12-14 Main Street Grade B1
- HB19/05/009 16 Main Street Grade B2
- HB19/05/010 18 Main Street Grade B1
- HB19/05/013 A-B 28-30 Main Street Grade B1
- HB19/05/014 32 Main Street Grade B1
- HB19/05/015 Marquis of Downshire Monument Main Street Grade B1
- HB19/05/016 5 Main Street Grade B1
- HB19/05/017 7 Main Street Grade B1
- HB19/05/018 9 Main Street Grade B1
- HB19/05/019 11 Main Street Grade B1
- HB19/05/020 13 Main Street Grade B2
- HB19/05/023 21-23 Main Street Grade B2
- HB19/05/025 A-B 27-29 Main Street Grade B2
- HB19/05/026 Milestone 33 Main Street Grade B1
- HB19/05/027 31 Main Street Grade B2
- HB19/05/028 33 Main Street Grade B2
- HB19/05/029 Hill House 35 Main Street Grade B+
- HB19/05/031 A 1 The Square Grade B2
- HB19/05/036 6 The Square Grade B2
- HB19/05/037 7 The Square Grade B2
- HB19/05/038 A-B 8-9 The Square Grade B+
- HB19/05/039 A-B 11-12 The Square Grade B1
- HB19/05/039 C 13 The Square Grade B1
- HB19/05/045 A 16A/16B Ballynahinch Street Grade B2
- HB19/05/045 B Blessington House 18 Ballynahinch Street Grade B+
- HB19/05/045 C Northern Bank 20 Ballynahinch Street Grade B1
- HB19/05/046 Harty House 25 Ballynahinch Street Grade B2
- HB19/05/050 1 Arthur Street Grade B2
- HB19/05/050 K 4 Arthur Street Grade B1
- HB19/05/060 Masonic Hall 33 Lisburn Street Grade B2
- HB19/05/064 A-D 1-4 Inns Court, Park Lane Grade B2
- HB19/05/071 Roden House 1 Park Street Grade B1
- HB19/05/072 Friends' Meeting House Grade B+
- HB19/05/082- 4-6 Lisburn Street, Grade B1
- HB19/05/149 A The Shambles Grade B1
- HB19/05/149 B 1 Park Lane Grade B2
- HB19/05/156 21 Lisburn Street, Grade B2

49. Policy HE9 - Development affecting the Setting of a Listed Building states

*"Proposals which would adversely affect the setting of a listed building will not be permitted.*

*Development proposals will normally only be considered appropriate where all the following criteria are met:*

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

*The Council will consult DfC on proposals for development which by its character or location may have an adverse effect on the setting of listed buildings. Such proposals will require very careful consideration even if the development would only replace a building which is neither itself listed nor immediately adjacent to a listed building. Development proposals some distance from the site of a listed building can sometimes have an adverse effect on its setting e.g. where it would affect views of an historic skyline. Certain proposals, because of the nature of their use, can adversely affect the character of the setting of a listed building or group of buildings through noise, nuisance and general disturbance.*

*The setting of a listed building is often an essential part of a building's significant character. Therefore the design of the new buildings to stand alongside heritage assets is particularly critical. The extent to which proposals will be required to comply with the criteria will be influenced by a variety of factors: the character and quality of the listed building; the proximity of the proposal to it; the character and quality of the setting and the extent to which the proposed development and the listed building will be experienced in juxtaposition; and how the setting of the heritage asset is understood, seen experienced and enjoyed and the impact of the proposal on it.*

*The design of new buildings planned to stand alongside historic buildings is particularly critical. Such buildings must be designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment and use appropriate materials.*

*Where it is considered that a development proposal may affect the setting of a listed building the Council through consultation with DfC will normally require the submission of detailed and contextual drawings which illustrate the relationship between the proposal and the listed building."*

50. The majority of the proposed public realm works are inside the Royal Hillsborough Conservation Area. Policy HE10 - New Development in a Conservation Area or Area of Townscape Character/Area of Village Character states:

*"The Council will require new development within a Conservation Area to:*

- enhance the character and appearance of the area where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise.

*The Council will require new development within an ATC/AVC to:*

- maintain or enhance the overall character of the area.

*In addition to the above criteria, the Council will permit development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a Conservation Area or ATC/AVC where all the following criteria are met:*

- a) the development is in sympathy with the characteristic-built form of the area
- b) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area
- c) the development does not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the particular character of the area
- d) important views within, into and out of the area are protected
- e) trees, archaeological or other landscape features contributing to the character or appearance of the area are protected
- f) the development conforms with guidance set out in Supplementary Planning Guidance, Part E.”

51. The Justification and Amplification further states:

*“Conservation Areas are merited statutory designation by the Council based on their historic built form or layout as ‘areas of special architectural or historic interest within its district the character or appearance of which it is desirable to preserve or enhance’.*

*General Criteria General issues to be taken into account in assessing development proposals in a conservation area or ATC/AVC include:*

- the appropriateness of the overall massing of the development
- its scale and size
- its relationship with its surrounding context e.g. respecting historic layout, street patterns, land form and adjoining architectural style
- the use of materials generally matching those which are historically dominant in the area
- the need for the development not to have a visually disruptive impact on the existing townscape
- the development should not adversely affect the character of a conservation area through noise, nuisance and general disturbance”

## **Access and Transport**

52. Works are proposed to existing carriageways and footways. 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.*

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

53. 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.”*

## Flooding

54. An extensive area of hard surfacing is being altered by the proposed public realm works. 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.”*

## **Regional Policy and Guidance**

### **Regional Policy**

55. The SPPS was published in September 2015 with edition 2 published on 11<sup>th</sup> December 2025. That being 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.”*

56. 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.
57. It states that:

*“This means 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.”*

58. Paragraph 3.8 of the SPPS states:

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

59. Paragraph 6.2 of the SPPS states that:

*"The Regional Development Strategy 2035 (RDS) sets out regional guidance to "Conserve, protect and where possible, enhance our built heritage and our natural environment". It recognises that Northern Ireland has a rich and diverse archaeological and built heritage which contributes to our sense of place and history. It also regards built heritage as a key marketing, tourism and recreational asset that, if managed in a sustainable way, can make a valuable contribution to the environment, economy and society."*

60. Paragraph 6.3 of the SPPS states that:

*"the planning system has a key role in the stewardship of our archaeological and built heritage. The aim of the SPPS in relation to archaeology and built heritage is to manage change in positive ways so as to safeguard that which society regards as significant whilst facilitating development that will contribute to the ongoing preservation, conservation and enhancement of these assets."*

61. Para 6.11 of the SPPS states that:

*"Where a planning authority is minded to grant planning permission for development which will affect sites known or likely to contain archaeological remains, it should ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development. Where appropriate, this may involve the preservation of remains in situ, or a licensed excavation, recording examination and archiving of the archaeology by way of planning conditions."*

62. Para 6.12 of the SPPS states that:

*"Listed buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses."*

63. In relation to conservation areas the SPPS states at para 6.18 and 6.19:

*"In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated conservation areas, new development in proximity needs to be carefully managed so as to ensure it*

*respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.*

*In the interests of preserving or enhancing the character or appearance of a Conservation Area, development proposals should:*

- *be sympathetic to the characteristic built form of the area;*
- *respect the characteristics of adjoining buildings in the area by way of its scale, form, materials and detailing;*
- *not result in environmental problems such as noise, nuisance or disturbance;*
- *protect important views within, into and out of the area;*
- *protect trees and other landscape features contributing to the character or appearance of the area;*
- *conform with the guidance set out in any published Conservation Area design guides; and*
- *only consider the demolition of an unlisted building where the planning authority deems that the building makes no material contribution to the character or appearance of the area and subject to appropriate arrangements for the redevelopment of the site.”*

64. 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.”*

65. 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.”*

66. Para 6.303 of the SPPS states that.

*“The RDS and New Approach to Regional Transportation consider better integration between transport and land use as fundamental to progress in implementing the above regional guidelines. The aim of the SPPS with regard to transportation is to secure improved integration with land-use planning, consistent with the aforementioned documents; and to facilitate safe and efficient access, movement and parking.”*

### **Retained Regional Guidance**

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

## Development Control Advice Note 15 – Vehicular Access Standards

68. 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**

69. Strategic Policy 01 states that the Plan will support development proposals that will protect and enhance the historic and natural environment.

70. No alterations are proposed to key feature of the historic environment as part of the public realm works. The individual elements will make the public realm more accessible, and the new surfaces will protect and enhance the quality of spaces within the existing village with the aim of enhancing Royal Hillsborough as a place for existing residents and visitors and future generations to enjoy.

71. Strategic Policy 02 states that proposals should improve the health and well-being by *“positively contributing to the provision of quality open space that is an age-friendly environment; and a quality design that enhances connectivity and integration between land use and transport.”*

72. This proposal contributes positively to the upgrading and enhancing the quality of existing open space and adding features that make the place more accessible and an age friendly environment as well as using appropriate materials which result in a quality design.

73. Strategic Policy 03 states that proposals should create and enhance shared space and quality Places which are accessible to all and enhance opportunities for shared communities.

74. This proposal results in the upgrading of the public realm which is designed to be accessible to all and enhances opportunities for communities to share these spaces and places through better connectivity.

75. Strategic Policy 06 states that proposals will protecting and enhance the Environment by respecting 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.

76. For the reasons detailed later in the report it is considered that the scheme has been designed to respect the historic built features and natural heritage assets of Royal Hillsborough and to enhance the overall quality of the place through the use of appropriate materials and finishes and the introduction of additional landscaping.
77. Strategic Policy 18 states that a proposal should protect and enhance the historic environment including any buried archaeological remains.
78. The public realm proposals do provide for the retention and upgrading of public spaces providing opportunities for people to relax, take their time enjoying the built surroundings and stay longer which supports economic and social sustainability for the reasons set out later in the report.
79. Criteria b) of Strategic Policy 20 Transportation Infrastructure states that proposals will deliver sustainable patterns of development, including safe and accessible environments.
80. Again, this proposal does create safe and accessible environments as required by criteria b). The reasons for this are set out later in the report.

### **Access and Transport**

81. Works are proposed to existing carriageways and footways.
82. This proposal includes numerous proposals under each of the criteria.
83. Multiple improvements are proposed throughout the entire village to facilitate the improvement listed in criteria a) to d).
84. There are dropped kerbs at the new crossing points and are also provided at the disabled parking spaces. There is tactile paving included at the crossing points. The footways have been widened where possible with new defined kerbs. This demarcates the pedestrian zones from vehicular spaces. The specific areas around the war memorial and courthouse square are now also designed to be more user friendly again using different materials and finishes. With the footways widened and resurfaced the footways now become safe and more convenient for all users.
85. Pedestrians have been prioritised with areas also for lingering using benches at several locations including the play park square, adjacent to the war memorial and at the square. Also, there are cycling stations again at the square and at the play park. There are also then dedicated disabled parking bays and the parking throughout the village has been redesigned for more convenient use.
86. Having regard to the advice of DfI Road as the statutory authority for roads and in respect the comments in the preceding paragraphs the officer is satisfied that

all of the criteria in policy TRA1 and that an accessible environment is created by the proposed public realm works.

87. Policy TRA2 states that 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 it will not prejudice road safety or significantly inconvenience the flow of vehicles.
88. Whilst this proposal does not involve the construction of a new access it does involve work to the public road network to reduce any potential conflict between road and pedestrian users. This involves proposed improvements to footways and junctions.
89. Detailed drawings have been submitted for the junction of Lisburn Street, Ballynahinch Street and Main Street, Main Street and Dromore Road and Park Lane and Park Street. Advice has been sought from DfI Roads, and they have no objection to the changes on the grounds of road safety of traffic progression. Officers have no reason to disagree with this advice and from the associated safety audits it is advised that the potential for conflict between road and pedestrian users will be reduced and road safety enhanced.
90. A passing bay has also been provided on Park Land which is 13 metres in length and is positioned adjacent to the entrance to the tennis facility. This will improve traffic flow at this point leading to and from the forest car park. At the junction of Park Lane and Park Street and at the square roads signage states motor vehicles prohibited & no vehicles except for access 'no vehicles except residents and service vehicles'. This will make Park Lane accessible to residents only.
91. A footway is maintained along one side of Park Lane and continues in to Park Street. Tactile paving is at proposed all crossing points with Caithness paving on the footways.
92. The parking in the Square is marked out by granite and there are also parking spaces placed adjacent to the footway and carriageway in the square. New rising bollards are proposed to control vehicular movements to the rear of the courthouse.
93. New crossing points have been designed with pedestrian safety as the priority. The pedestrian crossing in Main Street is located at this position to allow the most appropriate crossing point but also ensure the appropriate sight lines are in place to allow pedestrians to be seen by vehicular traffic.
94. For the same reasons set out in the preceding paragraphs in developing the public realm proposals consideration has be given to the nature and scale of the public realm improvements, character of Royal Hillsborough as a place, the contribution of the proposal to the creation of a quality environment in a conservation area, together with understanding the impact that the changes to

the public road and footpath network will have on the speed and volume of traffic.

95. Having examined the detail of the submitted plans and taken into account the advice of DfI Road officers are satisfied that the proposal is compliant with all the requirements of policy TRA2 of the Plan Strategy.

### Historic Environment and Archaeology

96. As previously stated HED (Historic Monuments) note that this scheme is within the Area of Archaeological Potential for Hillsborough and works are proposed are to take place near Hillsborough Courthouse (DOW 014:048) and Hillsborough Fort (DOW 014:012), both of which are Scheduled Historic Monuments of Regional Importance, scheduled for protection under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995.
97. In line with policy presumption in HE1 to operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings HED (Ancient Monuments) has been consulted and in their final response it states that

*Although no works are proposed within the Scheduled Area, HED (Historic Monuments) must advise that any unauthorised works taking place inside the scheduled area of the monument may constitute an offence under the Historic Monuments and Archaeological Objects (NI) Order 1995. The scheduled area must not be used for the storage or dumping of materials and must not be disturbed during site works. The applicant/developer/contractor undertaking the works must be familiar with the location and extent of the scheduled area of the scheduled monument to ensure no inadvertent breaches of the scheduled area take place which may constitute an offence under the 1995 Order.*

98. Having regard to the advice officers are satisfied that the impact on the scheduled area is considered and that the requirements of policy HE1 is met.
99. In light of the fact that there are no works in the Scheduled Area and the requirements of HE1 are met officers are also satisfied that the requirements of policy HE2 are met.
100. In respect of policy HE3 HED (Ancient Monuments) state as the location of the monuments are known that no further archaeological assessment is required. Officers however agree that on a precautionary basis that should encroachment occur that this is protected by a suitable planning condition requiring the works to stop in the area until an assessment is carried out. Subject to this condition officers are satisfied that the requirements of policy HE3 can be met.
101. In this case officers have reviewed all the information and responses received and if members are minded to grant planning permission for the public realm

works then the advice of HED (Ancient Monuments) should be followed in that any approval for this scheme should be conditional on archaeological mitigation being carried ahead of site works. Officers have no reason to disagree with this advice and the requirements of policy HE4 are capable of being met.

102. In respect of the impact of the proposed works on the settings of the listed buildings referred to earlier in the report it should be noted that HED (Historic Buildings) have been considered and the following comments are noted as follows:

*"Historic Environment Division, (Historic Buildings) has considered the impact of the proposal on the listed assets and on the basis of the revised and additional information provided, advises that:*

- *We are content with the proposal.*

*These comments are made in relation to the Strategic Planning Policy Statement for Northern Ireland (SPPS) paragraph 6.12 and of Lisburn and Castlereagh Local Development Plan 2023 Policies HE9 (Development affecting the Setting of a Listed Building)"*

They further state:

*"We are content with the revised materials proposed for the planters at the courthouse and the tactile pavements for road crossings. We consider these materials sympathetic to the setting of the listed buildings listed below."*

103. They also provide a full list of the listed buildings which have been considered in their response. Based on a review of the drawings, the fact that no works are proposed to the listed buildings that require listed building and consent and the advice received from HED (Historic Buildings) officers are satisfied that the requirements of policy HE9 are met for the following reasons.

104. As there are no buildings or structures as part of the overall proposal that impact on the setting of any listed building and the quality of the materials used are of a high quality then the proposal respects the character of the setting of the previously referenced listed buildings and the requirements of policy HE9 are met particular in the areas highlighted in the following paragraphs.

105. One of the most important areas to consider are any works in the vicinity of the courthouse. HED (Historic Buildings) requested additional information specifically relating to this area and the applicant provided additional clarification in respect of the materials used as follows:

*The proposed surfacing: this will be Caithness Paving slabs which are to be used throughout the project area.*

*For the parking bays and vehicular access throughout the entire project area mixed colour granite setts are proposed. These are Split tumbled and sawn on the exposed surface to create a more even surface. As referenced and illustrated DAS (Design and Access Statement) p38-39*

*Proposed Kerbs are to be granite as referenced and illustrated DAS p38-39  
The proposed steps as illustrated on section p41 of the DAS remain as granite proposed to match the existing steps of the courthouse. A note has been added to the DAS p41 to reinforce this.*

106. The council have assessed the proposed alterations at his specific location and confirm the amended notes in the DAS and are content these materials now better respect the character of the listed building.
107. A further concern raised by HED (Historic Buildings) was in relation to the raised stone planters and highlighted a preference for the coping and cladding stone on the raised planters to match either the sandstone or granite of the existing courthouse façade, in lieu of whinstone.
108. The council noted the differing preferences. The issue is not one strictly of preference as HED are content with Granite but for the client one of durability. From that point the officers are content that the use of granite is still a quality material respecting the setting of the building. As a minor point the litter bin and a wooden bench were removed from the front of the courthouse as these pieces of street furniture were not considered visually appropriate at these specific locations.
109. A further issue was highlighted around the three crossing locations and the signage proposed on the detailed plans.
110. Images sent to HED displayed an example of a controlled crossing using Caithness paving and Granite kerb. A further image highlighted two granite types (in response to requirement) which could be used to distinguish between controlled and uncontrolled crossings. The use of tactile paving was also highlighted.
111. In the submission the applicant highlighted that it is a central aspiration of the project is to ensure that the proposed street furniture and road signage will remain as sympathetic to the historic setting of the village as possible. In this regard it is proposed that the associated infrastructure would be painted or furnished in a similar nature to the proposed lighting columns.
112. In summary the arrangement of the controlled crossings proposed, a single pole (with associated signal and push button control) on the footway either side of the carriageway as well as tactile paving detailed and arranged to satisfy guidance.
113. The uncontrolled crossings only have two bands of Buff tactiles along the width of the crossing. There are no other associated materials proposed. The exact location / arrangement and detail is to be agreed with DFI Roads after the planning process is concluded and at the detailed design stage.
114. Having regard to the advice offered by HED (Historic Buildings) officers are satisfied that the materials at the said locations are considered appropriate for

the use and the location of the crossings does not adversely affect any listed buildings.

115. In their submission the applicant states that the materials proposed have been selected for their robust long-life qualities, ideal for an urban setting while at the same time taking reference to the sensitivities of the heritage setting.
116. There is always a balance to be sought in using the very best materials for any project and selecting the material which will best stand up to the use they will encounter. Therefore, the selected materials be they Caithness paving, granite, tarmac or the coloured tactile surfaces are considered by officers to be in line with the policy requirements that being a quality of the materials that respects the character of the setting of the listed buildings.
117. At the bottom of Main Street are three important public spaces at the War Memorial, Dr Boyd Park and the entrance to St Malachys Church.
118. Taking each in turn. At Dr Boyd Park the Marquis of Downshire statue, Metasequoia, Dr Boyd Memorial Stone are to be retained in situ. The Memorial Seat is being relocated along the boundary beside a proposed matching stone seat. The area is to be repaved, with the access steps widened additional setting provided, new cycle stands adjacent to the park additional landscaping.
119. Two trees will be removed to facilitate the works. The existing bus shelter and phone box are to be retained in their current locations. All of these works maintain and enhance the area around the existing statue and stone.
120. The area on the other side of the road in front of St Malachys Church is linked with tactile paving on the footway edges and on the existing splitter island. A low section of wall is removed adjacent to the entrance road to the car park this is twofold to ease pedestrian movement but also it is considered a visual improvement opening (visually) the area. New seats are proposed and there is new paving. The entrance road to the church is denoted by granite surfacing.
121. The existing War Memorial is also retained in situ along with the existing cobbled surfacing adjacent to the St Malachy's boundary railings. The Ornamental Railings are also retained. New landscaping and seating are again provided.
122. In respect of the impact of the proposed works of the setting of the Royal Hillsborough Conservation Area.
123. Hillsborough is described as an elegant small town predominantly formed in the early 18th century by the Hill family (subsequently the Marquesses of Downshire), who encouraged linen making and development of a planned Georgian town, with a formal Square and significant public buildings such as the Castle, Fort and Court/ Market House. Hillsborough has been described as one of the most interesting small towns in Ireland and owes much to its position

between the open park lands and lakes about Hillsborough Castle on the West and about Hillsborough Fort on the East.' Conservation area guide.

124. The Conservation Area, designated in 1976, encompasses Main Street, branching off to Lisburn Street/ Ballynahinch Street to the north and Dromore Road to the south, includes within it The Courthouse as well as Hillsborough Castle and Gardens both of which are under the management of Historic Royal Palaces (HRP).
125. Hillsborough is distinctive and special due to a combination of the historical and physical characteristics of its built fabric, spaces and landscape features. The application has to be considered both in relation to Hillsborough Conservation Area guide and the more recently published Heritage Asset Audit Hillsborough Area, Living Places and Creating Places policy guides.
126. The conservation officer has been consulted and that advice is appended to the report.
127. In the Conservation Officer's response it recognise that a simple and consistent design approach has been taken with use of high quality traditional materials for street furniture across the identified area to include: ornamental gazebo (painted forged steel), bollards/ litter bins, (painted cast iron), cycle stands (Sheffield style painted metal), railings (painted forged metal) and street lighting (decorative metal column with top hung copper lantern) etc. It is considered that this is appropriate in the setting and criteria compliant. This comment is agreed with and the materials used most welcome to reflect the areas conservation status.
128. While conservation again note the preferred use of Whinstone for the planters at the Courthouse this matter has been resolved in consultation HED (Historic Buildings) who have agreed to the use of sandstone and granite. Officers having regard to the immediate impact on the setting of the listed building advise that on balance will not fundamentally impact negatively on the conservation area and are appropriate in the context of policy HE10.
129. In respect of each of the criteria of policy HE10. Criterion a) is met as the development is in sympathy with the characteristic-built form of the area.
130. As previously noted, the intention from the outset as stated in the DAS was that the public realm project should deliver a range of benefits for the village, which include;
  1. Providing an appropriate, distinctive setting for the village, recognising the significance of the conservation area status
  2. Strengthening the visual and physical linkages, including connections to the Fort, lake and forest park.
131. Assurance is provided that the overall scheme satisfies criteria a) by an assessment of all the other criteria.

132. Criterion b) is met as the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area. While this has been considered under policy HE9 consideration of the conservation area must also be taken into account.
133. Paragraph 3.7 Landscape Design of the Hillsborough Conservation Area guidance booklet (June 1976) recognises that '*hard paving can be regarded as an extension of buildings and should be chosen to match the surroundings. Good, cobbled paving relates buildings to the surroundings and to each other and should be retained and should be extended where possible*'.
134. It is agreed that the proposed use of Caithness paving stones, Granite and exposed aggregate to provide a surface of natural stone will complement existing surface materials and colour. The proposed plans indicate a mix of new and reclaimed materials again this is welcomed. Existing features to be retained are identified on the proposed plans and again this is welcomed to maintain the sense of place. Where cobbles and granite kerbs are retained this is once again welcomed, and the new materials reflect what has been previously used within the conservation area.
135. Criterion c) is met as the development does not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the character of the area. The Council Environmental Health Unit have been consulted offering no objection but noting permitted construction hours as this is a residential environment.
136. Criterion d) is met as important views within, into and out of the area are protected Conservation area content that the proposal is high quality and that the Hillsborough Conservation Area will be both preserved and enhanced with use of appropriate materials and finishes and in doing so protect views within, into and out of the conservation area. There is no built form apart from the proposed street furniture which presents minimal visual intrusion. The materials are of high quality and are consistent across the village.
137. Existing trees within Hillsborough Conservation Area enhance the setting of the settlements existing historic built form. This is an important consideration in relation to both listed and unlisted buildings and in terms of the wider setting of the Conservation Area, with consideration to be given to views both into and out of the area.
138. Criterion e) is met as trees, archaeology, or other landscape features contributing to the character or appearance of the area are protected. No indication is made that any works to any trees are proposed however there is work proposed adjacent to some trees and if approval is granted then a condition would be placed on that to ensure the protection of any trees during the period of the proposed works. An updated Arboricultural Method Statement is submitted to demonstrate that proposed operations can be undertaken with minimal risk of adverse impact to trees.

## Flooding

139. Dfl Rivers confirmed that a drainage assessment is not required but the developer should still be advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere. They specifically comment that:

*"If the proposal is to discharge into a watercourse, then an application should be made to the local Dfl Rivers office for consent to discharge storm water under Schedule 6 of the Drainage (NI) Order 1973. If it is proposed to discharge storm water into an NI Water system, then a Pre-Development Enquiry should be made and if a simple solution cannot be identified then a Network Capacity Check should be carried out."*

140. NI Water have been consulted and have no issues noting there is a public surface water sewer within 20m of the proposed development boundary which can adequately service these proposals. An application to NI Water is required to obtain approval to connect. Connections will be restricted to Greenfield Runoff rate of 10 litres/second/hectare.

141. A drainage package of drawings has been submitted and demonstrate that the any new proposed drainage works will connect to the existing system. No additional hard surfacing is being proposed so there will be no significant increase in runoff into the existing system. These are minor works in that regard.

142. Based on a review of the submitted documents and having considered the advice of Dfl Rivers officers are satisfied that policy FLD3 has been met.

143. There is a public surface water sewer within 20 metres of the proposed development boundary which can adequately service these proposals. An application to NI Water is required to obtain approval to connect. Connections will be restricted to Greenfield Runoff rate of 10 litres/second/hectare.

144. Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 the applicant must submit to Dfl Rivers, for its consent for any proposal to carry out works which might affect a watercourse such as culverting, bridging, diversion, building adjacent to, breaking down/damaging of embankments or discharge of storm water etc. Failure to obtain such consent prior to carrying out such proposals is an offence under the aforementioned Order which may lead to prosecution or statutory action as provided for.

## Consideration of Representations

145. The following points of objection have been raised and are considered below:

In support of:

Retention of trees at memorial park  
Widening of footways  
Seating  
Pedestrian crossings  
Bus stops  
General welcome

In term of residential parking:

This is not existing and is not proposed. Parking is retained and marked out.

Parking on footways: This can only be controlled by enforcement of traffic regulations; beyond the scope of this application.

Poor quality of footway on Lisburn Street:

This is proposed to be upgraded and improved.

Issue of drawings viewable:

Corrected and full suite of drawings are viewable on the public portal.

HED not consulted: DFC (HED) (HMD) and conservation officer have all been consulted during the processing of this application.

16 identical letters with quotation from SPPS in relation to conservation area and what is to be considered:

This is fully dealt with in the body of the report and reference in the regional policy section and the criteria considered under the appropriate operational policies.

Lack of information:

All information has been uploaded, and all statutory consultees have responded with no objections.

Specific issues around Park Street share surface and Park Lane:

At junction is signage motor vehicles prohibited & no vehicles except for access 'no vehicles except residents and service vehicles. This sign is replicated at the junction with the square. Making Park Lane residents only.

Vehicle activated speed sign on Dromore Road:

This is outside the application site, and any sign would be a matter for DfI Roads.

Traffic impacts:

All roads drawings have been reviewed by DfI roads and they have no objections. Several alterations have been made, and these are to directly address road safety concerns.

Access to medical centre if works are approved:  
They welcome the works and access to any buildings will be the responsibility of provider/developer.

Request for auto track drawings to prove all movements at specific junctions are possible and safe:  
These have been provided and reviewed by DfI Roads.

Retention of square sets:  
These have been removed due to maintain issues and also the risk of slips on the surface.

Parking:  
Parking has been amended around the courthouse to enhance its setting but also for road safety reasons. To ensure public safety and the smooth flow of traffic in the vicinity of the square.

Traffic calming and removal of HGVs:  
This is a matter for DfI Roads and beyond the scope of this application. All roads' drawings have been reviewed by roads service, and they have no objections.

## Conclusions

146. For the reasons outlined above, it is accepted the proposal complies with policies TRA1 and 2, HE1, 2, 3, 4, 9 and 10, FLD 3 of the Plan Strategy. All other planning and environmental considerations are also met for the reasons set out in the report.

## Recommendations

147. 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

- 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 the 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 2.
  - 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 2.

These measures shall be implemented, and a final archaeological report shall be submitted to the Lisburn & Castlereagh City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the 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

**Site Location Plan – LA05/2023/0281/F**

**Lisburn & Castlereagh City Council**

Council/Committee	Planning Committee
Date of Committee Meeting	12 January 2026
Committee Interest	Local (Exceptions Apply)
Application Reference	LA05/2023/0316/F
District Electoral Area	Castlereagh East
Proposal Description	Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works
Location	Lands to the west of 16-22, 30 and 32 Millmount Village Crescent and lands 40 metres to the south nos.11-22 Millmount Village Way
Representations	None
Case Officer	Catherine Gray
Recommendation	<b>Approval</b>

**Summary of Recommendation**

1. This is a local application. It is presented to the Committee for determination in accordance with the 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 policies NH1, NH2 and NH5 of the Plan Strategy in that the development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
6. The proposal 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. The proposal complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the creation of two new accesses will not prejudice road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
8. The proposal complies 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 proposal complies with policies HE2, HE4 and HE9 of the Plan Strategy subject to the 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. Furthermore, it is demonstrated that the proposal will not adversely affect the setting of a listed building Millmount House which is located within the site but excluded as part of this proposal.
10. The proposed development complies with policies FLD 1, 2 3 of the Plan Strategy as it is demonstrated that adequate drainage can be provided within the site to service the proposal without causing or exacerbating flooding elsewhere.
11. The proposal complies with policy RE2 as the new dwellings are to be constructed in accordance with current building control standards and DfC design standards which encourages sustainable design and energy efficiency.

### Description of Site and Surroundings

#### Site Context

12. The 1.87 application site is located in Dundonald to the south of Millmount Road and northeast of the Comber Road and occupies land which is partially cleared for development and is currently used as a builder's compound for the storage of construction materials.

### Surrounding Context

The land to the north, south and east of the site is residential in character and comprised of recently constructed dwellings that are part of the Millmount Village development. To the southwest the land has been cleared for further residential development.

### **Proposed Development**

13. This is a full application for the erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works.
14. The following documents are submitted in support of the application:
  - Design and Access Statement
  - Outline Construction Environmental Management Plan (OCEMP)
  - Northern Ireland Biodiversity Checklist and Preliminary Ecological Appraisal
  - Bat Survey
  - Drainage Assessment
  - Drainage Assessment Addendum
  - Drainage Assessment Addendum 2
  - Flood Risk Assessment
  - Landscape Management Plan
  - Tree Survey and Report

### **Relevant Planning History**

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

Reference Number	Proposal	Decision
LA05/2022/1005/F	Erection of 19 dwellings (revision to layout and house types previously approved under Y/2009/0303/RM), landscaping and all other associated site works (Amended plans) at Lands approx. 44m west of 32 Millmount Village Crescent, BT16 1YT and 9m west of 9 Millmount Road, BT16 1UY	Permission Granted 28/11/2024

LA05/2018/0512/F	Erection of 49 apartments and 244 dwellings, realignment of Spine Road granted approval under Y/2009/0303/RM, access arrangements, signalisation of Newtownards Road / Old Mill Meadows and Comber Road / Millmount Road junctions car parking, landscaping and associated site works (293 residential units in total).	Permission Granted 25/03/2020
Y/2009/0303/RM	Reserved matters for a residential development of 483 dwellings comprising detached and semi-detached, townhouses and apartments including distributor road, cycle/footpaths, access, landscaping and associated site works (reduction in residential unit numbers).	Permission Granted 05/07/2017
Y/1996/0407	Residential Development	Permission Granted September 2002

### Consultations

16. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection in principle
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

Consultee	Response
DfC Historic Environment Division: Historic Monuments	No objection
DfC Historic Environment Division: Historic Buildings	No objection

## Representations

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

## Environmental Impact Assessment (EIA)

18. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment.
19. The site area is 1.87 hectares and exceeds the thresholds set out in Section 10(b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2017.
20. An EIA determination was carried out, and it was concluded that given the scale and nature of the proposal 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

21. 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

22. 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.*

23. In accordance with the transitional arrangements the existing BUAP and the Plan Strategy are the local development plan. Draft BMAP remain material considerations.
24. The BUAP identified the application site as being located outside the settlement limit of Metropolitan Castlereagh.
25. In draft BMAP the site is located within the settlement limit of Metropolitan Castlereagh and zoned for housing under designation MCH 03/12 as a large part of the zoning has been already developed through a series of previous planning applications.
26. This proposal is for new residential development on land within a settlement. 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.*

27. 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.*

28. 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.*

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

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

30. 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.*

31. 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.

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

### **Housing in Settlements**

33. As this application is for new 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).*

34. 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.*

35. 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.*

36. 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.*

37. It also states that:

Accessible Accommodation

*Design standards are encouraged to meet the varying needs of occupiers and be easily capable of accommodating adaptions. 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.*

- 38. This proposal is for 23 dwellings on a site that measures 1.87 hectares (albeit a large part of this is existing on a new road).
- 39. The site is more than one-hectare. 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.

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*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.*

40. 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.*

41. 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.*

42. 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**

43. Given this is a large site the potential impact on the natural environment is considered. Policy NH1 European and Ramsar Sites – International states:

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

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

b) a listed or proposed Ramsar Site.

*Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, the Council, through consultation with the Department of Agriculture, Environment and Rural Affairs (DAERA), is required by law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site, can the Council agree to the development and impose appropriate mitigation measures in the form of planning conditions.*

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

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

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

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

44. 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.*

45. 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**

46. The application proposes the use of an existing access from the Millmount 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 accompanying development proposals.*

47. 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.*

48. The justification and amplification states that:

*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.*

49. In curtilage and visitor parking is proposed. 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 streetcar 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.*

### **Historic Environment and Archaeology**

50. Although subject to a previous application process and acknowledging part of the site is cleared and used for the storage of building materials the application site remains within a consultation zone of archaeological sites and monuments and also in close proximity to Millmount House a listed building which as previously stated is within the site but excluded as part f this proposal. The nearest proposed dwelling is 24 metres from the Listed Building
51. Policy HE2 The Preservation of Archaeological Remains of Local Importance and their Settings states:

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

52. Policy HE3 Archaeological Assessment and Evaluation states:

*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.*

53. Policy HE4 Archaeological Mitigation states:

*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.*

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

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

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

### **Flooding**

55. Given the size of the site and the amount of hardstanding proposed flooding and drainage are also considered.

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

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

57. 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**

58. The use of renewable energy is encouraged in new residential development in the Plan Strategy. Policy RE1 Renewable Energy Development states:

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

- a) *public safety, human health, or residential amenity*
- b) *visual amenity and landscape character*
- c) *biodiversity or the natural or historic environment*
- d) *local natural resources, such as air quality or water quality or quantity*
- e) *public access to the countryside. Proposals will be expected to be located at, or as close as possible to, the resources needed for that particular technology, unless it can be demonstrated that the benefits of the scheme outweigh the need for transportation of raw materials.*

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

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

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

### **Wind Energy Development**

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

59. Policy RE2 Integrated Renewable Energy states:

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

Waste Management.

60. Policy WM 2 - Treatment of Waste Water states:

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

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

## Regional Policy and Guidance

### Regional Policy

61. The SPPS Edition 2 was published in September 2025. It is the most recent revision to 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.*

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

63. 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.*

64. Paragraph 3.6 of the SPPS Edition 2 states:

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

65. Paragraph 3.8 of the SPPS Edition 2 states:

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

66. Paragraph 6.232 of the SPPS Edition 2 states:

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

67. 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.*

68. There are no new implications for this proposal following the publication of the SPPS Edition 2, only paragraph 6.232 is added and the need for integrated renewable energy was previously taken account of in the preparation of policy within the LDP Plan Strategy. The requirements of policy RE2 are considered later in the report.

### **Retained Regional Guidance**

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

Creating Places

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70. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.
71. 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.
72. 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.*
73. 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

74. 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**Policy HOU 1 – New Residential Development

75. This application is for 23 residential units within the Settlement Development Limit of Metropolitan Castlereagh. Significant material weight is attached to the proposed housing zoning in draft BMAP for the reasons set out earlier in this report. 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

76. The application site is a portion of land within the wider Millmount housing development.
77. The surrounding developed land contains a mix of detached, semi-detached, terrace housing and apartment blocks. The dwellings are set in medium sized plots with in-curtilage parking and communal off-street parking. Areas of open space and two playparks are also provided as part of the wider development.
78. This proposal comprises 7 detached dwellings and 8 pairs of semi-detached dwellings (16 units).
79. The dwellings vary in size and design but are typical of a suburban residential setting.
80. The form and general arrangement of the buildings are characteristic of those built and currently under construction within Millmount Village.
81. The plot sizes and general layout proposed is consistent with and comparable with other built development in the general vicinity of the site.
82. Based on a review of the information provided, it is considered that the character of the area would not be significantly changed by the proposed residential development, and it is considered that the established residential character of the area would not be harmed by either the form or scale of development proposed.
83. The layout of the rooms in each of the units, the position of the windows and separation distance also ensure that there is no overlooking into the private amenity space of neighbouring properties.
84. The separations distances between the existing and proposed development are acceptable and would minimise any overlooking from existing properties.
85. The buildings are not dominant or overbearing and no loss of light would be caused.
86. Having regard to this detail and the relationship between the buildings in each plot and having considered the guidance recommended in the Creating Place document, criteria (a) of policy HOU3 is met.
87. With regard to criteria (b), the site is within a consultation zone surrounding archaeological sites and monuments. It is considered that provided archaeological mitigation is conditioned in any planning permission that the proposal would not have a negative impact on any archaeological interests.
88. The site is also adjacent to Millmount House which is a Grade B1 Listed Building. Following consultation with Historic Environment Division, it is considered that the proposal will have no adverse impact on the setting of the listed building due to the layout and design of the proposal and the separation distance to the nearest

proposed dwelling.

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89. There is a band of trees to the north of the site just outside the application boundary which are to be retained as part of the wider scheme. The proposed scheme does not cause any additional impact as the majority are to be retained as part of another planning permission and the two that were scheduled to be felled were to facilitate the entrance road into the site(which is also in accordance with planning permission LA05/2022/1005/F which overlaps slightly with the boundary of this application).
90. 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

91. A number of different house types proposed, and a description of these house types is outlined below.
92. Site numbers 572, 588 and 589 consist of house type SR3.6 which are three-bedroom two storey dwelling with a single storey rear projection sunroom and has a ridge height of 9.1m above the finished floor level.
93. Site numbers 573, 574, 575, 576, 582 and 583 consist of house type MV4 which are four-bedroom three storey semi-detached dwellings with a ridge height of 9.1m above the finished floor level.
94. Site numbers 577, 578, 584 and 585 consist of house type LAQ01 which are two-bedroom two storey semi-detached dwellings with a ridge height of 7.4m above the finished floor level.
95. Site number 581 consists of house type SR2.1 which is a three-bedroom two storey detached dwelling with a ridge height of 9.0m above the finished floor level.
96. Site numbers 579 and 580 consist of house type SR15.2 which are three-bedroom two storey semi-detached dwellings with a single storey rear sunroom projection. They have a ridge height of 8.7m above the finished floor level.
97. Site numbers 587 and 590 consist of house type A which are four-bedroom two storey detached dwellings with a single storey rear projection garden room with attached covered decking area to the rear. They have a ridge height of 8.1 above the finished floor level.
98. Site number 586 consists of house type B which is a four-bedroom two storey detached dwelling with single storey and two storey projection to the rear. It has a ridge height of 8.5m above the finished floor level.
99. Site numbers 591 and 592 consists of house type MV3(S2) which are three-bedroom two storey semi-detached dwellings with a single storey rear projection sunroom, and one has a single storey front porch. They have a ridge height of

8.4m above the finished floor level.

100. Site numbers 593 and 594 consists of house type MV3(S1) which are three-bedroom two storey semi-detached dwellings and one has a single storey rear projection sunroom and the other has a side single storey porch area. They have a ridge height of 8.1m above the finished floor level.
101. There are also two difference garage types proposed. There is garage type Ga.3h to site 588 and garage type Ga.3 to site 589. They are single storey garages designed to match the detail and finishes of the associated dwelling house.
102. 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 a mixture of hardwood and upvc with rainwater goods to be uPVC pipes and guttering. These are acceptable for the site and its location in the urban context.
103. 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.
104. 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.
105. Millmount House is located adjacent and east of the site and was excluded from the housing zoning. The proposed dwellings are set to the side and south and west of Millmount House with the closest dwelling having a separation distance of 24 metres from the listed building with the road between. This ensures that there is no adverse impact on the amenity of the listed building by reason of overlooking or overshadowing/loss of light. The development on the site does not conflict with surrounding land uses.
106. The proposed layout is consistent with the type 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.
107. Detail submitted with the application demonstrates that the provision of private amenity space varies from 27 square metres at the lower end, up to a maximum of 356 square metres. An average of 100.8 square metres is provided across the site which is far in excess of the guidance contained within Creating Places for a medium density housing development.
108. It can be seen from the above that seven of the sites offer a private rear amenity provision well in excess of the 70 square metres recommended in the guidance, with one plot having a particularly large area to the rear providing 356 square metres of amenity space.
109. The plots associated with the more affordable housing offer a slightly less amenity space however for these dwellings it is not significantly less than that recommended. When the overall site is viewed as a whole, it can be said that

there is a variety of garden sizes provided, giving greater choice for residents, which is outlined in the justification and amplification section of Policy HOU4.

110. The agent has also confirmed that the scheme will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily through a fabric first approach (for example reducing heating costs with good air tightness, thermal performance and reducing the effects of solar gain) and including renewable energy measures, such as solar panels. The specific energy efficient measures proposed in the scheme are outlined below.

#### Photovoltaic (PV) Panels

111. The development incorporates high-efficiency photovoltaic panels strategically positioned on rooftops to maximise solar energy capture. The panels are designed to integrate seamlessly with the architectural aesthetic of the buildings, using low-profile mounting systems to minimise visual prominence.
112. 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 optimized 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

113. The development employs advanced thermally efficient insulation materials and a high-performance building fabric, including high-quality wall, roofs, and floor insulation, as well as double- or triple-glazed windows. These elements are incorporated into the design to enhance thermal performance and reduce heat loss.
114. 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

115. High-efficiency condensing boilers are installed in each dwelling, designed to meet or exceed modern energy performance standards. These systems are compact and integrated within the building's utility spaces to maintain the aesthetic integrity of the development.
116. 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

117. The development is designed to achieve a high level of airtightness, meeting or exceeding the requirements of current building regulations. This is accomplished through meticulous construction techniques, including sealed joints, high-quality membranes, and airtight window and door installations.
118. 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

119. Low-energy LED light fittings are installed throughout each dwelling, both internally and externally, to reduce electricity consumption. These fittings are selected for their compatibility with the development's aesthetic and functional requirements.
120. 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

121. The drainage system is designed to meet Northern Ireland Water's consent requirements, incorporating sustainable drainage systems (SuDS) to manage surface water effectively and compensate for climate change impacts, such as increased rainfall and flood risk.
122. 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.
123. For the reasons outlined above, criteria (a), (e) and (f) of policy HOU 4 are met.
124. There is no requirement for the provision of local community or neighbourhood facility for this scale of development. A local neighbourhood facility has however been provided within the larger development at Coopers Mill and the site is accessible to shops and other neighbourhood facilities in Dundonald. Criteria (c) of policy HOU 4 is met.
125. 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 proposed. These are acceptable for this type of development in the urban context.

- 126. Landscaped areas are proposed as part of the overall development. The submitted landscape plan details the proposed landscaping to the area with the trees to be retained and to the boundaries and within the overall site. The proposed landscaping uses appropriate spaces of 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.
- 127. With regard to criteria (d) the proposal is for 23 units on a site measuring 1.87 hectares which is not considered to be overdevelopment, and in line with policy HOU 4.
- 128. The proposed development will provide a residential density not significantly lower 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. The average unit size exceeds space standards set out in supplementary planning guidance.
- 129. 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.
- 130. The careful delineation of plots with appropriate fencing and privacy walls will serve to deter crime and promote personal safety. Criteria (i) is met.
- 131. Permeable paving and sustainable drainage are proposed as part of the development in line with criteria (j) of the policy is met.
- 132. Provision is available for householder waste storage within the driveways of each dwelling, and its safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles.

#### Policy HOU 5 - Public Open Space in New Residential Development

- 133. 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.
- 134. There are three main areas of green open space are shown to be provided in the area, the area to the western side of the site, an area around Millmount House Listed Building and an area to the north of the site, as detailed in the maintained open space drawing.
- 135. The application provides for a change of house type for 23 dwellings that were previously approved as part of a wider housing development under Y/2009/0303/RM. Detail submitted with this application demonstrates that areas of open space were provided throughout the wider Millmount development. The site is also easily accessible to the Comber Greenway.
- 136. 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.

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**137. Policy HOU10 - Affordable Housing**

138. Policy HOU10 requires a 20% affordable housing provision. In the context of the proposed scheme, this equates to 5 units.
139. A draft Section 76 agreement has been submitted for the Councils consideration. It details that 5 units for affordable provision are to be provided within the proposed development at sites 577, 578, 584, 585 and 591. No more than 13 of the private dwellings will be constructed until the five affordable housing units are constructed and available for occupation
140. 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**

141. A Biodiversity Checklist and Preliminary Ecological Appraisal and Bat Survey carried out by RPS group has been submitted in support of the application. An outline Construction Environmental Management Plan has also been submitted.
142. The Ecological Survey was carried out in April 2022 and included an Extended Phase 1 Habitat Survey, an Ecological Badger Survey, Preliminary Roost Assessment of Trees and Preliminary Ecological Appraisal for Bats.
143. NED noted that the Ecological Survey was outside of the 1-year permissible date and requested further surveys. This is dealt with further in this section.
144. The Preliminary Appraisal submitted states that:

*The site of the proposal is not hydrologically directly connected to or located within 100m of any statutory designated sites of local or international importance. The nearest designated site is Dundonald Old railway SLNCI, located approximately 760m northwest of the proposed development boundary. The Enler River is located 54m west of the site boundary. The Enler River is Hydrologically connected to Strangford Lough SAC, SPA, ASSI and Ramsar Site, approximately 6.6km downstream. Pollution prevention measures as detailed in the Outline Construction Environmental Management Plan will be incorporated during the construction phase to prevent sediments and other pollutants entering watercourses. With the implementation of water pollution mitigation measures, there will be no effects to watercourses or downstream designated sites.*

145. With regards to habitats, it states that:

*The site is predominantly an operating construction site, with most of the land comprising of bare earth or gravel with occasional building material stockpiles. Typical common re-colonising plant species are scattered in areas of lower traffic and disturbance. A large earth heap is present in the centre of the site and a smaller heap to the south. These heaps have been partially re-*

*colonised by common agricultural and early colonising species, mainly including Yorkshire fog scattered gorse and broom saplings have also established in places.*

146. With regards to semi-improved neutral grassland, it states:

*An area of unmanaged semi-improved neutral grassland is present in the southwest of the site. Some patches occur in shallow, stoney soils. The species present include typical agricultural grasses.*

147. The Preliminary Ecological Appraisal states:

Preliminary Ecological Appraisal for Bats

*The proposed development site adjoins Millmount Village to the east and southwest. To the north and east by the Comber Greenway open space. These nearby areas may provide linkage for commuting or foraging bats; however, the site itself has been highly altered, with limited natural habitats available. The treelines, namely the large mature broadleaved treelines in the northeast which are largely being retained likely support a low number of foraging bats.*

*Given the presence of trees on the site, the site characteristic (active construction site), its connection to residential gardens and is partial connection to the wider countryside, it is considered that the site is of low foraging and commuting suitability.*

Preliminary Roost Assessment of Trees and Structures

*From ground level, a knothole type potential roost feature was identified on a mature beech tree which is located within the construction footprint of a proposed roadway. The feature is located approximately 4-5m on the eastern aspect. This tree will require felling to facilitate the development. To the immediate east, knothole PRFs were also identified on two horse chestnut trees. These features are considered to have moderate roosting suitability.*

Badger and Otter

*No evidence of badger or otter was recorded within 30m of the site boundary.*

148. Details of mitigation/recommendations include the removal of any vegetation including hedgerows and shrubs should take place outside the bird breeding season which extends between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive to ensure breeding birds are protected from harm.

149. The report also recommends that a Lighting Strategy for the proposed development should be designed in accordance with the Institution of Lighting Professionals (ILP2011) and Bats and Artificial Lighting in the UK (ILP 2018) and that artificial lighting will only be installed where and when necessary.

150. In line with NIEA Standing Advice and where badger activity is identified, all works should cease immediately, and further advice sought from NIEA Wildlife Team. This advice can be added as an informative,
151. As recommended in the PEA, a Bat Survey was carried out at three trees on the site and the findings submitted for consideration. The three trees have been classified as having moderate bat roost potential. Emergence and re-entry surveys were carried out.
152. The report details that bat activity was relatively low, with occasional brief bat passes and foraging and that for most of the duration of both surveys, bats were absent from the survey area. It also details that no bats were recorded emerging or entering and therefore there is no evidence to suggest that they are bat roosts. With the implementation of mitigation measures there will be no adverse impacts upon the local bat population.
153. The bat survey report recommends that prior to felling of tree, a survey must be carried out under NIEA licence between 15<sup>th</sup> March and 15<sup>th</sup> May or 15<sup>th</sup> August and 31<sup>st</sup> October inclusive, of any given year. If bats are found to be present, NIEA will be contacted for advice. It is also recommended that bat boxes will be erected on the trees which are to be retained on site to compensate for any loss.
154. The above documents were sent to NIEA Natural Environment Division (NED) for consultation. They initially responded noting that the survey assessment is outside the 1-year permissible submission date outlined in the NIEA Survey specifications. Taking a precautionary approach the applicant was asked for an updated bat survey.
155. The agent provided a statement outlining the reason why they felt additional surveys were not required. The statement details further information about the three trees in question, namely trees T1, T2 and T3. The statement concluded that Tree T1 is to be removed and the other two trees are to be retained and protected.
156. Furthermore, the statement outlines that the application boundary for this planning application overlaps with the application boundary for LA05/2022/1005/F. The subject trees are included in both planning application boundaries. LA05/2022/1005/F includes planning permission for the continuation of an internal road through the Millmount site, necessitating the removal of Tree T1.
157. This tree has been felled in accordance with planning permission LA05/2022/1005/F and tree protection measures have been installed to this part of the site to protect Trees T2 and T3 as required by condition 15 of the permission. This part of the site benefits from separate planning permission for the same works which has been implemented. Therefore, there is no need to necessitate further survey work relating to the trees in question.
158. NED have been re-consulted on the proposal and advise that they have 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.

159. Having regards 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 NH1, NH2 and NH5 of the Plan Strategy are met.

### **Access Movement and Parking**

160. The P1 Form indicates that the proposal involves the construction of a new access to the public road for both vehicular and pedestrian use.

161. Access to the site will be via Millmount Road which was approved under LA05/2018/0512/F and has been constructed.

162. The detail associated with the application indicates that all dwellings will have at least two in-curtilage car parking spaces.

163. 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.

164. It is also considered having regard to the advice of DfI Roads that the development complies with policy TRA2 of the Plan Strategy in that the detailed road layout plan submitted demonstrates that the site can be connected to the existing road network without prejudice to 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.

165. The proposal is also considered to comply with policy TRA7 of the Plan Strategy in that having reviewed the submitted plans 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.

### **Historic Environment and Archaeology**

#### Policy HE4 - Archaeological Mitigation.

166. Historic Environment Division (Historic Monuments) commented that the application site is in close proximity to a number of recorded archaeological sites and monuments and further archaeological remains have been revealed during phases of the present development, and this archaeological mitigation is still ongoing. Due to this heightened archaeological potential archaeological mitigation would be appropriate consistent with other phases of this development.

167. Historic Environment Division (Historic Monuments) advise that they are content that the proposal satisfies the policy requirements, subject to conditions for the

agreement and implementation of a developer-funded programme of archaeological works.

168. Based on the information submitted and taking on board the advice from HED it is considered that the proposal complies with Policy HE4.

#### Policy HE9 Development affecting the Setting of a Listed Building

169. The site is in close proximity to Millmount House (Grade B1) which is of special architectural and historic interest and is protected by Section 80 of the Planning Act (NI) 2011.
170. HED Historic Buildings commented that it has considered the impacts of the proposal on the building and based on the information provided, advises that it has no objection to the proposal.
171. Having regard to this advice and noting the closest dwelling is more than 24 metres from the listed building It is considered that policy HE9 is met, and the proposal will have no adverse impact on the setting of the listed building.

#### **Planning and Flood Risk**

172. 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 with via the mains.
173. There is an undesignated field drain that runs through a portion of the site. And outside the red line and west of the site is the Comber River with intervening land in between.
174. A Flood Risk Assessment and Drainage Assessment has been submitted in support of the application. The following issues are highlighted.
175. Rivers Agency Flood Maps indicate that the site is partially located within the floodplain. However, it is known that this mapping is out-dated given known changes to the route and structures along the local watercourses and changes to the terrain due to previous phases of development.
176. The proposal includes the abandonment of the undesignated tributary field drain within the site due to it serving no drainage function and where drainage is replaced by the proposed surface water sewer network serving the site and wider Millmount development. The Flood Model results derived from the proposed scenario model indicate that post-development flood levels are unchanged from the existing baseline scenario.
177. The summary of findings of the Flood Risk Assessment details that the DfI Rivers' flood model for the Millmount Stream and Comber River has been updated by the applicant and the updated flood model confirms that the site is unaffected by the 1% Annual Exceedance Probability and Climate Change floodplain.

178. The undesignated field drain that traverses the site is a tributary of the Comber River. Flood modelling confirms that there is no out of bank flooding from the drain due to backing up of the downstream Comber River flood plain. The applicant proposes to abandon this field drain within the site and advises that post-development flood modelling has confirmed that the abandonment will have no effect on flooding. Policy FLD1 is not engaged, and no land use restriction applies

179. In accordance with policy FLD 3 a Drainage Assessment was submitted. DfI Rivers Agency commented that:

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

*It should be brought to the attention of the applicant that the responsibility for justifying the Drainage Assessment and implementation of the proposed flood risk measures (as laid out in the assessment) rests with the developer and his/her professional advisors.*

*The Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event including an allowance for climate change and urban creep could be contained within the attenuation system, when discharging at existing field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption.*

*However, in order to ensure compliance with LDP 2032, Rivers Directorate requests that the Planning Authority includes a Condition as part of its planning permission if granted.*

180. It is advised that the condition offered in support of the above referenced comments states that prior to construction of the drainage network, a final drainage assessment should be submitted which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network in the event of a 1 in 100-year event including an allowance for climate change and urban creep. There is no reason to disagree with the advice that this condition should be included.

181. Turning to policy FLD4, the conditions on the ground and the detail in the Flood Risk Assessment demonstrates that the field drain is not functioning as a watercourse and has no drainage role and is redundant. Its abandonment will not give rise to the impacts that policy FLD4 seeks to control. DfI Rivers Agency have raised no objection to this and there is no reason to disagree with this advice in terms of consideration of the policy requirements.

182. Based on a review of the information and advice received from DfI Rivers, it is accepted that the proposal complies with policies FLD1, 2, 3 and 4 of the Plan Strategy.

## **Waste Management**

183. Information submitted with the application indicates that water connection, surface water and foul sewerage will be through the public mains.
184. NI Water was consulted and recommend approval. They have confirmed that there is available capacity at the Waste-Water Treatment Works and there is a public foul sewer within 20 metres of the proposed development boundary which can adequately service the proposal.
185. Based on the information submitted and taking on board the advice from NI Water, it is considered that the proposal will not adversely affect the water environment and complies with policy WM2.

### Recommendation

186. Based on the above consideration, the recommendation is to approve the application 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

187. 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.

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

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

- Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with FLD 3, 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 and 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 xxxx.

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 xxxx. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the 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

- No tree to be retained on the Soft Landscape Proposals Plan (drawing no. 25B published to the Planning Register on 12 February 2025) shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

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

- If any retained tree is removed, uprooted or destroyed or dies it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

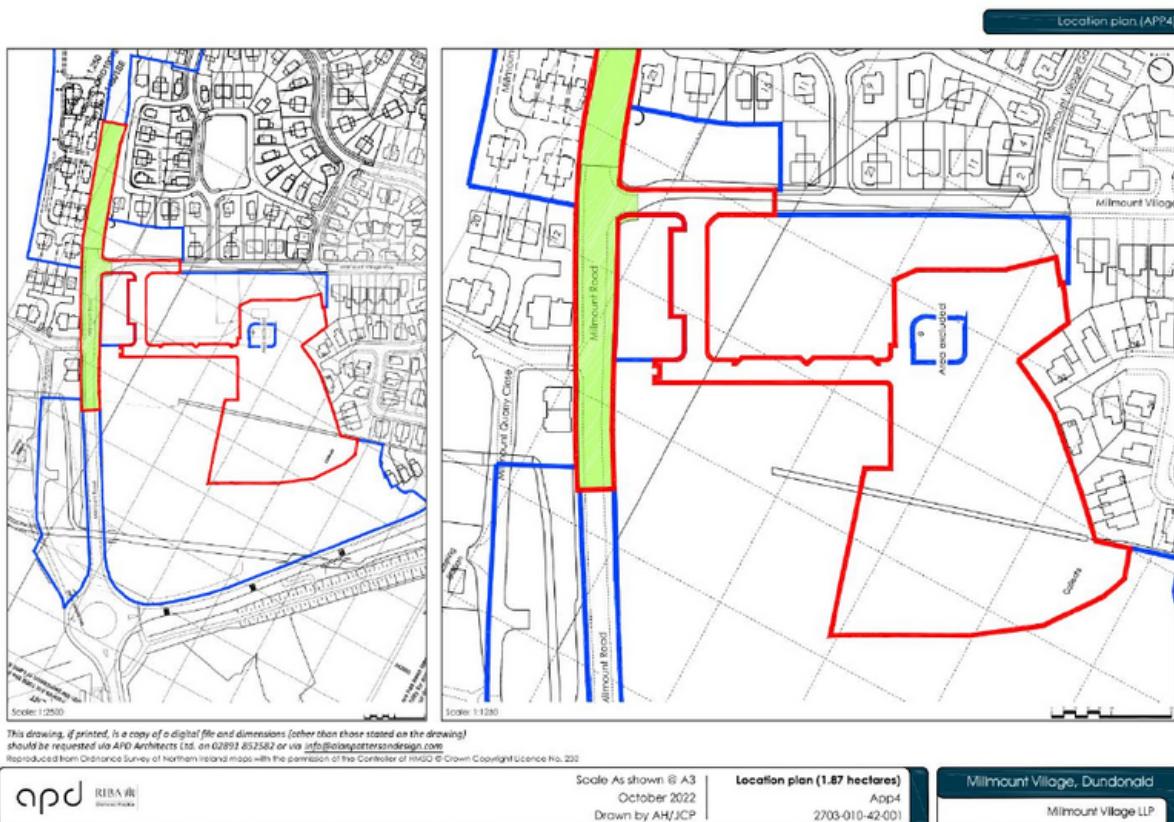
- All hard and soft landscape works shall be carried out in accordance with Drawing No. 25B published to the Planning Register on 12 February 2025 and the approved details. The works shall be carried out no later than the first available planting season after occupation of the first dwelling.

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

- 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 – LA05/2023/0316/F



## Lisburn &amp; Castlereagh City Council

Planning Committee Addendum Report	
Date of Meeting	12 January 2026
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

## Background

1. This application was first included on the Schedule of Applications for consideration by the Committee at a meeting on 02 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant had stated he was not aware had been previously requested from the agent.
3. This application was then presented to the Committee at a meeting on 06 January 2025 following receipt of additional farming information. Following the presentation by officers, Members agreed to defer consideration of the application for a second time to allow a site visit to take place.
4. This application was again presented to the Committee at a meeting on 03 February 2025 following the site visit which took place on 21 January 2025.
5. Following presentation of the application by officers, Members agreed to defer consideration of the application for a third time to allow further information to be submitted. Additional information was received on 18 May and 13 June 2025. Further consultation was carried out with NED and SES and the application was returned to committee for decision on 03 November 2025.
6. The following amended reasons for refusal were presented to the committee:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.

7. Following a presentation by the officer, in consideration of the representations received from the planning applicant and having sought clarification of several issues the Members were not minded to accept the advice that the application be refused.

8. Legal advice was sought in confidential business on the application of policies COU15 and 16 as to whether the agricultural building being retained clustered with existing buildings.
9. Following receipt of advice, it was agreed to defer the application for a fourth time in accordance with paragraph 66 of the latest revision to the Protocol for the Operation of the Planning Committee seek further, written legal advice and ensure that Planning Officers can provide additional reports.
10. Following the Planning Committee meeting on the 01 December 2025 it was brought to the attention of the members a second building on the land which was referred to as "a chicken house" and that it was stated that the proposed agricultural building clustered with this building and the existing dwelling and therefore meets the requirement of policy COU12 and criterion b) of policies COU 15 and 16 of the Plan Strategy.
11. Following further discussions Members agreed to defer consideration of the application for a fifth time to allow further information to be submitted and additional advice to be prepared.

#### Further Consideration

12. Following the meeting on the 01 December a Planning Officer inspected the site, and a subsequent letter was sent to the applicant on the 22 December 2025. This letter is attached at Appendix A.
13. The applicant responded via email on 02 January 2026, and this information is attached at Appendix B.
14. Having regard to the evidence available and in consideration of the comments provided in response to the issues raised in respect of the structure, officers can advise that a structure is visible in Ortho Maps on Spatial NI in February 2021, (see Appendix C) however it is not visible in Ortho's Maps dated July 2021 or August 2022 (see Appendix D)
15. It is the assessment of officers that the structure in place in February 2021 was removed to facilitate access to the new agricultural building which is subject to this application.
16. Although the map attached at Appendix D indicates that a new structure may have been erected in a different location around 2022, this is not the same structure and has therefore not been erected for more than five years and is not immune from enforcement. No contrary evidence in the form of a Certificate of Lawfulness is supplied in support of an argument that there is more than one building to cluster with.
17. It is also noted that the photographs submitted by the applicant at Appendix B, dated October 2021, July 2021, and May 2022, do not demonstrate that the

structure has been in situ for the required period of five years for the structure to be immune from enforcement.

18. For completeness it should also be noted that the structure referred to is outside the curtilage of the residential dwelling, it is unlawful and does not benefit from any permitted development rights.
19. The officer's advice from the previous reports that the building does not group with other buildings on the farm remains unchanged. No weight should be attached to a building that does not have planning permission and does not benefit from immunity from planning enforcement.

#### **Conclusion and Recommendation**

20. This addendum report should be read in conjunction with the previous reports and the balance of the officer's advice in respect of this development remains unchanged.

# APPENDIX A



Civic Headquarters  
Lagan Valley Island  
Lisburn BT27 4RL  
Tel: 028 9250 9250  
[www.lisburncastlereagh.gov.uk](http://www.lisburncastlereagh.gov.uk)



22 December 2025

Mr Neil Reid

112 Back Road

Drumbo

Lisburn

Dear Neil,

**Planning application LA05/2022/0831/F lands adjacent to 112 Back Road, Drumbo, Lisburn.**

I am writing to you following the Planning Committee meeting on the 01<sup>st</sup> December 2025. At the meeting you brought to the attention of the members a second building on your land which you referred to as "a chicken house" and that it was your opinion that the proposed agricultural building clustered with this building and your dwelling and therefore meet criteria b of COU 15 and COU 16 of the Plan Strategy.

For your information Section 250 of the Planning Act (Northern Ireland) 2011 states that:

*a building includes 'any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in the building.*

The Council have considered this building and would make the following observations:

- The building sits outside the curtilage of the dwelling.
- It is unlawful and does not benefit from any Permitted Development Legislation.
- There is no CLUED in place to confirm that the structure has been in place continuously for a period of 5 years and therefore immune from any enforcement action.
- The building is visible in Ortho's from Google Earth on 17/02/2021, and 13/10/2022 however it is not visible in ortho's dated 24/7/2021 and 12/08/2022 and therefore has not been in situ for a continuous period of five years.

- The site was visited on the 01<sup>st</sup> December and there was no evidence of chickens.
- The dwelling and garage as built are not in accordance with planning approval LA05/2017/0351/F and the approved domestic curtilage has been increased.

Attached are a series of Ortho's taken from Google Earth showing images as discussed above for your consideration.

I have instructed that an enforcement case is opened on the unauthorised structure.

I can advise that the application will be placed on the schedule of applications to be determined by the planning committee on the 12<sup>th</sup> January 2026 and the Councils recommendation has not changed. You may wish to reflect on the content of this letter and prepare accordingly for the meeting.

Yours sincerely

Patrick Savage

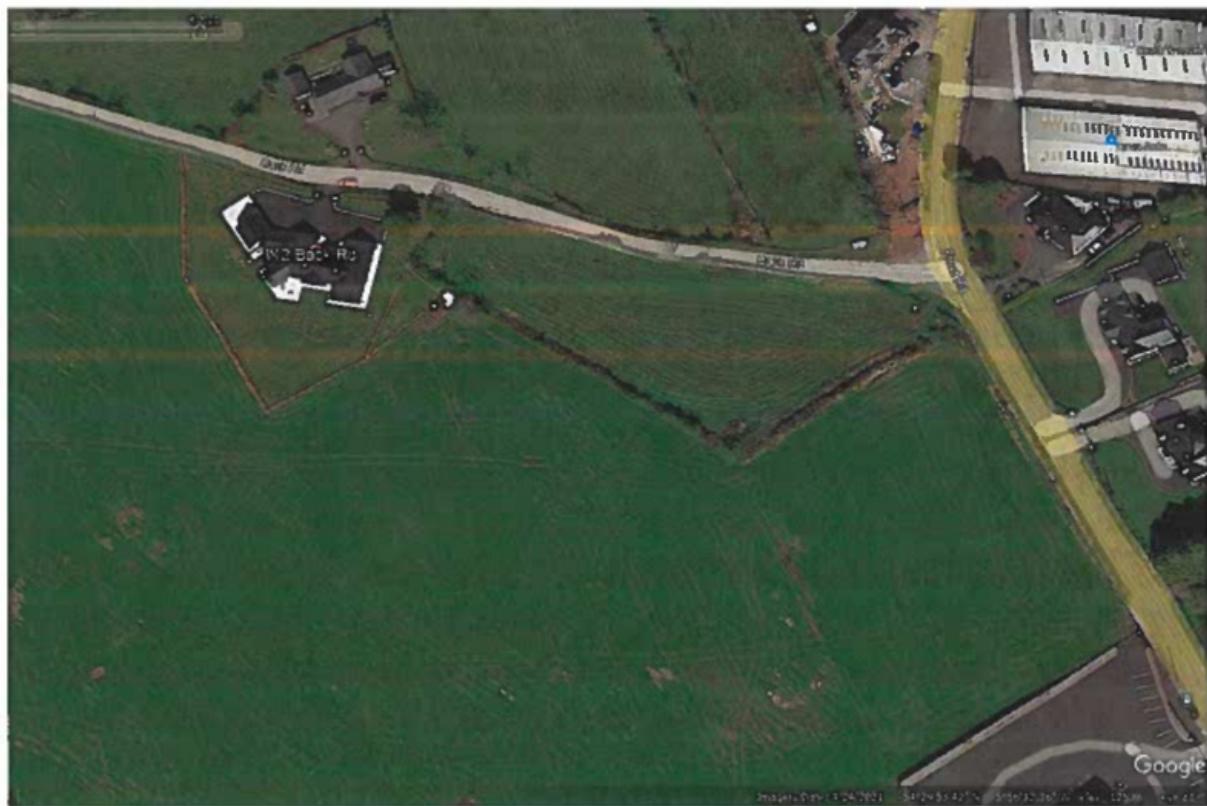
**Pp Conor Hughes**

**Head of Service**

**Planning and Capital Development.**

**Ortho photos from Google Earth for Lands Adjacent to 112 Back Road Drumbo.**

Building visible 17/02/2021



Building visible 24/04/2021



Building not visible 24/07/2021



Building not visible 12/08/2022



Building visible 18/10/2022



Building Visible 09/03/2025



Photograph of extended unauthorised structure taken on site 01/12/2025

# APPENDIX B

**Patrick Savage****135**

**From:** Neil Reid <neildreid@hotmail.com>  
**Sent:** 02 January 2026 14:12  
**To:** Patrick Savage  
**Subject:** Re: Planning application LA05/2021/0831/F

Patrick,

Please find the evidence that the Chicken house has been in place for over 5 years which makes it eligible for planning immunity.

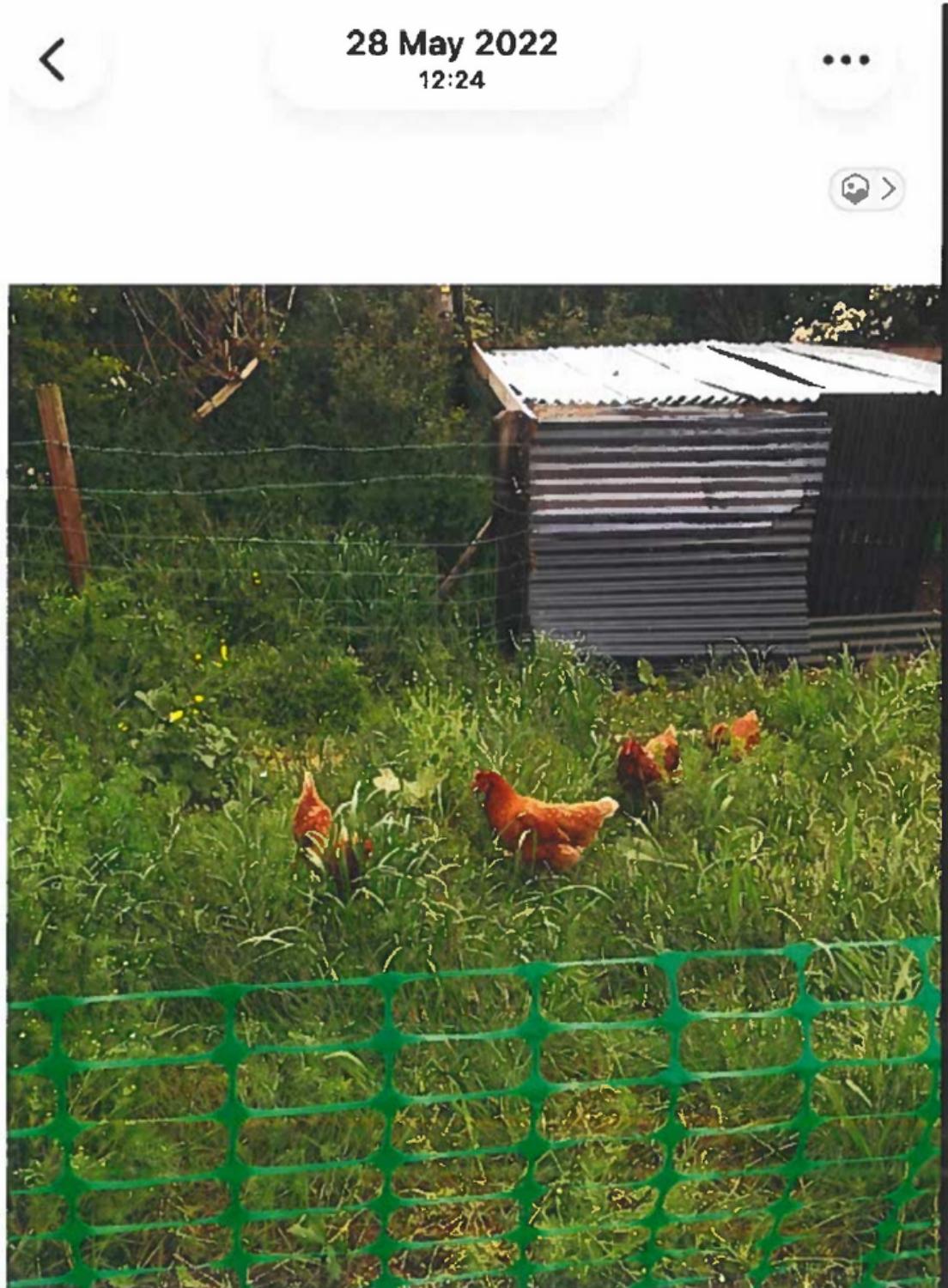
I have attached numerous photos of the shed during the period of time that you have said it is not visible. The shed was possibly not able to be seen from your pictures attached due to tree to the side of it having leaves on it during the summer months. But I have attached photos during the period you have mentioned with the shed in it and with chickens in the shed. Showing it has been constructed for the period of 5 years continuously and has been used to house chickens, which is something that your email questions.

I have also attached 2 pictures from google earth showing the leaves on the tree over grown above the chicken shed but you can still see the corners of the shed during these times.

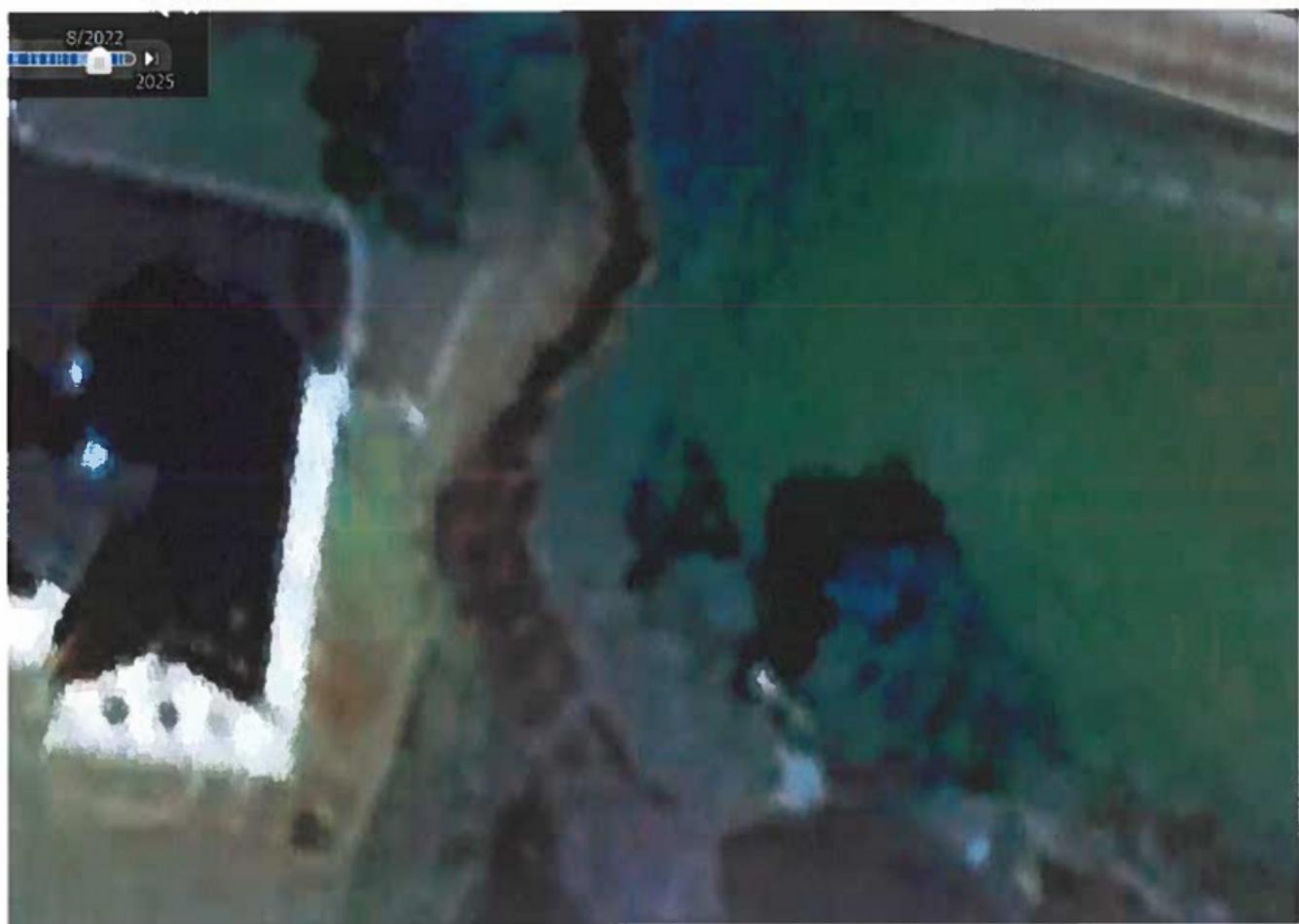
Regards,

Neil





This aerial image shows it can be seen during May 2022 from Google Earth.

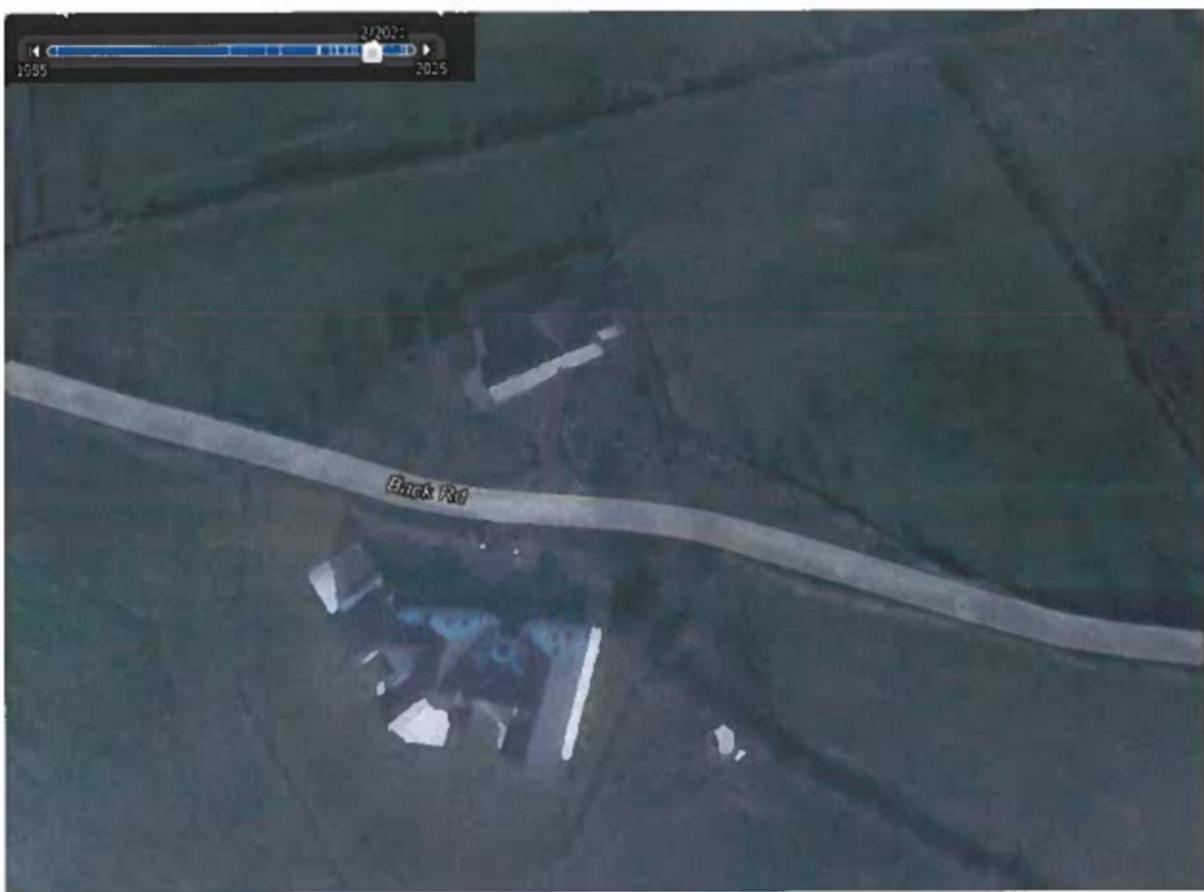


Here it can be seen during August 2021.

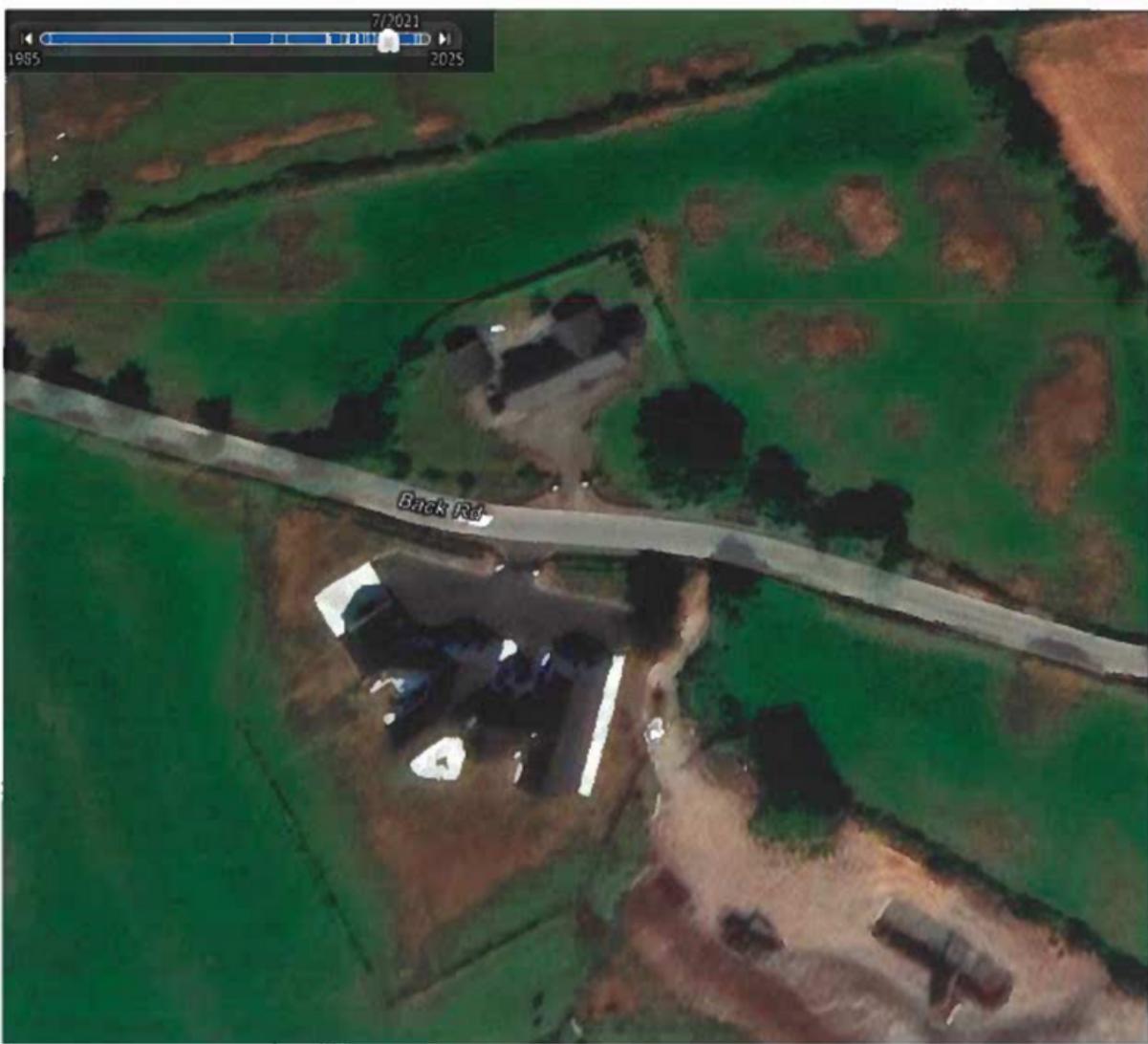
139



# APPENDIX C



# APPENDIX D





## Lisburn & Castlereagh City Council

Planning Committee Addendum Report	
Date of Meeting	01 December 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

### Background

1. This application was first included on the Schedule of Applications for consideration by the Committee at a meeting on 02 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant had stated he was not aware had been previously requested from the agent.
3. This application was then presented to the Committee at a meeting on 06 January 2025 following receipt of additional farming information. Following the presentation by officers, Members agreed to defer consideration of the application for a second time to allow a site visit to take place.
4. This application was again presented to the Committee at a meeting on 03 February 2025 following the site visit which took place on 21 January 2025.
5. Following presentation of the application by officers, Members agreed to defer consideration of the application for a third time to allow further information to be submitted. Additional information was received on 18 May and 13 June 2025. Further consultation was carried out with NED and SES and the application was returned to committee for decision on 03 November 2025.

6. The following amended reasons for refusal were presented to the committee:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.

7. Following a presentation by the officer, in consideration of the representations received from the planning applicant and having sought clarification of several

issues the Members were not minded to accept the advice that the application be refused.

8. Legal advice was sought in confidential business on the application of policies COU15 and 16 as to whether the agricultural building being retained clustered with existing buildings.

Following receipt of advice, it was agreed to defer the application for a fourth time in accordance with paragraph 66 of the latest revision to the Protocol for the Operation of the Planning Committee seek further, written legal advice and ensure that Planning Officers can provide additional reports.

### Further Consideration

10. Legal advice has been received and circulated to the planning committee separately in advance of the meeting.
11. The item will be heard in full again. There will be an opportunity for Members at the beginning of the item to seek clarification in confidential business on the advice received before the officer's presentation.
12. In light of the written legal advice received, the officer's advice remains unchanged in respect of the agricultural building insofar as it is not clustered with other buildings. The neighbouring dwelling is one building and it is stated in policy COU12 that:

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

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

13. This proposal is not sited beside existing farm or forestry buildings contrary to policy COU12 and it does not cluster with existing buildings for the reasons set out at paragraphs 69 and 76 of the main report presented to the committee in December 2024.
14. For completeness the refusal reason at bullet point six in paragraph 6 is updated as follows:

Amended reason for refusal

- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape, **and the building is not sited beside existing buildings on the farm.**  
(Additional text added in bold and underlined)

**Conclusion and Recommendation**

15. This addendum report should be read in conjunction with the previous reports and the balance of the officer's advice in respect of this development remains unchanged.

**Lisburn & Castlereagh City Council**

<b>Planning Committee Addendum Report</b>	
Date of Meeting	03 November 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

**Background**

1. This application was included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been previously requested from the agent.
3. This application was then presented to the Committee at a meeting on 6 January 2025 following receipt of additional farming information. The recommendation was still to refuse planning permission.
4. Following the presentation by officers, Members agreed to defer consideration of the application for a second time to allow a site visit to take place.
5. This application was again presented to the Committee at a meeting on 3 February 2025 following the site inspection on 21 January 2025. The recommendation was again to refuse planning permission.
6. Following the presentation by officers, Members agreed to defer consideration of the application for a third time to allow additional information to be submitted.

## Planning Policy Context

### NH3 Sites of Nature Conservation Importance - National

7. The request for additional information related primarily to the impact of the retained agricultural development on the environment.
8. Policy NH3 states that:

*Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of:*

- a) an Area of Special Scientific Interest
- b) a National Nature Reserve
- c) a Nature Reserve
- d) a Marine Conservation Zone.<sup>31</sup>

*A development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.*

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

## Further Consideration

9. Additional information received by the Council 18 May 2025 included:
  - Nutrient Action Programme Application
  - Soil Sampling Analysis Report and Field Spreading Maps
  - Tenancy Agreement
  - Amended Application Form (Description to include underground slurry tank)
10. Advice on the content of the submitted reports were sought from Shared Environmental Services, the Environmental Health Department of the Council and NIEA Water Management Unit and Natural Environment Division.
11. The Natural Environment Division requested additional information due to the proposal being within 7.5km of a designated site.

12. Additional information was received by the Council 13 June 2025 that included:
  - An updated Tenancy Agreement
  - An Air Quality Impact Assessment
  - A Nutrient Management Plan
  - A letter to NIEA quantifying the amount of cattle slurry produced
13. On receipt of the additional information a further round of consultation was carried out with the above referenced consultees.
14. The Environmental Health Department advised based on a separation distance of 87 metres to the closest neighbouring residential dwelling it had no objection.
15. Natural Heritage Division (NED) replied on 25 September 25 stating that the site was within 7.5km of the Belvoir ASSI and that::

*In accordance with part IV of the Environment (Northern Ireland) Order 2002 (as amended), the public body must assess how these works, either alone or in combination could adversely affect a site of National Importance. A development proposal may only be permitted where the associated public benefits clearly outweigh the value of the site, where the planning authority determines this is the case, they must notify NIEA and impose conditions sufficient to minimise the damage and restore the site.*

16. They confirmed the advice provided is based on the potential impact of proposals both alone and in combination with other relevant projects within the Designated Site Network and that for each of the designated sites the Process Contributions (PCs) which include modelled ammonia concentration and nitrogen deposition meet the necessary thresholds which there is no conceivable impact.
17. NED further advised there were no air quality concerns with the proposal, and they are content that all the slurry from the proposed facility will be disposed of via land spreading, and an agreement for this is in place.
18. It was noted within the NED response that the consultee could not locate the previous referred to Biodiversity Checklist but advised the proposed development represented a low risk to the qualifying features of the designated site.
19. Water Management Unit also within the same NIEA consultation response offer no objection.
20. SES also raised no objections having considered the NED response. They stated:

*Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.*

#### Policy NH3 - Sites of Nature Conservation Importance - National

21. In accordance with Policy NH3 as advised above the proposal is within 7.5km of the Belvoir ASSI (Area of Special Scientific Interest). It is concluded that based on a review of the supporting information and having considered the advice contained in the NED consultation response the proposal is not likely to have an adverse effect on the integrity and the value of the site to the habitat network and the Belvoir ASSI.
22. The second part of the policy criteria states:  
*'the development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.'*
23. NED considered the retention of this buildings and its potential impact on the designated site network is low risk to the qualifying features of the designated site and shall have no conceivable impact on the process contributions. There is no reason to disagree with the advice of the statutory consultee.
24. If Members are not minded to accept the advice of officers a condition is necessary to ensure that any deviation from the approved slurry disposal arrangement under this proposal will not have an adverse impact on any designated site.
25. It is considered for the reasons detailed in the preceding paragraphs that the proposal complies with Policy NH3.
26. Based on this information it is further considered that the proposal would not have a significant adverse impact on the environment. The refusal reason associated with COU16 criteria (g) is withdrawn.

#### **Conclusion and Recommendation**

27. This addendum report should be read in conjunction with the previous reports and the balance of the officers advice in respect of this development remains unchanged. Only the reason for refusal related to COU16 criteria (g) is withdrawn.
28. The following refusals reasons still apply:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.

**Lisburn & Castlereagh City Council****155**

Planning Committee	
Date of Committee Meeting	03 February 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	None
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

**Background**

1. This application was initially included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been requested.
3. The application was represented by officers on the Schedule of Applications for consideration by the Committee at a meeting on 6 January 2025. The recommendation was unaltered to refuse planning permission.
4. Following a presentation by officers and after representations were heard from the applicant and his advisers, Members agreed to defer consideration of the application to allow for a site visit to take place.
5. A site visit took place on 21 January 2025. A separate note of this site visit is provided as part of the papers.

**Further Consideration**

6. Members were reminded that the purpose of the site visit was to allow the Members to observe the development as built (being retrospective) in the context of the adjacent building and the surrounding lands and to consider the integration of the building into the countryside. It was also to allow them to ask

questions about what the officers had taken account in the assessment application.

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7. Members walked along Back Road and observed the agricultural building from both directions. It was advised that what should be considered is if the agricultural building clustered with buildings on the farm and if it visually integrated into the open countryside and rural character.
8. One of the issues identified was prominence. Members were requested to apply their own judgement as to whether the building (shed) as built sufficiently grouped with existing buildings.
9. It was confirmed that seasonal changes in vegetation could be considered however any proposed additional landscaping does not normally make the building as constructed acceptable.
10. Clarification was sought on the established nature of the farming activity. It was confirmed the business ID was created in 2020 and the requirement for 6 years registered activity had not been met. It was pointed out the applicant had made a different argument, and Members need to weigh that against the officer's report. Initially this shed was for isolation and over the intervening period was now used to overwinter livestock and store feed.

### Conclusion and Recommendation

11. The purpose of the site visit was to afford Members an opportunity to visit the site and observe the development (shed) in its context.
12. No new issues were raised that required further clarification. The advice previously offered that planning permission should be refused is not changed.
13. The information contained in this addendum should be read in conjunction with the main DM Officer's report and previous addendum presented to the Committee on 06 January 2025.

## LISBURN & CASTLEREAGH CITY COUNCIL

### Report of a Planning Committee Site Visit held at 2.10 pm on Tuesday, 21 January, 2025 at Land Adjacent to 112 Back Road, Drumbo

**PRESENT:** Councillor S Burns (Vice-Chair)

Aldermen O Gawith and J Tinsley

Councillors D J Craig, U Mackin and A Martin

**IN ATTENDANCE:** Head of Planning & Capital Development (CH)

Member Services Officer (CR)

Apologies for non-attendance were submitted by the Chair, Alderman M Gregg, and Councillors P Catney, G Thompson and N Trimble.

The site visit was held in order to consider the following application:

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

This application had been presented for determination at the meeting of the Planning Committee held on 6 January 2025. The Committee had agreed to defer consideration to allow for a site visit to take place.

A Member asked why the building was already in situ. Members were reminded that this was a retrospective application that had first been submitted in August 2022 because of an enforcement case.

Members viewed the site location plan, and the Head of Planning & Capital Development reminded Members that the reason for the site visit was to look at the integration of buildings into the landscape.

Members walked along Back Road and viewed the agricultural building from both directions.

The Head of Planning & Capital Development advised Members that they should consider if the agricultural building clustered with buildings on the farm and if it visually integrated into the open countryside and rural character. Officers had identified key issues in this application in terms of prominence of the building. Members needed to apply their own judgement as to whether the building sufficiently grouped with existing buildings.

A query was raised by a Member about the farming activity. The Head of Planning & Capital Development advised that Officers had considered that the farm was not established, as the first time the business ID had been created was in 2020; therefore, the

requirement for 6 years of registered activity had not been met. The applicant had made a different argument, and Members needed to weigh that against what Officers had reported. The applicant had advised initially that the building had been necessary for the purposes of isolation; however, that had changed in the intervening period – he now overwintered his animals and fed them inside.

In response to a Member's query, the Head of Planning & Capital Development confirmed that Members could take into consideration seasonal changes in vegetation. In a further query a Member asked if they could request additional landscaping.

The Head of Planning & Capital Development advised that they could request additional landscaping but referred them to the part of the policy that the promise of additional landscaping did not normally make an unacceptable building acceptable.

There being no further business, the site visit was terminated at 2.33 pm.

**Lisburn & Castlereagh City Council**

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Planning Committee	
Date of Committee Meeting	06 January 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road, Drumbo
Representations	None
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

**Background**

1. This application was included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been requested.

**Further Consideration**

3. Additional information was submitted to the Council on 4 December 2024. The information included:
  - An invoice for a replacement nut bag dated November 31 November 2016
  - A receipt for the purchase of cattle dated 17 December 2018
  - A receipt Triple Plus milk from Britmilk dated October 2019.
  - A copy of an application to NIEA titled “Notification for New or Substantially Reconstructed Organic Nutrient Storage Systems.
  - An amended drawing indicating that the shed will be accessed via the existing access which currently serves the dwelling. The drawing also notes that the current access will be permanently closed.

4. At paragraphs 60-62 of the main officer report it is outlined in detail the reasons why the Council considered that it had not been demonstrated that the agricultural holding had been active and established for a minimum of 6 years. It was noted in the report that that no information had been submitted to demonstrate farming between 2016-2019.
5. The abovementioned receipts have been submitted for the years 2016-2019. Taking the limited information that these receipts provide into account it is considered that this is still not sufficient evidence to demonstrate that the agricultural holding has been active and established for a minimum of 6 years. Criteria (a) of COU 12 has not been met.
6. The information also reinforces the advice contained at paragraphs 55 to 58 of the main report that the building is not necessary for the efficient operation of the holding and is excessive in size for its function.
7. An amended drawing has been submitted indicating that the shed will now be accessed via the existing access which currently serves the dwelling. The drawing also notes that the current access will be permanently closed.
8. DfI Roads have been consulted with the amended drawing and whilst they have not responded to date, as an existing access is being utilised officers would have no objection to this proposed change in principle. Refusal reasons associated with the access including Policy TRA2 criteria (a) and COU16 criteria (i) are withdrawn.
9. A copy of an application to NIEA Water Management Unit (WMU) for the "Notification for New or Substantially Reconstructed Organic Nutrient Storage Systems has been submitted to the Council. However no corresponding information has been provided by the agent indicating that this application is processed and approved. NIEA have been consulted with this additional information, however, to date they have not responded.
10. In the absence of any substantive evidence to demonstrate that the development is not causing impact on the surface water environment a precautionary approach is followed and the proposed reason for refusal is not withdrawn. The existing advice at paragraphs 81 to 84 of the main report still stands.

### Conclusion and Recommendation

11. The advice previously offered that planning permission should be refused is not changed. As indicated above the reason for refusal related to the access is withdrawn.
12. The information contained in this addendum should be read in conjunction with the main DM officer's report previously presented to Committee on 02 December 2024.

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	02 December 2024
Committee Interest	Local Application (Called In)
Application Reference	LA05/2022/0831/F
Date of Application	18 August 2022
District Electoral Area	Downshire East
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	<b>Refusal</b>

### Summary of Recommendation

1. This application is categorised as a local planning application. The application is presented to the Committee in accordance with the Protocol for the Operation of the Planning Committee in that it has been called in.
2. The application is presented to the Planning Committee with a recommendation to refuse in that the contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
3. In addition, proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
4. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.

5. The proposal is contrary to Policy COU12 criteria (c) and (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location, and it has not been demonstrated that the proposal visually integrates into the local landscape.
6. The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
7. The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
8. The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
9. The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
10. The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
11. The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.
12. The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles

#### Description of Site and Surroundings

13. This site is located at the south side of Back Road and to the east of an occupied dwelling at 112 Baack Road.
14. The site measures 0.18 hectares in size and is rectangle in shape. It is accessed from Back Road via a laneway. This leads to an existing agricultural building and hard standing which is set back from the Back Road by approximately 30 metres.

15. The building is single storey with a rectangular footprint and has an open sided structure with a pitched roof. Within the building there is an internal sectional wall. One side is for housing cattle and the other for storing hay.
16. The finishes on the building include dark blue metal cladding on the roof and part of the exterior walls. The remainder of the exterior walls are of block construction finished in grey render. The open sided structure is supported by steel stanchions.
17. The access laneway has mature hedging on the east side that runs parallel with the lane. The southern and eastern boundaries are defined by post wire fencing and earth mound. The northern boundary consists of hedging.
18. The topography of the site is an undulating level but generally falling way from the roadside towards the rear boundary of the site.

### **Surroundings**

19. The site is located in the open countryside and the area is predominantly rural in character. The site is bounded by open agricultural fields to the north, south and east. To the west of the site lies 112 Back Road which is a detached single storey dwelling.

### **Proposed Development**

20. There is full planning permission for the retention of a recently constructed agricultural building.

### **Relevant Planning History**

	<b>Description</b>	<b>Location</b>	<b>Decision</b>
LA05/2017/0351/F	Proposed replacement dwelling and garage	112 Back Road Drumbo Lisburn	Permission granted

## Consultations

21. The following consultations were carried out:

Consultee	Response
DFI Roads	Objections to proposal
NI Water	No objection
Environmental Health	No objection
NIEA	Objections to proposal
DAERA	Business has not been in existence for more than 6 years.

## Representations

22. No letters of representation received during the processing of the planning application.

## Planning Policy Context

### Local Development Plan Context

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 existing Local Development Plan is the adopted Plan Strategy and the extant development plan which is the Lisburn Area Plan (LAP).

26. The site is located in the countryside in LAP and at page 49 it states:

*that the Departments regional development control policies for the countryside which will apply in the Plan area are currently set out in the various Planning Policy Statements published to date.*

27. Draft BMAP remains a material consideration in draft BMAP (2004) and the subsequent revision to the draft in 2014 this site is also identified was being located in the open countryside.

28. This application is for new agricultural building in the open countryside. The strategic policy sustainable development and good design and positive place [Strategic Policy 01 and 05] states:

29. Strategic Policy 01 Sustainable Development states:

*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.*

30. Strategic Policy 05 Good Design and Positive Place Making states:

*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.*

31. The following operational policies in Part 2 of the Plan Strategy also apply.
32. The proposal is for non-residential development in the open countryside. Policy COU 1 – Development in the Countryside states:

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

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

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

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

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

33. As explained, this is an application for a farm shed and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU12, COU15 and COU16 of the Plan Strategy.
34. [COU12 Agricultural and Forestry Development](#)
35. *Planning permission will be granted for development on an agricultural or forestry holding where it is demonstrated that:*
  - 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.*

*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

36. 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:*

- it is a prominent feature in the landscape*
- it is not sited to cluster with an established group of buildings*
- 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

37. 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**

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.*

## Regional Policy and Guidance

39. 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.*

40. 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*

41. The SPPS remains a material consideration of significant weight irrespective of what stage the Local Development Plan making process is at. The policies in the Plan Strategy have been drafted to be consistent with the SPPS.

## Assessment

### Agricultural and Forestry Development

42. The proposal is seeking retrospective planning permission for an agricultural building at land adjacent to 112 Back Road, Drumbo.

43. A P1C form has been submitted alongside the application. The form states that Mr Neil Reid at No 112 Back Road is the farmer. The P1C form states the farm business was established in 2015. The farm business id (665138) was allocated on 05/02/20. It is claimed that single farm payments are not applied for.

44. Within Question 2 of the P1C Form its stated that Mr Neil Reid has a herd number 393059. It is claimed that animals were kept at 112 Back Road during years 2014 – 2016. This was in the name of Mr Reid's father. His herd number was 390207.

45. Question 3 of the P1C form explains a payslip of cattle sent to W.D Meats in 2022 and invoice of heifer nuts delivered in 2014 to feed calves kept at 112

Back Road during 2014 – 2016. Question 6 advises that no other sites are available at 122 Back Road.

46. No DAERA farm maps have been provided as part of this application, but this is not unusual on farms where single farm payment is not received
47. DAERA have been consulted on the application and confirmed that the business id 665138 for Mr Reid has not been in existence for more than 6 years and that the business ID was first allocated on 04 December 2020.
48. DAERA confirmed in their response that no single farm payment claims have been made in the last 6 years. DAERA answered 'No' to the question is the application site is on land which payments are currently being claimed by the farm business.
49. Supporting information with the application submitted by the agent included:
  - A supporting letter from agent
  - A supporting letter from applicant
  - Areial imagery at 112 Back Road Drumbo for 2013 and 2014
50. More details regarding faming activity over recent years have been submitted that include:

2013

- April rates bill

2014

- F.S Herron Invoice – Heifer replacement nut bags

2015

- Home/Life Insurance X 2

2020

- June Rates bill
- DARD Letter – Business ID Allocated

2021

- DARD Letter – Move Restricted Herd
- DARD Letter – Options for OTS Cattle
- DARD Notice – Notice prohibiting movement of certain cattle

2022

- NIFCC Certificate – Beef Producer
- Receipt and cheque for cattle purchase

51. Criteria a) of Policy COU12 states that development on an agricultural holding will be granted where it is demonstrated that the holding is currently active and established for a minimum of 6 years. Under COU10 criteria a) provides more information on the level of detail required to demonstrate the farm business is active and established. This includes independent, professionally verifiable business accounts, that it has been established for at least 6 years.

52. The agent has provided information on the P1C Form states that Mr Reids own business ID665138 was allocated on 05 February 2020. Mr Reid advised within his statement that it had been decided within the family that Mr Reid needed to farm at a separate location with a separate herd number. No details have been provided of Mr Reid's fathers farm holding. In addition, within policy it refers to a farm/business in the singular therefore only Mr Reid business id 665138 can be taken into account here.

53. The information provided above is not deemed sufficient to demonstrate that the farm business has been active and established for the required period of six years. No information has been submitted to demonstrate active use on the farm holding between 2016 – 2019. The information within the years provided are not deemed sufficient to establish that there is an active business.

54. Therefore, taking the above into consideration criteria a) has not been met as it has not been demonstrated that the agricultural holding has been active and established for a minimum of 6 years.

55. The applicant and agent has provided detail within the supporting statement and documents that the agricultural building was built for housing isolated cattle. The documents provided includes a letter from DAERA confirming that eight diseased cattle were isolating at this location.

56. On DAERAs website within the document 'Biodiversity Code for Northern Ireland Farms' it is stated that:

*New or returning livestock should be placed in isolation for 21 days. This includes animals returning home from shows. The quarantine facility should be a house, which does not share airspace, water supply or drainage with any other animal accommodation, and is a minimum of 3 metres away from other livestock areas. A field or paddock may also satisfy these criteria. If in doubt your own Veterinary Surgeon can advise on suitability.*

57. The shed measures 13 metres by 9 metres and has a ridge height of 5.2 metres. The size of the building is considered excessive in size for the requirement of housing the number of isolated cattle. As advised above a field or paddock may be suitable or in this context a smaller shed may have been erected to accommodate the isolated cattle.

58. The shed is not a building necessary for the efficient use of the agricultural holding. Criteria b) is not met.
59. The building has a pitched roof with a ridge height of 5.2 metre. The material finishes of the building as previously indicated is dark blue cladding, grey render walls and steel support stanchions. The size and scale of the building appears prominent at this location.
60. The building is excessive in size for its function, for the holding and within the surrounding area. The character and scale of the proposal is not appropriate to its location and criteria c) is not met for the following reason.
61. The building is not visible when travelling west to east as it is screened by the existing dwelling at 112 Back Road. Views of the shed are also broken up by mature trees and hedging adjacent to the access point of 112 Back Road.
62. Although it is set down slightly from the level of the road it remains open from a critical view travelling east to west along Back Road and also in long distance views from Front Road. The building is considered to appear prominent when travelling along Front Road towards the site. The building is considered not to visually integrate into the local landscape. Criteria d) is not met.
63. The proposal is not considered to have an adverse impact on the natural or historic environment. There are no features of natural or historic within the vicinity of the site. Criteria e) is met.
64. In terms of criteria f) the proposal shall not have a detrimental impact on amenity of residents nearby nor any issues arise from noise, smell and pollution. EHO have been consulted and offered no objections.
65. The balance of the criteria associated with Policy COU12 details that the applicant shall provide information to demonstrate there are no suitable buildings on the holding that can be used.
66. The agent has advised that during construction of a replacement dwelling (LA05/2017/0351/F) the existing farm buildings were demolished. Even if the buildings were part of the farm holding these are no longer present on site as confirmed during site inspection. No weight is attached to the fact that there were building here in the past.
67. The design and materials as considered above are sympathetic to the rural character of the place and reflect the design of the nearby buildings.

### Integration and Design of Buildings in the Countryside

68. Turning then to policy COU 15 in terms of criteria (a), it is considered that the proposal is a prominent feature in the landscape when viewed front the junction with Front Road and travelling east to west along Back Road.
69. In terms of criteria (b) the building is not considered to cluster an established group of buildings. The building sited beside a single farm dwelling at 112 Back Road west of the site. Criteria b) is not met.
70. With regard to criteria c) the building is considered open to critical viewpoints along both Front Road and Back Road when travelling east to west. The building does not blend with the landform and does not have a sufficient backdrop or landscaping to integrate and is considered prominent at this location. The northern boundary comprises of hedgerow and the southern boundary comprises of post wire fence. that would not be suitable to integrate here. New landscaping would be needed to integrate fully here and criteria e) is not met.
71. In terms of criteria (f), the building is rural in nature with corrugated sheeting on the exterior walls and roof. The design of the building is single storey with a standard pitched roof and ridge height of 5.2 metres. It is considered the design of the building is rural in nature however it is appropriate for the site and its locality.
72. In terms of criteria (g), any ancillary works such as the access and land around the development should integrate into the surroundings.
73. The application proposes to use an existing access and runs along part of a hedgerow on site. This access was however due to be closed off as part of the approval LA05/2017/0351/F to limit the number of access points onto the public road.
74. DfI Roads has been consulted and indicated the existing access is potential in breach of planning permission and a number of additional drawings are required. The existing access runs along existing hedgerow and is considered to integrate with the surroundings.

### Rural Character

75. In terms of policy COU16, in terms of criteria (a), it is considered that the proposal would be unduly prominent in the landscape.
76. Criteria (b) has been explained in paragraph 72 above the proposal is not considered to a cluster with an established group of buildings. The proposal is beside a single building at 112 Back Road and does not cluster here.

77. In terms of criteria (c), the proposal would respect the traditional pattern of settlement exhibited within the area.
78. In terms of criteria (d), the proposal does not mar distinction between a settlement and surrounding countryside.
79. For the reasons outlined earlier in the report it is considered the proposal would result in an adverse impact on the rural character of the area. Criteria (e) is not met.
80. Residential amenity shall not be adversely impacted on by the proposal. EHO have been consulted and offered no objections. Criteria (f) is met.
81. In relation to criteria g) relating to necessary services it has not been demonstrated that the proposal would not have an adverse impact on the environment by way of surface water environment. NIEA Water Management Unit (WMU) have been consulted and replied stating:

*Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to determine if the development has the potential to adversely affect the surface water environment.*

82. WMU were seeking clarification on how manure is to be handled, and details of any tanks shown on the plans. WMU also requested information on the use of the yard.
83. The agent was emailed with the consultation responses on 21/03/2024. The email stated that that agent should provide the information that had been requested from the consultees within 14 days. To date nothing has been received.
84. Based on the information made available to the Council, it has not been demonstrated how the proposal can provide the necessary services, and that the proposal would not have a significant adverse impact on the environment.
85. In terms of criteria i) DfL roads have been consulted on the application and had noted the existing access used as part of this application was due to be permanently closed and the verge reinstated as part of a previous approval. DfL Roads requested additional information relating to ownership, visibility splays and speed surveys.
86. Again, and as stated above, the agent was emailed on 21/03/24 requesting the above information however to date this has not been provided.
87. Therefore, based on the information made available to the Council, it has not been demonstrated how the proposal and access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

88. As advised above the proposal is considered to be contrary to criteria a), b), e), g) and I) of Policy COU16.

### **Access, Movement and Parking**

89. The site plan provided details the site entrance and laneway on the south side of Back Road. The proposal is seeking to use the existing access.
90. As previously indicated above the agent has not submitted the details requested by DFI Roads including additional information relating to ownership, visibility splays and speed surveys.
91. Advice from DfI Roads states that they find the proposal unacceptable as submitted. They express concern in relation to the proposed development and the use of the access which was due to be permanently closed up as a condition of a previous approval. As advised above the agent was emailed on 21/03/2024 and asked to submit additional information which was not received.
92. Therefore, based on the information made available to the Council, it has not been demonstrated that the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles. The proposal is considered to be contrary to criteria a) of Policy TRA 2.

### **Conclusions**

93. In conclusion the application is recommended to refuse in that the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
94. In addition, proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
95. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
96. The proposal is contrary to Policy COU12 criteria (c) and (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location, and it has not been demonstrated that the proposal visually integrates into the local landscape.

97. The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
98. The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
99. The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
100. The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
101. The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.
102. The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles.

### Recommendations

103. It is recommended that planning permission is refused.

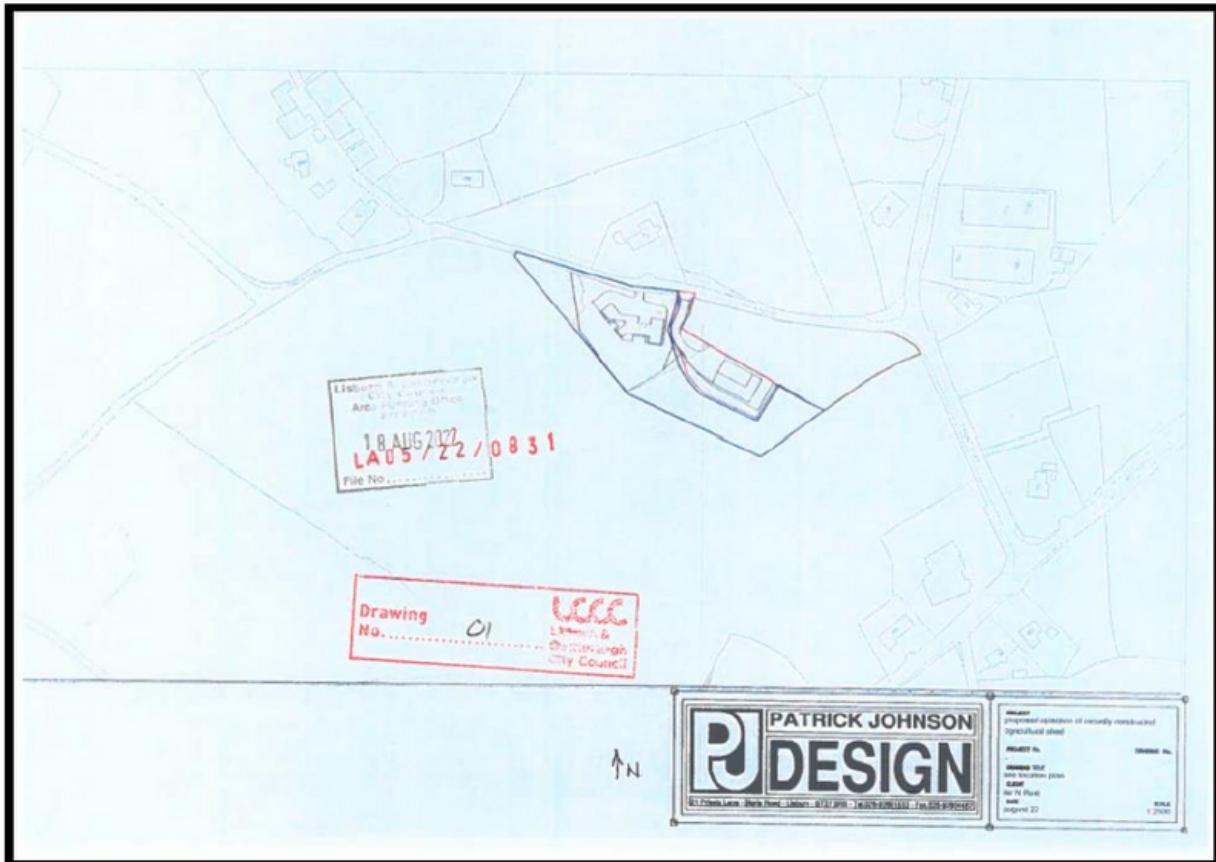
### Refusal Reasons

104. The following refusal reasons are recommended:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.

- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
- The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
- The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

- The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles.

**Site Location Plan – LA05/2022/0831/F.**

**Site Layout Plan – LA05/2022/0831/F**

Drawing No. ....  
18 AUG 2022  
File No. ....

**PATRICK JOHNSON**  
**DESIGN**  
18 AUG 2022  
File No. ....

**Lisburn & Castlereagh City Council**

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Council/Committee	Planning Committee
Date of Committee Meeting	12 January 2026
Committee Interest	Local (Called In)
Application Reference	LA05/2023/0170/F
Proposal Description	Proposed infill dwelling and garage
Location	92 Glenavy Road, Lisburn, BT28 3UX
Representations	None
Case Officer	Catherine Gray
Recommendation	<b>Refusal</b>

**Summary of Recommendation**

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee in that it has been Called In.
2. The application is presented to the Planning Committee with a recommendation to refuse as the proposal is contrary to Policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy, in that the development, if approved, would add to a ribbon of development along Glenavy Road. Furthermore, the proposal does not meet the exceptions test in that the gap is not sufficient to accommodate two dwellings within an otherwise and substantial and continuously built-up frontage. And the buildings forming the substantial and continuously built-up frontage are not visually linked.
3. The proposal is also 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.

**Description of Site and Surroundings**

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Site

4. The application site is located to the northeastern side of the Glenavy Road, Lisburn. It occupies a side garden of a dwelling at 92 Glenavy Road.
5. The western boundary is currently undefined as it is part of a larger garden. The northern boundary is the rear boundary and is defined by a post and wire fence with mature vegetation along it. The eastern boundary is defined by a mixture of mature vegetation and small evergreen trees. The southern boundary is the front boundary and is defined by a hedgerow of conifer trees and there is a grass verge between it and the road.
6. With regards to the topography of the site, as you move in a northerly direction the land rises.
7. Immediately adjacent and east of the application site is an existing farmyard and associated outbuildings.

Surroundings

8. The site is located within the countryside, and the surroundings are rural in character. The area is characterised by domestic dwellings, agricultural land and agricultural buildings.

**Proposed Development**

9. This is a full application for one infill dwelling and garage.
10. Additional information submitted in support of the application is as follows:
  - DAERA Consent to Discharge

**Relevant Planning History**

11. The associated planning history is a material consideration. The following is the relevant planning history:

Planning Reference	Site address	Proposal	Decision
LA05/2019/0111/O	Lands located between Nos. 92 and Nos. 90	Proposed infill dwelling and garage	Permission Granted 02/07/2019

	Glenavy Road, Lisburn, BT28 3UX		
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12. Whilst planning permission was previously accepted on 2<sup>nd</sup> July 2019 there is no record of a submission of an application for approval of reserved matters and the time period for submission expired on 02 July 2022 before this application was received on 08 February 2023.
13. This is an application for full permission. The infill policy changed following receipt of a direction in June 2023 to adopt the Plan Strategy of the Local Development Plan. As the circumstances are changed in the intervening period the principle of development is considered afresh.

### Consultations

14. The following consultations were carried out:

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

### Representations

15. No representations have been received in respect of this proposal.

### 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. The site is located in the countryside in the Lisburn Area Plan (LAP) and within draft BMAP.
20. This application is for residential development 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.*

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

### **Development in the Countryside**

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

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

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

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

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

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

### Infill/Ribbon Development

23. This is an application for a single proposed dwelling and garage presented as an infill opportunity. Policy COU 8 – Infill/Ribbon Development states:

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

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

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

24. The justification and amplification of COU8 states:

*A ribbon of development cannot be defined by numbers, although, if there are two buildings fronting a road and beside one another, there could be a tendency to ribboning. Most frontages are not intensively built up and have substantial gaps between buildings, giving visual breaks in the developed appearance of the locality. Infilling of these gaps is visually undesirable and, in most cases, creates or adds to a ribbon of development.*

25. This dwelling was previously granted as an infill opportunity under application LA05/2019/0111/O. No reserved matters was submitted. As the policy has changed in the intervening period and this is a full application, policies COU1 and COU8 need to be considered.

26. This application also falls to be assessed against the requirements of Policies COU15 Integration and Design of Buildings in the Countryside and COU 16 Rural Character and other Criteria of the Plan Strategy.

27. 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.*

28. 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.*

### **Natural Heritage**

29. The proposal includes removal of vegetation for sight splays. 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.*

#### 30. 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.

*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**

#### 31. The submitted information details that the foul sewerage would be disposed of via a Klargest Bio-disc (or equal). 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****188**

32. The P1 Form indicates that this development requires the construction of a new access to the public road. 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.*

**Renewable Energy**

33. Micro-generation energy and low carbon energy technologies are encouraged and supported for all types of residential development. Policy RE2 Integrated Renewable Energy states:

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

**Regional Policy and Guidance****Regional Policy**

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

*The provisions of the 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.*

35. 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.*

36. Paragraph 6.232 states:

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

37. With regards to infill development. Paragraph 6.73 of the SPPS states:

*Provision should be made for the development of a small gap site in an otherwise substantial and continuously built-up frontage. Planning permission will be refused for a building which creates or adds to a ribbon of development.*

38. 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**

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

### **Building on Tradition**

40. With regards to Infill development, Building on Tradition guidance notes;

- *It is not acceptable to extend the extremities of a ribbon by creating new sites at each end.*
- *Where a gap frontage is longer than the average ribbon plot width the gap may be unsuitable for infill.*
- *When a gap is more than twice the length of the average plot width in the adjoining ribbon it is often unsuitable for infill with two new plots.*
- *Some ribbon development does not have a consistent building set back. Where this occurs the creation of a new site in the front garden of an existing property is not acceptable under CTY 8 if this extends the extremities of the ribbon.*
- *A gap site can be infilled with one or two houses if the average frontage of the new plot equates to the average plot width in the existing ribbon.*

41. It also notes that:

*4.5.0 There will also be some circumstances where it may not be considered appropriate under the policy to fill these gap sites as they are judged to*

*offer an important visual break in the developed appearance of the local area.*

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4.5.1 *As a general rule of thumb, gap sites within a continuous built-up frontage, exceeding the local average plot width may be considered to constitute an important visual break. Sites may also be considered to constitute an important visual break depending on local circumstances. For example, if the gap frames a viewpoint or provides an important setting for the amenity and character of the established dwellings.'*

42. Building on Tradition includes infill principles with examples.

- *Follow the established grain of the neighbouring buildings.*
- *Allow for clear definition of front and back, public and private sides to the plot which help address overlooking issues.*
- *Design in scale and form with surrounding buildings*
- *Retain existing boundaries where possible and construct new boundaries using native hedgerows and natural stone walls to assist integration and local biodiversity*
- *Use a palette of materials that reflect the local area*

43. 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.*

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

44. 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 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.*

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## Assessment

### Policy COU 8 Infill/Ribbon Development

45. The initial step is to consider whether the proposal would create or add to a ribbon of development. The Justification and Amplification text of Policy COU8 describes a ribbon as:

*'A ribbon of development cannot be defined by numbers, although, if there are two buildings fronting a road and beside one another, there could be a tendency to ribboning. Most frontages are not intensively built up and have substantial gaps between buildings, giving visual breaks in the developed appearance of the locality. Infilling of these gaps is visually undesirable and, in most cases, creates or adds to a ribbon of development.'*

46. It is contended that the proposal would engage ribbon development by virtue of the fact that there is one building to the west of the application site and furthermore five buildings to the east of the application site, all which share a common frontage to the Glenavy Road.

#### *The issue of exception*

47. Whilst the premise of Policy COU8 is that planning permission will be refused for a building which creates or adds to a ribbon of development, it does however advise that there may be exceptions whereby the development of a small gap, sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage, may be acceptable. The exceptions test also requires that the proposed dwellings must respect the existing pattern of development in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings and the buildings forming the substantial and continuously built-up frontage must be visually linked.

48. The next step in determining whether an 'infill' opportunity exists is to identify whether an otherwise substantial and continuously built-up frontage is present on the ground. Policy COU8 states that for the purposes of this policy, a substantial and continuously built-up frontage is a line of four or more buildings, of which at least two must be dwellings (excluding domestic ancillary buildings such as garages, sheds and greenhouses) adjacent to a public road or private laneway.

49. The associated justification and amplification text of policy COU8 notes that for the purposes of this policy, a building's frontage must extend to the edge of the public road or private laneway and not be separated from it by land or

development outside of its curtilage.

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50. Excluding domestic ancillary buildings, it is acknowledged that there is one domestic dwelling to the west of the application site and three agricultural outbuildings and a dwelling house east of the application site.
51. As you move in an easterly direction along the Glenavy Road, you also have the property at 93 Glenavy Road which consists of a dwelling house and garage/outbuilding to the rear. The dwelling house has a frontage to the road. Then you have the application site which is the side garden of 92 Glenavy Road. Then you have numerous farm buildings and yard with two separate entrances from the public road, three of these farm buildings have a frontage to the road. Then you have the dwelling house at 90 Glenavy Road and it has frontage to the road.
52. It is therefore considered that there is a substantial and continuously built-up frontage consisting of 4 or more buildings of which at least two must be dwellings (excluding domestic ancillary buildings) present on the ground. Thus, the application meets the first exceptions test of Policy COU8.
53. The second step in the process of determining whether an infill opportunity exists or not is to identify if the gap site is small. For the purpose of policy the gap must be '*sufficient to accommodate two dwellings*.' The third element that is required in order to qualify as an infill site is that the existing pattern of development must be respected in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings that constitute the frontage of development.
54. Policy COU8 relates to the gap between road frontage buildings. The gap is measured between the two closest (applicable) existing buildings either side of the application site.
55. In this instance, this is the gap between the dwelling house within the curtilage of property 92 Glenavy Road and the closest farm outbuilding just west of the application site. The gap measures circa 46.5 metres.
56. The application site has a frontage of 18 metres. 92 Glenavy Road has a frontage of 45 metres, the farm complex associated with 90 Glenavy Road has a frontage of 114 metres and the domestic dwelling at 92 Glenavy Road has a frontage of 43 metres.
57. The proposed plot width is 18 metres at the narrowest point and 30 metres at the widest point. Considering the existing plot frontages and widths of the neighbouring properties, the gap is not sufficient to accommodate two dwellings in the context of the existing pattern of development.
58. This proposal is only for one dwelling and does not comply with the policy test in this regard.
59. In terms of assessing whether the existing pattern of development would be respected, the Justification and Amplification text associated with COU8 states:

*'Assessment of what constitutes an existing pattern of development must take account and have regard to the size and scale of buildings, their siting and position in relation to each other and the size and width of individual plots upon which they are situated.'*

60. The dwelling house of 92 Glenavy Road is set back by 20 metres from the road, the farm outbuildings are set back by 23, 2 and 22 metres respectively from the road. The dwelling house of 90 Glenavy Road is set back by 17 metres from the road.
61. There is no uniform building line along this part of the Glenavy Road. The proposed dwelling is sited to be in keeping with the staggered pattern of building line. The siting of the proposed dwelling would be in keeping with the existing building line however would not be acceptable in the context of the pattern of development of the existing and continually built-up frontage as the gap is not large enough to accommodate two dwellings consistent with the established pattern of development.
62. The dwelling types that comprise the existing and continuously built-up frontage vary in design. A dwelling of the proposed design would be acceptable for its location as it is simple in nature and would have similar scale, form and palette of materials to the adjacent buildings in compliance with the guidance within Building on Tradition.
63. Turning to plot sizes, 92 Glenavy Road has a plot size of circa 2138 square metres, the application site has a plot size of 1028 square metres, the farm complex associated with number 90 Glenavy Road has a plot size of circa 14,000 square metres and the domestic property of number 90 Glenavy Road has a plot size of circa 1845 square metres.
64. Taking on board the plot sizes and the shapes and variation in the surrounding area, the proposal is reflective of the plot sizes in the area for a single dwelling.
65. Turning to the width of the neighbouring buildings, the dwelling house at 92 Glenavy Road measures 11 metres in width, two of the farm outbuildings measure 72 metres and the other 9 metres in width and the dwelling house at 90 Glenavy Road measures 17 metres in width. The proposed dwelling has a width of 17 metres. The proposed dwelling has a similar width to the other dwelling houses within the substantial and continuously built-up frontage.
66. The final part of the test requires consideration of whether the buildings are visually linked. When standing on the Glenavy Road in front of the site, all four buildings are not visually linked to one another as the existing farm shed to the east of the site blocks the view of the dwelling house of number 90 as it sits closer to the road. Only the dwelling at 92 Glenavy Road and the farm shed are visually linked.
67. The proposal does not comply with policy COU8 and therefore also does not comply with policy COU1.

#### **Policy COU 15 Integration and Design of Buildings in the Countryside**

68. The proposal is a roadside site however it would be set back in the landscape roughly in line with the neighbouring buildings and there would be a backdrop of existing trees and vegetation behind it. It is considered that the proposal would not be a prominent feature in the landscape. The proposal is sited to cluster

with the adjacent buildings on the neighbouring properties. Criteria a) and b) are met.

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69. The land level within the site rises as you move in a northerly direction. It is proposed to cut into the landscape to the rear of the site slightly to accommodate the proposed dwelling. A retaining wall of no more than 1.8m to the rear is proposed. The works are minimal given the existing and proposed levels and is considered to be acceptable in this context. The proposal would easily blend into the existing landform. Criteria c) is met.
70. The site has a rolling landscape backdrop with trees along field boundaries in behind the site and the existing site boundaries are being retained as far as possible and provide a suitable degree of enclosure. The proposal would not rely primarily on new landscaping for integration purposes. Criteria d) and e) are met.
71. The proposed dwelling is one and a half storey with a proposed ridge height of 6.9m above the finished floor level. The design is simple in nature with an appropriate solid to void ratio, vertical emphasis windows and chimneys positioned on the ridge. The proposed garage is a double garage attached to the rear of the dwelling house. The design is in keeping with the guidance within Building on Tradition and also is appropriate for the site and its rural locality.
72. The proposed external material finished include the roof to be blue/black natural or man-made slate or flat profile tiles, the walls to be smooth or lightly textured render in self-colour or pale paint finished with smooth render surrounds to openings, the rainwater goods are black half round gutters and round profile downpipes and the windows and external doors are to be white or light coloured painted timber or u-pvc frames. These are considered to be acceptable for the site and its rural location. Criteria f) is met.
73. With regards to the ancillary works, the sections detail that only a small amount of cut is required due to the rise in levels towards the rear of the site and the ancillary works to provide the access are considered to be minimal. The ancillary works would integrate with their surroundings. Criteria g) is met.
74. The proposal complies with policy COU15.

#### **Policy COU 16 Rural Character and other Criteria**

75. For the reasons discussed above at paragraph 68, the proposal would not be a prominent feature in the landscape. And the proposal is sited to cluster with an established group of buildings. Criteria a) and b) are met.
76. As discussed above, it is considered that the proposal would respect the traditional pattern of settlement exhibited in the area. Criteria c) is met.
77. The proposal is not near the edge of a Settlement Development limit and would not mar the distinction between a settlement and surrounding countryside or otherwise result in urban sprawl. Criteria d) is met.

78. The proposal would add to a ribbon of development as discussed above and as a consequence would have an adverse impact on the rural character of the area. Criteria e) is not met.
79. The proposal is designed to ensure that no overlooking would be caused into any neighbour's private amenity space or have a negative impact on residential amenity. Criteria f) is met.
80. It is considered that all necessary services can be provided without adverse impact on the environment or character of the locality. Criteria g) is met.
81. The impact of the ancillary works as discussed above at paragraph 73 is designed as not to have an adverse impact on rural character. Criteria h) is met.
82. Access to the public road can be achieved without prejudice to road safety and would not significantly inconvenience the flow of traffic. DfL Roads have raised no objections to the proposal. Criteria i) is met.
83. It is therefore considered that the proposal does not comply with policy COU 16 as it would have an adverse impact on the rural character of the area.

### **Waste Management**

84. The information submitted with the application details the water supply will be from the mains, the surface water will be disposed of via a soakaway and that a Klargest Bio-disc (or equal) is proposed to deal with the foul sewerage.
85. The Environmental Health Department of the Council has been consulted and have raised no objections to the proposal with regards to waste management. NI Water has been consulted and have recommended approval. Water Management Unit of NIEA has been consulted and have raised no objections and refer to the standing advice.
86. Having regard to the above referenced consultation responses and in review of the submitted information in respect of sewerage and water quality there is adequate evidence available to enable the Council to make an informed decision in relation to potential impacts on the environment and amenity. The applicant has demonstrated that these works will not create or add to a pollution problem and the proposal complies with policy WM 2.

### **Access and Transport**

87. Detail submitted with the application shows that a new access to the Glenavy Road is proposed. A new access is proposed with visibility splays of 2.4 metres by 142 metres in both directions. It is noted that the Glenavy Road is not a Protected Route.
88. There is also adequate space within the site to provide parking for three cars and manoeuvring space for vehicles within the curtilage of the site.

89. DfI Roads has been consulted and offer no objection to this proposal. Based on a review of the submitted plans and having regard to the advice of the consultee it is considered that the proposal complies with policies TRA2 and TRA7.

### **Natural Heritage**

90. The application site is not within or adjacent to any designated areas such as ASSI's etc. and there are no watercourses within or adjacent to the site.

91. The application site consists of semi-improved grassland / a manicured lawn and there are no existing buildings on the site to be demolished as part of the proposal.

92. A portion of the front boundary of the site will need to be removed to accommodate the visibility splays. However this vegetation is identified in the bio diversity checklist as a conifer tree hedgerow that does not have any ecological value. However, some compensatory planting is being provided.

93. Having reviewed the detail of the proposal and cross referenced it against Natural Environment Division's (NED) standing advice for biodiversity checklists, consultation with NED is not considered to be necessary in this case.

94. Having considered the detail, and on the basis of the information submitted, it is considered that the proposal would not harm any natural heritage and complies with the policies NH2 and NH5.

### **Renewable Energy**

95. The proposed dwelling would be subject to the latest revision to the building control regulations which requires the applicant to incorporate low carbon technologies. The dwelling is also built south-facing to achieve passive solar design.

96. Should other renewal energy proposals come forward once the dwelling is built, the applicant has an opportunity to use permitted development rights to integrate renewable energy and low carbon technologies.

97. For these reasons it is considered that the proposal is capable of meeting the requirements of policy RE2.

98. It is further noted that the requirements of paragraph 6.232 of the SPPS Edition 2 have been considered and are in broad alignment with the requirements of policy RE2 of the Plan Strategy. No additional policy requirements apply.

**Conclusions**

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99. All material considerations have been assessed; no representations have been received raising any concerns and all consultation responses have been taken on board.
100. For the reasons outlined above, it is considered that the proposal does not comply with Policies COU1, COU8 and COU16 of the Plan Strategy.

**Recommendation**

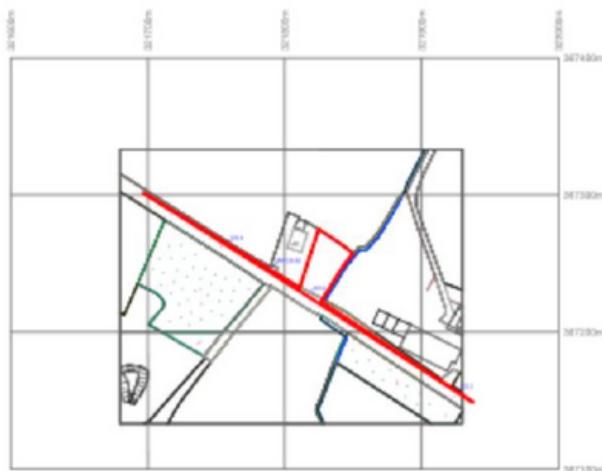
101. It is recommended that planning permission is refused.

**Proposed refusal reason(s)**

102. The following refusal reason(s) are recommended:
103. 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.
104. The proposal is contrary to policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy, in that, the gap is not sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage and if permitted would add to ribbon development along the Glenavy Road. Furthermore, the buildings forming the substantial and continuously built-up frontage are not visually linked.
105. The proposal is contrary to policy COU16 criteria e) of the Lisburn and Castlereagh City Council Plan Strategy, in that the proposal would have an adverse impact on the rural character of the area.

## Site Location Plan – LA05/2023/0170/F

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Location Map

1:2500

Revisions \_\_\_\_\_



Project:  
PROPOSED IN-FILL DWELLING AT  
92 GLENavy ROAD, LISBURN

Client:  
MRS L MORROW

Title:  
SCHEME DESIGN:  
LOCATION MAP

Ref. No.: 22030-01 | Date: SEPT 2022  
Scale: As Shown @ A3

## Lisburn & Castlereagh City Council

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Council/Committee	Planning Committee
Date of Committee Meeting	12 January 2026
Committee Interest	Local Application (Called-in)
Application Reference	LA05/2023/0368/O
Date of Application	28 April 2023
Proposal Description	Dwelling & Garage
Location	Clogher Road, adjacent to and immediately northwest of 115a Saintfield Road, Lisburn
Representations	None
Case Officer	Louise O'Reilly
Recommendation	<b>Refusal</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee, in that it has been called in. The application is presented with a recommendation to refuse for the reasons set out below:
  - The proposal is contrary to policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that, the gap is not sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage and if permitted a dwelling would add to ribbon development along the Clogher Road.
  - The proposal is contrary to Policy COU16 criteria c) and e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that, the proposal if permitted would not respect the traditional pattern of settlement exhibited in the area resulting in adverse impact on the rural character of the area.
2. A Biodiversity Checklist was received following the publication of the delegated list on the 14 November 2025 which indicated that the proposal would have no likely impact on protected or priority species, habitats or features of natural heritage importance. Subsequently, the two natural heritage refusal reasons that were attached to the delegated list when the application was called-in have been removed.

## Description of Site and Surroundings

### Site

3. The site is located at lands adjacent to and immediately northwest of 115a Saintfield Road, Lisburn, with the site fronting onto the Clogher Road. It is rectangular in shape extending to approximately 0.2ha and is relatively level throughout.
4. The application site consists of a sand school and an open sided field shelter for horses. The northwestern boundary is mature hedging and trees. The southwestern boundary is undefined. The southeastern boundary is defined by an existing boundary wall and gable wall of the garage at the neighbouring dwelling at 115a Saintfield Road. The roadside northeastern boundary is post and wire fencing with sparse hedging.
5. The land beyond the site to the northwest rises and the land to the east rises and then falls again. To the south is the existing dwelling at 115a Saintfield Road, the rear boundary of which abuts the Clogher Road and beyond is a two-storey detached dwelling and garage which front onto the Clogher Road.

### Surroundings

6. The site is located within the countryside, and the surrounding land is agricultural and rural in character. Lisburn lies approximately 1.7 kilometres to the northwest.

## Proposed Development

7. This is an outline application for the erection of a proposed dwelling and garage.
8. Additional information submitted in support of the application is as follows:
  - Access plan
  - Indicative Site Layout
  - Supporting Planning Statement
  - Biodiversity Checklist

## Relevant Planning History

9. The associated planning history is a material consideration.

Planning Ref	Address	Proposal	Decision
LA05/2022/0331/O	Clogher Road approximately 40m NW of 58 Clogher Road and	Site for Dwelling	Refusal 09/11/2022

	immediately North of 115a Saintfield Road Lisburn		
LA05/2020/0856/F	Immediately north of 115a Saintfield Road Lisburn	Stables to shelter horses (for domestic purposes) at existing horse paddock	Granted 14/12/2020

## Consultations

10. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
LCCC Environmental Health	No objection
NI Water	No objection
DFI Rivers	No objection

## Representations

11. Two representations have been received. The concerns raised are summarised below:

- The application site is not located within a small gap within an otherwise substantial continuously built-up frontage which if permitted would add to a ribbon of development along Clogher Road.
- The proposal is also contrary to (SPPS) and Policy CTY14 and would if permitted result in a suburban style build-up of development when viewed with existing buildings and would not respect the traditional pattern of settlement exhibited in the area and would again add to a ribbon of development along Clogher Road.
- The agents claim of no previous application on the site is incorrect, LA05/2022/0331/O was refused.
- The conditions pertaining to LA05/2022/0331/O are the same and therefore refusal of the current application should ensue.
- Attention brought to the previous refusal.
- Concern regarding road safety on to Clogher Road including access, sight lines and width of road.
- Objector claims to have spoken to other residents who also object to creating a ribbon development.

12. 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

13. 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.*

14. In accordance with the transitional arrangements the existing Local Development Plan is the Lisburn Area Plan 2001 (LAP 2001) and the Lisburn and Castlereagh City Council Plan Strategy. Draft BMAP remains a material consideration.
15. The site is located in the countryside in the Lisburn Area Plan 2001 (LAP 2001) and both the 2004 draft and 2014 revised draft of BMAP.
16. This application is for outline permission for a proposed dwelling and garage in the 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.*

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

### **Development in the Countryside**

18. This is an application for outline permission for a 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.*

### **Infill/Ribbon Development**

19. This is an application for outline permission for a single dwelling and garage presented as an infill opportunity. Policy COU 8 – Infill/Ribbon Development states:

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

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

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

20. The justification and amplification of COU8 states:

*A ribbon of development cannot be defined by numbers, although, if there are two buildings fronting a road and beside one another, there could be a tendency to ribboning. Most frontages are not intensively built up and have substantial gaps between buildings, giving visual breaks in the developed*

appearance of the locality. Infilling of these gaps is visually undesirable and, in most cases, creates or adds to a ribbon of development.

21. This application also fails to be assessed against the requirements of policies COU15 Integration and Design of Buildings in the Countryside and COU16 Rural Character and other Criteria of the Plan Strategy.
22. 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.*

23. 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.*

### **Natural Heritage**

24. The proposal would involve the removal of trees and hedging to achieve sight splays.

25. 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.*

26. 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.*

*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**

27. The submitted information details that the foul sewerage would be disposed of via a septic tank.

28. 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**

29. The P1 Form indicates that access arrangements for this development involve the construction of a new access to the public road.
30. 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.*

31. Parking is required for the proposed dwelling. Policy TRA7 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 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.*

### **Renewable Energy**

32. Micro-generation energy and low carbon energy technologies are encouraged and supported for all types of residential development.
33. Policy RE2 Integrated Renewable Energy states:

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

## Regional Policy and Guidance

### Regional Policy

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

*The provisions of the 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.*

35. 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.*

36. With regards to infill development. Paragraph 6.73 of the SPPS states:

*'Provision should be made for the development of a small gap site in an otherwise substantial and continuously built-up frontage. Planning permission will be refused for a building which creates or adds to a ribbon of development.'*

37. 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.*

38. Paragraph 6.232 states:

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

### Retained Regional Guidance

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

### Building on Tradition

40. With regards to Infill development, Building on Tradition guidance notes:

- *It is not acceptable to extend the extremities of a ribbon by creating new sites at each end.*

- *Where a gap frontage is longer than the average ribbon plot width the gap may be unsuitable for infill.*
- *When a gap is more than twice the length of the average plot width in the adjoining ribbon it is often unsuitable for infill with two new plots.*
- *Some ribbon development does not have a consistent building set back. Where this occurs the creation of a new site in the front garden of an existing property is not acceptable under CTY 8 if this extends the extremities of the ribbon.*
- *A gap site can be infilled with one or two houses if the average frontage of the new plot equates to the average plot width in the existing ribbon.*

41. It also notes that:

4.5.0 *There will also be some circumstances where it may not be considered appropriate under the policy to fill these gap sites as they are judged to offer an important visual break in the developed appearance of the local area.*

4.5.1 *As a general rule of thumb, gap sites within a continuous built-up frontage, exceeding the local average plot width may be considered to constitute an important visual break. Sites may also be considered to constitute an important visual break depending on local circumstances. For example, if the gap frames a viewpoint or provides an important setting for the amenity and character of the established dwellings.'*

42. Building on Tradition includes infill principles with examples.

- *Follow the established grain of the neighbouring buildings.*
- *Allow for clear definition of front and back, public and private sides to the plot which help address overlooking issues.*
- *Design in scale and form with surrounding buildings*
- *Retain existing boundaries where possible and construct new boundaries using native hedgerows and natural stone walls to assist integration and local biodiversity*
- *Use a palette of materials that reflect the local area*

43. 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.*

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

44. 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 that:

*The Department's Planning Policy Statement 3 "Development Control: Roads Considerations" (PPS3) refers to the Department's standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.*

### **Assessment**

#### **Policy COU 8 Infill/Ribbon Development**

45. The initial step is to consider whether the proposal would create or add to a ribbon of development.
46. This proposal would add to ribbon development by virtue of the fact that there are two dwellings to the east of the application site, both of which share a common frontage on to the Clogher Road.

#### *The issue of exception*

47. Whilst the premise of policy COU8 is that planning permission will be refused for a building which creates or adds to a ribbon of development, it does however advise that there may be exceptions whereby the development of a small gap, sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage, may be acceptable. The exceptions test also requires that the proposed dwellings must respect the existing pattern of development in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings and the buildings forming the substantial and continuously built-up frontage must be visually linked.
48. Hence, the exception for infill development is conditional. It is this exception test which this application seeks to satisfy.
49. The primary step in determining whether an 'infill' opportunity exists is to identify whether an otherwise substantial and continuously built-up frontage is present on the ground.
50. Policy COU8 states that for the purposes of this policy, a substantial and continuously built-up frontage is a line of four or more buildings, of which at least

two must be dwellings (excluding domestic ancillary buildings such as; garages, sheds and greenhouses) adjacent to a public road or private laneway.

51. The associated justification and amplification text notes that for the purposes of this policy, a building's frontage must extend to the edge of the public road or private laneway and not be separated from it by land or development outside of its curtilage.
52. Adjacent to and southeast of the site is the dwelling and garage at 115a Saintfield Road, along with the dwelling and garage at 58 Clogher Road, beyond. Combined this equates to a line of four buildings, only two of which are qualifying buildings. Two buildings are excluded as one is a domestic store and the other a garage, both of which ancillary accommodation and are therefore excluded when determining if a continuously built up frontage is on the ground.
53. The site is located on an existing sand school associated with 115a Saintfield Road. To the rear of the sand school is a field shelter set back from the Clogher Road by approximately 38 metres. This building is also excluded as it is a domestic ancillary building (as described in planning permission LA05/2020/0856/F for stables to shelter horses (for domestic purposes) at existing horse paddock) associated with the dwelling at 115a Saintfield Road, Lisburn and is set back from the road, and cannot be read in conjunction with the dwellings at 115a Saintfield Road or 58 Clogher Road. Thus, the application fails to meet the first requirement of the exceptions test of Policy COU8 as there is no substantial and continuously built-up frontage.
54. The second step in the process of determining whether an infill opportunity exists or not is to identify if the gap site is small. For the purpose of policy that is; '*sufficient to accommodate two dwellings.*'
55. The third element that is required in order to qualify as an infill site is that the existing pattern of development must be respected in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings that constitute the frontage of development.
56. In terms of assessing if the second and third parts of the policy can be met it is noted that for the existing pattern of development to be respected, the justification and amplification text for COU8 states:
 

*'Assessment of what constitutes an existing pattern of development must take account and have regard to the size and scale of buildings, their siting and position in relation to each other and the size and width of individual plots upon which they are situated.'*
57. The frontages, plot sizes and set back from the front boundary are set out below.

Address	Frontage (m)	Plot Size (ha)	Set back from the roadside boundary (m)
115a Saintfield Road	26	0.45	32.7
58 Clogher Road	69.7	0.16	5.4

<b>Average</b>	<b>47.85m</b>	<b>0.3</b>	<b>19.05</b>
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58. The average existing frontage is 47.85m, the average plot size is 0.31ha and the average set back from the roadside boundary is 19.05m.

<b>Address</b>	<b>Frontage (m)</b>	<b>Plot Size (ha)</b>	<b>Set back from the roadside boundary (m)</b>
Site	39.3	0.22	n/a

59. The site frontage 39.3 metres is below the average frontage of the existing dwellings which is 47.85 metres. The plot although slightly smaller than the average size is generally in the range of the other two plots. Whilst this may be a small gap sufficient to accommodate one dwelling it is concluded that the gap is not sufficient to accommodate two dwellings in the context of the existing pattern of development and that the second and third parts of the policy are not met.

60. In relation to design, as the proposal is for outline permission, the design would be assessed at Reserved Matters stage in the event of this application being approved and any dwelling could be designed to be in keeping with Building on Tradition.

61. The width of the neighbouring dwelling houses are listed below.

<b>House no.</b>	<b>House width (m)</b>
115a Saintfield Road	16.8
58 Clogher Road	29.4
<b>Average</b>	<b>23.1</b>

62. The proposal does not stipulate the width of the proposed dwelling as the proposal is for outline permission, however the width of the neighbouring dwellings has been considered and the average dwelling width calculated as 23.1m.

63. The final part of the test requires consideration of whether the buildings are visually linked. Due to the setback distances of the dwellings from Clogher Road, the separation distances between the dwellings, combined with the existing vegetation and undulating nature of the road and land, there is no one point when viewing from both the south-eastern and/or north-western directions that would visually link either of the dwellings to one another. Therefore, no substantial and continuously built-up frontage exists along this section of the Clogher Road.

64. The proposal fails to comply with policy COU8 and therefore is also contrary to policy COU1.

### **Policy COU 15 Integration and Design of Buildings in the Countryside**

65. The proposal site sits adjacent to the Clogher Road. The land and Clogher Road undulate with the land falling from the southeast with the site sitting within a dip before the land rises again to the northwest. The northeastern boundary of 115a Saintfield Road, is mature hedging and provides screening to the site on approach from the southeast. The northwestern site boundary consists of mature trees and combined with the surrounding topography ensures a dwelling on the

site would not sit prominently in the landscape. A dwelling at this location would cluster with the dwelling and garage at 115a Saintfield Road. Criterion a) and b) are satisfied.

66. When viewed from the Saintfield Road to the west, views of the site are obscured by existing mature trees and vegetation, as well as the curvature of the road and along a national speed limit road ensures only limited fleeting, long distance views when travelling in a southeasterly direction. When travelling in northwesterly direction the site would not be visible due to the dwellings at 117 and 115a Saintfield Road and their associated vegetation provides screening. On balance considering the above, the undulating surrounding landscape and vegetation would ensure a dwelling at this location would blend with the rising land to northwest and southeast and surrounding vegetation. The proposal site satisfies criterion c) of policy COU15.
67. The proposal can be designed to easily blend into the existing landform using the existing levels. Existing and proposed levels would need to be submitted for consideration at Reserved Matters application. The northwestern site boundary is an established hedgerow interspersed with mature trees. Whilst the existing or proposed boundary treatments are not noted on the concept plan, in the event of permission being granted, a condition to retain this boundary would be required. The roadside northeastern boundary would also be conditioned to secure the implementation of a native species hedgerow behind the proposed visibility splays. The southeastern boundary is defined by the existing boundary wall and gable wall of the garage at 115a Saintfield Road. However, the agricultural access currently in situ is to remain and run parallel to the southeastern boundary. The agricultural access is separated from the existing sand school by a post and rail fence. The southwestern boundary of the site is undefined on the ground.
68. The southwestern boundary would require new boundary treatments to provide a suitable degree of enclosure. It is also recommended that buffer planting along the southeastern boundary with the agricultural access be implemented. The provision of new boundaries secured by condition along with the existing boundary and the rising land to the southeast and northwest, would assist with the integration of the proposed dwelling into the landscape. It is considered that the proposal is in accordance with criterion d) and e) of policy COU15.
69. The design of the proposal and associated ancillary works as discussed above, would be assessed at Reserved Matters application and should be designed to be appropriate for the site and locality and integrate with the surroundings to be in accordance with criterion f) and g) of COU15.
70. The proposal can comply with policy COU 15.

#### **Policy COU 16 Rural Character and other Criteria**

71. For the reasons discussed above, the proposal would not be a prominent feature in the landscape. And the proposal is sited to cluster with an established group of buildings. Criterion a) and b) of policy COU16 is satisfied.

72. As discussed above, it is considered that the proposal would not respect the traditional pattern of settlement exhibited in the area and would if permitted have an adverse impact on the rural character of the area and is contrary to criteria c) and e) of policy COU16.
73. The proposal is not near the edge of a Settlement Development limit and would not mar the distinction between a settlement and surrounding countryside or otherwise result in urban sprawl. Criterion d) of policy COU16 is met.
74. It is noted the nearest dwelling and lands at 115a Saintfield Road are outlined in blue on the site location map and in the ownership of the applicant. However, the property could be sold on and therefore the impact of the proposal on the residential amenity on 115a Saintfield Road must be considered in accordance with the policy.
75. The proposal could be designed to ensure that no overlooking or loss of privacy would be caused to private amenity space at 115a Saintfield Road. The presence of the garage at 115a Saintfield Road and the agricultural laneway providing separation of the proposed site from the rear private amenity area of 115a Saintfield Road could be further protected through the addition of boundary planting along the fence line of the agricultural laneway and the proposal site.
76. In terms of overshadowing, sufficient separation distances could be achieved, combined with the orientation of the existing and proposed dwellings and the sun path moving from east to west, it is considered that no overshadowing or loss of light to an unacceptable degree would result from a dwelling at this location.
77. There are dwellings or buildings adjacent to the northwest of the site. Adjacent land is in agricultural use.
78. Overall, the proposal would not result adversely impact the residential amenity of the occupiers of 115a Saintfield Road and criterion f) of policy COU16 is satisfied.
79. As discussed above, the design of the proposal and associated ancillary works would be assessed at the Reserved Matters application stage. The implementation of visibility splays in accordance with the RS1 form from DFI Roads to provide a safe access, will require the post and wire roadside boundary to be removed and replaced with a new post and wire fence and native species hedgerow to the rear, which would enable the addition of hedgerow to the proposal site. Nevertheless, it is considered that all necessary services can be designed and provided without adverse impact on the environment or character of the locality and successfully integrate with the surroundings, complying with criteria g) and h) of policy COU16.
80. Access to the public road can be achieved without prejudice to road safety and would not significantly inconvenience the flow of traffic. DFI Roads have raised no objections subject to conditions to the proposal, complying with criterion i) of policy COU16.
81. On balance, the proposal cannot satisfy criterion c) and e), and if permitted would fail to respect the traditional pattern of settlement exhibited in the area and would adversely impact on the rural character of the area and therefore the

proposal is contrary to policy COU 16.

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### **Waste Management**

82. The information submitted with the application details the water supply will be from the main, the surface water will be disposed of via a soakaway and a septic tank is proposed to deal with the foul sewerage. Environmental Health have been consulted and have raised no objections to the proposal.
83. NIEA Water Management Unit (WMU) provides standing advice for such developments.
84. As such it is considered that sufficient information in respect of sewerage and water quality has been provided to enable the Council to make an informed decision in relation to potential impacts on the environment and amenity and that the applicant has demonstrated that these works will not create or add to a pollution problem and complies with WM 2.

### **Access and Transport**

85. The detail provided within the application form states the proposal requires the construction of a new access to the public road. The existing agricultural access to the east is to remain in situ.
86. Visibility splays can be provided in accordance with the RS1 form and this would make for a safe access. Adequate space is also available within the site for the safe parking and manoeuvring of vehicles within the curtilage of the proposed dwelling.
87. DfI Roads have been consulted and offer no objections to this development, subject to standard conditions. It is therefore considered that the proposal complies with policies TRA 2 and TRA7 and will not prejudice road safety or significantly inconvenience the flow of vehicles.

### **Natural Heritage**

88. The application site is not within or adjacent to any designated areas such as European or Ramsar sites, ASSI's and there are no watercourses within or adjacent to the site.
89. A Biodiversity Checklist was received following the publication of the delegated list. Having reviewed the detail of the proposal and cross referenced it against Natural Environment Division's (NED) standing advice for biodiversity checklists, consultation with NED is not required.
90. Based on the information submitted, it is considered that the proposal would not give rise to significant adverse effects on habitats or species of ecological or nature conservation value. As such, it is considered that the proposal complies with policies NH2 and NH5 of the Plan Strategy

## Renewable Energy

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91. Whilst this proposal is for outline permission for a dwelling if approved the buildings would be subject to the latest revision to the building control regulations which requires the applicant to incorporate low carbon technologies. Should other renewal energy proposals come forward later at the detailed design stage the applicant has an opportunity to use the permitted development to integrate renewable energy, low carbon technologies and passive solar design. For these reasons it is considered that the proposal is capable of meeting the requirements of policies RE1 and RE2.
92. The requirements of paragraph 6.232 of the SPPS Edition 2 have been considered against the requirements of policies RE1 and RE2 of the Plan Strategy. No additional requirements apply.

## Consideration of Representations

93. Two representations have been made on this proposal. The concerns raised are addressed in turn below.
  - The application site is not located within a small gap within an otherwise substantial continuously built-up frontage which if permitted would add to a ribbon of development
  - **There is no gap sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage.**
  - The proposal is also contrary to (SPPS) and Policy CTY14 and would if permitted result in a suburban style build-up of development when viewed with existing buildings and would not respect the traditional pattern of settlement exhibited in the area and would again add to a ribbon of development along Clogher Road
  - **Policy CTY14 is not the correct operational policy since adoption of the LCCC Plan Strategy. The application has been considered against the operational policies of the LCCC Plan Strategy.**
  - The agents claim of no previous application on the site is incorrect, LA05/2022/0331/O was refused
  - **The authority checks the planning history of each site and are aware of the application site's history.**
  - The conditions pertaining to LA05/2022/0331/O are the same and therefore refusal of the current application should ensue
  - **The Lisburn and Castlereagh City Council Plan Strategy 2032 was adopted in September 2023 and is the prevailing planning policy under which the application is assessed.**
  - Attention brought to the previous refusal

- **The authority checks the planning history of each site and are aware of the application site's history.**
- Concern regarding road safety on to Clogher Road including access, sight lines and width of road
- **DFI Roads have been consulted and offer no objections. Conditions have been recommended in the event of approval.**
- Objector claims to have spoken to other residents who also object to creating a ribbon development
- **Only the objections submitted to the Authority can be considered in the decision-making process.**

### Conclusions

94. All material considerations have been assessed, the representations submitted raising concerns have been considered and all consultation responses have been taken on board.
95. For the reasons outlined above, it is considered that the proposal is contrary to the below listed policies:
  - Policy COU8 – Infill/Ribbon Development
  - Policy COU16 c) and e) – Rural Character and Other Criteria

### Recommendation

96. It is recommended that planning permission is refused for the following reasons.

### Refusal Reasons

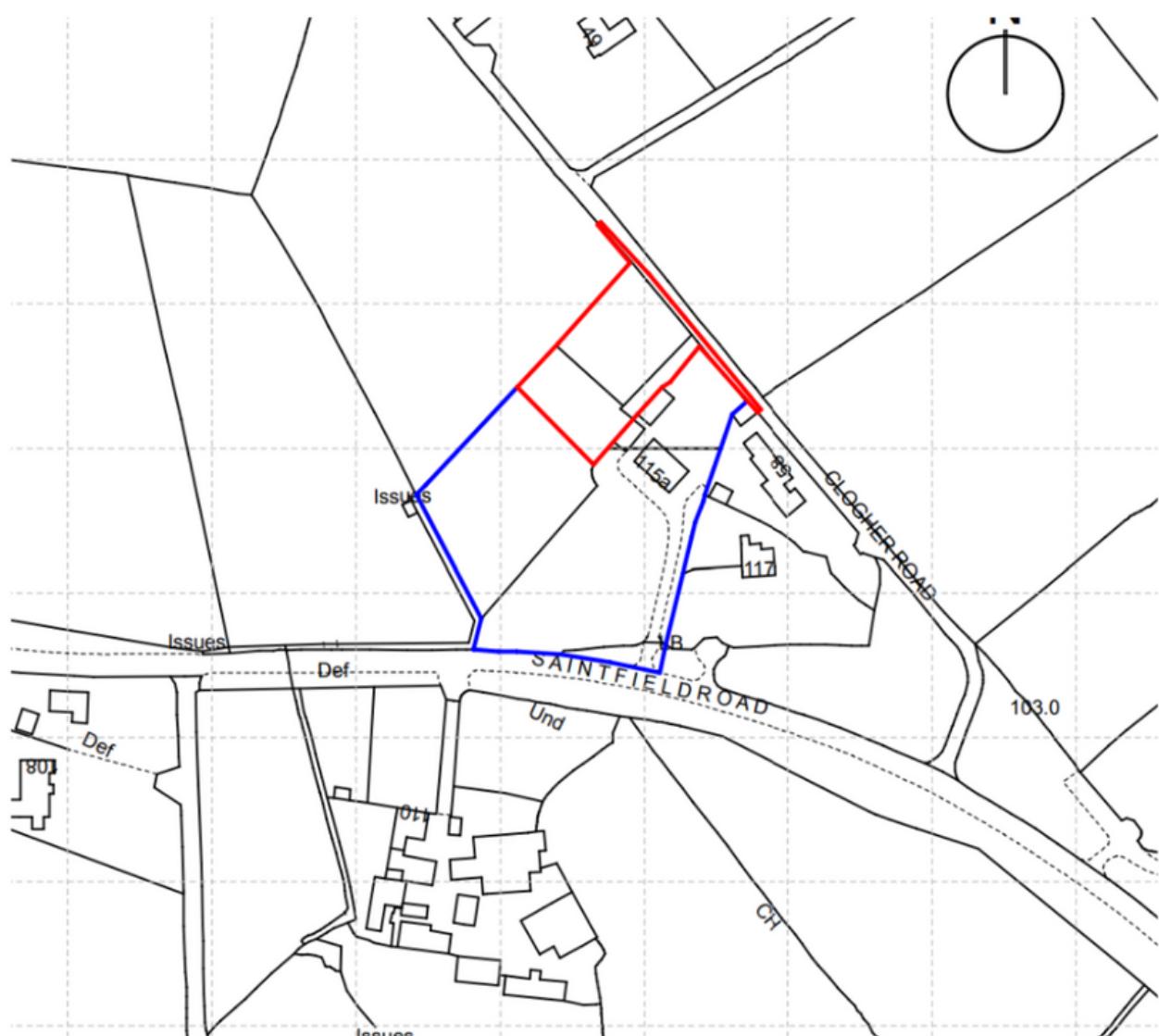
97. The following refusal reasons are recommended:

- 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.
- The proposal is contrary to policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy, in that, the gap is not sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage and if permitted would add to ribbon development along the Clogher Road. Furthermore, the buildings forming the substantial and continuously built-up frontage are not visually linked.

- The proposal is contrary to Policy COU16 c) and e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that, the proposal if permitted would not respect the traditional pattern of settlement exhibited in the area resulting in adverse impact on the rural character of the area.

## Site Location Plan – LA05/2023/0368/O

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<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 2 – Statutory Performance Indicators – November 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 November 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 November 2025 was 33.8 weeks. The average process times for local applications in the year to date is 34.1 weeks which is an improvement of 13.5 weeks. So far this year 124 more local applications are decided than have been received.
4. There was no opportunity to perform against the statutory target for major applications for November 2025. Our performance in year to date is 46.2 weeks. Six major applications are decided so far this year.
5. 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 November 64.3% of cases were decided in 39 weeks.

2.0	<b><u>Recommendation</u></b>  It is recommended that the Committee notes the information in relation to the November 2025 Statutory Performance Indicators.	
3.0	<b><u>Finance and Resource Implications</u></b>  There are no finance or resource implications.	
4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out  This is a report outlining progress against statutory targets 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 outlining progress against statutory targets and RNIA is not required.  .	

**Appendices:**

Appendix 2 – Statutory Performance Indicators – November 2025

Statutory targets monthly update - November 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 <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 30 weeks	Number received	Number decided/withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 15 weeks	Number opened	Number brought to conclusion <sup>3</sup>	"70%" conclusion time <sup>3</sup>	% 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	22	20.0	81.8%
July	0	0	-	-	50	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	13	45.4	69.2%
September	0	0	-	-	43	69	25.6	34.8%	18	26	70.7	57.7%
October	1	0	-	-	49	70	19.4	31.4%	19	30	51.9	60.0%
November	0	0	-	-	58	69	33.8	23.2%	20	14	45.1	64.3%
December												
January												
February												
March												
<b>Year to date</b>	<b>6</b>	<b>6</b>	<b>46.2</b>	<b>50.0%</b>	<b>410</b>	<b>554</b>	<b>34.1</b>	<b>24.7%</b>	<b>159</b>	<b>156</b>	<b>52.8</b>	<b>63.5%</b>

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.

<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 3 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. The Council is notified by Cornerstone, WHP Telecom and Openreach, of their intention to utilise permitted development rights to install communications apparatus at seven separate locations within the Council area.</li> <li>2. The works consist of the installation of broadband and telecommunication apparatus, upgrades to existing radio base stations and alteration or replacement of a mast or antenna in accordance with Part 18 (Development by Electronic Communications Code Operators) F31 of the Planning (General Permitted Development) Order (Northern Ireland) 2015.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>1. The 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.</li> <li>2. Only the schedule of locations where the works are proposed has been appended to the report (<b>see Appendix</b>). However, the content of notifications detailed above are provided separately on Decision Time to assist Members in understanding the scope and nature of the proposed works.</li> <li>3. No comment is provided on the requirement for planning permission for the equipment listed. This letter is also referred to the enforcement section of the Unit. They will write separately to the operator should it be considered that the requirements of the Regulations cannot be met at any of the locations specified.</li> </ol>
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that Members note the detail of the notifications specific to the sites identified.</p>
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance or resource implications.</p>

4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	223
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 providing notification by telecommunication operator(s) of intention to utilise permitted development rights. EQIA 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 providing notification by telecommunication operator(s) of intention to utilise permitted development rights. RNIA not required.</p>	

<b>Appendices:</b>	Appendix 3 – 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**  
**January Planning Committee**

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Openreach	BT	3, Rose Meadows, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	07/11/2025
2.	Cornerstone	WHP Telecoms Ltd	Sprucefield, Lagan Valley Hospital, Hillsborough Road.	Removal and replacement of 6 no. existing antennas with 9 no proposed antennas to be installed on existing pole mounts, 1no equipment cabinet to be installed within existing equipment cabin and ancillary development thereto.	11/11/2025
3.	Openreach	BT	7, Forthill, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	12/11/2025
4.	Cornerstone	Clarke Telecom	Main Street, Moira	The proposed installation of 1no. 300mm dish installed on new standoff bracket fixed to the leg of the existing tower. Proposed link equipment to be installed within an existing equipment cabin and all ancillary development thereto. The proposed dish will have minimal overall impact on the site and will have an overall negligible aesthetic impact on the site. The c/l height of the proposed 300mm dish will be at a height of 14.5m. This ensures that the visual impact of the development on the surrounding area has been minimised so far practicable. The proposed dish will not cause detrimental harm to the surrounding landscape and will be no more impacting than the existing dishes/antennas/equipment that is already in situ.	13/11/2025
5.	WHP Telecom	EE	Field 220m NE from A84, Hillsborough Road, Hillsborough	The proposal comprises a vendor-swap upgrade of the existing EE installation. The existing 15.0 metre steel monopole will be retained. The works include the removal of 3no. existing antennas and the installation of 3no. new tri-sector antennas in their place. In addition, 1no. new GPS module will be installed on the support structure. Any remaining equipment to be	24/11/2025

				removed or relocated will be addressed as part of the ancillary works within the existing compound, utilising the current foundations and infrastructure.	
6.	Cornerstone	Clarke Telecom	171 Dromore Road, Hillsborough	The proposed installation of 1no. 300mm dish is to be installed on a new stand-off bracket fixed to the existing tower leg. Proposed link equipment to be installed within the equipment cabin and all ancillary development thereto as illustrated on the enclosed plans.	26/11/2025
7.	Cornerstone	WHP Telecoms Ltd	Altona Road, Blaris Industrial Estate	Proposed installation of 9 antennas, 15 ERS's, 1 no dish, 1 no cabinet and ancillary development thereto.	02/12/2025

<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 4 – Avian influenza prevention zone

1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. The Regional Planning, Governance and Legislation Directorate of the Department for Infrastructure (DfI) has written to the Council to advise that the Department for Agriculture, Environment and Rural Affairs (DAERA) declared an Avian Influenza Prevention Zone for the whole of Northern Ireland effective from 5 November 2025.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>1. The letter has been sent to remind the Council that there are permitted development rights for the erection of buildings necessary for the housing of poultry and other captive birds to protect them from avian influenza for the duration of the outbreak.</li> <li>2. It is the responsibility of the owner of the birds to notify the Council within 14 days of commencing the erection of any buildings and to remove them once the need has ended.</li> <li>3. Members are advised that no notifications have been received since the Avian Influenza Prevention Zone was declared.</li> </ol>	
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that Members note that an Avian Influenza prevention zone is in place and that no notifications are received for the use of permitted development rights.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>N/A</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	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 regarding providing a response to a consultation. EQIA not required.	227
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 regarding providing a response to a consultation. RNIA not required.</p>	

<b>Appendices:</b>	Appendix 4 – Letter from DFI in respect of Avian Influenza
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## Regional Planning Governance & Legislation

An Roinn  
**Bonneagair**

Department fur  
**Infrastructure**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

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Your Ref:  
Our Ref:

05 November 2025

Dear Colleagues

### AVIAN INFLUENZA PREVENTION ZONE

You may be aware that the Department for Agriculture, Environment and Rural Affairs has declared an Avian Influenza Prevention Zone for the whole of Northern Ireland as of 5 November 2025. A link to the relevant declaration is available at: [Housing Order declared to protect poultry from Avian Influenza | Department of Agriculture, Environment and Rural Affairs](#)

The purpose of this letter is to remind you that there are permitted development rights to permit the erection of buildings necessary for the housing of poultry and other captive birds to protect them from avian influenza.

Those rights require the developer to notify the relevant Council within 14 days of commencing development; and to remove the development once the need for it has ended, or the requirement to keep birds indoors has ended, whichever is sooner. A link to the relevant Order is available at [The Planning \(Avian Influenza\) \(Special Development\) Order \(Northern Ireland\) 2015](#).

If you have any enquiries please contact David Doherty on 028 90540563 or [david.doherty@infrastructure-ni.gov.uk](mailto:david.doherty@infrastructure-ni.gov.uk).

Yours sincerely

**SCOTT SYMINGTON**  
Deputy Director

<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 5 - Local Development Plan 2032 Quarterly Update

1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. In accordance with Regulation 6 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Local Development Plan (LDP) 2032 the timetable provides indicative dates (Q3 2025 – Q3 2026) for the publication (in draft) and adoption (Q3-Q4 2028) of its Local Policies Plan (LPP).</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>2. Members are advised of the following progress with the development of the LPP: <ul style="list-style-type: none"> <li>○ Assessment continues of the evidence base required to support the site-specific policies, proposals, zonings and designations in relation to housing, employment, retailing, natural and built environment, and infrastructure.</li> <li>○ Work is ongoing with retail consultants to develop a policy for Sprucefield Regional Shopping Centre.</li> <li>○ Procurement briefs to appoint appropriate experts to assist with the development of site-specific policies, proposals, zonings and designations are completed, and tenders have been returned. Work will commence on the development of our Environmental and Built Heritage designations early in the New Year.</li> <li>○ DfI Roads continue to draft the Eastern Transport Plan (ETP 2035) which is integral to the LPP. The Plan Team continue to have regular meetings with DfI Roads, first commenced in February 2024, on matters relevant to the council area as DfI Roads progress with drafting the ETP.</li> </ul> </li> <li>3. Members were previously advised that the work programme is tracking behind the scheduled dates for the publication of a final draft LPP for Q3 2026. A report will be brought to the Regeneration and Growth committee in February 2026 with a draft timetable for agreement now that the consultant appointments are made and work is to shortly commence of a review of the environmental and built heritage designations.</li> <li>4. In addition to the development of the LPP and work on Sprucefield, the Plan Team continue to provide consultation responses for planning applications in conservation areas and trees subject to tree preservation orders). Members should note that the casework is being delivered in accordance with our internal key performance indicators and that responses are being returned within 21 days.</li> </ol>
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2.0	<b><u>Recommendation</u></b> Members are asked to note the above and the appended documents.	230
3.0	<b><u>Finance and Resource Implications</u></b> There are no finance or resource implications.	
4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out	N/A
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.	N/A

<b>Appendices:</b>	N/A
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<b>Committee:</b>	Planning Committee
<b>Date:</b>	12 January 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Enforcement Quarterly Update

1.0	<b><u>Background</u></b>	
	<ol style="list-style-type: none"> <li>1. The Council continues to operate its planning enforcement powers under delegated authority in accordance with the Council's published Enforcement Strategy.</li> <li>2. It is stated at paragraph 15 of the Protocol for the Operation of the Planning Committee that Planning Officers will prepare a quarterly report on the progress of formal enforcement cases which will be circulated detailing the number of notices issued, and convictions obtained.</li> </ol>	
	<b><u>Key Issues</u></b>	
	<ol style="list-style-type: none"> <li>1. The total number of live cases by category is also presented to the Members in the attached Appendix for completeness and for understanding of the general scope and nature of the work officers are engaged in.</li> </ol>	
2.0	<b><u>Recommendation</u></b>	
	Members are asked to note the Planning Enforcement Update on its caseload as attached.	
3.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
3.1	Has an equality and good relations screening been carried out?	No
3.2	<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 updating the committee on its Planning Enforcement caseload and EQIA is not required.</p>	
3.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
3.4	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 its Planning Enforcement caseload and RNIA is not required.

**Appendices:**

Appendix 6: Enforcement Update - Caseload

Planning Enforcement Update – Development Committee – 12<sup>th</sup> January 2026

Item Number	Title	Background and Key Issues
<b>Development Committee</b>		
1	Planning Enforcement  Cases with Court proceedings	<p><b>LA05/2025/0079/CA Henry Graham Estate Agents</b> Unauthorised Display of Advertisements, Absolute discharge &amp; £100 costs.</p> <p><b>LA05/2025/0083/CA Templeton Robinson Ltd</b> Unauthorised Display of Advertisements, Absolute discharge &amp; £100 costs.</p> <p><b>LA05/2025/0081/CA Cairns &amp; Downing</b> Unauthorised Display of Advertisements, Absolute discharge &amp; £100 costs.</p> <p><b>LA05/2025/0062/CA Mr John Gilmore 87 Main Street Moira,</b> Display of Advertisements on a Listed Building, pled guilty, £500 fine + £1000 costs.</p> <p><b>LA05/2021/0008/CA Lands opposite 9 Edentrillick Hill, Lisburn Mr Varin Marshall,</b> Unauthorised erection of shed, adjourned to 16 December 2025</p>
2	Current Enforcement Caseload	<p><b>Current Planning Enforcement Live Case list: 273 cases</b></p> <p><b>Nature of Breach:</b></p> <p>Unauthorised Advertisements: 22 cases</p> <p>Operational Development: 146 cases</p> <p>Breach of Condition: 37 cases</p> <p>Change of Use: 60 cases</p>

	<p>Demolition in Conservation Area: 2 cases</p> <p>Unauthorised Works to Protected Trees: 5 cases</p> <p>Unauthorised Works to Listed Buildings: 1 case</p> <p><b>Breach Priorities:</b></p> <p>Priority 1 cases: 7</p> <p>Priority 2 cases: 143</p> <p>Priority 3 cases: 25</p> <p>Priority 4 cases: 60</p> <p>Any other opened prior to portal going live on 04<sup>th</sup> Dec 2022: 37</p> <p><b>No of Notices issued this quarter:</b> 3</p>	