



February 13th, 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 special meeting of the Planning Committee will be held on **Wednesday, 18th February 2026 at 2:00 pm**, 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 Report from the Head of Planning and Capital Development

### 3.1 Schedule of Applications to be Determined:

*For Decision*

□ *Item 1 - Schedule of Applications.pdf*

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(i) LA05/2024/0638/F – Proposed replacement of 15 metre high monopole with 22 metre high lattice tower, three existing antennas to be removed and replaced, existing 300mm transmission dish to be relocated to new tower, proposed 300mm transmission dish to be fixed to headframe, proposed installation of an equipment cabinet and all other ancillary apparatus thereto on lands to the side of 7 Begny Hill Road, Dromara

□ *Appendix 1.1a LA05 2024 0638F Begny Hill Addendum.pdf*

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□ *Appendix 1.1b Final report of Site Visit LA0520240638 9 February 2026.pdf*

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□ *Appendix 1.1c LA05.2024.0638.F Lands 7 Begny Hill.pdf*

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(ii) LA05/2024/0835/F – Retention of car storage yard on lands to the rear of 12-16 Beechfield Manor, Aghalee

□ *Appendix 1.2 Committee Report LA05.2024.0835.F Final.pdf*

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(iii) LA05/2023/0523/F – Proposed use of rear carpark for car boot sales at 57a Ballyskeagh Road, Ballyskeagh, Lisburn

□ *Appendix 1.3 LA05 2023.0523.F 57A Ballyskeagh Road Final.pdf*

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## 4.0 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

<b>Committee:</b>	Planning Committee
<b>Date:</b>	18 February 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 three local applications which have been Called In (one previously deferred).
  - a) LA05/2024/0638/F – Proposed replacement of 15 metre high monopole with 22 metre high lattice tower, three existing antennas to be removed and replaced, existing 300mm transmission dish to be relocated to new tower, proposed 300mm transmission dish to be fixed to headframe, proposed installation of an equipment cabinet and all other ancillary apparatus thereto on lands to the side of 7 Begny Hill Road, Dromara  
Recommendation – Approval
  - b) LA05/2024/0835/F – Retention of car storage yard on lands to the rear of 12-16 Beechfield Manor, Aghalee  
Recommendation – Approval
  - c) LA05/2023/0523/F – Proposed use of rear carpark for car boot sales at 57a Ballyskeagh Road, Ballyskeagh, 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	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.	

<b>Appendices:</b>	Appendix 1.1a	LA05/2024/0638/F addendum
	Appendix 1.1b	LA05/2024/0638/F Site visit
	Appendix 1.1c	LA05/2024/0638/F – report 2/2/26
	Appendix 1.2	LA05/2024/0835/F
	Appendix 1.3	LA05/2023/0523/F

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee	18 February 2026
Committee Interest	Local Application (Called In) - Addendum
Application Reference	LA05/2024/0638/F
Date of Application	27 August 2024
District Electoral Area	Downshire West
Proposal Description	Proposed replacement of 15-metre-high monopole with 22-metre-high lattice tower, replacement of 3no. existing antennas, relocation of existing 1no. 300mm transmission dish, proposed new 1no. 300mm transmission dish to be fixed to headframe, proposed installation of 1no. equipment cabinet and all other ancillary apparatus.
Location	Lands to the side of 7 Begny Hill, Dromara, Co. Down, BT25 2AS
Representations	Twenty-two
Case Officer	Callum Henderson
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This application was included in the Schedule of Applications for consideration by the Committee on 02 February 2026. The recommendation was to approve planning permission.
2. After the application was presented and a representation was heard from an elected member on behalf of the objectors Members agreed to defer consideration of the application to allow for a site visit to take place.
3. A site visit took place on Monday 09 February 2026. A separate note of this site visit is provided as part of the papers.

### Further Consideration

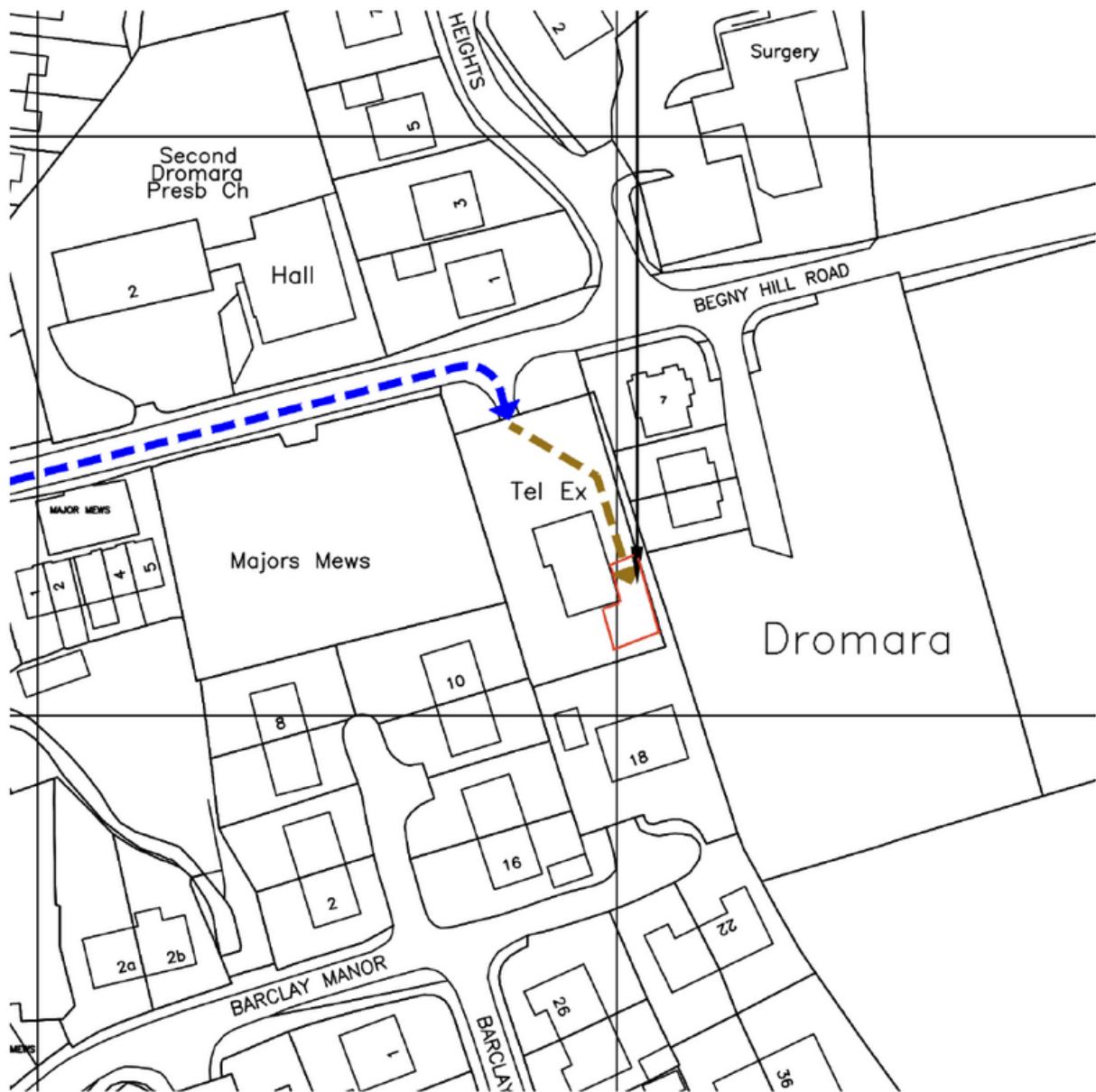
4. Members were reminded that the site visit was arranged to provide them with an opportunity to observe the proposed development in its context.
5. The Head of Planning & Capital Development stated that the purpose of the site visit was for Members to appraise themselves of the proposed replacement of the existing monopole with a taller structure in the context of surrounding buildings and the effect on the visual amenity of the area.
6. The Head of Planning & Capital Development with the aid of drawings showed the position and height of the current and proposed structures. This allowed members to visualise the existing and proposed development in relation to the existing buildings.
7. Members viewed the current structure and the location of the proposed replacement from several vantage points along Begny Hill Road and Woodford Green as outlined on the note appended to this report (see Appendix 1.1b):
8. The members asked for clarification in respect of the height of the tower, the materials used in the construction of the tower and the proximity of the tower to buildings and any related health issues.
9. It was agreed that the officers would highlight in their presentation what the applicant would be entitled to do without the need to apply for planning permission.
10. No new issues were raised at the site visit that would require the original officer's report to be updated or amended. Consequently, the advice at paragraphs 29 to 41 of the main report remains unchanged.

### Conclusions and Recommendation

11. The purpose of the site visit was to afford Members an opportunity to visit the site and observe the proposed development in its context.
12. The information contained in this addendum should be read in conjunction with the main officer's report previously presented to Committee on 02 February 2026.

### Conditions

13. The conditions set out in the original report remain unchanged.

**Site Location Plan LA05/2024/0638/F**

## LISBURN & CASTLEREAGH CITY COUNCIL

### Report of a Planning Committee Site Visit held at 2.10 pm on Monday 9<sup>th</sup> February 2026 at Begney Hill Road, Dromara.

**PRESENT:** Alderman J Tinsley (Chair)

Alderman O Gawith

Councillors S Burns, P Catney and G Thompson

**IN ATTENDANCE:** Head of Planning & Capital Development (CH)  
Principal Planning Officer (PS)  
Member Services Officer (RN)

Apologies for non-attendance had been submitted by Alderman M Gregg; and Councillors D Bassett, J Laverty BEM, A Martin and N Trimble.

Councillor P Catney joined the site visit at 2.14 pm during the introduction and the viewing of the proposed location from the car park of Second Dromara Presbyterian Church. Comments already made were re-iterated for the benefit of Councillor Catney.

The site visit was held to consider the following application:-

LA05/2024/0638/F – Proposed replacement of 15 metre high monopole with 22 metre high lattice tower, 3 no. existing antennas to be removed and replaced, existing 1 300mm transmission dish to be relocated to new tower, proposed 1 no. 300mm transmission dish to be fixed to headframe, proposed installation of 1 no. equipment cabinet and all other ancillary apparatus, on lands to the side of 7 Begney Hill, Dromara.

The application had been presented for determination at the meeting of the Planning Committee held on 2<sup>nd</sup> February 2026. Following a presentation of the officer's report and having heard a representation from Alderman A McIntyre on behalf of the objectors the Committee had agreed to defer consideration to allow a site visit to take place.

The Head of Planning & Capital Development stated that the purpose of the site visit was for Members to appraise themselves of the proposed replacement mobile communications tower in the context of effects of a taller structure on visual amenity of the area.

With the aid of a drawing the Head of Planning and Capital Development explained that the 15m high monopole located within the grounds of the BT Exchange was to be replaced with a 22m high lattice tower located slightly behind the current structure but still within the grounds of the BT Exchange.

Members did not have access to the BT Exchange site but viewed the current structure and the location of the proposed replacement from several vantage points, including:-

- the car park on the opposite side of the road from the Second Dromara Presbyterian Church;
- from outside the gates in front of the BT Exchange;
- at the entrance and at the turning head for the Woodford Green housing development and along the road in between;
- the rear garden of No. 8 Woodford Green (admittance being offered by the householder of No. 8 and accepted by the Chair having taken advice from officers); and
- from the entrance to the Lagan Heights development on the opposite side of road.

The Head of Planning & Capital Development and the Principal Planning Officer responded to Members' questions in respect of the height of the tower, the materials used in the construction of the tower and the proximity of the tower to buildings and any related health issues.

The Principal Planning Officer (PPO) took photographs of the locations of the existing and proposed masts from several vantage points. The PPO advised that he would check out permitted development rights in regard to monopolies – this information to be included in the presentation being brought back to Committee.

There being no further business, the site visit concluded at 2.35 pm.

## Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	02 February 2026
Committee Interest	Local Application (Called In)
Application Reference	LA05/2024/0638/F
Date of Application	27 August 2024
Proposal Description	Proposed replacement of 15 metre high monopole with 22 metre high lattice tower, 3no. existing antennas to be removed and replaced on new tower, existing 1no, 300mm transmission dish to be relocated to new tower, proposed 1no 300mm transmission dish to be fixed to headframe, proposed installation of 1no equipment cabinet and all other ancillary apparatus.
Location	Lands to the side of 7 Begny Hill, Dromara, Co Down, BT25 2AS
Representations	Twenty-two
Case Officer	Callum Henderson
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee in that it has been Called In.
2. The application is presented to the Planning Committee with a recommendation to approve as the proposal is in accordance with the requirements of policy TEL1 of the Plan Strategy as the development and associated enabling works will not result in unacceptable damage to the visual amenity of the area or harm any environmentally sensitive features or locations. It has also been reasonably demonstrated that criteria a) to d) of the policy have been met.

### Description of Site and Surroundings

3. The site is located in the village of Dromara, on lands to the east of 7 Begny Hill Road and within the grounds of a telephone exchange.

4. An existing monopole mast that is 15.0 metres in height sits adjacent to the eastern façade of the exchange building and is bounded by Begny Hill Road to the north, and by residential properties to the east, west and south,. The site is also bounded by a gravel pitch to the northwest. The nearest residential properties are situated at Woodford Green and Barclay Manor.
5. There is a hard standing to accommodate the parking of service vehicles and a turning circle to allow the vehicles to turn within the site. The remainder of the site consists of a lawn. The site is bound by 4 metre high security fencing.
6. The character of the wider area is mainly residential in nature, with shopping, civic and public amenities being situated further west along Begny Hill Road in the centre of the village.

### Proposed Development

7. The application seeks permission for the replacement of an existing 15.0 metre high monopole mast with antenna, with a 22.0 metre high lattice tower, the replacement of 3no. existing antennas, the relocation of 1no. existing 300mm transmission dish, a proposed 1no. 300mm transmission dish, the proposed installation of 1no. GPS module and 1no. equipment cabinet on the ground that will sit immediately northeast of the tower.

### Relevant Planning History

8. The relevant planning history is outlined in the table below. This history includes part of the site within its site boundary:

Reference Number	Description	Location	Decision
LA05/2016/0866/F	Proposed removal of existing mast and replacement with a 15m telecommunications mast carrying 3no. antennae and 2no. radio dishes, and associated works including 3No. equipment cabinets	Within Telephone Exchange on lands c.21m north of 18m Barclay Manor, Dromara	Permission granted 21/12/2016

## Consultations

9. The following consultations were raised:

Consultee	Response
DfI Roads	No objection
Environmental Health	No objection

## Representations

10. Twenty-two representations have been received. The issues raised in these representations are summarised below with consideration of these set out later in the report.

11. The twenty objections received are summarised below:

- Design and scale of the mast being unappealing
- Visual amenity
- Health concerns
- Siting of mast and non-consideration of other sites

12. The two comments received are summarised below:

- Asked to confirm the location of the mast
- Sought assurance that the existing mast would be removed
- Background noise of the equipment
- Houses in the new development of Woodford Green not represented on the submitted location plan

## Planning Policy Context

### Local Development Plan Context

13. 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

14. It is stated at page 16 of Part 1 of the draft 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.*

15. 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.
16. The site is within the designated settlement of Dromara in both the LAP and in the draft BMAP.
17. 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.*

18. 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.*

19. 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.*

20. The strategic policy for Telecommunications and Other Utilities is set out in Part 1 of the Plan Strategy. Strategic Policy 22 - Telecommunications and Other Utilities states that:

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

21. The following operational policies in Part 2 of the Plan Strategy also apply.
22. This is the replacement of an existing monopole telecommunications mast with a taller lattice tower with additional equipment and a new equipment cabinet, and as such it will be assessed against policy TEL1.

### **TEL1 Telecommunications Development**

*Planning permission will be granted for telecommunications development and any necessary enabling works that will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations. Developers will be required to demonstrate that telecommunications proposals, having regard to technical and operational constraints, have been sited and designed to minimise visual and environmental impact.*

*A new telecommunications mast will only be considered acceptable where the above requirements are met and it is reasonably demonstrated that:*

- a) the sharing of an existing mast or other structure has been investigated and is not feasible
- b) a new mast represents a better environmental solution than other options.

*In addition, applications for telecommunications development by Code System Operators or broadcasters will need to include:*

- c) information about the purpose and need for the particular development and how it fits into the operator's or broadcaster's wider network
- d) where proposals relate to the development of a mobile telecommunications base station, a statement indicating its location, the height of the antenna, the frequency and modulation characteristics, details of power output; and declaring that the base station when operational will meet the ICNIRP36 guidelines for public exposure to electromagnetic fields.

### ***Justification and Amplification***

*For the purposes of this policy telecommunications is defined as both wired and wireless voice and digital data (broadband) transfer.*

*Code System Operators are electronic communications network operators (Code Operators) who are regulated through the Electronic Communications Code (the Code).*

*Code System Broadcasters are users of the electronic communications network provided by the Code Operators.*

*The visual and environmental impact of telecommunications should be kept to a minimum and equipment should become an accepted and unobtrusive feature of urban and rural areas.*

### ***Technical and Operational Constraints***

*Whilst the special needs and technical constraints associated with telecommunications development will be taken into account, there is also a corresponding need to adequately control telecommunications development so that rural landscapes, urban skylines and townscape character are not unduly spoiled. Wired telecommunication services should be laid underground for the majority of new development proposals. In rural locations, where underground provision is not*

*practical or feasible, an exception will be permitted for the provision of overhead lines and poles, subject to compliance with the requirements of this policy. In all cases when bringing forward proposals, applicants will be expected to provide information about the purpose and need for the particular apparatus or equipment.*

*The impact of all telecommunication proposals will be considered against this planning policy and the guidance contained in the Department's Development Control Advice Note (DCAN) 14, Siting and Design of Radio Telecommunications Equipment (Published by the former Department of the Environment, April 2008).*

*Applications for masts within 3 kilometres of the perimeter of an aerodrome or aircraft landing site within the Council area, will be required to include evidence that the Civil Aviation Authority, the Ministry of Defence or the aerodrome operator, as appropriate, has been notified of the proposal. The Council will take into account any relevant views expressed.*

*The planning system is not the place for determining health safeguards from electromagnetic emissions from telecommunications equipment. The Department of Health considers that the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure to electromagnetic fields, as accepted by the World Health Organisation<sup>37</sup>, are based on the best evidence available to date. Accordingly where concern is raised about the health effects of exposure to electromagnetic fields, it is the view of the Department of Health that if the proposed mobile telecommunications development meets the ICNIRP guidelines in all respects it should not be necessary for the Council to consider this aspect further.*

*All mobile phone base stations in the UK are expected to meet the ICNIRP public exposure guidelines. Applications for mobile telecommunications base stations must be accompanied by a declaration that the apparatus when operational will meet the guidelines. Similarly where it is intended to place additional antennas onto an existing mast or site, the operator must confirm in a declaration that the cumulative exposure will not exceed the ICNIRP guidelines.*

*In any development, significant and irremediable interference with other electrical equipment of any kind will be a material planning consideration. Only if there is clear evidence that significant electromagnetic interference will arise, or will probably arise as a result of a telecommunications development, and that no practicable remedy is available, will there generally be any justification for the Council to take it into account in determining a planning application.*

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

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

24. It is stated at paragraph 6.232 that:

*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.*

25. In relation to Telecommunications and other utilities paragraph 6.243 states:

*Modern telecommunications are an essential and beneficial element of everyday living for the people of and visitors to this region. It is important to continue to support investment in high quality communications infrastructure which plays a vital role in our social and economic well-being. The importance of other strategic infrastructure to the region such as transport (including air and sea ports), energy and water is also recognised by government.*

26. Paragraph 6.245 states:

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

## Assessment

### TEL1 – Telecommunications Development

27. It is stated in policy TEL1 that the applicant must demonstrate that the proposed telecommunication infrastructure and ancillary works will not result in unacceptable damage to the visual amenity or harm environmentally sensitive features.

28. It is stated in the supporting statement that the taller lattice mast is required to support 5G coverage in the village. Following a site inspection, officers note that the proposed mast is proposed to be located immediately adjacent to and south of an existing mast. It is located on land used as an existing telephone exchange and the existing mast is being permanently removed after the new mast is erected and operational. There is no cumulative visual impact arising from the installation of the mast.

29. The proposed mast will be located within rising ground in the backdrop which has been developed for housing. Whilst it is acknowledged that the mast is taller (increasing from 15.0 to 22.0 metres) and the lattice structure has more bulk the rising ground and buildings in the backdrop mitigate any harm caused to the visual amenity of the village and its setting. A telecommunications mast is an established part of the streetscape and landscape of the village and an integral part of its character.
30. The proposed site is not located within or adjacent to any environmentally sensitive features or locations. It is not impacted by any site specific environmental designation, archaeological feature or built heritage and the construction of a concrete base on a lawn is not considered to present the potential for any unacceptable adverse impact on or damage to known priority habitats, species or features of natural heritage importance.
31. The proposal must also meet all the other criteria of policy TEL1 and these are considered below.
32. The Supplementary Information document submitted as part of the application states:

*"The SPPS sets out that an advanced, high-quality communications infrastructure is essential for sustainable economic growth. The development of high-speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.*

*The proposed base station will provide enhanced 3G and 4G coverage for VMO2, as well as brand-new 5G coverage to this area of Dromara. Given the improved network coverage, capacity and connectivity which will be achieved from the installation of the lattice tower, the three new antennas and associated equipment cabinet, the impact of the proposal on the surrounding streetscape must be balanced against the significant economic, environmental, and social benefits which will be achieved. It is considered the proposed installation is appropriate given the need for the installation in the area, to meet the local service demand.*

*This proposed scheme is considered unlikely to have any detrimental material impact on the local area but significant connectivity improvements, which is a material consideration in the judgment of the site's suitability. The planning constraints (where there are any) have shaped the location of the proposal. The proposed site has been strategically placed to address any residential amenity issues as much as possible."*

33. In reference to the above supplementary information, the sharing of an existing mast or other structure has been investigated and is not considered feasible in this circumstance. Additionally, the mast is to provide services for both the Virgin

Media and O2 networks. There is a precedent of an existing mast on site with the new mast proposed to be shared between two networks. Officers accept that the issue of sharing has been fully and properly explored by the application and that the sharing by network providers is considered to reduce the need for additional towers in other locations and thus is considered that the proposal complies with criteria a) of Policy TEL1.

34. For the same reasons set out in paragraphs 28 to 30 locating a new mast close to the site of an existing mast is considered to be the best environmental option. It makes use of existing brownfield land and existing infrastructure and for these reasons criteria b) of Policy TEL1 is considered to be met.
35. In the justification provided it is noted that requirements for call and particularly data services have increased in both Dromara and the wider area that the existing mast serves. Additionally, 'clutter' is considered to have increased since the installation of the existing mast. 'Clutter' can refer to new buildings, tree growth and other physical features that disturb the strength and distance of radio signals. The increase in height is required to overcome such 'clutter' to ensure that the signal remains unaffected and is propagated as intended. Additionally, the mast is to be shared by both the Virgin Media and O2 networks, further justifying the replacement mast. In light of this, it is considered that the requirements of criteria c) of Policy TEL1 are met.
36. The submitted Supplementary Information document provides further details regarding the development's location, height of the antenna, the frequency and modulation characteristics, and details of power output. It also states the following regarding ICNIRP guidelines for public exposure to electromagnetic fields:

*"All Cornerstone installations are designed and constructed in compliance with the precautionary ICNIRP public exposure guidelines as adopted in EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz). These guidelines have been set following a thorough review of the science and take into consideration both thermal and non-thermal effects. They protect all members of the public 24 hours a day. In addition, precautionary measures have been taken into account when setting relevant guideline limits for the public (i.e. in the UK a safety factor of 50 times is applied to the public exposure guideline)."*

*When measured, field strengths are many times lower than the precautionary ICNIRP general public guidelines.*

*An ICNIRP certificate is provided with every planning application and this verifies that the mobile phone base station, when operational, will meet the precautionary ICNIRP guidelines. We also provide further documentation to clarify that the ICNIRP certificate addresses emissions from all mobile phone network operators' equipment at the proposed site"*

37. The Council's Environmental Health team has been consulted and offer no objection. The officer has no reason to dispute the detail of the technical information or the technical advice offered by the consultee. No contrary evidence is submitted. The proposal clearly demonstrates the location, height, frequency and modulation as well as the power output. Additionally, as mentioned above and to be conditioned as such, the proposal would meet the ICNIRP guidelines for exposure to electromagnetic fields. Therefore, the proposal is considered to comply with criteria d) of Policy TEL1.

### Consideration of representations

38. The 20 objections received are summarised below:

- Design and scale of the mast being unappealing

*The design of the structure, while representing an increase in height from 15.0m to 22.0m, is not considered to result in loss of light or outlook to the nearby residential receptors owing to the open lattice structure.*

- Visual amenity

*The existing structure is already a prominent feature and at the height of nearby dwellings, the proposed increase in height, is not considered to constitute a significant detrimental impact upon visual amenity owing to the precedent of the existing mast in situ currently on site as well as the open nature of the lattice structure of the proposed replacement mast.*

- Health concerns

*As stated in the supplementary documents, all Cornerstone installations are designed and constructed in compliance with the precautionary ICNIRP public exposure guidelines as adopted in EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz). These guidelines have been set following a thorough review of the science and take into consideration both thermal and non-thermal effects. They protect all members of the public 24 hours a day. In addition, precautionary measures have been taken into account when setting relevant guideline limits for the public (i.e. in the UK a safety factor of 50 times is applied to the public exposure guideline).*

*When measured, field strengths are many times lower than the precautionary ICNIRP general public guidelines.*

*Lisburn and Castlereagh City Council Environmental Health were consulted and offered no objection, subject to condition that the installation will adhere to the aforementioned ICNIRP guidelines, of which will be conditioned should approval be granted.*

- Siting of mast and non-consideration of other sites

*Additionally, the site has long been used as a telephone exchange with an associated communications mast in place since 2018. Those residential receptors to the east in Woodford Green were built after the installation of a telecommunications mast in this location on Begny Hill Road and thus the use is well established. With locating the development in the proposed site and in place of the existing mast, a new mast is not considered to represent a materially worse environmental solution than other options.*

39. The two comments are summarised below:

- Asked to confirm the location of the mast

*This was confirmed via written response that the location of the proposed mast is to be sited immediately south to where the existing mast sits. Additionally, all plans related to the proposal are viewable on the public portal.*

- Sought assurance that the existing mast would be removed

*The existing mast will be removed to make way for that proposed, this will sit immediately south to where the existing mast sits. This is noted on the plans.*

- Background noise of the equipment

*The proposal would see the two existing ground cabinets powered down, these would remain in situ, albeit in a dormant state. A new cabinet is proposed immediately north of the proposed mast. This cabinet would be used to house electrical and communications equipment to enable the mast to function. It is acknowledged that such cabinets are not silent on account of any cooling facilities or a general electrical hum, however, this cabinet would be situated entirely below the existing retaining wall to those dwellings along Woodford Green and it is considered that the reduction of two working cabinets to one would not represent an unacceptable harm to the amenity of adjacent residential receptors. The Council's Environmental Health team were consulted and offer no objections or concerns in relation to noise.*

- Houses in the new development of Woodford Green not represented on the submitted location plan

*The site location plan submitted shows only a portion of the dwellings in Woodford Green which at the time of submission in 2024 were only recently completed and so would not have immediately shown on various mapping services. The proposed site plan submitted with the application does, however, take account of the adjacent dwellings in Woodford Green with the aforementioned dwellings considered during both site visits and desk-based assessments.*

## Conclusions

40. The proposal is in accordance with the requirements of policy TEL1 of the Plan Strategy as the development and associated enabling works will not result in unacceptable damage to the visual amenity of the area or harm any environmentally sensitive features or locations. It has also been reasonably demonstrated that criteria a) to d) of policy TEL1 have been met.

## Recommendations

41. It is recommended that planning permission is approved.

## Conditions

42. The following conditions are recommended:

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

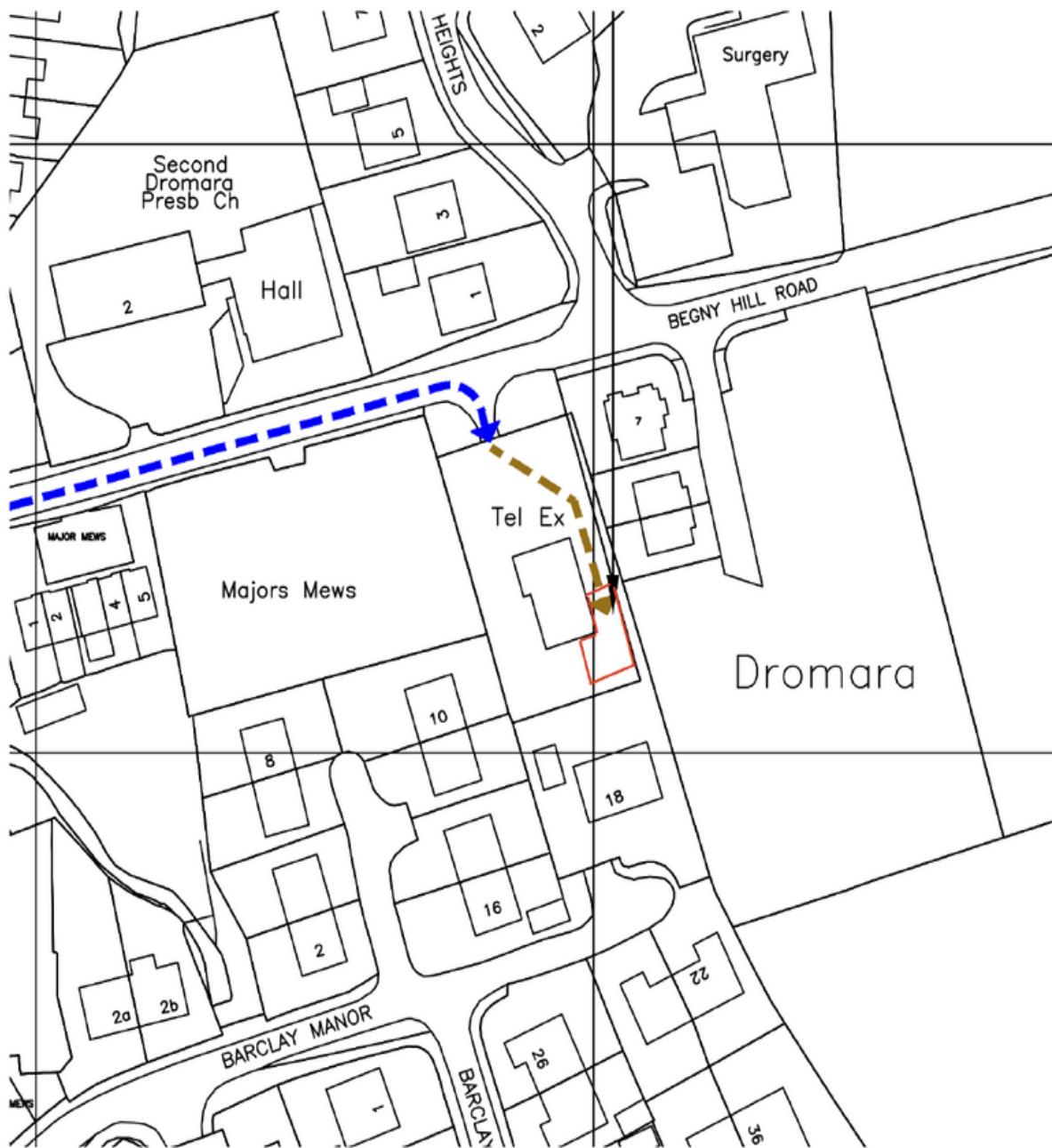
**Reason:** As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Within four weeks of the new mast being erected the existing mast shall be decommissioned and removed from the site in accordance with drawing no. 02 published to the Planning Portal on 3 September 2024.

**Reason:** To ensure the visual amenity of the area is maintained in accordance with the requirement of policy TEL1

3. The proposed mast when operational shall be compliant with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

**Reason:** To ensure the mast and associated equipment is constructed and operated in accordance with current ICNIRP guidelines.

**Site Location Plan – LA05/2024/0638/F**

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	18 February 2026
Committee Interest	Local Application (Called In)
Application Reference	LA05/2024/0835/F
Date of Application	18 November 2024
District Electoral Area	Killultagh
Proposal Description	Retention of car storage yard
Location	Lands to the rear of Nos 12-16 Beechfield Manor, Aghalee
Representations	16
Case Officer	Joseph Billham
Recommendation	<b>Approval</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 approve as the proposal is in accordance with requirements of Policy ED2 of the Plan Strategy. It has been demonstrated the scale, nature and design of the proposed storage and distribution use because of its limited scale and back land location is appropriate to the character of Aghalee. No new buildings are proposed, and an existing access is utilised. It is also compatible with the adjacent residential use as the land is only used for storage, operated during the day-time and does not involve the repair or dismantling of motor vehicles.
3. Furthermore, the proposal is in accordance with all the general criteria – (a) to (o) of Policy ED9 of the Plan Strategy for the reasons set out at paragraphs 00 to 00 of the report.
4. As businesses in villages are required to also meet the requirement of policy TC5 the proposal is also considered to comply with criteria a) and b) of the policy in that it has been demonstrated the proposal is linked to an established local business that serves a local need for the continued operation of that

business. The scale of development, form and the fact that cars are stored with the curtilage of an existing building means that it does not affect the existing character and appearance of the village.

5. The proposal makes use of an existing access. There is no intensification of the use of the access based on the supporting information provided and having taken into account the advice of DfI Road the development is in accordance with Policy TRA2 of the Plan strategy and the access arrangements to the public road are adequate. There is no prejudice road safety nor will the development significantly inconvenience the flow of traffic.

### **Description of Site and Surroundings**

6. This site is located in the village of Aghalee at the north side of Lurgan Road at lands to the rear of Nos. 12 to 16 Beechfield Manor.
7. This 0.4-hectare rectangular site is accessed via an existing laneway at the junction of the Lurgan Road and Ballycairn Road. The laneway runs parallel with the rear boundaries of the dwellings at Nos. 12 to 16 Beechfield Manor. .
8. The site is comprised of an existing gravel yard and an existing single storey former agricultural building that is in a considerable state of disrepair. The building is sited centrally on site and comprises of red brick exterior with a rounded corrugated sheeting roof. Part of the roof has collapsed. The building also includes an open sided side lean on roof. The building has several windows and doors openings on the ground floor.
9. At the time of inspection approximately 30no. vehicles were parked in the yard.
10. The laneway from Lurgan Road is a gravel laneway bounded by fencing on both side as these boundaries are shared with the residents and businesses adjacent to the laneway.
11. The northern boundary is comprised of mature trees and hedging and an existing agricultural field gate that allows access to the field at the north. The western boundary is comprised of a large earth mound. The southern boundary consists of a number of mature trees and timber 1.8m vertical timber fencing. The eastern boundary is comprised of a 2m wall and the side elevation of a two-storey building.

### **Surroundings**

12. The site is bounded by open agricultural fields to the north and west. To the east lies a number of buildings associated with the Beeches Resource Centre. To the south is the Beechfield Manor residential development which is comprised of two-storey detached dwellings.

## Proposed Development

13. The application seeks planning permission for the retention of car storage yard.

## Relevant Planning History

14. There is no relevant planning history for the application site.

## Consultations

15. The following consultations were carried out:

Consultee	Response
DFI Roads	No objection
NI Water	No objection
Environmental Health	No objection
NIEA Water Management Unit	No objection
Historic Environment Division (HED)	No objection

## Representations

16. There have been 16 letters of representation received during the processing of the planning application.

17. These representations are available to view on the Planning Portal via the following link:

[Northern Ireland Public Register](https://planning.register.planningsystemni.gov.uk/simple-search)  
(<https://planning.register.planningsystemni.gov.uk/simple-search>)

18. The issues within the representations received include:

- Issue of access and laneway being unsuitable and no visibility splays present
- Large lorries delivering

- Size of the site will enable the car dealer to expand and operate business from the site for car sales, car repairs and storage.
- Impact of pollution
- Impact on property value
- Impact on quality of life and out of place in rural setting and residential area
- Unauthorized surveillance from CCTV lead to overlooking
- Trespassing on land and use nearby residents
- Clearance and repurposing of laneway result in environmental impacts
- Proceeded without proper planning permissions and no consultation with residents
- Damage to adjoining fences during access clearance and to secure gates
- Application form incorrect for staff vehicles
- Using laneway outside of daytime hours by applicant for motorbikes and racetrack
- Impact on privacy on use of laneway
- Application form Section 6 is incorrect and misleading for retention of development.
- No drainage provision
- Construction of earth mound has restricted access to gate to maintain boundary hedge
- Yard used at weekends and outside of reasonable hours
- Anti-social behaviour from site
- Fire Hazard and no access to fire appliance.
- Yard being used for farm animals.

19. The issues raised in these representations have been considered as part of the assessment of this application and are dealt with in detail later in the report.

### Planning Policy Context

#### Local Development Plan Context

20. 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

21. 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.*

22. In accordance with the transitional arrangements the existing Local Development Plan is the Plan Strategy and the Lisburn Area Plan (LAP). Draft BMAP remains a material consideration.
23. In LAP the site is located inside in the settlement limit of Aghalee. No other designation applies. There is no change to the development plan status of the site in the last revision to draft BMAP.
24. This proposal is for development in 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.*

*The Plan will support development proposal that:*

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

## **Local Development Plan 2032 Part 2 - Operational Policies**

25. The proposal is for the storage of motor vehicles and distribution to a local retail car sales business. The use is considered fall within Class B4 of the Planning (Use Classes) Order (Northern Ireland) 2015.

26. Policy ED2 Economic Development in Villages and Small Settlements states for class B4 Uses:
27. *Class B2 Light Industrial Use and Class B3 General Industrial Use and Class B4 Storage or Distribution Use*

*A development proposal for a Class B2 light industrial use, Class B3 general industrial use or Class B4 storage or distribution will be permitted where it can be demonstrated that the scale, nature and design of the proposal are appropriate to the character of the settlement and is compatible with any adjacent residential use.*

#### *Justification and Amplification*

*Within villages and small settlements, favourable consideration will be given to applications for industrial, business and storage or distribution uses provided the proposal is of a scale, nature and design appropriate to the character of the settlement involved and it meets the normal planning criteria for this type of development.*

The requirements of policy ED9 General Criteria for Economic Development applies to all economic development proposals in villages and small settlements. The policy states:

28. Any proposal for an economic development use (including extensions) outlined in Policies ED1 to ED8 will also be required to meet all of the following criteria:
  - a) *it is compatible with surrounding land uses*
  - b) *it does not harm the amenities of nearby residents*
  - c) *it does not adversely affect features of the natural or historic environment*
  - d) *it is not located in an area of flood risk and will not cause or exacerbate flooding*
  - e) *it does not harm the water environment*
  - f) *it does not create a noise nuisance*
  - g) *it is capable of dealing satisfactorily with any emission or effluent*
  - h) *the existing road network can safely handle any extra vehicular traffic the proposal will generate, or suitable developer led improvements are proposed to overcome any road problems identified*
  - i) *adequate access arrangements, parking and manoeuvring areas are provided*
  - j) *a movement pattern is provided that meets the needs of people whose mobility is impaired and public transport, walking and cycling provision forms part of the development proposal*

- k) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity*
- l) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view*
- m) it is designed to deter crime and promote personal safety*
- n) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape*
- o) it meets the requirements of Policy NH1.*

#### *Justification and Amplification*

*When considering economic development proposals, the Council will seek to minimise adverse effects on the amenities of adjacent properties, particularly dwellings, and the natural and historic environment.*

*Environmental issues relating to economic development are not only important in themselves but can make sound economic sense. Well-designed buildings and sites are better for the wider environment and can minimise running costs. Development should aim to create an attractive, healthy, safe and sustainable environment.*

*For major developments a Transport Assessment and a Travel Plan will be required. The Council will seek to ensure that proposed development will not lead to increased congestion on the public road network and that the location chosen is also accessible to walking, cycling and public transport networks.*

*The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 set out the types of projects where an Environmental Statement will be required to assess the likely environmental effects of the proposal and properly consider any mitigating factors.*

29. It is further stated in policy TC5 Villages and Small Settlements that:

*Proposals for retailing, business or community uses in villages and small settlements will be granted where:*

- a) it is demonstrated a proposal meets a local need*
- b) it is of a scale, form and design that does not affect the existing character and appearance of the area.*

#### *Justification and Amplification*

*Growth of appropriate scale, nature and type should also be encouraged in villages and small settlements to retain their vitality and meet an identified local need. This will ensure the sustainability of the local community and also the wider rural population. This policy recognises the important role villages and small settlements can play in rural communities.*

### **Access and Transport**

30. An existing unaltered access to the public road and the issue of the intensification occurs needs to be considered. Policy TRA2 – Access to Public Roads states:

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

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

*Consideration will also be given to 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.*

*The justification and amplification states:*

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

31. The site is within the consultation zone for the former Aghalee Bar at 2 Soldierstown Road. 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.

32. There is a requirement to encourage the integration renewable energy technologies into development proposals. Policy RE2 Integrated Renewable Energy states:

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

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

*This is referred to as 'micro-generation' and is widely accepted to be the production of heat and/or electricity from low or zero carbon energy sources. New large-scale urban, public sector and rural development proposals can maximise the benefits that can be derived from integrated renewable technology.*

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

### Regional Policy and Guidance

33. 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.*

34. 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.*

35. Paragraph 6.82 of SPPS Edition 2 provides the regional strategic objectives for economic development. It states:

The regional strategic objectives for facilitating economic development through the planning system are to:

- promote sustainable economic development in an environmentally sensitive manner;
- tackle disadvantage and facilitate job creation by ensuring the provision of a generous supply of land suitable for economic development and a choice and range in terms of quality;
- sustain a vibrant rural community by supporting rural economic development of an appropriate nature and scale;
- support the re-use of previously developed economic development sites and buildings where they meet the needs of particular economic sectors;
- promote mixed-use development and improve integration between transport, economic development and other land uses, including housing; and
- ensure a high standard of quality and design for new economic development.

36. It is stated at paragraph 6.232:

*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. 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

### ED2 Economic Development in Villages and Small Settlements

38. The proposal is for the retention of a Class B4 storage or distribution use within the small settlement of Aghalee.
39. The agent provided a supporting statement to demonstrate how the proposal is of a scale, nature and design appropriate to the character of the settlement and compatible with adjacent residential use.

40. The agent has advised in the statement that the existing premises owned by the applicant for his car sales business at 13 Soldierstown Road is at capacity with no further room for the storage of cars for sale. A site inspection to the business premises at 13 Soldierstown Road confirmed the existing site is at capacity.
41. The scale of development has been explained within the supporting statement as small in scale. No other business activities take place on site such as the cleaning, repair and selling of motor vehicles.
42. The number of trips per day has been stated to be in the range 0 – 5 visits a day. The cars are delivered on a singular basis to application site to be stored. The officer did not observe any vehicle movements at the time of the visit and have no reason to dispute the figures provided in the supporting documentation.
43. Once a car has been requested for viewing by a customer it is brought to the premises on Soldierstown Road for inspection and viewing. No customers are brought to the site, and this is only for staff to either drop off or collect the car.
44. No new buildings are erected, and the existing building is not being used for the storage of vehicles. The site is located down a long laneway that is 178m from the Lurgan Road. The site is not visible from the Ballinderry Road, Lurgan Road or Beechfield Manor.
45. For the reasons set out in the preceding paragraphs it is considered that the scale, nature and design of the proposal is appropriate to the character of Aghalee.
46. Small settlements are described in the Plan Strategy as:

*These important local service centres provide goods, services and facilities to meet the daily needs of the rural area. They are good locations for rural businesses and can accommodate residential development in the form of small housing estates, housing groups and individual dwellings.*
47. There are a mix of uses within Aghalee that includes, residential, community halls and retailing). In addition, there is retrospective permission under application LA05/20191112/F for a *Proposed vehicular valeting yard and associated building, store and canopy* at 19 Lurgan Road that lies within the settlement limit of Aghalee.
48. It is considered the B4 storage use is an appropriate use for business within the settlement. The scale and size of development here shall have a low impact on the surrounding area and is used for staff to collect and drop off vehicles.

49. The proposal shall not have an adverse impact on the character of the settlement given the site is set back from the public road, clustered with existing buildings and partly surrounded by mature trees and hedgerow. It is considered compatible with the adjacent residential use. The environmental health unit offers no objection on the grounds of noise. Given the relationship of the access to the boundary of the neighbouring residential properties however it is considered appropriate to limit the hours of operation to 0800 – 1800 Monday to Friday and 08:00 – 13:00 on Saturday with no activity on Sundays to protect the amenity of residents.

#### ED9 General Criteria for Economic Development

50. The proposal is considered to be compatible with the surrounding land uses for the reasons set out in the preceding paragraphs.

51. In regard to the amenities of nearby residents Environmental Health has been consulted in relation to noise, pollution, air quality and general amenity and offered no objections. The officer agreed that it is important to restrict the operating hours given the proximity of the development to the existing laneway. Criteria a) and b) are met based on the observations from the site visit and the advice of Environmental Health.

52. The proposal shall not have an adverse effect on features of natural or historic environment. The proposal is not located with an area of flood risk and shall not cause or exacerbate flooding. No washing or servicing takes place on site, and the yard is only used for the storage of cars. NIW, NIEA and EHO have been consulted and offered no objections. The proposal shall not impact on the water environment. Criteria d) and e) are met.

53. In relation to criteria f) EHO have been consulted on noise nuisance and offered no objections. Criteria f) is met.

54. NIW, NIEA and EHO have been consulted and offered no objections. The proposal shall be capable of dealing with emission or effluent. Criteria g) is met.

55. DFI Roads have been consulted and offered no objections. The proposal is considered safely handle extra vehicle traffic. The existing access is being utilised and DFI Roads have no objection to access arrangement, parking and manoeuvring on site. Criteria h) and i) are met.

56. The proposal is accessible for the needs of people whose mobility is impaired and through public transport through local bus links. Walking and cycling provision space is sufficient on site. Criteria j) is met.

57. The site layout, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity. Criteria k) is met. The existing vegetated boundaries are being retained and shall be conditioned in event of approval. The site is screened from public view on Lurgan Road due to the built nature of the surrounding area. Criteria l) is met.
58. The proposal has been designed to deter crime and promote personal safety. Criteria m) is met.
59. The proposal is not located within the countryside and criteria n) does not apply here. No development is proposed that impacts on the environment and policy NH1 is not assessed.

#### TC5 Villages and Small Settlements

60. The agent has provided a supporting statement that the proposal is due to provide the necessary storage space which enables the appellant to sustain and increase economic development and growth of the business within the area.
61. The statement advises the proposal shall sustain and create jobs and create business growth ensuring development and is environmentally sensitive. The proposal has been demonstrated to be of appropriate scale and type that shall meet local need within the settlement of Aghalee. Criteria a) is met.
62. The proposal is considered to be of appropriate scale, form and design that does not affect the existing character and appearance of the area. The proposal does not include new floorspace or buildings and is set back from the Lurgan Road by 200m+. The design and form of the proposal shall not have an adverse impact here. Criteria b) is met here.

#### Access, Movement and Parking

63. The detail provided within the application the existing entrance from Lurgan Road and existing yard for car parking is being utilised.
64. DfI Roads have been consulted and offer no objections to this development. A very small number of trips are generated given the scale of development and it is the observation of the case officer from the site visit that there is any intensification. It is therefore considered that Policy TRA 2 and section a) is complied with. No concern arises in respect of road safety or the traffic progression.

### Policy HE 9 - Development affecting the Setting of a Listed Building

65. In regard to Policy HE 9 the proposal is considered to respect the listed building HB19 03 025 Public House (formerly Aghalee Bar) 2 Soldierstown Road Aghalee. The proposal does not include new buildings and therefore no design details are present as part of the application. HED have been consulted and stated:

*Historic Environment Division: Historic Buildings has considered the effects of the proposal on the listed building HB19 03 025 Public House (formerly Aghalee Bar) 2 Soldierstown Road Aghalee and on the basis of the information provided, has no comment to make as the proposal is far enough away from the listed building that its setting will remain unaffected.*

66. There are limited design works and the nature of the size and scale of the proposal for car storage is considered appropriate for the area as advised above. The proposal is considered to respect the character of the setting of the building.

### RE2 Integrated Renewable Energy

67. The proposal is retrospective for the car storage yard. There is no development or new floorspace being erected as part of the proposal. The existing building on site shall not be impacted by the proposal. Policy RE2 relates to the greater integration of renewable energy technologies, both in the design of new buildings and through the appropriate retrofitting of such technologies to existing buildings.

68. As the proposal does not include new or existing buildings there is no design or renewable technologies applicable and therefore it shall not have an adverse visual or amenity impact. Policy RE2 is met.

### **Consideration of Representations**

69. There have been 15 letters of representation received during the processing of the planning application. The issues raised in these representations have been considered as part of the assessment of this application.

- Concern: Issue of access and laneway being unsuitable and no visibility splays present  
Response: The existing access is being utilised and DfI Roads have no objection to the access arrangement, parking and manoeuvring on site.

- Concern: Large lorries delivering  
Response: Within the supporting statement it is stated no bulk deliveries take place and this is on a singular basis when delivering individual cars. In event of approval a condition relating to hours of operation shall be applied.
- Concern: Size of the site will enable the car dealer expand and operate business from the site for car sales, car repairs and storage.  
Response: The proposal is seeking retrospective permission for car storage. Should the site be used for other purposes including car repairs and sale would be subject to Planning Enforcement.
- Concern: Impact of pollution  
Response: LCCC Environmental Health have been consulted in relation to the impact on pollution and offered no objections.
- Concern: Impact on property value  
Response: Loss in property value is not a planning material consideration that can be given determining weight.
- Concern: Impact on quality of life and out of place in rural setting and residential area  
Response: The scale and size of development is considered appropriate to the surrounding area within the settlement limit of Aghalee. The site shall be conditioned to have the opening hours that shall not exceed 0800 – 1800 Monday to Friday and 08:00 – 13:00 on Saturday with no activity on Sundays. The proposal shall not have an adverse impact on the character of the settlement limit.
- Concern: Unauthorized surveillance from CCTV lead to overlooking  
Response: Upon recent site inspection on 25/11/25 the CCTV cameras have been removed from the site.
- Concern: Trespassing on land and use nearby residents  
Response: If there are land ownership issues between the applicant and the objector, this is a legal issue between the relevant parties.
- Concern: Clearance and repurposing of laneway result in environmental impacts  
Response: The application is retrospective in nature and therefore shall be no adverse impact on the natural heritage.
- Concern: Proceeded without proper planning permissions and no consultation with residents  
Response: The application has been applied for retrospectively in accordance with The Planning Act (Northern Ireland) 2011, Section 55. All neighbour notifications have been carried out.
- Concern: Damage to adjoining fences during access clearance and to secure gates  
Response: Damage to adjacent properties is a civil matter between third parties that is outside the remit of planning.
- Concern: Application form incorrect for staff vehicles  
Response: The application form indicates 1 – 2 staff visit per day and within the supporting statement it is between 0 – 5 during the day depending on customers requesting to see cars that need transported to the business premises on Soldertown Road. This is considered acceptable during the business hours of operation.

- Concern: Using laneway outside of daytime hours by applicant for motorbikes and racetrack  
Response: The site shall be used for storage purposes in connection with the existing businesses on Soldierstown Road. Any potential or suspected breach of planning conditions should be submitted to the Planning Enforcement Team to undertake an investigation.
- Concern: Impact on privacy on use of laneway  
Response: There shall be no undue impact on privacy from the use of cars using the laneway due to the fence boundary present along the laneway.
- Concern: Application form Section 6 is incorrect and misleading for retention of development.  
Response: The application form is accurate, and the proposal has been applied for retrospectively in accordance with The Planning Act (Northern Ireland) 2011, Section 55.
- Concern: No drainage provision  
Response: LCCC Environmental Health, NI Water and NIEA Water Management Unit were consulted and offer no objection.
- Concern: Construction of earth mound has restricted access to gate to maintain boundary hedge  
Response: Earth mound has been referred to Planning Enforcement. Access for maintenance works is a civil matter.
- Concern: Yard used at weekends and outside of reasonable hours  
Response: In event of approval the site shall be conditioned for the opening hours shall not exceed 0800 – 1800 Monday to Friday and 08:00 – 13:00 on Saturday with no activity on Sundays. Any activity outside of these hours are for a matter of enforcement.
- Concern: Anti-social behaviour from site  
Response: The appellant has demonstrated upon taking over the site it has been cleared and made safe. The site has access gates at the front of the site onto Lurgan Road and at the bottom of the laneway to deter any anti-social behaviour.
- Concern: Fire Hazard and no access to fire appliance.  
Response: Environmental Health have been consulted and offered no objections.
- Concern: Yard being used for farm animals.  
Response: The application is only for the change of use relating to car storage on site. The livestock present on site has been referred to Planning Enforcement.

## Conclusions

70. In conclusion the proposal is considered to comply with criteria a) and b) of the Policy ED2 in that it has been demonstrated the proposal is linked to an established local business that serves a local need for the continued operation of that business. The scale of development, form and the fact that cars are stored with the curtilage of an existing building means that it does not affect the existing character and appearance of the village.

71. Furthermore, as advised above the proposal is considered to be in accordance with all the criteria a) – o) of Policy ED9 of the Plan Strategy in relation to the general criteria for economic development.
72. There is no intensification of the use of the access based on the supporting information provided and having taken into account the advice of DfI Road the development is in accordance with Policy TRA2 of the Plan strategy and the access arrangements to the public road are adequate. There is no prejudice road safety, nor will the development significantly inconvenience the flow of traffic.
73. The proposal is also considered to comply with criteria a) and b) of policy TC5 in that it has been demonstrated the proposal is linked to an established local business that serves a local need for the continued operation of that business. The scale of development, form and the fact that cars are stored with the curtilage of an existing building means that it does not affect the existing character and appearance of the village.

### Recommendations

74. It is recommended that planning permission is approved.

### Conditions

75. The following conditions are recommended:

1. This decision is issued under Section 55 of the Planning Act (Northern Ireland) 2011 and is effective from the date of this permission.  
Reason: This is a retrospective application.
2. The existing natural screenings of the site as illustrated upon approved drawing number 02A published to the planning register 10<sup>th</sup> October 2025 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: In the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

3. If any retained tree or hedge is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree/trees or hedge in the same location of a species and size as specified by the Council.

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

4. The hours of operation at the site shall not exceed 0800 – 1800 Monday to Friday and 08:00 – 13:00 on Saturday with no activity on Sundays.

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

**Site Location Plan – LA05/2024/0835/F**

**Site Layout Plan – LA05/2024/0835/F**

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	18 February 2026
Committee Interest	Local Application (Called In)
Application Reference	LA05/2023/0523/F
Date of Application	21 June 2023
District Electoral Area	Lisburn North
Proposal Description	Proposed use of rear carpark for car boot sales
Location	57a Ballyskeagh Road, Ballyskeagh, Lisburn, BT27 5TE
Representations	None
Case Officer	Callum Henderson
Recommendation	<b>Refusal</b>

### Summary of Recommendation

1. The application has been referred to the Planning Committee for determination in accordance with the Protocol for the Operation of the Planning Committee as the application has been called in by local members.
2. This application is presented to the Planning Committee with a recommendation to refuse as the proposal is not in accordance with the requirements of policy COU1 of the Plan Strategy as it is not considered to be a type of development which in principle is acceptable in the countryside.
3. Furthermore, the proposal is not in accordance with the requirements of policy COU16 of the Plan Strategy, specifically criteria c) and e), in that it would be an inappropriate use in the open countryside and have an adverse impact upon the rural character of the area.
4. The proposal is contrary to Policy TC1 of the Lisburn and Castlereagh City Council Plan Strategy in that it would have an adverse effect on the integrity of town centres, and the vitality of settlements in general which are considered to be sustainable locations for the growth and provision of such a *sui-generis* use that would see the sale and provision of goods in the open countryside.

5. In consideration of access and transport, the proposal is contrary to Policy TRA2 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no detriment to road safety or inconveniencing of the flow of vehicles.
6. The proposal is contrary to Policy TRA7 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there is an appropriate provision of parking provided for the intended use on what is the main car park for Drumbo Park.

### **Description of Site and Surroundings**

7. The application site is comprised of the car park of Drumbo Park which hosts a multi-use stadium primarily used for football and Greyhound racing, located on the northern side of Ballyskeagh Road.
8. The main building on the site for spectators comprises both indoor and outdoor seating and is located to the northeast of the stadium. The site also includes a large area of hardstanding surrounding the stadium for parking and manoeuvring of vehicles, in addition to ancillary buildings and stands around the stadium such as the club house.

### **Surroundings**

9. The lands in the immediate area are predominantly rural in nature and within the Lagan Valley Area of Outstanding Natural Beauty. There is a collection of residential dwellings within the settlement development limit of Ballyskeagh sitting at the entrance to the site along the Ballyskeagh Road, some 250m to the south.

### **Proposed Development**

10. Full permission is sought for a weekly car boot sale to be held in the eastern car park of Drumbo Park, a dog racing track. This permission would permit the use twice weekly on Wednesdays and Saturdays, meaning the car boot sale would be permitted for a maximum of 104 times a year.

### **Relevant Planning History**

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

Reference Number	Description	Location	Decision
S/1990/0786	Use of existing track for Greyhound Racing	New Grosvenor Stadium, Ballyskeagh Road, Lambeg, Lisburn	Granted 1 <sup>st</sup> January 1992
S/1997/0667	The continuance of use of dog racing track without the compliance with conditions 02 and 03 of planning application Ref No S/90/0786 and conditions 06 and 07 of planning application Ref S/92/0387	57 Ballyskeagh Road, Lambeg, Lisburn	Granted 18 <sup>th</sup> March 1998
S/1992/0387	Grandstand and alterations to Greyhound Racing Track, and ancillary accommodation	57 Ballyskeagh Road, Lambeg, Lisburn, BT27 3PE	Granted 11 <sup>th</sup> August 1993
S/2001/0429/F	Internal alterations beneath grandstand to provide additional office space at Ballyskeagh Greyhound Stadium (retrospective)	Ballyskeagh Dog Racing Track, Lisburn Distillery FC, Lambeg, Lisburn	Granted 24 <sup>th</sup> May 2001
S/2008/1027/F	Variation of condition no. 5 & 7 of Planning Permission S/2007/0760/F to extend racing hours and use of tannoy system from 9:45pm to 10:30pm	57A Ballyskeagh Road, Lambeg, Lisburn, BT27 3PE	Refused 9 <sup>th</sup> September 2009
LA05/2020/0229/F	Proposed eight small light industrial units, at the existing Drumbo Park site and also the addition of a new water harvesting tank associated with the dog track maintenance	Drumbo Park, 57 Ballyskeagh Road, Lisburn, BT27 5TE	Refused 13 <sup>th</sup> September 2021
LA05/2025/0418/F	Proposed construction of toilet	Drumbo Park, 57 Ballyskeagh	Granted 30 <sup>th</sup> July 2025

	block, including access ramp and steps	Road, Lisburn, BT27 5TE	
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### Consultations

12. The following consultations were carried out:

Consultee	Response
Environmental Health	No objection
Historic Environment Division	No objection
NIE	No objection
DfI Roads	Outstanding Information

### Representations

13. No representations were received in response to the consultations issued in respect of the application.

### Local Development Plan

14. 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

15. 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.*

16. 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.
17. The LAP identifies the application site being located outwith any settlement limit. BUAP designates the site as being within the Belfast Urban Area, additionally, the site is within the Lagan Valley Regional Park. The site remains in the countryside and the Lagan Valley Regional Park in draft BMAP
18. This application is for a change of use as a twice weekly car boot sale. No permanent structures are proposed and as noted in the land use gazetteer, a car boot sale is considered to be a *sui generis* use.
19. The site is outside of a settlement and in the open countryside. The strategic policy for sustainable development is set out in Part 1 of the Plan Strategy. 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.*
20. The operational policies in Part 2 of the Plan Strategy also apply.

### **Development in the Countryside**

21. The proposal is for a non-residential use in the open countryside. Policy COU1 – Development in the Countryside states:

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

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

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

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

*development. Development of inappropriate retailing in the countryside will be resisted. Retailing opportunities in the countryside will only be considered in relation to Policies COU11, COU14 and, in exceptional cases, Policy TC6.*

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

The justification and amplification section states:

*The countryside is a unique resource in terms of its landscapes, cultural heritage, nature conservation and biodiversity. It is home to our agricultural industry and rural communities, providing a recreational and tourism asset. However, there has been an accelerating pressure for development throughout the countryside, in particular new dwellings. It is recognised this development pressure must be balanced against the needs of rural communities, as such these operational policies are considered appropriate to facilitate sustainable development in the countryside*

## 22. COU16 Rural Character and Other Criteria

*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 access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.*

## **Town Centres, Retailing and Other Uses**

### 23. TC1 Town Centres, Retailing and Other Uses

*A Sequential Approach will be adopted for planning applications for retail and other city / town centre uses to be considered in the following order of preference:*

- a) Primary retail core and retail frontage (where designated)
- b) City or town centres
- c) Edge of city or town centres
- d) Out of centre locations – only where sites are accessible by a good choice of public transport

The justification and amplification section states:

*Retail development within the city or town centres maximises business opportunities, promotes competition and innovation and enhances quality of life by stimulating economic investment. In order to sustain and enhance the vitality and viability of town centres and their functions, town centres, or where designated their primary retail core, and retail frontage will be the first choice for all retailing development.*

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

24. an existing access is used but an assessment is required of whether any intensification arises from the proposed development. Policy TRA2 Access to Public Roads states:

*Planning permission will only be granted for a development proposal involving direct access, or the intensification or 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, 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.*

25. It is proposed to use the existing car parking spaces for the operation of the market. 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 standards33 or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals*

*should not prejudice road safety or significantly inconvenience the flow of vehicles.*

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

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

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

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

*Car parking proposals should include an appropriate number of reserved electric charging point spaces and their associated equipment.*

*Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided.*

## **Regional Policy Context**

26. 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.*

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

*The 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.*

28. 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.*

29. 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.*

30. 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.

31. This application is for the change of use from a car park to a *sui generis* use for a car boot sale.

32. Paragraph 4.11 of the SPPS states that:

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

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

34. It also advises that the planning system can also positively contribute to improving air quality and minimising its harmful impacts.

35. Paragraph 4.12 of the SPPS states:

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

36. It also advises that adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. The above-mentioned considerations are not exhaustive and the planning authority is considered to be best placed to identify and consider, in consultation with stakeholders, all relevant environment and amenity considerations for their areas.
37. Paragraph 6.81 states that:

*The planning system has a key role in achieving a vibrant economy. In this regard, the aim of the SPPS is to facilitate the economic development needs of Northern Ireland in ways consistent with the protection of the environment and the principles of sustainable development.*

## **Assessment**

38. Full permission is sought for a twice weekly car boot sale to be held in the eastern car park of Drumbo Park, a dog racing track. This twice weekly permission would see the car boot sale permitted 104 times a year, an increase of the currently permitted 14 times a year under Part 5, Class B2 of The Planning (General Permitted Development) Order (Northern Ireland) 2015.

## **Development in the Countryside**

39. As noted above, the site is outwith any settlement limit and is considered to be in open countryside, as well as being situated within the Lagan Valley Area of Outstanding Natural Beauty.
40. Policy COU1, Development in the Countryside, states that, 'There are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development'.
41. A *sui generis* use is considered non-residential and is thus not considered to be supported by Policies COU11 to COU14 which relate to farm diversification, agricultural and forestry development, necessary community facilities in the countryside and lastly the conversion and reuse of buildings for non-residential use respectively.
42. The aforementioned types of development in the countryside outlined in policies COU11 to COU13 are considered to be self-explanatory as to why they would not be relevant to this change of use proposal to a car boot sale.

43. For the avoidance of doubt, the remaining policy outlined for non-residential development in the countryside, COU14, relates to the sympathetic conversion, with adaptation, if necessary, of a non-listed vernacular building or a suitable locally important building (such as former schoolhouses, churches and older traditional barns and outbuildings). Given there are no structures proposed on site, and this application seeks permission for an operational use, Policy COU14 is not considered relevant.
44. The only remaining non-residential use permitted in the countryside, as outlined in policy COU1, would be petrol filling stations and roadside service facilities which is considered in policy TC6. This policy is not considered relevant to this change of use for a car boot sale, a *sui generis* use.
45. In light of the above assessment, the proposal for a change of use to a car boot sale twice weekly, or 104 times a year in what is open countryside is not considered to benefit from any provisions within Policy COU1 – Development in the Countryside and is therefore considered in principle to be an unacceptable use in the countryside.

#### Policy COU16 Rural Character and Other Criteria

46. An additional requirement for *sui-generis* uses in the countryside is for all development to be in accordance with Policy COU16 Rural Character and Other Criteria.
47. Given there are no permanent structures proposed specifically for the use as a car boot sale it is not considered that the use would be unduly prominent in the landscape and the use would cluster with the existing Drumbo Park. Therefore, the use would not be in conflict with criteria a) and b) of Policy COU16.
48. The use, which is considered to be a *sui-generis* use for the sale of goods, is not considered to respect the traditional pattern of settlement exhibited in the area of which is largely rural, albeit with a leisure use adjacent in the form of Drumbo Park. The proposal is not considered to comply with criteria c) of Policy COU16.
49. Given the proposal is within an existing area of hardstanding, used as a car park, it is not considered to mar the distinction between a settlement, nor the surrounding countryside. The proposal is not considered to be in contravention of criteria d) of Policy COU16.
50. While there are no permanent structures proposed, a *sui-generis* for the provision and selling of goods 104 times a year in open countryside is not considered to be an appropriate use and thus would have an adverse impact upon the rural character of the area and is not considered to be compliant with criteria e) of Policy COU16.
51. Given the site is part of the wider Drumbo Park complex, the use of a twice weekly car boot sale is not considered to have an adverse impact on residential

amenity in relation to noise, loss of light or outlook. The nearest residential receptor would sit over 80.0m to the northeast at No 71. Ballyskeagh Road. There would be no change to the provision of external lighting. Therefore, the proposal could conceivably comply with criteria f) of Policy COU16.

52. There are no permanent structures proposed with patrons of the car boot sale able to avail of the toilet facilities within the Drumbo Park grandstand, therefore, the necessary services and ancillary works are not considered to have an adverse impact on the environment or character of the locality nor impact the rural character. The proposal could conceivably comply with criteria g) and h) of Policy COU16.
53. Access to the public road, Ballyskeagh Road, is unaffected by the proposal and thus is considered to comply with criteria i) of Policy COU16.
54. In light of the above assessment the proposal is not considered to comply with criteria c) and e) of Policy COU16 in that it would be an inappropriate use in the open countryside and in an Area of Outstanding Natural Beauty and have an adverse impact upon the rural character of the area.

### **Town Centres, Retailing and Other Uses**

55. While the proposal for this car boot sale is a *sui-generis* use, given it constitutes a market that facilitates the sale and provision of goods, this would fall under the consideration of a Town Centre, Retailing and Other Use, the provisions for which are set out in Policy TC1 of the Lisburn and Castlereagh City Council Plan Strategy.
56. This policy sets out a sequential approach to where retailing should be directed and sets out the following order of preference:
  - a) Primary retail core and retail frontage (where designated)
  - b) City or town centres
  - c) Edge of city or town centres
  - d) Out of centre locations – only where sites are accessible by a choice of good public transport
57. Furthermore, the justification and amplification section of Policy TC1 states that retail development within the city or town centres maximises business opportunities, promotes competition and innovation and enhances quality of life by stimulating economic investment. This policy highlights that in order to sustain and enhance the vitality and viability of town centres and their functions, town centres, or where designated their primary retail core, and retail frontage will be the first choice for all retailing development.
58. The provision of a sequential approach enables a range of retailing opportunities appropriate to the needs of the community. The sequential approach will help ensure that consideration is first given to the primary retail core and retail frontage, followed by city and town centres to encourage viability and vitality. Preference will then be given to an edge of centre location before

considering an out of centre location. For a site to be considered as edge-of-centre a default distance threshold of 300 metres from the town centre boundary will apply.

59. Given the site is out with any settlement and within the open countryside, it is not considered to benefit from any of the provisions as set out in Policy TC1 that seeks to direct retailing and other uses, such as a *sui-generis* car boot sale, toward sustainable locations that do not detract from designated retailing and town centres and thus have an adverse impact on their vitality and viability.
60. There are provisions under permitted development for the use as a car boot sale 14 times a year under Part 5, Class B of The Planning (General Permitted Development) Order (Northern Ireland) 2015. It is considered that any permission for such a use above the 14 days in this location would have an adverse effect on the integrity of town centres, and the vitality of settlements in general which are considered to be sustainable locations for the growth and provision of such a *sui-generis* use on a more frequent basis than that allowed under permitted development.
61. For the reasons outlined above the proposal is not considered to comply with Policy TC1 Town Centres, Retailing and Other Uses.

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

62. The proposal is not considered to have the potential to generate an increase in parking demand over and above what would be envisioned during the operation of Drumbo Park for dog racing, its main purpose. However, the use of what is the main car park of which is hard surfaced with laid out spaces is considered problematic in that it would rely on the unsurfaced car park to the west of the site for patrons of the car boot sale to park.
63. The existing access for the wider Drumbo Park site is proposed to be used for the car-boot sale.
64. DfI Roads were consulted and considered the application to be unacceptable in its current form. Further information was required, this included a fully completed Transport Assessment Form (TAF), a dimensioned layout drawing showing the areas within the site designated for vehicles, stalls etc and the area designated for customer parking, turning and circulating. Additionally, a scaled and dimensioned engineering drawing of the vehicular access to the public road, including widths and visibility splays was sought.
65. This request for further information was put to the applicants, however, this information remains outstanding. In light of the above, it is not considered that requirements of Policies TRA2 and TRA7 have been met in that it has not been demonstrated that there would be no detriment to road safety or inconvenience the flow of vehicles in addition to sufficient parking being provided for the intended use.

## Conclusions

66. For reasons outlined above, the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not a type of development which in principle is acceptable in the countryside.
67. The proposal is contrary to criteria c) and e) of Policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy in that it would be an inappropriate use in the open countryside and have an adverse impact upon the rural character of the area.
68. The proposal is contrary to Policy TC1 of the Lisburn and Castlereagh City Council Plan Strategy in that it would have an adverse effect on the integrity of town centres, and the vitality of settlements in general which are considered to be sustainable locations for the growth and provision of such a *sui-generis* use that would see the sale and provision of goods in the open countryside.
69. The proposal is contrary to Policy TRA2 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no detriment to road safety or inconveniencing of the flow of vehicles.
70. The proposal is contrary to Policy TRA7 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there is an appropriate provision of parking provided for the intended use on what is the main car park for Drumbo Park.

## Recommendations

71. It is recommended that planning permission is refused.

## Refusal Reasons

72. The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not a type of development which in principle is acceptable in the countryside.
73. The proposal is contrary to criteria c) and e) of Policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy in that it would be an inappropriate use in the open countryside and have an adverse impact upon the rural character of the area.
74. The proposal is contrary to Policy TC1 of the Lisburn and Castlereagh City Council Plan Strategy in that it would have an adverse effect on the integrity of

town centres, and the vitality of settlements in general which are considered to be sustainable locations for the growth and provision of such a *sui-generis* use that would see the sale and provision of goods in the open countryside.

75. The proposal is contrary to Policy TRA2 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no detriment to road safety or inconvenience the flow of vehicles.
76. The proposal is contrary to Policy TRA7 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there is an appropriate provision of parking provided for the intended use.

**Site Location Plan – LA05/2023/0523/F**