



## Local Development Plan 2032

### Counter Representation Form

Please complete this counter representation form and email to [LDP@lisburncastlereagh.gov.uk](mailto:LDP@lisburncastlereagh.gov.uk) or alternatively print and post a hardcopy to:-

Local Development Plan Team  
Lisburn & Castlereagh City Council  
Lagan Valley Island  
Lisburn  
BT27 4RL

**All counter representations must be received no later than 5pm on Friday 17 April 2020.**

#### SECTION A: DATA PROTECTION

In accordance with the Data Protection Act 2018, Lisburn & Castlereagh City Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure.

It should also be noted that in accordance with Regulation 19 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council must make a copy of any counter representation available for inspection. The Council is also required to submit the counter representations to the Department for Infrastructure (DfI) as they will be considered as part of the Independent Examination (IE) process. For further guidance on how we hold your information please visit the privacy section at [www.lisburncastlereagh.gov.uk/information/privacy](http://www.lisburncastlereagh.gov.uk/information/privacy).

Counter representations will be treated in accordance with the **LDP privacy notice** which is available to view at [www.lisburncastlereagh.gov.uk/LDP](http://www.lisburncastlereagh.gov.uk/LDP) or is available on request by emailing [LDP@lisburncastlereagh.gov.uk](mailto:LDP@lisburncastlereagh.gov.uk).

By proceeding and signing this representation you confirm that you have read and understand the privacy notice above and give your consent for Lisburn & Castlereagh City Council to hold your personal data for the purposes outlined.

Please note that when you make a counter representation to the Local Development Plan your personal information (with the exception of personal telephone numbers, signatures, email addresses or sensitive personal data) will be made publicly available on the Council's website. Copies of all counter representations will also be provided to DfI and an Independent Examiner (a third party) as part of the submission of the Local Development Plan for IE. A Programme Officer will also have access to this information during the IE stages of the Plan preparation. DfI, the Programme Officer and the Independent Examiner will, upon receipt, be responsible for the processing of your data in line with prevailing legislation. If you wish to contact the council's Data Protection Officer, please write to:

Data Protection Officer  
Lisburn & Castlereagh City Council,  
Civic Headquarters,  
Lagan Valley Island,  
Lisburn,  
BT27 4RL

or send an email to: data.protection@lisburncastlereagh.gov.uk or telephone: 028 9244 7300.

## SECTION B: YOUR DETAILS

Please tick one of the following:-

- Individual     Planning Consultant / Agent     Public Sector / Body  
 Voluntary / Community Group     Other

First Name

Last Name

Details of Organisation / Body

Address

Postcode

Email Address

Phone Number

### Consent to Publish Response

Under planning legislation we are required to publish counter representations received in response to the Plan Strategy, however you may opt to have your response published anonymously should you wish.

Even if you opt for your counter representation to be published anonymously, we still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner appointed to oversee the examination in public into the soundness of the Plan Strategy. This will be done in accordance with the privacy notice detailed in Section A.

- Please publish **without** my identifying information  
 Please publish with only my Organisation  
 Please publish with my Name and Organisation

**SECTION C:**

Have you submitted a representation to the Council regarding this development plan document?

Yes

No

If yes, please provide your Reference Number N/A

**SECTION D: YOUR COUNTER REPRESENTATION**

In accordance with Regulation 18 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, any person may make a counter representation in relation to a representation seeking change to a Development Plan Document (DPD). The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the DPD as a result of representations submitted under Regulation 16 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

**A counter representation must not propose any further changes to a DPD.**

Please provide the reference number of the site-specific representation to which your counter representation relates. If you wish to make a counter representation to more than one representation, please complete a separate sheet for each counter representation you wish to make.

DPS089

Your counter representation must relate to a site-specific representation made to the Lisburn & Castlereagh City Council draft Plan Strategy.

Please give reasons for your counter representation having particular regard to the soundness test(s) identified in the Department for Infrastructure's Development Plan Practice Note 06 Soundness.

Please note your counter representation must not propose any new changes to the draft Plan Strategy. It should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission.

*If submitting a hardcopy & additional space is required, please continue on a separate sheet)*

**Signature**

[Redacted Signature]

**Date**

17 April 2020

Thank you for your comments

# Lisburn and Castlereagh Local Development Plan

## DPS 089 & Site Reference MPS-089A Counter-representation



## **1. Introduction**

This counter representation has been prepared in relation to DPS - 089 and Site MPS - 089A

### **1.1. Representation DPS 089 – Housing Land Availability**

We would like to point out a clear error in the DPS 089 representation which would support the Lisburn and Castlereagh land availability figures for Dundonald.

We would point out that the housing figures in the Table provided in the representation as part of their housing land availability review are incorrect. The most obvious error relates to Site Ref 2 within the table which states 483 units, however this did not reference pending planning approval LA05/2018/0512 at the time (now approved in March 2020) which increased the capacity of the site to 667 units representing an uplift in 181 No. Units. It also does not take into account an area of approximately 6ha within of MCH08/12 known as Phase2b on the Article 40 Agreement Millmount Concept Masterplan (Shown in Figure 1 taken) which has not been developed and which cannot be developed until the Spine Road is complete. This would represent an additional yield of 150 to 210 units. Therefore within Site Reference 2 alone there is a potential 331 to 391 units not included in any housing land supply figures.

We therefore feel that this representation is incorrect and provides strong evidence that there is sufficient existing housing land availability within Dundonald and that Housing Policy within the plans is correct.

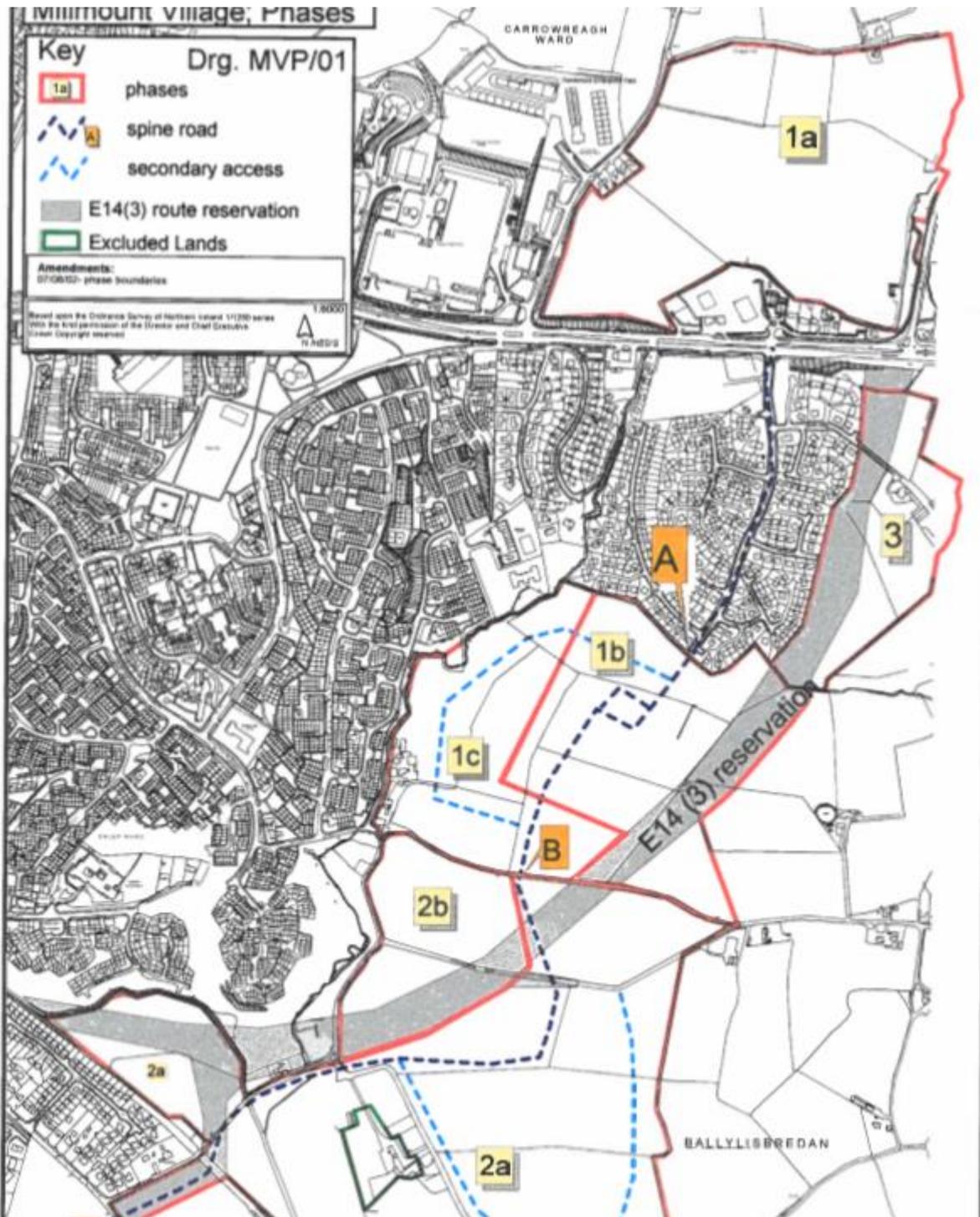


Figure 2 – Undeveloped Site 2A as per the Article 40 Agreement Millmount Concept Masterplan

## **2. Site MPS-089A**

Whilst we do not feel there is need for any additional land as evidenced by Section 1.1 we would take the opportunity to specifically highlight MPS 089A as unsuitable.

### **2.1. Introduction**

Site MPS - 089A is located within a Landscape Wedge CR05, with the southern section (which is not located within the landscape wedge) providing significant localised hills which form attractive vistas and have local amenity importance to the town of Dundonald and provides an area of high scenic value.

Site MPS - 089A therefore consists of features and areas considered to be of greatest amenity value, landscape quality and of local significance and therefore worthy of protection from undesirable or damaging development. Under the LDPs should designate LLPAs and bring forward policies and guidance to:

- secure the protection, conservation and, where possible, the enhancement of our built and archaeological heritage;
- promote sustainable development and environmental stewardship with regard to our built and archaeological heritage; and
- encourage the link between conservation and economic prosperity.
- due to the attractive vista, localised hills and other area of local amenity importance.

As shown in the photographs in Appendix A it is clearly a distinctive feature of the landscape and contributes to the character and attractiveness of the town of Dundonald and can be viewed from the Castlereagh Hills, Old Dundonald Road, Stormont, Stoney Road as well as the following:

- Gransha Road (Photograph 1 & 2)
- Gilnahirk Road (Photograph 3)
- Peartree Hill Road (Photograph 4)
- Hillhead Road (Photograph 5)
- Comber Road (Photograph 6 &7)

It is therefore important that these areas are protected. As a result the site shown on MPS-089A should not be zoned for housing as is proposed by the representation. It would be better suited to joining the Rural Landscape Wedge 06 and 05 as is proposed by representation DPS 090 or designating the area as a Local Landscape Policy Area as it is a localised area which provides attractive vistas and is considered to be an area of high amenity which should be protected from unsuitable development.

## 2.2. Planning Appeals Commission BMAP

The representation makes reference to the Planning Appeals Commission (PAC) for BMAP as ground for this site to be developed. However, the PAC specifically stated the following:

- “Counter objectors raised concerns that schools and shopping facilities are not viable on this site and therefore the **site is not sustainable. We agree with the objectors**, however, that services would be available in Zoning MCH 03/12 adjacent to the site.”
- “We consider that the site presents benefits in terms of location as it is close to the EWAY, Employment zoning MCH 08 and transport routes to Belfast, Newtownards and Comber. The need for housing is to be balanced with environmental factors and we consider the objection site to be acceptable for development given the set back from both the Comber and Newtownards Roads and if kept to the lower parts of the site as proposed to achieve integration.”

However, we would point out the following:

- The EWAY no longer extends to this area
- The shopping facilities were never provided on MCH03/12
- The schools were never provided on MCH03/12.
- Employment zoning MCH 08 was approved for housing
- The site cannot be kept to the lower parts as per Section 3

The original PAC arguments to zone the site shown on MPS-089A no longer exist. Furthermore as highlighted above the PAC conceded that site was unsuitable for services, as they were not provided in MCH03/12 as was originally envisaged the site must now be deemed unsuitable.

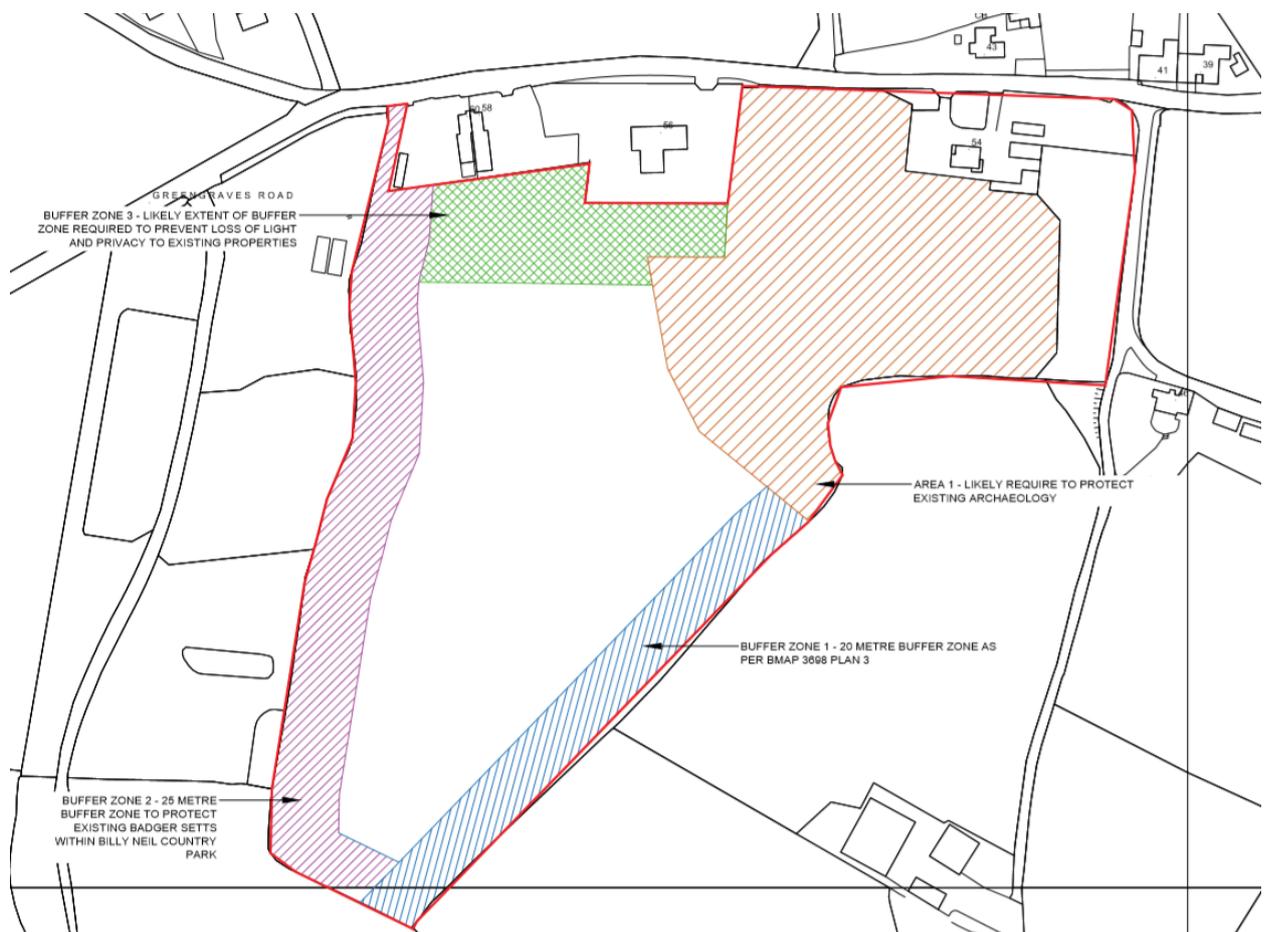
Furthermore as demonstrated by the errors in the representatives housing supply figures there is no need for this site. Therefore the site should not be zoned for housing as is proposed by the representation.

On the balance of need and environmental factors it would be better suited to joining the Rural Landscape Wedge 06 and 05 as is proposed by representation DPS 090, or alternatively designated the area as a Local Landscape Policy Area as it is a localised area which provides attractive vistas and is considered to be an area of high amenity which should be protected from unsuitable development.

### 3. Southern Section of the Site MPS-089A

The southern section of the site shown in Figure 1 is centred at the Ballylisbredan Hill, which is a distinctive steep hill with open landscape surroundings. The site extends from Greengraves Road to Billy Neill Country Park with significant amenity and conservation value. The proposed site is also located within two Landscape Character Areas namely Ballygowan Drumlins Regional Landscape Character Assessment (ID 95) and Down Drumlins and Holywood Hills (Regional Landscape Character Assessment ID 22) and between two Landscape Wedges CR 05 and CR 06.

The site provides attractive vistas, localised hills and is considered to be an area of high amenity. However we would also like to highlight that the southern section of the site shown in Figure 1 is also not valid when reviewed from local planning policy.



**Figure 1 – Southern Section of MPS 089A**

#### 3.1. Land Ownership

The representative has included properties along the Greengraves Road which are not owned by the applicant. In addition the individual or owners have not been contacted and there is therefore no realistic option that this southern section could be developed.

### **3.2. Insufficient Road Access**

There is no viable road access to the site. In order to access the site it will likely have to be go through Billy Neill Country Park. This would cut through the new council Bicycle Track and Walkways, damage a community garden constructed to mark the Diamond Jubilee and also damage existing wildlife habitat and badger setts.

This issue was raised by representatives to planning application LA05/2018/0512, and it was acknowledged that the damage that this would caused, as a result the roadway was reduced by the developer submitting revised plans in order to prevent future damage to Billy Neill Country Park and with buffer planting also reinforced.

### **3.3. PPS6: Planning, Archaeology and the Built Heritage**

The NIEA HED has designated an Archeological site and monument on the site. This will likely require to be protected. Furthermore one of the requirements of the BMAP 3698 was that drumlins would need protected and that development should be restricted to the lower parts. This would therefore remove a significant portion of the site.

The likely area that would be unable to be developed is shown as Area 1 in Figure 1.

### **3.4. BMAP Plan 3 (Buffer Zone 1)**

The BMAP 3698 Plan 3 a 25metre buffer zone was required along the Eastern Boundary this is indicated as Buffer Zone 1 on Figure 1.

### **3.5. Damage To Habitat (Buffer Zone 2)**

The development of Millmount has already seen the loss of habitat for protected species. A recent ground mammal survey report submitted as part of the Millmount planning application (planning Reference LA05/2018/0512) shows that there are now a number of badger setts located along the western boundary of the site. Furthermore there are also a number of other protected species including bats, and Yellow Hammer birds. As a result, a 25metre buffer zone along the western boundary would be required. This is shown as Buffer Zone 2 in Figure 2. This makes the lower part of the site undevelopable. Therefore contrary to the PAC Report.

### **3.6. PPS 7 Impact on Existing Development (Buffer Zone 3)**

Under PPS 7 impact on existing development the protection of the privacy of the occupants of residential properties is an important element of the quality of a residential environment. It is a particularly important consideration where new development is proposed adjacent to existing properties.

Proposals should therefore seek to provide reasonable space between buildings in order to minimise overlooking. This will also assist in providing acceptable levels of daylight to properties. As the applicant does not own the properties along the Greengraves Road (as indicated on their representation) a minimum 20metre buffer zone (and probably higher given the topography of the surrounding land) will be required to prevent loss of light and privacy.

This would significantly reduce the area of the site actually able to be developed. The likely buffer zone is shown in Figure 1 as Buffer Zone 3.

### **3.7. Impact on Local Landscape Character**

As you can see from Photograph 1 the gradients of the site are very steep with 1:2 to 1:4 slopes. In order to facilitate development of the site this would therefore require significant infilling or retaining structure. This would be out of context of the local area and would significantly damage the rural setting, and result in a significant visual impact.



**Photograph 1 – Southern Section of MPS-089A**

## **4. Summary**

As demonstrated in Figure 1 a significant portion of the southern section of the site will be unable to be developed as it would require numerous areas to be protected as per Local Planning Policy. As a result this would make the site peninsular and out of context of existing development.

Furthermore any proposal to create buffer zones would obscure the natural aesthetics of the area damaging attractive vistas, localised hills and other area of local amenity importance. It would also not be possible to keep development to lower parts of the site as per the PAC. In addition to simply provide access would result in the damage of local amenity space which would go against PPS 8.

Furthermore, as discussed in Section 2.2 the arguments in support of the site previously in relation the EWAY, Employment Land. Schools and Shopping Facilities were never delivered. As such the

benefits of the site would no longer outway the environmental impact and damage to the local area. Instead we would see significant merit in joining Landscape Wedge 05 and 06 as proposed in DPS-090.

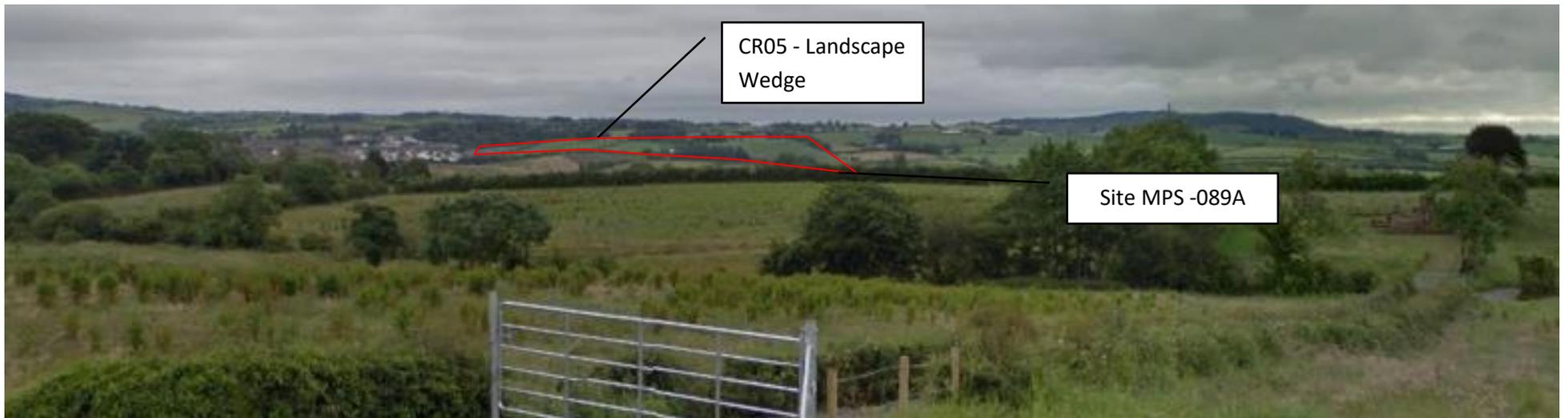
**Appendix A - Photographs**



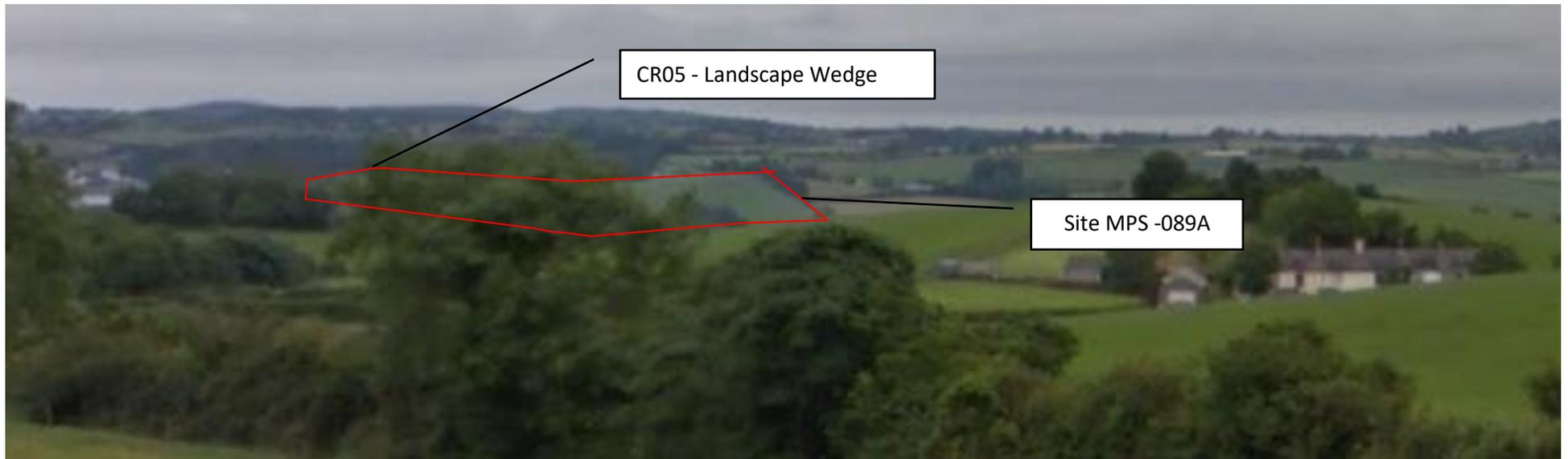
Photograph 1 - Gransha Road (Copyright Google Street View)



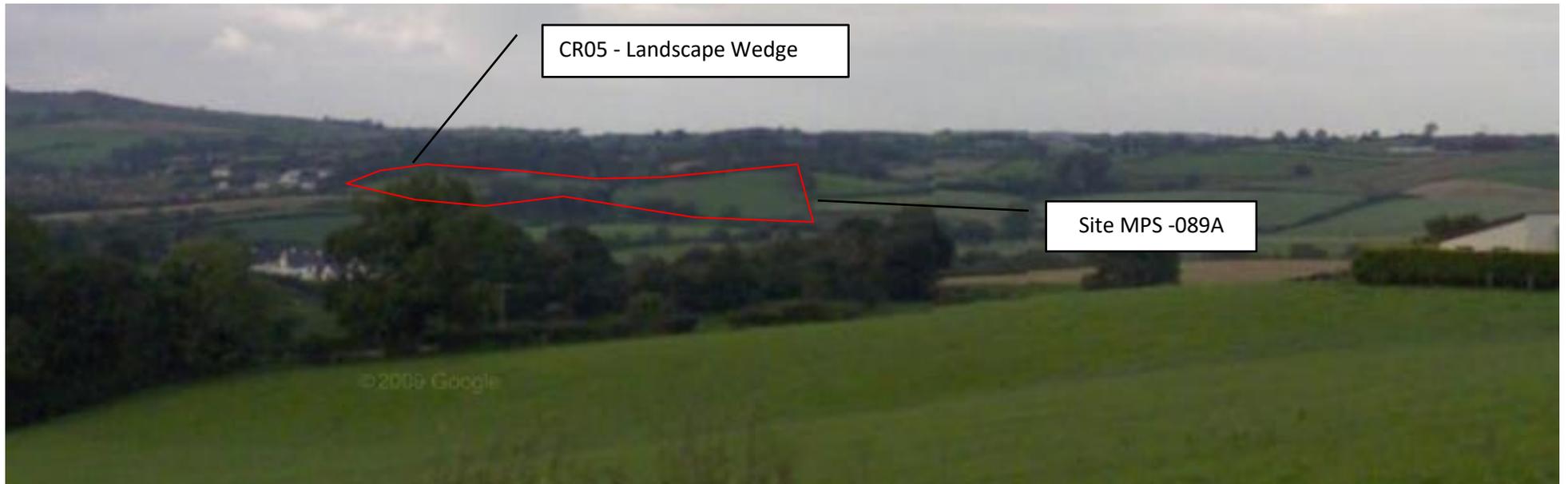
Photograph 2 - Gransha Road (Copyright Google Street View)



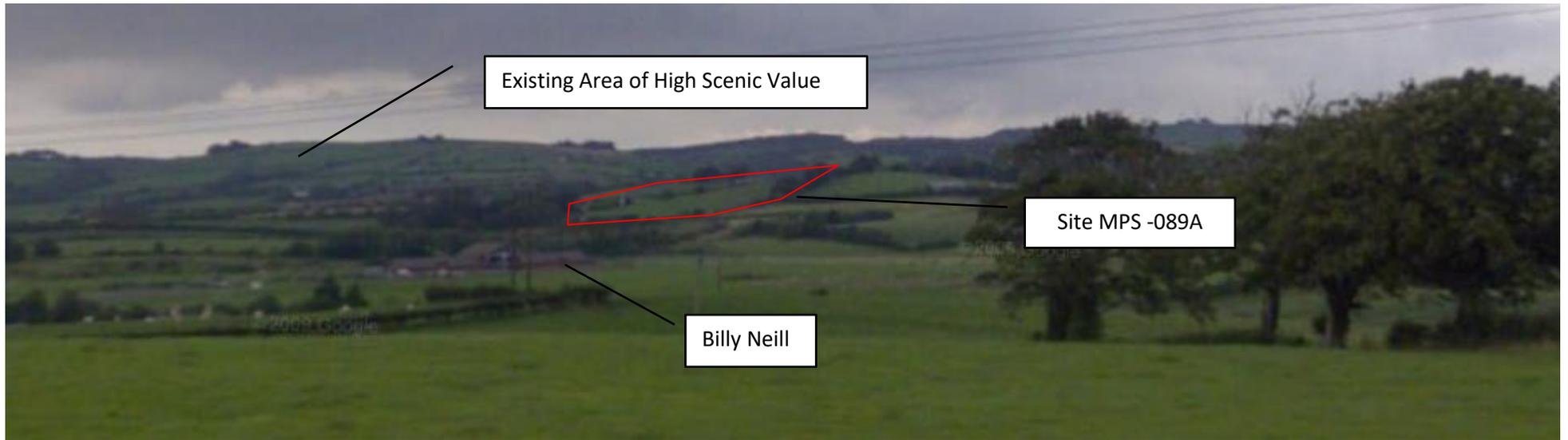
**Photograph 3 – Gilnahirk Road (Copyright Google Street View)**



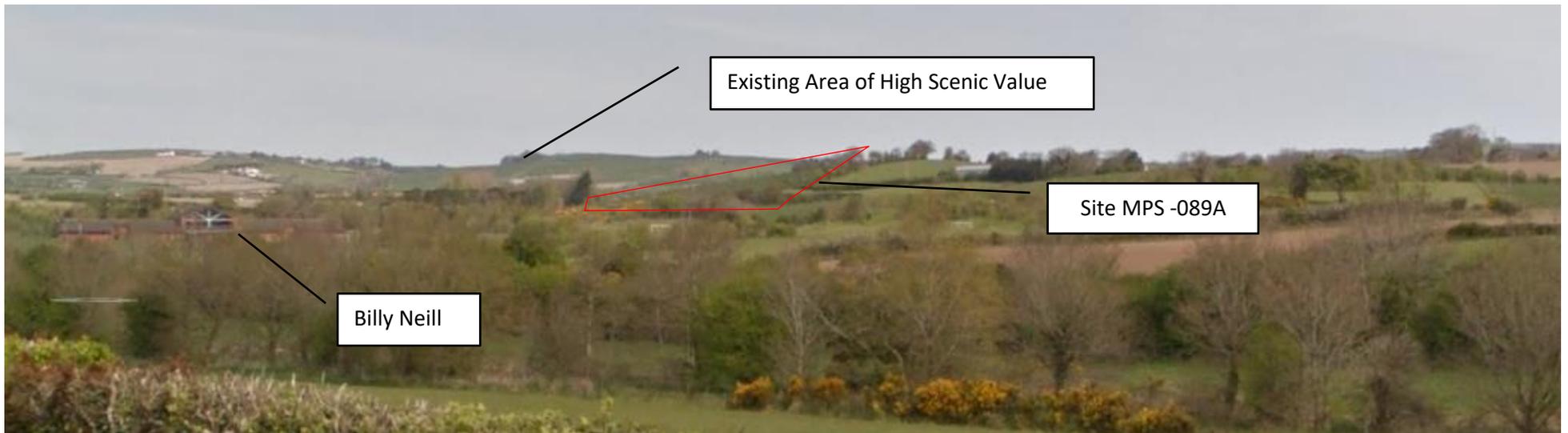
**Photograph 4 – Views from Peartree Hill (Copyright Google Street View)**



Photograph 5 – Views from Hillhead (Copyright Google Street View)



Photograph 6 – Views from Comber Road (Copyright Google Street View)



Photograph 7 – Views from Comber Road (Copyright Google Street View)

