



March 4th, 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 Lavery BEM, A Martin and N Trimble

**Notice of Meeting**

A meeting of the Planning Committee will be held on **Monday, 9th March 2026 at 10:00 am**, in the **Council Chamber and Remote Locations** for the transaction of business on the undernoted Agenda.

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

# Agenda

## 1.0 Apologies

## 2.0 Declaration of Interests

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

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

📄 *Disclosure of Interests form Sept 24.pdf*

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## 3.0 Minutes of the Planning Committee Meeting held on 2 February 2026 and Special Meeting held on 18 February 2026

*For Approval*

📄 *PC 02.02.2026 - Draft Minutes for Adoption.pdf*

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📄 *(S) PC 18.02.2026 - Draft Minutes for Adoption.pdf*

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

### 4.1 Schedule of Applications to be Determined:

*For Decision*

📄 *Item 1 - Schedule of Applications.pdf*

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- (i) **LA05/2024/0923/F – Erection of 119 dwellings (mixed tenure of private and social rented) and associated/ancillary development to include new accesses, roadways, open space areas and play park on lands at Ballinderry Road, to the immediate west of 39 Enterprise Crescent, Lisburn and the immediate east of Home Bargains, Ballinderry Road, Lisburn.**

📄 *Appendix 1.1 DM officers report Ballinderry Road final.pdf*

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- (ii) **LA05/2025/0384/F – Proposed development of 75 dwelling units (comprising 26 apartments, 48 semi-detached and 1 detached bungalow), including new access and right-hand turn lane, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn.**

📄 *Appendix 1.2 LA05\_2025\_0384\_F Belfast Road final.pdf*

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- (iii) **LA05/2023/0534/F – Proposed residential development of 26 dwellings comprising of 6 semi-detached and 20 detached, garages, car parking, open space, landscaping and all associated site and access works on lands immediately south of 58 Brooke Hall Heights and east of 26 Brooke Hall, Belfast.**

📄 *Appendix 1.3 LA05.2023.0534.F - Brooke Hall final.pdf*

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(iv)	LA05/2023/0603/F – Neighbourhood Centre consisting of two retail units, a community unit, petrol filling station, four EV charging points, forecourt canopy, services bay, ATM, cycle parking, car parking, landscaping and associated site and access works on lands east of the Ballymacconaghy Road immediately south of Knockbracken Golf Centre and northeast of 1 Laurelgrove Court, Belfast.	Page 142
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 1.4 LA05 2023 0603 F Ballymacconaghy PFS final.pdf</i></li> </ul>	
(v)	LA05/2024/0515/F – Proposed dwelling and garage in substitution for that previously approved under application reference LA05/2022/1032/F on lands approximately 100 metres northeast of 23 Lisleen Road, Comber.	Page 181
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 1.5 LA052024.0515.F 100m 23 Lisleen Road Final.pdf</i></li> </ul>	
(vi)	LA05/2025/0798/F - New synthetic sports pitch to include 6m high ball stop fencing, fifteen-metre-high floodlighting columns with floodlights and new pedestrian entrance onto Church Road at Carryduff Primary School, Killynure Road, Belfast.	Page 203
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 1.6 LA05 2025.0798.F Carryduff PS 3G Pitch final.pdf</i></li> </ul>	
<b>4.2 Statutory Performance Indicators – January 2026</b>		
<i>For Noting</i>		
	<ul style="list-style-type: none"> <li>▢ <i>Item 2 - Statutory Performance Indicators - January 2026.pdf</i></li> </ul>	Page 224
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 2 Lisburn_Castlereagh_January_Monthly_MI.pdf</i></li> </ul>	Page 226
<b>4.3 Appeal Decision – LA05/2021/1253/F</b>		
<i>For Noting</i>		
	<ul style="list-style-type: none"> <li>▢ <i>Item 3 - Appeal Decision -LA05 2021 1253F.pdf</i></li> </ul>	Page 227
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 3 Appeal decision LA05 2021 1253F.pdf</i></li> </ul>	Page 230
<b>4.4 Enforcement Notice Decision – LA05/2023/1142/CA</b>		
<i>For Noting</i>		
	<ul style="list-style-type: none"> <li>▢ <i>Item 4 - Enforcement Notice Decision -LA05 2023 1142CA.pdf</i></li> </ul>	Page 303
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 4 Appeal decision LA05 2023 1142CA.pdf</i></li> </ul>	Page 306
<b>4.5 Notification by telecommunication operator(s) of intention to utilise permitted development rights</b>		
<i>For Noting</i>		
	<ul style="list-style-type: none"> <li>▢ <i>Item 5 - Notifications from an Operator in respect of intention.pdf</i></li> </ul>	Page 316
	<ul style="list-style-type: none"> <li>▢ <i>Appendix 5 List of Notifications - March 2026.pdf</i></li> </ul>	Page 318

## **5.0 Any Other Business**

LISBURN & CASTLEREAGH CITY COUNCIL

MEMBERS DISCLOSURE OF INTERESTS

1. Pecuniary Interests

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

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

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

2. Private or Personal Non-Pecuniary Interests

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

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

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

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

Pecuniary Interests

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

\_\_\_\_\_

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

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

\_\_\_\_\_

Nature of Pecuniary Interest:

**Private or Personal Non-Pecuniary Interests**

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

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

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:

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

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 2 February, 2026 at 10.06 am****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Councillor G Thompson (Vice Chair)

Aldermen O Gawith and M Gregg

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

**PRESENT IN REMOTE LOCATION:**

Councillor N Trimble (prior to 12.01 pm)

**IN ATTENDANCE:**

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

**Cleaver Fulton Rankin**

Mr B Martyn, Legal Advisor  
 Ms C McPeake (remote attendance)  
 Mr P Lockhart (remote attendance)  
 Ms I Kelly (remote attendance)

**Commencement of Meeting**

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

**1. Apologies**

It was agreed to accept an apology for non-attendance at the meeting on behalf of Councillor J Laverty BEM.

**2. Declarations of Interest**

There were no declarations of interest.

The Vice Chair, Councillor G Thompson arrived at the meeting during this item (10.08 am).

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3. Minutes of Meeting of Planning Committee held on 12 January, 2026

It was agreed that the minutes of the meeting of Committee held on 12 January, 2026 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chair, Alderman J Tinsley, advised that there were 6 local applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined

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

- (i) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 and 32 Millmount Village Crescent and lands 40m to the south nos.11-22 Millmount Village Way

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

The committee received Mr N Salt accompanied by Mr S McKee, to speak in support of the application and a number of Members' queries were addressed.

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

Debate

During debate:

- Alderman M Gregg expressed surprise at the response from the Department for Infrastructure, Roads (DfI Roads) and Police Service of Northern Ireland (PSNI) in relation to statistics on road traffic accidents at the junction of Old Mill Meadows and the Upper Newtownards Road. Alderman Gregg advised of three serious accidents at this junction in the past year, that he was aware of, two of which required occupants of vehicles to be taken to hospital via ambulance. Alderman Gregg spoke of information provided by Mr N Salt, in which Mr Salt had advised that the applicant had submitted a road safety audit to DfI Roads in the week prior. Alderman Gregg raised concerns with the timeframe for the installation of traffic light signalling at the junction in question. Alderman Gregg proposed that a condition be added to the approval of planning permission stating that no building work could commence until the installation of traffic lights at the

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- (i) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 and 32 Millmount Village Crescent and lands 40m to the south nos.11-22 Millmount Village Way (Cont'd)

junction of Old Mill Meadows and the Upper Newtownards Road was completed. Alderman Gregg continued that the original planning permission for the greater Millmount Village development site had been conditioned that traffic lights should be installed at the junction once 218 homes had been built and that there were now over 700 homes on the site. Alderman Gregg concluded that he believed this was Members opportunity to compel the applicant to deliver on these traffic lights, which should have been delivered some years ago;

- Councillor P Catney queried whether it would be appropriate to implement any further conditions on the application given the advice received from DfI Roads and PSNI, and advised he would be content to support the recommendation of Officers on the application;
- The Chair, Alderman J Tinsley requested the Head of Planning and Capital Development give an overview of Alderman M Gregg's question and Mr N Salt's reply earlier in the meeting for the benefit of Councillor N Trimble as Councillor Trimble's internet connection had been unstable during this time; and
- Alderman O Gawith advised that given Alderman M Gregg's concern was entirely on the grounds of public safety, he was content to second the proposal as outlined by Alderman Gregg.

The proposal by Alderman M Gregg, which had been seconded by Alderman O Gawith, stating that a condition be added that no building works could commence prior to the installation of traffic lights at the junction of Old Mill Meadows and the Upper Newtownards Road, was put to the committee. On a vote being taken, the proposal was agreed, the voting being 7 in favour and 2 against.

Alderman M Gregg subsequently advised that the wording of the condition be delegated to Planning Officers.

The Head of Planning and Capital Development read from the Strategic Planning Policy Statement for Northern Ireland (SPPS), in particular paragraph 5.65 under Decision-taking Principles and Practices, Planning Conditions which states:

*Planning authorities have the power to attach conditions to a grant of planning permission. This can enable planning authorities to approve development proposals where it would otherwise be necessary to refuse planning permission. However, conditions should only be imposed which are:*

- *necessary;*
- *relevant to planning;*
- *relevant to the development being permitted;*
- *precise;*
- *enforceable; and*
- *reasonable.*

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- (i) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 and 32 Millmount Village Crescent and lands 40m to the south nos.11-22 Millmount Village Way (Cont'd)

The Head of Planning and Capital Development continued that the advice of Officers was not to use a condition in this instance as the applicant had already engaged with DfI Roads on the junction improvements and that the issue was part of a separate regulatory process that is managed by DfI Roads.

The Head of Planning and Capital Development advised that the precise wording of a condition would need to be thought of in the following context:

1. the previous history of planning permission in light of this application being a modification of the original proposal;
2. that there had been ongoing engagement between the applicant and DfI Roads on the subject of the junction improvements;
3. the advice received from DfI Roads that highlighted there was no road safety issue at the junction in question; and
4. the proposed condition from Alderman Gregg stated no development should take place until the traffic lights had been installed and the Head of Planning and Capital Development queried if:
  - (a) this was necessary;
  - (b) what relevance this had to planning in light of the information already received from DfI Roads;
  - (c) the location of the proposed development was closer to an already signalised junction at the Comber Road and it was more likely traffic movements would gravitate in this direction.

The Head of Planning and Capital Development advised Members, in his professional opinion, the condition would not meet the requirements of paragraph 5.65 of the SPPS as in his opinion it could not be deemed reasonable.

The debate continued during which:

- Councillor D J Craig queried the lack of evidence of accidents at the junction in question from DfI Roads and PSNI given Alderman M Gregg's local knowledge of them. Councillor Craig advised that perhaps the Northern Ireland Ambulance Service may hold records of these, and raised concerns that a previous condition on the larger Millmount Village development as a whole for traffic lights at this junction had not been met;
- Councillor P Catney raised concerns with the addition of a condition given that no concerns of road safety had been raised by DfI Roads and advised that in his opinion, whilst public safety was paramount, consideration had to be given to the construction jobs at stake and the potential delay the condition could have on affordable housing; and
- Alderman M Gregg advised that he would be content for the wording of the condition to state that no dwellings should be occupied until the installation of traffic lights at the junction of Old Mill Meadows and the Upper Newtownards Road was complete. Alderman Gregg continued that he did not see how the condition would have an impact on the applicant unless the

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- (i) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 and 32 Millmount Village Crescent and lands 40m to the south nos.11-22 Millmount Village Way (Cont'd)

applicant had no intention of following through with the installation of the traffic lights.

The Chair, Alderman J Tinsley, clarified with Alderman O Gawith, as seconder of the original proposal, if he would be happy with the amended wording of the condition to state that no dwellings should be occupied until the installation of traffic lights at the junction of Old Mill Meadows and the Upper Newtownards Road was complete. Alderman Gawith indicated he was content with this.

The Head of Planning and Capital Development clarified that the Council cannot pursue enforcement against the applicant while there was ongoing engagement between the applicant and DfI Roads, despite frustration at the length of time the process has taken. The Head of Planning and Capital Development continued that despite the change in wording of the condition, the advice from Officers remained the same, and that the challenge was that Members had made a decision, and Members must be clear why the condition is necessary in relation to the application. The Head of Planning and Capital Development warned that the condition could give rise to an appeal and that while Members had made a decision, he could only advise on the wording as of a condition that was necessary for the proposed development and which met the tests for a condition as set out in the SPPS.

Alderman M Gregg stated the wording could be amended from the original condition on the wider Millmount Village development regarding the upgrade of this junction. Alderman Gregg continued to advise the wording could be “No dwellings shall be occupied until the signalisation of the revised junction at the Upper Newtownards Road (A20)/Old Mill Meadows has been constructed generally in accordance with the agreed drawing, to ensure there are satisfactory means of access in the interest of road safety and the improvement of the road network for the convenience of road users”.

#### “In Committee”

At this stage, it was proposed by Councillor P Catney, seconded by Councillor D J Craig and agreed to go ‘into committee’ to consider this matter. Those members of the public and press in attendance left the meeting (11.02 am).

Members were provided with legal advice in respect of the matters raised by the Head of Planning & Capital Development, which were in response to Members’ reasoning for adding a condition to the approval of the planning application.

#### Resumption of Normal Business

It was proposed by Alderman M Gregg, seconded by Alderman O Gawith and agreed to come out of committee and normal business was resumed (11.49 am).

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- (i) LA05/2023/0316/F – Erection of 23 dwellings (amended layout and house types previously approved under reference Y/2009/0303/RM), landscaping and all other associated site works on lands to the west of nos.16-22, 30 and 32 Millmount Village Crescent and lands 40m to the south nos.11-22 Millmount Village Way (Cont'd)

Alderman M Gregg advised that while in his opinion the traffic lights were necessary, on reflection a condition may not have been the best way to ensure that the junction upgrade is implemented. Alderman Gregg continued that given the junction in question was outside of the proposed area of development, an addition to the Section 76 Agreement was deemed to be a better fit. Alderman Gregg outlined his reasons for the need for the traffic lights, which were:

1. He was aware of at least three serious accidents at the junction in the past year; and
2. The applicant was already in breach of a previous condition compelling them to provide traffic lights at the junction in question once 218 dwellings at the wider Millmount Village development were occupied and there were now approximately 700 occupied.

Alderman M Gregg made a new proposal to supersede his original. The new proposal gave delegated authority to Officers, to include wording to compel the applicant to provide the traffic lights at the junction of Old Mill Meadows and the Upper Newtownards Road before any dwellings are occupied, within the Section 76 agreement.

Councillor P Catney raised concerns on the legality of the proposal to include the wording in the Section 76 agreement.

The new proposal, which had been seconded by Alderman O Gawith, was put to the committee and the proposal stood, the vote being 7 in favour and 2 abstained.

#### Vote

On a vote being taken, it was unanimously agreed to adopt the recommendation of the Planning Officer to approve this application with the addition of Alderman M Gregg's amendment to include wording to compel the applicant to provide the traffic lights at the junction of Old Mill Meadows and the Upper Newtownards Road before any dwellings are occupied, in the Section 76 agreement.

#### Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (12.01 pm).

Councillor N Trimble left the meeting from a remote location during the comfort break and would later return to the meeting in person in the Council Chamber.

#### Resumption of Meeting

The meeting was resumed at 12.11 pm.

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- (ii) LA05/2024/0768/F - Erection of 16 dwellings (social/affordable) and associated/ancillary development to include new accesses, roadways, landscaping and other siteworks on lands adjacent to 9 Bridge Cottages, Moybrick Road, Dromara

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

No-one was registered to speak on this application.

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

#### Debate

During debate:

- Alderman M Gregg advised that he was nervous about the proposed development given its close proximity to the floodplain. Alderman Gregg advised that while he would be more comfortable if the two properties closest to the floodplain were moved closer to the road by a couple of metres, overall he was in agreement of the assessment by Officers and welcomed the addition of more social housing to the area; and
- Councillor D J Craig concurred with Alderman Gregg's statement. Councillor Craig advised that due to three serious flooding incidents in the past five years in Dromara he was reluctant, however, he trusted that Officers had taken this into consideration when assessing the application.

#### Vote

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

#### Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned for lunch at this point (12.57 pm).

#### Resumption of Meeting

The meeting was resumed at 1.36 pm.

Councillor N Trimble arrived to the meeting in person during the lunch break.

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

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

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

The committee received Mr J Harkness to speak in opposition of the application and a number of Members' queries were addressed. Ms K Brown was available remotely to assist Mr Harkness with Members queries.

The committee received Mr T Bell accompanied by Mr H Jess, to speak in support of the application and a number of Members' queries were addressed. Mr D Fletcher was available remotely to assist Messrs Bell and Jess with Members queries.

Planning Officers responded to questions from Members.

### Debate

During the debate:

- Alderman M Gregg advised that his initial concerns regarding the floodplain, trees, and visibility splays at the entrance to the site had been alleviated. Alderman Gregg stated that he was supportive of the application but requested that close attention is paid to the application to ensure that conservation of the existing building is observed. Alderman Gregg welcomed the proposed addition of new trees on the site and advised he felt they would improve the integrity of the soil on the floodplain;
- Councillor P Catney advised that, having attended the site visit in relation to the application, he was in favour of Officers recommendation to approve planning permission. Councillor Catney continued that in his opinion, reinstating and converting derelict buildings was positive for planning in general; and
- Councillor N Trimble welcomed the changes, and the additional information provided by the applicant. Councillor Trimble advised he was content to accept the Officers recommendation to approve planning permission.

### Vote

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

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

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

The Committee received Mr A Stephens to speak in support of the application and a number of Members' queries were addressed.

Planning Officers responded to questions from Members.

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- (iv) LA05/2023/0170/F – Proposed infill dwelling and garage at 92 Glenavy Road, Lisburn (Cont'd)

### Debate

During the debate:

- Councillor N Trimble spoke of the change in policy from CTY8 to COU8 and how the application would have been acceptable under the old policy but that the wording of the new policy created challenges. Councillor Trimble advised that the size of the gap, 46.5m, between the two buildings on either side of the proposed site, was in his opinion sufficient to accommodate two dwellings. Councillor Trimble continued that having been at the site visit in relation to this application, he felt there would be a visually linked ribbon of development and that the proposed dwelling would be in keeping with the existing neighbouring properties. Councillor Trimble concluded that whilst in the past he felt they had been heavy handed with similar applications, in this instance, with the reasons he had outlined he would be happy to vote against the recommendation of the Officers;
- Alderman M Gregg stated that he agreed with a number of Councillor N Trimble's points, however, disagreed that Planning Officers and the committee had been heavy handed with previous applications when applying policy in relation to infill dwellings. Alderman Gregg continued that while he agreed with most of the application it did not fit with policy COU8 in that the plot size was not large enough to accommodate two dwellings; and
- Alderman O Gawith advised that the policy states the gap between buildings must be sufficient for two dwellings, not the plot of land, and while it would be illogical to build two dwellings on the site it could be possible. Alderman Gawith agreed with the points raised by Councillor N Trimble and advised that as a result of these reasons, he disagreed with the recommendation of the Officers.

### Vote

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

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman M Gregg, Councillor G Thompson and the Chair, Alderman J Tinsley (6)

Against: Alderman O Gawith, Councillor A Martin and Councillor N Trimble (3)

- (v) LA05/2025/0539/F – Retention of existing container for hairdressers at Sideburns Barber Lounge, Carryduff Business Park, Comber Road, Carryduff

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

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- (v) LA05/2025/0539/F – Retention of existing container for hairdressers at Sideburns Barber Lounge, Carryduff Business Park, Comber Road, Carryduff (Cont'd)

The Committee received Mr M Hanvey accompanied by Ms R McDaid, to speak in support of the application and a number of Members' queries were addressed.

Planning Officers responded to questions from Members.

### Debate

During the debate:

- Alderman M Gregg expressed a concern with the safety of the electrical supply to the building. Alderman Gregg advised that he felt the sequential test of policy TC1 had been met and that the alternative properties identified by Officers were not suitable, and loss of employment land was not applicable as the only loss was two car parking spaces on a site with ample parking spaces available. Alderman Gregg stated that for these reasons he was content to vote against the recommendation of Officers;
- Alderman O Gawith advised that he would be unable to vote in favour of the Officers recommendation given that in his opinion policies TC1 and TC3 had been complied with. Alderman Gawith continued that in his opinion policy ED7 did not apply as the site was only a couple of car parking spaces;
- Councillor P Catney stated that the proposal was modest in scale, particularly in comparison to the neighbouring warehouses and that he would vote against the recommendation of the Officers;
- Councillor N Trimble stated that he believed the reasons for refusal put forward by Officers could be challenged successfully. Councillor Trimble continued that in his opinion it would be extremely difficult to find a similar sized property in Carryduff town centre that would be suitable for the needs of the business and agreed with Alderman O Gawith's statement that policy ED7 did not apply as the site was only two car parking spaces. Councillor Trimble queried whether the structure could be considered temporary and advised that given the application was for permanent planning permission he felt he could not vote for or against the recommendation of the Officers and as a result would abstain from the vote; and
- Councillor G Thompson advised that she felt the application had met the sequential test of policy TC1 and that she would vote against the recommendation of the Officers.

The Chair, Alderman J Tinsley asked the Head of Planning and Capital Development for some clarity on Councillor N Trimble's point that it could be deemed a temporary structure but that permanent permission was being sought from the applicant, and if Members had sufficiently engaged with policy if they were to vote against the recommendation of the Officers. The Head of Planning and Capital Development advised that while policies TC1 and TC3 had been explored, policy ED7 had not been fully examined regarding land zoned for economic development/employment but that it did contain an exception for retailing and commercial leisure development which is ancillary in nature. On the point of whether or not the building could be deemed a permanent structure the

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- (v) LA05/2025/0539/F – Retention of existing container for hairdressers at Sideburns Barber Lounge, Carryduff Business Park, Comber Road, Carryduff (Cont'd)

Head of Planning and Capital Development advised that Members could defer the application and request further clarity on the point. Alderman M Gregg advised that he felt the building could qualify for the exception in policy ED7 and be deemed ancillary in nature, and that should Members vote against the recommendation of Officers, a condition could be added to the planning permission stating that should any alterations to the structure be required, including removal, new permission must be sought.

#### Vote

On a vote being taken, it was agreed not to adopt the recommendation of the Planning Officer to refuse planning permission, the voting being:

- In favour: Councillor A Martin (1)
- Against: Councillor P Catney, Alderman A Gawith, Alderman M Gregg, and Councillor G Thompson (4)
- Abstain: Councillor S Burns, Councillor D J Craig, Councillor N Trimble and the Chair, Alderman J Tinsley (4)

Given that the Officer recommendation to refuse planning permission had fallen, the Chair, Alderman J Tinsley, stated that a new proposal was required. It was proposed by Alderman M Gregg and seconded by Councillor P Catney that planning application LA05/2025/0539/F be approved.

The proposal by Alderman M Gregg, seconded by Councillor P Catney was put to the committee and, on a vote being taken, agreed that the application be approved, the voting being as follows:

- In favour: Councillor P Catney, Alderman A Gawith, Alderman M Gregg, and Councillor G Thompson (4)
- Against: Councillor S Burns, Councillor D J Craig and Councillor A Martin (3)
- Abstain: Councillor N Trimble and the Chair, Alderman J Tinsley (2)

In agreeing to approve the application, the following reasons were offered:

- In respect of policy TC1 the sequential test had been met for the property, including that the Saintfield Road was just 300 metres away and was a main bus route. The alternative premises identified by Officers were not suitable and failed the sequential test of policy TC1. One of the alternative premises was beside an existing barbershop and still under ownership of Henderson Group and therefore unavailable, the other was not suitable as it was a shared building and a ground floor, accessible unit was not guaranteed;

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(v) LA05/2025/0539/F – Retention of existing container for hairdressers at Sideburns Barber Lounge, Carryduff Business Park, Comber Road, Carryduff (Cont'd)

- Policy TC3 was met as it states “Beyond a designated town centre boundary proposals for town centre uses will only be granted planning permission in accordance with the sequential approach of Policy TC1 and where there would be no adverse impact on adjacent land uses.”;
- There was no impact on land zoned for employment as only two parking spaces were used for the site and the Officers report acknowledged that ample parking was available on site, therefore policy ED7 had been satisfied;
- The scale of the building was small in comparison to neighbouring units and the barbershop was largely used by employees of the neighbouring units, therefore the building could be considered ancillary in nature. This would compound compliance with policy ED7 which states “A further exception will apply to retailing and commercial leisure development which is ancillary in nature”.

It had been agreed that on approval of planning permission, authority be delegated to the Head of Planning & Capital Development to formulate the precise wording of conditions stating that any change in scale, use or purpose of the property would require further planning permission. Permission was only granted for a sole trader cutting hair, with no fresh water or wastewater connection.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point to allow Members to join a pre-arranged confidential briefing remotely. Council Officers, press and members of the public left the meeting (4.01 pm).

Resumption of Meeting

The meeting was resumed at 4.30 pm.

Councillors A Martin and N Trimble did not return to the meeting after the adjournment.

(vi) LA05/2024/0638/F – Proposed replacement of 15metre high monopole with 22metre high lattice tower, 3 existing antennas to be removed and replaced, existing 1 300mm transmission dish to be relocated to new tower, proposed 1 300mm transmission dish to be fixed to headframe, proposed installation of 1 equipment cabinet and all other ancillary apparatus thereto on lands to the side of 7 Begny Hill, Dromara

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

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- (vi) LA05/2024/0638/F – Proposed replacement of 15metre high monopole with 22metre high lattice tower, 3 existing antennas to be removed and replaced, existing 1 300mm transmission dish to be relocated to new tower, proposed 1 300mm transmission dish to be fixed to headframe, proposed installation of 1 equipment cabinet and all other ancillary apparatus thereto on lands to the side of 7 Begny Hill, Dromara (Cont'd)

The Committee received Alderman A McIntyre to speak in opposition to the application and a number of Members' queries were addressed.

Councillor G Thomson, having stated that she would benefit from viewing the location of the development site, proposed that this application be deferred for a site visit. This was seconded by Alderman O Gawith and agreed on a vote being taken, the voting being 5 in favour and 2 against.

#### 4.2 Statutory Performance Indicators – December 2025

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

#### 4.3 Quarter 2 Statistical Bulletin – July to September 2025/26

Members were provided with information in relation to Quarter 2 planning statistics. Members agreed that the information be noted.

#### 4.4 Appeal Decision – LA05/2020/0991/O

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

- 4.5 Pre-application Notice (PAN) for proposed development of additional sport, leisure and tourism facilities at the Let's Go Hydro resort comprising a centre of excellence for padel tennis (with ancillary lounge and bar), new gym and wellbeing facility, replacement of existing marquee padel tennis building with purpose built steel frame padel tennis building, golf driving range and indoor golf simulator facilities, together with internal signage, relocation of existing glamping pods/safari lodges/house boat and associated access, parking, fencing, netting, floodlighting, landscaping and site works at Lets Go Hydro 1 Mealough Road, Belfast.

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

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

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

4.7 NILGA Planning Learning and Engagement Programme – Request for Nominations

The Head of Planning and Capital Development outlined the request for nominations from NILGA. Councillor P Catney expressed an interest in being a nominee. It was agreed that the Member Services Officer contact the Members of the committee regarding the matter as a number of Members were not present at the meeting.

5. Any Other Business

5.1 Requirement for Special Planning Meeting – February 2026  
Head of Planning and Capital Development

The Head of Planning and Capital Development advised Members that in order to process as many of applications as possible before the end of the financial year, he proposed holding a Special Meeting of the Planning Committee on the afternoon of 18<sup>th</sup> February, 2026. It was agreed that the Member Services Officer survey Members of the committee to ensure the quorum could be met before putting arrangements in place.

Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman J Tinsley, thanked those present for their attendance. There being no further business, the meeting was terminated at 4.54 pm.

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Chair/Mayor

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**LISBURN & CASTLEREAGH CITY COUNCIL**

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**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Wednesday, 18 February, 2026 at 2.03 pm****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Councillor G Thompson (Vice Chair)

Councillors S Burns, P Catney, D J Craig and N Trimble

**IN ATTENDANCE:**Head of Planning & Capital Development  
Principal Planning Officer (PS)  
Environmental Health Officer (VE)  
Member Services Officers (FA and EW)Cleaver Fulton Rankin

Ms O Kelly, Legal Advisor

**Commencement of Meeting**

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

1. **Apologies**

It was agreed to accept an apology for non-attendance at the meeting on behalf of Aldermen O Gawith and M Gregg and Councillors D Bassett, J Lavery and A Martin.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Report from the Head of Planning & Capital Development**3.1 **Schedule of Applications**

The Chair, Alderman J Tinsley, advised that there were 3 local applications on the schedule for consideration at the meeting, and 1 had since been withdrawn.

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### 3.1.1 Applications to be Determined

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

- (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

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

The Committee received:

- Mr D Ward via a remote location in order to speak in opposition of the application; and
- Alderman A McIntyre, in order to speak in opposition of the application.

A number of Members' queries were addressed by the speakers.

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

Following questions to Officers, it was proposed by the Vice Chair, Councillor G Thompson, and seconded by Councillor D J Craig that the application be deferred, to allow for further information be obtained from the applicant in relation to the reasoning for the relocation of the new lattice tower. A vote on the proposal was taken and the result was tied with 3 voting in favour and 3 against. The Chair cast the deciding vote against the proposal and it fell.

#### Debate

During debate:

- Councillor P Catney advised that he felt it was very finely balanced, taking onboard the views of local residents of Woodford Green while also considering the need for improving mobile telecommunications provisions in the area as a whole. Councillor Catney referred to paragraph 25 in the Officers original report which quoted paragraph 6.243 of the Strategic Planning Policy Statement which 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.*

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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 (Cont'd)

Councillor Catney then referred to condition 2 on the Officers original report which would require the applicant to remove the existing mast within four weeks of the new mast being erected. Given this information Councillor Catney advised he would be content to accept the recommendation of the Officers;

- Councillor D J Craig agreed with Councillor Catney in that the decision was finely balanced, particularly in regard to the visual impact the new mast would have on the surrounding area. Councillor Craig advised that information given in relation to the necessity of the new mast being taller was satisfactory. Councillor Craig concluded that he felt that it was an improvement for the Dromara community as a whole, and with the information provided would be in favour of the Officers recommendation;
- Councillor N Trimble spoke of other sites that had been assessed and deemed unsuitable due to the negative visual impact the mast would have on them. Councillor Trimble advised that he felt the construction of the new mast would be unacceptable to the residents of Woodford Green and that if he was in their position, he would deem it unacceptable. Councillor Trimble advised that under permitted development rights, the applicant could extend the existing mast by 10%, and that the new mast was almost 50% larger than the existing mast so a considerable increase in size. Councillor Trimble concluded that the context of the site had changed since the erection of the initial mast as more housing had been built beside it, therefore meaning the site was no longer on the edge of development of the village, and it would have a negative visual impact on the neighbouring properties. For this reason Councillor Trimble advised he believed the application did not comply with policy TEL1 and that he was in disagreement with the Officers recommendation; and
- The Vice Chair, Councillor G Thompson, agreed with previous Members comments that the application was finely balanced. The Vice Chair continued that following her attendance at the site visit, and given the increased height and size of the proposed structure, she felt the application did not comply with policy TEL1 as it did result in unacceptable damage to visual amenity of the local area.

### Vote

On a vote being taken, it was agreed to adopt the recommendation of the Planning Officer to approve this application, the vote being:

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, and the Chair, Alderman J Tinsley (4)

Against: The Vice Chair, Councillor G Thomspson and Councillor N Trimble (2)

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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

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

The committee received Mr N Mitchell via a remote location, to speak in opposition of the application and a number of Members' queries were addressed.

A number of Members' queries were responded to by Planning Officers and the Environmental Health Officer.

### Debate

During debate:

- Councillor P Catney advised that he was in favour of a condition being imposed on the application to restrict the use of the site to storage of vehicles only. Councillor Catney continued that he was not in favour of retrospective planning applications as a whole, however, he felt the application complied with the relevant policies; and
- Councillor N Trimble referred to the condition on the use of the site for vehicle storage and advised he would be happy to second this proposal. Councillor Trimble continued that he felt he did not have enough evidence to vote in favour of the Officers recommendation, and that he felt the increased number of vehicles using the access to and from the lane to the Lurgan Road had not been properly assessed by Department for Infrastructure (DfI) Roads and as a result may not be compliant with policy TRA2.
- Councillor Trimble proposed to defer the application, in order to allow for evidence relating to increased traffic entering and exiting the site from the Lurgan Road, Aghalee be submitted by the objectors to the application and assessed by DfI Roads and Planning Officers.

The proposal by Councillor N Trimble, was seconded by Councillor D J Craig, was put to the committee and the proposal to defer the application for to seek further advice from DfI Roads stood, the result of the vote being 4 in favour and 2 against.

### Adjournment of Meeting

Following this application, Councillor P Catney left the Council Chamber at 4.22 pm. The meeting was paused during this time to ensure the meeting was quorate throughout.

### Resumption of Meeting

Councillor P Catney returned to the Council Chamber and the meeting resumed (4.25pm).

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#### 4. Any Other Business

##### 4.1 Rescheduling of March Meeting of Planning Committee Head of Planning and Capital Development

The Head of Planning and Capital Development advised Members of the need to reschedule the March meeting of the Planning Committee to Monday 9 March, 2026, to give Officers more time to assess the applications due to be heard at the meeting. It was proposed by Councillor D J Craig, seconded by Councillor N Trimble and agreed that the date be moved from Monday 2 March, 2026 to Monday 9 March, 2026.

#### Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman J Tinsley, thanked those present for their attendance. There being no further business, the meeting was terminated at 4.27 pm.

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Chair/Mayor

<b>Committee:</b>	Planning Committee
<b>Date:</b>	09 March 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Decision
<b>Subject:</b>	Schedule of Planning Applications to be Determined
1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. The following applications have been made to the Council as the Local Planning Authority for determination.</li> <li>2. In arriving at a decision (for each application) the Committee should have regard to the guiding principle in the SPPS (paragraph 3.8) that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</li> <li>3. Members are also reminded about Part 9 of the Northern Ireland Local Government Code of Conduct and the advice contained therein in respect of the development management process with particular reference to conflicts of interest, lobbying and expressing views for or against proposals in advance of the meeting.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>1. The applications are presented in accordance with the current scheme of delegation. There are two Major applications and four Local, three exceptions apply and one is mandatory. <ol style="list-style-type: none"> <li>a) LA05/2024/0923/F – Erection of 119 dwellings (mixed tenure of private and social rented) and associated/ancillary development to include new accesses, roadways, open space areas and play park on lands at Ballinderry Road, to the immediate west of 39 Enterprise Crescent, Lisburn and the immediate east of Home Bargains, Ballinderry Road, Lisburn. Recommendation – Approval</li> <li>b) LA05/2025/0384/F – Proposed development of 75 dwelling units (comprising 26 apartments, 48 semi-detached and 1 detached bungalow), including new access and right-hand turn lane, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn. Recommendation – Approval</li> <li>c) LA05/2023/0534/F – Proposed residential development of 26 dwellings comprising of 6 semi-detached and 20 detached, garages, car parking, open space, landscaping and all associated site and access works on lands immediately south of 58 Brooke Hall Heights and east of 26 Brooke Hall, Belfast. Recommendation – Approval</li> </ol> </li> </ol>

- d) LA05/2023/0603/F – Neighbourhood Centre consisting of two retail units, a community unit, petrol filling station, four EV charging points, forecourt canopy, services bay, ATM, cycle parking, car parking, landscaping and associated site and access works on lands east of the Ballymaconaghy Road immediately south of Knockbracken Golf Centre and northeast of 1 Laurelgrove Court, Belfast.  
Recommendation – Approval
- e) LA05/2024/0515/F – Proposed dwelling and garage in substitution for that previously approved under application reference LA05/2022/1032/F on lands approximately 100 metres northeast of 23 Lisleen Road, Comber.  
Recommendation - Approval
- f) LA05/2025/0798/F - New synthetic sports pitch to include 6m high ball stop fencing, fifteen-metre-high floodlighting columns with floodlights and new pedestrian entrance onto Church Road at Carryduff Primary School, Killynure Road, Belfast.  
Recommendation – Approval

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	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.</p>	

<b>Appendices:</b>	Appendix 1.1	LA05/2024/0923/F
	Appendix 1.2	LA05/2025/0384/F
	Appendix 1.3	LA05/2023/0534/F
	Appendix 1.4	LA05/2023/0603/F
	Appendix 1.5	LA05/2024/0515/F
	Appendix 1.6	LA05/2025/0798/F

## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	9 March 2026
Committee Interest	Major Application
Application Reference	LA05/2024/0923/F
District Electoral Area	Lisburn South
Proposal Description	Erection of 119 dwellings (mixed tenure of private and social) and associated/ancillary development to include new accesses, roadways, open space areas and play park
Location	Lands at Ballinderry Road, to the immediate west of No.39 Enterprise Crescent, Lisburn and the immediate east of Home Bargains, Ballinderry Road, Lisburn.
Representations	One objection and One Petition of Objection (74 Signatures).
Case Officer	Mark Burns
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This application is categorised as a major planning application in accordance with the Development Management Regulations 2015 in that the area of the site exceeds two hectares. The proposal also requires a legal agreement to secure the delivery of affordable housing at this location.
2. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of the Plan Strategy. The layout and design of the proposed buildings create a quality residential environment and when the buildings are constructed, they will not adversely impact on the character of the area. The development will also not have a detrimental impact on the amenity of existing residents in properties adjoining the site by reason of overlooking or dominance.
3. Furthermore, the density and pattern of development is not significantly different than that found in the established area. This is a mixed-use area with employment located adjacent to housing and retail development. A similar scheme is under construction at the opposite side of the Enterprise Crescent industrial estate.

4. It is considered that the proposal is also in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of the development as part of a mixed tenure scheme. This provision will be subject to a Section 76 Planning Agreement.
5. The proposed complies with policy of TRA1 the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of a new footway along the front of the site.
6. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detailed plans submitted demonstrate that the creation of two new accesses will not prejudice road safety or significantly inconvenience the flow of traffic.
7. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network in assessing the traffic implications of the development.
8. The proposal is considered to also comply with the policy TRA7 of the Plan Strategy in that the detailed plans demonstrate that adequate provision for car parking and appropriate servicing arrangements has been provided without prejudice to road safety. It will not inconvenience road users or impede the flow of traffic on the surrounding road network.
9. The proposal complies with policies TRA8 of the Plan Strategy in that provision has been made for the needs of cyclists and a high standard of design layout and landscaping accompanies the proposals for car parking with appropriate provision made for security, access and movement of pedestrians and cyclists.
10. The proposal also complies with policies NH2 and NH5 of Plan Strategy in that the Preliminary Ecological Assessment submitted in support of the application demonstrates that the proposed development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
11. The proposed development complies with policies FLD, 2, 3 and 4 of the Plan Strategy in that the detail reports and plans submitted demonstrate that adequate drainage can be provided within the site to serve the proposal.
12. The proposal is not incompatible with the neighbouring employment uses, as required by Policy ED8. It is considered that the development of the site for residential purposes will not prejudice the continued operation of the established adjoining economic development and commercial uses, and that these uses can coexist without undue detriment.

## Description of Site and Surroundings

### Site Context

13. The 3.3-hectare site is located in west Lisburn, on the Ballinderry Road between Home Bargains and the commercial properties at Enterprise Crescent.
14. The site is currently vacant and was previously used as scrubland. The site is defined on all boundaries by mature vegetation and hedgerows, with extensively overgrown gorse areas to the north of the site.
15. Mature trees, of varying type, height and condition, line the southern boundary of the site and delineate the extent of the site along the Ballinderry Road.
16. There is an existing field-gate towards the eastern end of the site frontage that currently provides access from Ballinderry Road. There is also a field-gate entrance at the northwest corner along Causeway End Road.

### Surrounding Context

17. As sated above, the site is located in a mixed-use area comprised of a Home Bargains retail store and commercial properties on Enterprise Crescent. To the North and South there are existing residential dwellings located at Causeway End Road, Adison Park and Mornington.

## **Proposed Development**

18. Erection of 119 dwellings (mixed tenure of private and social rented accommodation) and associated/ancillary development to include new accesses, roadways, open space areas and play park.
19. The application is supported with the following documents:
  - Design and Access Statement.
  - Pre Application Community Consultation.
  - Preliminary Risk Assessment
  - Drainage Assessment.
  - Archaeological Programme of Works.
  - Transport Assessment.
  - Noise Assessment.
  - Landscape Management and Maintenance Plan.
  - Outdoor Lighting Report.
  - Outline Construction Environmental Management Plan.
  - Preliminary Ecological Appraisal
  - Ballinderry CGI booklet

## **Relevant Planning History**

20. There is no relevant planning history for the site

### Consultations

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

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

### Representations

22. One objection and One Petition (74 Signatures). The key issues are as follows:

- Invalid Application
- Key Site Requirements not met
- Contrary to policies HOU3, HOU4, HOU5.
- Location of Play Park
- Bio-Diversity checklist incomplete.

### Environmental Impact Assessment (EIA)

23. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment as the site area exceeds the thresholds set out in Section 10 (b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015.

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

## Pre-Application Community Consultation

25. The application exceeds the threshold for major developments as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site is over two-hectares in size.
26. On this basis the applicant was required to engage in pre-application community consultation (PACC).
27. A Pre-Application Community Consultation report dated November 2024 has been submitted in support of the application. It provides a record of the consultation that have taken place to inform interested parties of the application proposals.
28. The format of the report is in accordance with the Development Management Practice Note and contains the relevant information required.
29. A Public Information Notice was placed in the Ulster Star on Friday 16th August 2024, and the Public Exhibition was held at Laganview Enterprise Centre, Tuesday 27th August 2024 between 12-2pm and 4-7pm.
30. Twenty people attended the event.
31. Information about the application site and details of the proposed development were also displayed on a dedicated project website along with details of how attendees could provide comment, as well as the next steps in respect of the planning process.
32. This consultation ran between Monday 26th August and Friday 4th October 2024, on a webpage within the Gravis Planning website.
33. A leaflet containing details of the public consultation event was designed and distributed to all properties within a 200-metre radius of the site, one week in advance of the public event. Overall, 539 addresses were notified of the public consultation event.
34. The report concludes that all feedback received has been considered by the project team. A summary of the feedback is provided in Chapter 4, and the applicant's response is set out in Chapter 5 and 6 of the PACC report.

## Local Development Plan

### Local Development Plan Context

35. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on Planning applications regard must be had too the

requirements of the local development plan and that the determination of applications must be in accordance with the plan unless material considerations indicate otherwise.

36. 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.*

37. As a consequence, the plan Strategy and the Lisburn Area Plan (LAP) is the statutory development plan for the area. Draft BMAP remains a material consideration.
38. In LAP, the site is zoned as existing industrial/employment lands. The land has never been developed for employment use.
39. In the most recent version of dBMAP, the application site is located within the settlement development limit and is zoned for residential development (zoning LC04/05). Significant weight is attached to the draft housing designation in BMAP as this was unchallenged at the public inquiry and was included in the last revision to the Plan.
40. In respect of the residential proposal the strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:
- The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.*
41. The strategic policy for Creating and Enhancing Shared Space and Quality Places are set out in Part 1 of the Plan Strategy. Strategic Policy 03 – Creating and Enhancing Shared Space and Quality Places states that:

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

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

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

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

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

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

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

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

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

- a) *improvements to the transport network, including walking and cycling routes, public transport or, where necessary appropriate parking provision*
- b) *affordable housing*
- c) *educational facilities and/or their upgrades*

- d) *outdoor recreation*
- e) *protection, enhancement and management of the natural and historic environment*
- f) *community facilities and/or their upgrades*
- g) *improvements to the public realm*
- h) *service and utilities infrastructure*
- i) *recycling and waste facilities.*

45. New dwellings and apartments are proposed as part of the residential development. The following operational policies in Part 2 of the Plan Strategy therefore apply.

### **Housing in Settlements**

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

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

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

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

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

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

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

*are identified and, where appropriate, protected and suitably integrated into the overall design and layout of the development.*

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

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

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

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

- a) *the design of the development must draw upon the best local architectural form, materials and detailing*
- b) *landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
- c) *where identified as a Key Site Requirement adequate provision is made for necessary local community facilities, to be provided by the developer*
- d) *residential development should be brought forward in line with the following density bands:*
  - *City Centre Boundary 120-160 dwellings per hectare*
  - *Settlement Development Limits of City, Towns and Greater Urban Areas: 25-35 dwellings per hectare*
  - *Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare.*
  - *Within the above designated areas, increased housing density above the indicated bands will be considered in town centres and those locations that benefit from high accessibility to public transport facilities*
- e) *a range of dwellings should be proposed that are accessible in their design to provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range of dwelling types and designs should be provided to prevent members of society from becoming socially excluded*
- f) *dwellings should be designed to be energy and resource efficient and, where practical should include integrated renewable energy technologies to minimise their impact on the environment*
- g) *a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way*
- h) *adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points*

- i) *the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance*
- j) *the design and layout should where possible, include use of permeable paving and sustainable drainage*
- k) *the design and layout design must demonstrate appropriate provision is made for householder waste storage and its collection can be facilitated without impairment to the access and maneuverability of waste service vehicles*
- l) *the development is designed to deter crime and promote personal safety.*
- m) *Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.*

49. The Justification and Amplification states that:

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

50. It also states that:

*Accessible Accommodation*

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

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

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

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

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

- a) *the residential development is designed to integrate with and make use of adjoining public open space*
- b) *the provision of open space below 10% of the total site area if the proposal is located within a city or town centre or it is demonstrated that it is close to and would benefit from ease of access to existing public open space*

- c) *in the case of apartment developments or specialist housing (see Policy HOU11) where a commensurate level of private communal open space is being provided.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55. The Justification and Amplification states that:

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

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

*Affordable Housing – affordable housing is:*

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

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

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

### **Natural Heritage**

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

*European Protected Species*

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

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

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

*National Protected Species*

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

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

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

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

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

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

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

### **Access and Transport**

- 59. The P1 Form indicates that there will be two new accesses serving the site from the Ballinderry Road.
- 60. Policy TRA1 - Creating an Accessible Environment states that:

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

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

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

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

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

- 61. Policy TRA 2 – Access to Public Roads states:

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

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

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

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

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

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

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

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

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

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

63. Given the scale of development cycling and walking should be encouraged as part of the proposed development. Policy TRA8 - Active Travel Networks and Infrastructure Provision states that:

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

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

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

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

## **Flooding**

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Renewable Energy**

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

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

## **Existing Employment**

68. The proposed residential development is adjacent to existing employment uses at Enterprise Crescent. Policy ED8 Development Incompatible with Economic Development Uses states:

*A proposal for development in the vicinity of an existing or approved economic development use that would be incompatible with this use or that would prejudice its future operation will be refused.*

69. It is further stated in the justification and amplification of the policy that:

*In some instances new development could prejudice the continued existence of a particular economic development use. This arises where the particular processes being carried out have a tendency to cause adverse effects of some kind on adjacent land, even when all reasonable remedial measures have been taken by the operator. Where development is proposed in the locality of an existing economic development use requiring a contaminant free environment, special attention will be paid to the needs of the existing economic development use for a clean/sterile environment in determining the proposal. Non-planning legislation requirements, for example Environmental Health Regulations, may result in costly new requirements and restrictions being imposed on such businesses as a consequence of new neighbouring development. In such circumstances, planning permission will be refused in order to avoid jeopardising employment in the existing enterprise.*

## Regional Policy and Guidance

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

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

### Regional Policy

71. 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.*

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

*Planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable*

*Northern Ireland. Planning authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society.*

73. 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.*

74. 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.*

75. 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.

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

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

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

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

78. Paragraph 6.182 of the SPPS further states that:

*Development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration*

*and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.*

79. Paragraph 6.198 of the SPPS states that:

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

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

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

81. Paragraph 6.132 of the SPPS further states that:

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

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

### **Retained Regional Guidance**

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

#### Creating Places

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

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

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

- detailed design requirements.

86. Paragraph 7.16 provides guidance on separation distances stating:

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

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

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

#### Parking Standards

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

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

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

89. Paragraph 4.10 states that:

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

### **Assessment**

#### **New residential development**

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

90. This application is for the proposed development of 119 residential units located within the Settlement Development Limit of Lisburn.
91. Significant material weight is attached to the housing designation LC04/05 in draft BMAP and the use is compatible for a site in a mixed-use area with existing housing of a similar form, scale and density to the north and south of

the site.

92. Criterion a) of policy HOU1 states that proposals for new residential development will be granted on zoned residential land in settlements. The policy test associated with Policy HOU1 is considered to be met as this is zoned residential land.

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

93. The lands to the north and south of the site are characterised by existing residential development comprised mainly of detached and semi-detached dwellings. There is also a similar scheme further along the Ballinderry Road which has apartments of a similar form and scale to the development proposed here.
94. It is further noted that the site is on the same side of the road as large warehouse buildings in the neighbouring employment lands and the apartments have been designed along the boundary with the employment land and the site frontage so the impact of the scale of the blocks is mitigated and/or laid out to replicate the pattern of large roadside buildings on this side of Ballinderry Road.
95. The form and general arrangement of the buildings are considered to be characteristic of those built and currently under construction in the development further along the Ballinderry Road to the east of the site.
96. The plot sizes and general layout proposed is consistent with and comparable with other built development in the general vicinity of the site.
97. Based on a review of the information provided, it is considered that the character of the area would not be significantly changed or by the proposed residential development and it is considered that the established residential character of the area would not be harmed.
98. The layout of the rooms in each of the units, the position of the windows and separation distance also ensures that there is no overlooking into the private amenity space of neighbouring properties. The buildings are not dominant or overbearing and no loss of light would be caused.
99. Having regard to this detail and the relationship between the buildings in each plot it is considered that the guidance recommended in the SPG published with the draft Plan Strategy equivalent to the Creating Place document and that criteria (a) of policy HOU 3 met.
100. With regard to criteria (b) no archaeological, or historic environment or landscape characteristics/features have been identified that require integration into the overall design and layout of the development. An area of vegetation within the site is to be replaced with a planted open space area and playpark. This part of the policy is met.

### Policy HOU4 - Design in New Residential Development

101. There are number of different house types of varying size proposed. A sample description of some of the dwellings is outlined below.
102. House type B is three-bedroom dwelling measuring approximately 95 square metres in floor area. This dwelling will have a ridge height of approximately 8.5 metres.
103. The materials proposed for the dwelling include buff facing brick, concrete interlocking roof tiles, dark grey double glazed uPVC windows, double glazed UPVC doors and uPVC gutters and downpipes.
104. House type C2.2 is a semi-detached dwelling with each measuring approximately 105 square metres in floor area and will have a ridge height of approximately 8.5 metres.
105. The materials proposed for the dwelling include buff facing brick, concrete interlocking roof tiles, dark grey double glazed uPVC windows, double glazed uPVC doors and uPVC gutters and downpipes.
106. Five blocks of apartments are proposed. The blocks are of varying size and design and our located on the southern boundaries located to the Ballinderry Road and eastern boundary adjacent to the existing industrial estate.
107. Apartment block one is located at the entrance to the site and will contain nine no. units. The block will have a ridge height of approximately 12.5 metres and the materials proposed include red facing brick, buff facing brick and grey facing brick to the entrances, concrete interlocking roof tiles, dark grey double glazed uPVC windows, double glazed uPVC doors and uPVC gutters and downpipes.
108. The residential dwellings are designed to current building control standards and to be as energy efficient as possible. Further consideration is given to this issue later in the report.
109. The finishes considered to be acceptable and in keeping with the established character of this area and will ensure that the units are as energy efficient as they will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily a fabric first approach. This is addressed in more detail below.
110. The variety of house types provided are accessible capable of providing accommodation that is wheelchair accessible for those with impaired mobility.
111. The provision of private amenity space varies from plot to plot ranging from a minimum of 50 square metres up to 145 square metres. The average provided across the site is generally consistent with the guidance in the Creating Places document for a medium density housing development.

112. Each apartment block has its own communal amenity space and this ranges from 345 square metres to 690 square metres.
113. For the reasons outlined above, criteria (a), (d) (e) and (f) of policy HOU 4 are considered to be met.
114. A landscape management plan November 2024 was submitted in support of the application. It outlines the strategy and approach for the future long-term management and maintenance of the external public spaces associated with the proposed development.
115. It details that the objectives are to introduce new tree, shrub and hedge planting of sizes and species to provide both age and species diversity.
116. The landscape plan demonstrates how the existing tree group to the northeast of the site are to be retained and protected during construction. The management plans also set out how the proposal will be complemented by additional tree planting to increase the screening effect of the boundary planting supplemented where necessary on all other boundaries.
117. It is considered that this written management plan, in association with the detailed planting plan, is sufficient to ensure integration of and maintenance of external public spaces and that the implementation of planting works should be conditioned to be carried out in the first available planting season prior to prior to the occupation of that phase of the development.
118. For the reasons outlined above, criteria (b) of policy HOU 4 is considered to be met.
119. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. However, the site is located beside a large Home Bargains Store I and is accessible to shops and other neighbourhood facilities further along Knockmore Road. Criteria (c) of policy HOU 4 is met.
120. The agent has also confirmed that the scheme will be constructed in line with current NI Building Regulations which emphasises sustainable design and energy efficiency primarily through a fabric first approach (for example reducing heating costs with good air tightness, thermal performance and reducing the effects of solar gain). The specific energy efficient measures proposed in the scheme are outlined below.
121. The agent has also stated that the proposed layout has also been designed to benefit from the maximum possible passive solar gain for the majority of proposed dwellings.
122. It is further stated that the proposed layout is based on a predominately linear form of development, with proposed dwellings that run east to west and that this design approach not only responds to the site's topography but also ensures that the majority of proposed dwellings benefit from passive exposure to the

sun-path for the majority of the day (i.e. either the front or back of proposed dwellings have a southern aspect).

123. The Site Analysis Plan and Site Concept Plan includes an indicative sun-path and illustrates how the proposal responds.
124. Criteria (f) is considered to be met.
125. The internal road layout provides for safe and convenient access through the site, and the provision of dropped kerbs and tactile paving will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for in curtilage parking. Eleven number on-street parking is provided or required as part of the proposal. In the interim Criteria (g) and (h) of policy HOU 4 are considered to be met.
126. The careful delineation of plots with appropriate fencing will serve to deter crime and promote personal safety. Criteria (i) is considered to be met.
127. Permeable paving and sustainable drainage are proposed as part of the development in line with criteria (j) of the policy is met.
128. Provision can be made for the storage of householder waste within the individual driveways of each unit, as well as for the apartments, and its safe collection can be facilitated without impairing the access or manoeuvrability of waste service vehicles. Criteria (k) is met.

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

129. Detail submitted with the application indicates that the site exceeds one hectare, and that more than twenty-five residential units are proposed. As such open space must be provided as an integral part of this development.
130. Detail submitted with the above application demonstrated that a large area of open space is to be provided within the site.
131. The area of open space is designed to protect the vegetation along the rear the northern portion of the site and also to provide a buffer between the Ballinderry Road and the proposed dwellings on the southern boundary. Open space is also provided around all the proposed apartment blocks.
132. More than 100 dwellings are proposed as part of this development therefore an equipped children's play park is also required in line with the policy.
133. An equipped children's play area is proposed as part of the development and is positioned to be accessible to all proposed units. In addition, playing pitches and a further play park are available at Queen Elizabeth Playing Field, located along Knockmore Road.
134. It is accepted that adequate provision is made in the scheme and that within the context of policy HOU 5 the thresholds and requirements for open space is met.

Suitably worded conditions will be attached should the application be granted to ensure the open space and play is delivered early in the scheme and not at the end.

#### Policy HOU10 - Affordable Housing

135. Policy HOU10 requires a minimum of 20% of the proposed residential development is affordable housing.
136. Whilst the application is a private developer led scheme it is made on behalf of Clanmill Housing. This scheme as originally submitted was for 100% social rented accommodation delivered through a design and building contract.
137. Policy HOU 10 states in the justification and amplification that affordable housing should be delivered through mixed tenure development.
138. An amended scheme was submitted on 6 February 2026, with one block of the proposed apartments provided as private housing comprised of six apartments in – Apartment Block No.4, (units 85-90).
139. To protect the mixed tenure provision within the proposed development the recommendation is subject to a Section 76 planning agreement that no more than 90 of the social rented units are occupied until the six private units are constructed and available for occupation. This ensures the affordable housing and private housing is constructed and available for occupation at the same time.
140. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

#### **Natural Heritage**

141. A Preliminary Ecological Assessment (PEA) was submitted by Childs Ecological Services in December 2024 in support of the application.
142. The PEA stated that there was no evidence of, Badger, Otter, Smooth Newt or Lizard activity on the site. NED in their response dated May 2025 did not disagree with the content and recommendations of the report.
143. However, NED did state that they had considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided they had concern with the proposal and requested additional information in the form of details of the commissioned surveyor, consideration of the Causeway End West Site of Local Nature Conservation Importance (SLNCI), a landscaping plan to show the retention of a European Beech tree, given its bat roosting potential (BRP) and a wildlife friendly lighting plan.

144. Further information was submitted by the agent in July and August 2025, comprising additional clarification as requested and an Outdoor Lighting Report.
145. NED responded to the submission of the addition information in October 2025

### **Lighting Impact Assessment and Outdoor Lighting Report**

146. With regards to the lighting report NED stated that:

*From the Lighting Impact Assessment and Outdoor Lighting Report documents, both published to the NI Planning Portal 05/08/2025, NED is content that lighting proposals shows limited light spill on boundary vegetation including the hedging/woodland area to the north of the site and is content that significant impacts on light sensitive species are unlikely based on the information provided.*

### **Tree Survey Report**

147. With regards to the tree survey report submitted, NED Stated that:

*NED acknowledge the Tree Survey Report (published to the NI Planning Portal 31/07/2025) and Drawing Landscape Proposals (published to the NI Planning Portal 07/08/2025) and while the landscaping drawing doesn't specifically reference the European Beech tree, tag 00394, identified as having moderate BRP, NED consider the location of this tree as indicated on Figure 3 Flora and Fauna survey results (Page 26, NIBC & PEA, Childs Ecological Services, June 2024) corresponds to T17 as identified in the Tree Survey Report, and while the arboriculturists recommendation is to fell this tree, NED is content that the Landscape Proposals drawing shows this tree as to be retained with a Root Protection Area shown.*

### **Biodiversity Checklist and Preliminary Ecological Assessment**

148. With regards to the additional information submitted as required by NED, they commented that:

*From the Biodiversity Checklist and Preliminary Ecological Assessment Redacted, completed by Childs Ecological Services and published to the NI Planning Portal 05/08/2025, NED acknowledge the additional information regarding the commissioned surveyors' experience and is content with the additional information provided. NED also acknowledge the additional information provided regarding the Causeway End West SLNCI and is content that, based on the information provided by the ecologist, the site is no longer designated as a SLNCI and that Policy NH4 Sites of Nature Conservation importance – Local of the Lisburn and Castlereagh City Council Local Development Plan 2032 is no longer relevant in relation to potential impacts on a SLNCI.*

**Birds.**

149. NED have highlighted that boundary trees and hedgerows contain suitable habitat for nesting birds. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. NED thus advises that any removal of trees and hedgerow on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.
150. In summary NED concluded that based on the submitted information, that they had no objection to the proposal.
151. Based on a review of the detail submitted with the application and the advice received from NED, it is accepted that appropriate mitigation and/or compensatory measures have been proposed to outweigh the impact on priority habitats and priority species consistent with policies NH2 and NH5 of the Plan Strategy.

**Access and Transport**

152. The P1 Form indicates that the proposal involves the construction of two new access to the public road for both vehicular and pedestrian use.
153. A new two-metre-wide footpath is to be created along the front of the site to replace the existing substandard footway.
154. A Transport Assessment Form has been submitted in support of the application.
155. Detail submitted with the application demonstrates that the proposed development will link with existing pedestrian infrastructure in the area and tactile paving, dropped kerbs Road will be provided to assist pedestrians manoeuvring around the site.
156. The policy tests associated with TRA1 is capable of being met.
157. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the creation of the new accesses will not prejudice road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
158. The proposal is also considered to comply with policy TRA7 of the Plan Strategy in that the detail demonstrates that adequate provision for car parking and appropriate servicing arrangements has been provided so as not to prejudice road safety or inconvenience the flow of traffic.
159. The detail associated with the application indicates all of the dwellings will have in curtilage car parking and communal Parking is provided for the apartments.

Eleven no. on street parking spaces are to be provided for as part of the proposal.

160. Details of the car parking are identified on the parking schedule drawing provided by Sheehy Consulting.
161. The proposal continues to provide for connectivity to active travel networks and as such, policy tests associated with TRA8 continue to be met.
162. Advice received from DfI Roads confirms that they have no objection subject to the endorsement of PSD drawings. Based on a review of the detail and advice from DfI roads, it is accepted having regard to the nature and scale of the proposed development, that the proposal complies

### **Planning and Flood Risk**

163. A Drainage Assessment prepared by Sheehy consulting was submitted in support of the application.
164. In terms of FLD2, DfI Rivers have confirmed that there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. They also confirm that there is an undesignated culverted watercourse located on the eastern boundary of the site. And an undesignated watercourse located on the southwestern corner of the site.

165. DfI Rivers have stated that:

*It is essential that a working strip of minimum width 5m from the top of the bank is retained but up to 10m were considered necessary.*

166. In line with FLD2, a working maintenance strip is detailed on the site layout plan. No construction works in the form of erection of buildings is proposed within the working strip.
167. In terms of FLD3, Rivers Agency have confirmed that the DA demonstrates that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event could be contained through an online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption. Rivers Agency request that the potential risk from exceedance of the network, in the 1 in 100-year event, is managed by way of a condition.
168. Consent has been secured to discharge to the adjacent watercourse and details of the schedule 6 are contained at Appendix 6 of the Drainage Assessment.
169. Water Management Unit has also considered the impacts of the proposal on the surface water environment and in a response received 5 February 2025 they stated that If are content that the WWTW and associated sewer network for this development can take the additional load, with no adverse effect on the

WWTW and sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.

170. NI Water in a response received on 11 December 2025 confirmed that there was available capacity at the Wastewater Treatment Works to serve this development and that there was a public foul sewer within 20 metres of the proposed development boundary which can adequately service these proposals.
171. Based on a review of the information and advice received from DfI Rivers, Water Management Unit and NI Water, it is accepted that the proposal complies with policies FLD 2, 3 and 4 of the Plan Strategy.
172. Policies FLD1 and FLD 5 are not applicable to the site.

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

173. A Generic Quantitative Risk Assessment (GQRA) has been provided by RSK Ireland Ltd dated December 2024 and updated in November 2025 in support of this planning application.
174. The PRA & GQRA are undertaken to identify potential contamination sources on the site and to assist the client in identifying potential environmental liabilities that may be present which will have consequences for the future commercial development of the site.
175. The report describes the ground conditions in relation to Geology, Ground Gas, and Radon, Hydrology in relation to aquifer characteristics and groundwater vulnerability and Groundwater abstractions and Hydrology in terms of surface watercourses and flooding.
176. A summary of potential contaminant sources is provided for in table 4 in relation to on-site and off-site sources. Sensitive receptors and plausible pathways where potential contamination could come into contact with receptors are outlined at paragraphs 4.2 and 4.3 of the report.
177. Section 8 makes reference to the findings of the risk assessment that was undertaken.
178. With regard to Human Health considerations, the report concluded that the risk to human health from direct contact, ingestion and inhalation pathways associated with potential contaminants within onsite soils is considered low, and the site is deemed suitable for its proposed end-use.
179. Section 8.2 makes reference to Controlled Waters and confirms that the PRA identified potential risks to shallow groundwater and the controlled water receptors associated with potentially reduced quality made ground. It was concluded that the site does not pose an unacceptable risk to any controlled waters.

180. Section 8.3 makes reference to Ground Gas and concludes that the risk to future residential site users and infrastructure from hazardous gases via inhalation and ingress into the buildings is considered low and gas protection measures are not required within the proposed residential buildings.
181. The report concludes that no remediation measures are required as part of the proposal.
182. Advice received from the Regulation Unit dated May 2025 confirms that they have no objection to the proposal subject to conditions
183. Advice is also received from the Councils Environmental Health Unit in relation to the proposal. EHO advised that they had no objections subject to conditions
184. In relation to contamination and in receipt of the reports mentioned above and also commented upon by Regulation Unit, Environmental Health were content subject to the mitigation proposals highlighted above.

### **Noise**

185. A Noise Impact Assessment dated September 2024 was submitted in support of the application. The objective of the report is to assess the suitability of the site for residential use and to provide mitigation measures where necessary.
186. A monitoring survey was undertaken to characterise the ambient noise levels currently experienced at the site, which is located in close proximity to several road traffic sources, as well as commercial and industrial sources.
187. Baseline noise surveys were carried out at 2No. monitoring locations (M1 & M2, Figure 1) simultaneously at the site the from 21st – 26th August 2024. The monitoring positions were chosen on the basis of being worst case, and close to the Ballinderry Road / Knockmore Road (M1), and also Enterprise Crescent (M2)
188. Environmental Health in a response dated December 2025 stated that

*Environmental Health continue to advise that there is likely to be an adverse impact with respect to the exceedances of the recommended noise levels in relation to the external amenity areas of Plots 1 and 2 (previously 10 & 11).*

*In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and making efficient use of land resources to ensure development needs can be met, might be warranted. "... these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve*

*the lowest practicable levels in these external amenity spaces but should not be prohibited.”*

189. It is considered that on balance this scheme is desirable and therefore officers are content to accept the higher noise levels within the external amenity areas of the two sites identified (1 and 2) subject to conditions.
190. Based on a review of the detail submitted in relation to Noise and the advice received from Environmental Health, it is accepted that the proposal subject to mitigation will not have an adverse impact on the amenity of the majority of the residents. The requirements of paragraphs 4.11 and 4.12 of the SPPS are considered to be met.

### **Compatibility with Economic Uses**

191. In the assessment of this application, the compatibility of residential development with the adjacent economic development has been considered. It is acknowledged that some proposed developments may be incompatible with economic development enterprises already operating in the vicinity.
192. The site is located to the west of Crescent Business Park, which accommodates a variety of commercial uses, and to the east of a Home Bargains retail store.
193. A Noise Impact Assessment submitted as part of the application considered the site to be suitable for residential development, subject to the implementation of recommended noise mitigation measures. The principal noise source identified in the report is traffic associated with Ballinderry Road.
194. The eastern and western boundaries of the site, which adjoin existing commercial and economic uses, are defined by a 1.8-metre-high timber fence with hedging planted in front. This arrangement will provide effective screening from existing uses.
195. Environmental Health advised that there is likely to be an adverse impact with respect to the exceedances of the recommended noise levels in relation to the external amenity areas of Plots 1 and 2. However as outlined at 179 – 184 above
196. It is considered that on balance this scheme is desirable and therefore officers are content to accept the higher noise levels within the external amenity areas of the two sites identified (1 and 2) subject to conditions
197. It is considered that the proposed development of this site for housing will not prejudice the continued existence of the established adjoining economic development and commercial uses and that they can co-exist without detriment. The proposal is therefore compliant with ED8 of the Plan Strategy.

## Consideration of Representations

198. One objection and One Petition (74 Signatures) was received in opposition to the proposed development. Below is a brief summary in relation to the points raised.

### Invalid Application

199. An objection has been raised in relation to the validity of the application. The application was submitted with the required information to allow it to be made valid. There is no evidence to conclude that the application be returned.

### Key Site Requirements not met

200. Only the designations in draft BMAP are carried forward and maps are taken into account following the adoption of the Council Plan Strategy. The written word of the new strategy takes precedence and Key Site Requirements are no longer relevant material considerations.

### Contrary HOU3, HOU4, HOU5.

201. The objection states that the development raises substantial concerns under planning policies HOU3, HOU4 and HOU5.

Paragraphs 87-129 in the above report provides an assessment against policies HOU3, HOU4 and HOU5, demonstrating how the application is compliant with the Plan Strategy.

### Location of Play Park

202. Objections have been raised in relation to the location of the play park. Since the initial submission, the application has been amended, and the play park has been repositioned to a more central location within the site. This revised siting improves accessibility for all residents, promotes natural surveillance from surrounding dwellings, and ensures that the facility is better integrated into the overall layout of the development.

With regards to anti-social behaviour the development has been designed in line with policy HOU 4 to deter crime however anti-social behaviour is not a material consideration given significant weight and is an issue for the landowner, landlord and residents to address in consultation with the PSNI should it arise in the future.

### Bio-Diversity checklist incomplete.

203. An objection has stated that the bio-diversity check list has not been completed correctly and fail to identify that there may have was a pre1960 building within the site and bats had been seen in the area.

204. A Preliminary Ecological Assessment was submitted in support of the application. It concludes that the removal of the small amount of scrub vegetation around the development area is not likely to have an impact on foraging and commuting bats and no further surveys were recommended in this regard.

### Conclusions

205. For the reasons outlined above, it is accepted that the proposal complies with the local development plan designation including the operational policies set out in the preceding paragraphs of this report.
206. This recommendation is subject to a Section 76 planning agreement to secure the delivery of the affordable and private housing requirement and that they should be phased to be delivered in tandem with the occupation of housing within the overall development.

### Conditions

207. The following conditions are recommended:

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

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

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

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

- All hard and soft landscape works shall be carried out in accordance with Drawing 16 0100 published to the Planning Portal on 6 February 2026 and the approved details. The works shall be carried out no later than the first available planting season after occupation of that phase of the development.

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

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

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

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

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

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

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

- No retained tree as identified on Drawing 16 0100 published to the Planning Portal on 6 February 2026 shall be cut down, uprooted or destroyed or have its roots damaged nor shall arboriculture work or tree surgery take place on any retained tree without the written consent of the Council. Any retained tree that is removed, uprooted or destroyed shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

- Prior to works commencing on site, all existing trees shown on Drawing 16 0100 published to the Planning Portal on 6 February 2026 as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority.

**Reason:** To protect the biodiversity value of the site, including protected species

- Full details of the children's play areas identified on Drawing E01-24-30 and published to the Planning Portal on 6 February 2026 shall be submitted to and agreed in writing with the Council within 3 months of the date of the commencement of the works. The play park area shall be fully implemented and operational prior to the occupation of the 50 dwelling.

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

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

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

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

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

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

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

- After completing the remediation works under Condition 1; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at

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

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

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

- No properties shall be occupied until the approved wastewater network engineering solution to mitigate the downstream foul capacity issues has been delivered.

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

- No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Lisburn & Castlereagh City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site.
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ.
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

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

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

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

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



## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	9 March 2026
Committee Interest	Major Application
Application Reference	LA05/2025/0384/F
District Electoral Area	Lisburn North
Proposal Description	Proposed development of 75 residential units comprised of 26 apartments, 48 semi-detached and 1 detached bungalow, new access and right-hand turn lane, car parking, landscaping, open space and all associated site works
Location	Lands at 70 Belfast Road, Lisburn, BT27 4AU
Representations	None
Case Officer	Laura McCausland
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This application is categorised as a major planning application in accordance with the Development Management Regulations 2015 in that the area of the site exceeds two-hectares, and more than fifty residential units are proposed.
2. The proposal also requires a Section 76 planning agreement to secure the delivery of affordable housing at this location.
3. This application is presented to the Planning Committee with a recommendation to approve as it is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of the Plan Strategy.
4. The proposed design and layout of the scheme will create a quality residential environment and will not change or adversely impact upon the character of the area nor have a detrimental impact on the amenity of adjacent land uses.
5. The density reflects that exhibited in the surrounding residential context and the proposed pattern of development is in keeping with the overall character and environmental quality of the area. Sufficient public open space is to be created.

6. It is considered that the proposal is in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of a mixed tenure development.
7. The proposed complies with policy of TRA1 the Plan Strategy in that it is demonstrated that an accessible environment will be created through the provision of footway and crossing points throughout the site.
8. The Belfast Road is a protected route. It is considered having regard to the advice of DfI Roads that the development complies with policy TRA2 and TRA3 of the Plan Strategy in that the proposed road layout and the creation of left turning lane will not prejudice road safety or significantly inconvenience the flow of traffic onto the protected route. Regard is also had to the nature and scale of the development, the character of the existing development, the position of existing access and the standard of the existing road network. The proposal will not inconvenience road users, prejudice road safety or impede the flow of traffic on the surrounding road network.
9. The proposal also complies with policy TRA7 of the Plan Strategy in that it has been demonstrated that adequate provision has been made for car parking and servicing.
10. The proposal also complies with policies NH2 and NH5 of Plan Strategy in that the Preliminary Ecological Assessment and related surveys has been submitted in support of the application to demonstrate that the proposed development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
11. The proposed development complies with policies FLD1, 2 and 3 of the Plan Strategy in that the detail submitted demonstrates that adequate drainage can be provided within the site to serve the proposed development.
12. The proposal also complies with Policy RE2 as solar panels are provided, and the proposed residential units shall be constructed in line with current NI Building Regulations and the DfC Design Standards which emphasises sustainable design and energy efficiency.

## Description of Site and Surroundings

### Site Context

13. The application site was the former Charles Hurst Vauxhall dealership site on the Belfast Road of Lisburn. Access is taken directly from the Belfast Road at two separate entrances.
14. The site is irregular in shape and approximately 2.13 hectares in size. Within a significant portion of the site comprises of hard standing with two. warehouse type buildings located towards the middle and southern end of the site.

15. Approximately 40% of the northwestern boundary is defined by paladin fencing and the remainder by concrete bollards behind a grass verge. A two-metre-high paladin fence defines the western boundary which is parallel to the Belfast to Dublin rail line and the southwestern boundary is defined by a buffer of mature planting.
16. The topography falls gradually in a west to east direction across the site.

#### Surrounding Context

17. The site lies within the settlement of Lisburn in an area comprised of a mixture of residential properties on both sides of the Belfast Road, Garvey Manor and Lawnmount Crescent, Forthill Integrated Primary School and College, Lisburn Racquets Club, Hilden Bowling Club.

### **Proposed Development**

18. The Proposed development of 75 residential units comprised of 26 apartments, 48 semi-detached and 1 detached bungalow, new access and right-hand turn lane, car parking, landscaping, open space and all associated site works
19. The application is supported with the following documents:
  - Pre Application Community Consultation report.
  - Planning Statement
  - Design and Access Statement
  - Preliminary Risk Assessment and Generic Quantitative Risk Assessment
  - Drainage Assessment
  - Preliminary Ecological Appraisal
  - Landscape Management Plan
  - Travel Plan
  - Transport Assessment Form
  - Site Access Report including Traffic Speed Survey
  - Tree Survey Report
  - Lighting Impact Assessment & Lighting report
  - Lux Plan Grid 1 & 2
  - PV Panel Specification
  - Noise Impact Assessment
  - Waste Management Plan
  - Remediation Strategy
  - Sensitive Ecological Management Plan
  - RSK response to request for further information.

## Relevant Planning History

20. Relevant planning history is as follows:

Application Reference	Description of Proposal	Decision
LA05/2025/001/PAN	Proposed development of c. 80 no. dwelling units, including new access, car parking, landscaping, open space and all associated site works.	Agreed
LA05/2016/0466/F	Façade alteration works to existing motor trade dealership including removal of the single storey adjoining building, outbuildings and reconfiguration of external used display areas, customer parking and external works	Approval
S/2005/0404/F	Refurbishment of existing car showroom and workshop building re-arranged parking layout.	Approval

## Consultations

21. The following consultations were carried out:

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

## Representations

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

## Environmental Impact Assessment (EIA)

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

## Pre-Application Community Consultation

25. The proposal exceeds the threshold for major developments as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site is over two-ha in size and exceeds 50 No. residential units.
26. In accordance with statutory requirement under Section 27 of the Act the Applicant was required to engage in pre-application community consultation (PACC).
27. A Pre-Application Community Consultation report, March 2025 accompanies the application. The format of the report is in accordance with Regulation 4 of the Development Management Practice Note 10 and contains relevant information required regarding engagement.
28. The report identifies stakeholder engagement over the consultation period including a public event held on Wednesday 19th February 2025 from 2:00pm – 7:00pm at Lisburn Racquets Club, 36 Belfast Road, Lisburn, BT27 4AS.
29. A virtual consultation website was constructed (screenshots of which can be seen at Appendix 6.7 of the PACC), including an online feedback form, that was live from Wednesday 19th February – Wednesday 12th March 2025. Details of the Public Event was suitably advertised in the press and via an information leaflet drop that was circulated to 650 businesses and households in the local area.
30. The information leaflet provided point of contact, details of the event, engagement process, address of application site and proposal details.

31. At the venue where the Public Event was held plans were displayed on exhibition boards along with details of how attendees could provide comment, as well as the next steps in the planning process.
32. A PACC report accompanies the application pack and provides feedback received from stakeholders throughout the community consultation process.
33. It is outlined in the PACC report that during the consultation period, a total of 14 responses were received to this consultation 4 of which were received via feedback forms at the drop-in event at Lisburn Racquets Club, 7 via the virtual consultation website, 2 via the postal return on a comment card distributed as part of the neighbour notification leaflet, and one via email to the consultation manager.
34. Sample comments taken from the feedback forms stated:
 

*“Housing welcome, 50:50 split in tenure, aesthetically pleasing, welcome provision of social housing and concern increase traffic congestion.”*
35. Following review of feedback received via public engagement, Lotus Homes committed to provide 20% of the total units as private housing. The balance is to be delivered as social rented accommodation as a design and build scheme for a housing association.

## Local Development Plan

### Local Development Plan Context

36. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on Planning applications regard must be had to the requirements of the local development plan and that the determination of applications must be in accordance with the plan unless material considerations indicate otherwise.
37. 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.*

38. As a consequence, the Plan Strategy and the Lisburn Area Plan (LAP) 2001 is the statutory development plan for the area. However, draft BMAP remains a material consideration.
39. The site is previously developed land within the settlement limit of Lisburn in the Lisburn Area Plan (2001). No other designation applies to the land. The Belfast Road is part of the Protected Routes network.
40. Within draft BMAP, the lands remain within the development limits of Lisburn. No other designation applies. The status of the protected route remains unchanged.
41. 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.*

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

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

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

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

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

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

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

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

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

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

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

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

46. The strategic policy for Housing in Settlement Limits is set out in Part 1 of the Plan Strategy. Strategic Policy 08 Housing in Settlements states that:

*The Plan will support development proposals that:*

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

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

### **Housing in Settlements**

47. New housing is proposed at this location. The following operational policies in Part 2 of the Plan Strategy therefore apply.

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

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

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

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

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

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

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

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

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

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

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

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

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

51. The Justification and Amplification states that:

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

52. It also states that:

*Accessible Accommodation*

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

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

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

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

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

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

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

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

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

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

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

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

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

55. The site is more than two-hectares in size. Policy HOU6 Design Concept Statements, Concept Masterplans and Comprehensive Planning states that:

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

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

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

56. As more than five dwellings are proposed there is a need to consider the requirement for affordable housing. This application is presented as a design and build proposal for Clanmil Housing and 80% of the units are proposed for social rented accommodation. Policy HOU10 - Affordable Housing in Settlements is engaged and states that:

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

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

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

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

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

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

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

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

57. The Justification and Amplification states that:

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

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

*Affordable Housing – affordable housing is:*

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

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

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

### **Natural Heritage**

59. Given this is a large site and buildings are proposed for demolition the potential impact on the natural environment is considered. Policy NH2 Species Protected by Law states:

*European Protected Species*

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

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

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

*National Protected Species*

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

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

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

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

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

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

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

### **Access and Transport**

61. The P1 Form indicates that the proposal seeks to alter an existing access and construct a new access onto the public road for both pedestrian and vehicular use. Policy TRA1 - Creating an Accessible Environment states that:

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

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

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

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

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

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

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

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

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

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

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

*Motorways and High Standard Dual Carriageways – All locations*

*Planning permission will not be granted for development proposals involving direct access.*

*An exception may be considered in the case of motorway service areas. Other Dual Carriageways, Ring Roads, Through-Passes and By Passes – All locations*

*Planning permission will only be granted for a development proposal involving direct access or the intensification of the use of an existing access in exceptional circumstances or where the proposal is of regional significance.*

***Other Protected Routes – Outside Settlement Limits***

*Planning permission will only be granted for a development proposal in the following circumstances:*

- i. *For a replacement dwelling in accordance with Policy COU3 where the dwelling to be replaced is served by an existing vehicular access onto the Protected Route.*
- ii. *For a farm dwelling or a dwelling serving an established commercial or industrial enterprise where access cannot be reasonably achieved from an adjacent minor road. Where this cannot be achieved, proposals will be required to make use of an existing vehicular access onto the Protected Route; and*
- iii. *For other developments which would meet the criteria for development in the countryside where access cannot be reasonably achieved from an*

*adjacent minor road. Where this cannot be achieved, proposals will be required to make use of an existing vehicular access onto the Protected Route.*

*In all cases the proposed access must be in compliance with the requirements of Policy TRA2.*

### **Other Protected Routes – Within Settlement Limits**

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

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

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

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

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

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

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

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

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

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

## **Flooding**

65. Given the scale and nature of the proposed development a drainage assessment is required. Policy FLD1 Development in Fluvial (River) Flood Plains states:

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

66. There is major infrastructure located in the proximity to the site. Policy FLD2 Protection of Flood Defence and Drainage Infrastructure states that:

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

67. The scale of the development proposed requires a drainage assessment. Policy FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states:

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

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

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

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

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

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

## **Renewable Energy**

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

*Policy RE2 Integrated Renewable Energy states:*

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

## **Regional Policy and Guidance**

### **Regional Policy**

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

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

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

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

71. Paragraph 3.6 of the SPPS Edition 2 states:

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

72. Paragraph 3.8 of the SPPS Edition 2 states:

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

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

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

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

75. Paragraph 6.198 of the SPPS states that:

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

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

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

77. Paragraph 6.132 of the SPPS further states that:

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

### **Retained Regional Guidance**

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

#### Creating Places

The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered. The guide is structured around the process of design and addresses the following matters:

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

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

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

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

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

#### Parking Standards

81. It is stated in parking standards that:

*In assessing the parking provision in association with development the Council will normally expect developers to provide an access to the site in accordance with the current standards. Where appropriate, developers will be required to*

*demonstrate there is adequate provision of space within the site, for parking, manoeuvring, loading and unloading to fulfil the operational requirements of the proposed development.*

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

82. Paragraph 4.10 states that:

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

## Assessment

### New residential development

#### Policy HOU 1 – New Residential Development

83. The proposed development seeks to provide 75 dwelling units comprised of 26 apartments, 48 semi-detached and 1 detached bungalow. As the proposal is for new residential development on previously developed land within the settlement limit of Lisburn and criteria (b) and (c) are met then the proposal is in accordance with policy HOU1.

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

84. To the southwest beyond the petrol filling station, the established residential character is mixed with large detached and semi-detached two-storey properties fronting Belfast Road, a 2.5 storey apartment block at Alpha Court, 2.5 storey townhouses at Fountaine Place and two-storey semi-detached properties at Garvey Manor.
85. The proposed development offers a range of 2,3- and 4-bedroom dwellings and there are 5. accessible units comprising of predominantly semi-detached two storey properties, detached bungalow and 2two and three storey apartment blocks.
86. The application site fronts onto the Belfast Road. Street Elevation drawing No.27A illustrates that three dual aspect apartment blocks will face onto the Belfast Road and this provides active frontage to the street and the development within the body of the site.
87. The buildings have a typical 70/30 solid to void ratio, and the finishes are of high quality comprising of a mix off white render and blue/grey brick detailing. Windows will be uPVC with composite doors, both finished in anthracite grey. These finishes are suitable in an urban setting and will not appear out of character with the residential developments highlighted in the preceding paragraphs.

88. It is considered that the scale and form of the proposed development would not erode the attractiveness of the area or undermine the established residential character of the area for the reasons outlined above.
89. The rear boundary treatment of properties that back onto the railway line will be comprised of a two-metre acoustic fence and 0.8 metre retaining wall, the in front of the existing two-metre palisade fence which will remain in situ.
90. Apartment block 4 is separated from the rear garden of site 73 by access to the existing substation. Proposed elevational Plan 20 identifies that both proposed rear gable windows to serve communal hallway and ground floor bathroom of apartment block No. 4 are to be obscured and a separation distance of 10.9m is to be provided therefore no concern arises regarding overlooking or loss of privacy into the rear garden of site 73 from Apartment block 4.
91. Site Plan 02A identifies the dwelling at site 56 to be House Type 5B and site 57 to be House Type 7A. The boundary detail between the dwellings is a 1.8m high double boarded timber fence.
92. Plan No 15 shows the proposed elevational treatment for House type 5B and illustrates the southern side gable of site 56 not to provide any window openings therefore no potential for overlooking or loss of privacy will be created into the rear useable amenity area of dwelling at site 57.
93. The proposed elevation and floor plan 18 illustrates that due to the orientation, forward siting of site 57 and achievable separation distance between its rear and the private useable amenity area of dwelling at site 56 and that no concern is raised in relation to loss of privacy or direct overlooking between these two dwellings.
94. The railway and former factory site to the east of the site physically separates the site from the rear gardens of Lawnmount Crescent. Separation distances and topography will ensure there to be no loss of privacy or overlooking from first floor windows to the rear of 32 to 62 Lawnmount Crescent.
95. The proposed development is not considered to be dominant nor create an overbearing impact on these properties at Lawnmount Crescent or raise concern in relation to loss of light.
96. Existing residential properties at 56 and 58 Belfast Road have rear gardens that directly abut the site and proposed rear amenity areas of dwellings at sites 66-69. Existing vegetation to the rear of these existing Belfast Road properties is mature, tall and dense. Suitable separation distances are to be provided

between existing and proposed development to ensure no overlooking or loss of privacy will occur.

97. The three-storey apartment blocks at sites 1-3 front and outward view overlooks established tall mature vegetation on the opposite side of the Belfast Road and apartments carpark area to the rear. The northern outward view is into area of public open space and southern outward view into public forecourt area of petrol filling station. There will be no overlooking loss of privacy or loss of light into any neighbouring property.
98. The window openings in the gable elevations of the proposed apartment blocks are designed to ensure there is no direct overlooking between gable ends of each apartment blocks.
99. The separation distances between dwellings on the balance of the lands within the site are designed to prevent overlooking into the private amenity space of neighbouring properties within the development or properties adjacent to the development and set within an existing urban context.
100. The separation distances have been checked across the site and are in accordance with the Creating Places document. The proposed development does not pose conflict with any surrounding residential development.
101. Open space and proposed landscaping to be provided. The supporting Landscape Works Specification and Management Maintenance Plan dated May 2025 confirms these areas are to be maintained by the site owner or their appointed landscape management company.
102. For the reasons set out in paragraphs 90 to 107 criteria (a) of policy HOU3 is met.
103. With regard to criterion (b), the site is not located within a Conservation area or Area of Townscape Character nor are there any features of Archaeological or Historical to be protected.
104. In respect of the other requirements of criterion (b) there are no TPO on site however a Tree Protection Plan and Tree Survey Report identifies a 'Wellingtonia tree' that is to be retained, and its root area is to be afforded protection during the construction phase of the project.
105. The Council's Tree Officer was consulted and has advised that the Tree Report and proposed Tree Protection Plan is adequate. All landscape features have been considered and will not be negatively impacted by the proposed development. A proposed planting scheme including indigenous species and areas of open space are to be created that cumulatively will improve the biodiversity value of the site and create a quality landscaped residential environment.

## Policy HOU4 - Design in New Residential Development

106. Apartment blocks 1 to 3 are three-storey with a ridge height of 11.5 metres, offering 9 two-bedroom units per apartment block. Each block is to be served with a lift and stairwell and individual apartments offer two-bedrooms, a bathroom, open plan living space, storage space and entrance hall.
107. The proposed materials for each block type include blue/grey brick plinth and brick finish with off white rendered walls, blue/black concrete interlocking roof tiles, anthracite uPVC double glazed windows and composite doors. Rainwater goods are to be black uPVC. Solar panels are to be provided of roof.
108. House types 1A & 1B are three and four bed detached and semi-detached dwellings with pitched roof a ridge height of approximately 8.8 metres. The ground floor plan layout includes living/dining/ kitchen area, lounge, WC, storage and hall area. The first floor has three bedrooms and a bathroom. The proposed materials for these house types are the same as the apartment blocks and also include solar panels.
109. House Type 2A & 2B are two-storey three-bedroom accessible units with infloor lifts. House Type 8A is a single storey three-bedroom accessible unit. The materials and finishes for these two-house types is the same as the others proposed.
110. The houses are designed to current building control requirements to be provide accommodation that is wheelchair accessible for persons with impaired mobility.
111. On review of surrounding residential development in the immediate vicinity the proposed design, scale and finishes are considered to be uniform and draw upon the mix of materials and design features exhibited within the surrounding area. The use of high-quality materials will ensure that the units are as energy efficient as possible and solar panels are to be provided throughout the scheme.
112. The arrangement of rooms within each unit, together with the window placement and adequate separation distances, ensures that the private amenity areas of neighbouring properties are not subject to overlooking.
113. The development on the site does not conflict with surrounding land uses. The proposal is separated from adjoining residential development to ensure no loss of privacy or overlooking. The buildings are not dominant or overbearing and no loss of light would be caused as set out previously in above paragraphs 106 to 113.
114. Given the relationship between the height and siting of existing development and proposed units, the proposed back-to-back separation distances would exceed 18 metres and are typically 20 metres throughout the scheme which is in accordance with the guidance set out within Creating Places document.

115. Apartments are served by communal amenity space of circa 26.5 square metres per unit, and own-door apartments include private amenity areas of 39 square metres and 44 square metres respectively. The private rear amenity space for the housing varies from 39 square metres to 294 square metres in size with an average approximately 88 square metres which is consistent with the guidance in the Creating Places document.
116. The proposed inclusion and open space and planting along the Belfast Road boundary are considered to soften the visual impact of the scheme and to aid integration of development within its surroundings.
117. The garden areas to the front of the proposed units, proposed open space and landscaped areas have been designed soften the visual impact and dominance of hardstanding or car parking.
118. A proposed planting scheme has been provided that includes indigenous species and detail of existing planting that is to be retained has been provided that includes maintenance schedule.
119. Proposed boundary treatments, as shown on the detailed site layout drawing, comprise a mix of fencing, boundary walls and metal railings to define individual unit's curtilages. These are considered acceptable for a development of this nature in an urban context.
120. LCCC's Environmental Health officer have been consulted to consider the impact of existing land uses on proposed residential amenity in relation to noise and light spill on existing and proposed development.
121. An acoustic report and detail of proposed acoustic fence that is to be erected has been provided. The report also provides detail of glazing and passive and mechanical ventilation to be fitted as mitigation measures.
122. Proposed Lux levels on lighting plan and report were considered acceptable and will not create negative light pollution on proposed residential receptors.
123. LCCC's Environmental Health are content with proposed mitigation and measures are to be controlled by conditions.
124. For the reasons outlined in the preceding paragraphs 00 to 00, criteria (a), (b) (e), (f) and (i) of policy HOU4 are met.
125. A development of this scale does not necessitate the provision of a community or neighbourhood facility. The site is highly accessible and within walking distance to existing provision of local amenities and other neighbourhood facilities and for this reason criteria (c) of policy HOU4 is met.
126. The proposal comprises 75 units on a site which measures approximately 2.13 hectares. This equates to a density of 25-35 dwellings per hectare in line with the policy density requirements of 25-35 dwellings per hectare to be suitable

within the settlement development limits of City, Towns and greater urban areas as set out in the Plan Strategy.

127. The proposed development will provide a residential density in keeping with the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the area therefore proposed density is acceptable and criterion (d) of policy HOU4 is met.
128. The internal road layout offers the provision of dropped kerbs and tactile paving for safe and convenient access through the site to meet the needs of mobility impaired persons. Appropriate provision is also made for in curtilage parking which meets the required parking standards. Criteria (g) and (h) are to be met.
129. Appropriate boundary treatment are provided throughout the scheme that will deter crime and promote personal safety. Criteria (l) is met.
130. A Waste Management Plan has been provided and provision made for householder waste for each unit. Waste collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria (k) is met.

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

131. The proposed layout includes three public open space areas totalling 2,333 square metres, equating to 10.9% of the overall area of the 2.13 ha site.
132. These areas of open space are easily assessable and are to be overlooked by the fronts of properties. The Planning Supporting Statement provided by the agent confirms open space provision to equates to more than 10% of the total site therefore criteria (a) is engaged and met.
133. As only 75 dwellings are proposed an equipped children's play park is not required in line with Policy HOU5. However, it is noted that Hilden Play Park is approximately 54 metres away and within walking distance to the site. The site is also close to Wallace Park.

#### Policy HOU6 – Design Concept Statements, Concept Masterplans and Comprehensive Planning

134. Due to the scale and nature of the proposed development a Concept Plan (drawing No. 33), Design and Access Statement and Planning Supporting Statement to demonstrate policy compliance.
135. The documents explain the rationale for the layout and how the constraints of the site have been considered. It is also explained how the scheme is designed to take account of the character of the area and appropriate to the context. For the reasons outlined, the policy tests of HOU6 are met.

### Policy HOU10 - Affordable Housing

136. Policy HOU10 requires a minimum of 20% of the proposed residential development is affordable housing. It is also set out in the justification and amplification of policy HOU4 that scheme should be mixed tenure.
137. Fifteen units are to be provided within apartment blocks 2 and 3 as private housing and the remaining 60 units as social rented accommodation falling within the definition of affordable housing as outlined earlier in this report.
138. NIHE have been consulted and are in support of the allocation of affordable housing to be social rented accommodation at this location.
139. To protect the mixed tenure provision within the proposed development the recommendation is subject to a Section 76 planning agreement that no more than 40 of the social rented units are occupied until the fifteen private units are constructed and available for occupation. This ensures the affordable housing and private housing is constructed and available for occupation at the same time.
140. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

### **Natural Heritage**

141. The proposal seeks to demolish existing buildings on site. A Preliminary Ecological Assessment (PEA), May 2025 was submitted by GGA Associates and other relevant surveys in support of the application.
142. Findings within the PEA report inform that the buildings due to their nature, condition and lack of habitation in the immediate area are negligible suitability for bat roosting.
143. Boundaries of the site offer limited vegetation. The PEA states  
*buildings and existing vegetation to offer limited realistic nesting opportunities and foraging resources to be scarce.*
144. The PEA confirms the presence of badgers at this locality. A subsequent Badger Management Plan by GGA, July 2025 was submitted in support of the application.
145. Detail within the Badger Management Plan included surveys, monitoring and methodology for the protection management of badgers during the general construction and occupation phases of development. On completion of site works a final post construction site walk over is to be carried out and further monitoring report complied.
146. Supporting ecological information considers the impact of the proposed development on protected and priority species and habitats.

147. On 19<sup>th</sup> August 2025, NED acknowledge receipt of all supporting ecological information provided by agent and having considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided offered no objection.

148. NED's response stated that:

*Using the information submitted, NED notes that a Badger Management Plan has been submitted and is content in principle with the recommendations. NED advises that any works within 25m of the sett entrances will require a licence from NIEA Wildlife Team.*

*NED notes that the Ecologist has assessed the building within the site as being of negligible suitability for roosting bats, therefore NED is content that the building is unlikely to currently support roosting bats. However, if roosting bats are found during works, all works must stop and advice sought from NIEA Wildlife Team.*

*NED notes that a mature Sequoia is located within the boundary and notes that the Ecologist has stated that the mature boundary vegetation is to be retained.*

*NED is content that these trees are to be retained and advises that should further works be proposed to these trees in the future appropriate bat surveys must be carried out.*

*NED notes that some vegetation may require removal and advises that the vegetation on the site may support breeding birds. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order.*

*NED thus advises that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.*

149. Based on review of ecological reports submitted with the application and the advice received from NED, it is accepted that appropriate mitigation measures have been proposed that these would be controlled by condition.

150. Currently a significant portion of the site is hardstanding it is considered that the proposed landscaping and areas of open space will improve the biodiversity value of the site.

151. On review of supporting ecological information and comments from NED It has been demonstrated that and that adequate mitigation can be implemented and

development will not likely harm any European Protected Species and policy NH2 has been adhered to.

152. Additionally on review of supporting ecological information and comments from NED It has also been demonstrated that the proposed development will not likely result in an unacceptable adverse impact on any priority habitats, priority species or any features of natural heritage worthy of protection including trees. Therefore criteria (a)- (d) of policy NH5 has been met.
153. Therefore, the impact on priority habitats and priority species consistent with the requirements of policies NH2 and NH5 of the Plan Strategy.

### **Access and Transport**

154. The proposed development's vehicular and pedestrian access will be taken from a new junction on Belfast Road with a right-turn lane. This new arrangement will replace the two existing access points onto the Belfast Road that are to be permanently removed.
155. A Travel Plan, Transport Assessment Form and Speed Survey has been prepared by TJK Consulting and submitted in support of the application.
156. The Transport Assessment Form identified the number of journeys per day by various methods of transport including Refuse HGVs. Detail within TAF considers the impact of the proposed detail on travel characteristics, transport impacts and measures to mitigate impacts/influence travel to the site.
157. The TAF provides a TRICS data survey investigations of the total peak volumes of traffic travelling to and from the proposed development is submitted and the consultant estimated there to be in the region of 25-30 vehicles per peak hour (i.e. 08:00 – 09:00). They state that the impact of the proposed development will be equivalent to a single vehicle joining the local highway network at the Old Manse Road junction every 2-3 minutes.
158. The TAF findings suggest a small increase of traffic on the local highway network, concluding that proposed residential development will be generated compared with the current car showroom use. TAF findings also suggest that the proposed development will have any detrimental impact on the existing road network nor is there likely to noise or air quality issues experienced in the surrounding environment.
159. Criteria (a), (b) & (c) of TRA1 has been met in that the proposal seeks to facilitate and aid accessibility via linking the existing pedestrian infrastructure in the immediate area to the proposed site and throughout the site. Tactile paving and dropped kerbs are to be provided to facilitate those who are mobility and visually impaired are to be provided at crossing points throughout the site. An internal road is to be created provided to assist road users, pedestrians and cycle movements manoeuvring within the site.

160. A number of car spaces have been reserved for disabled users and ease of access to public transport facilities through connectivity within the site and ease of access to such nodes on the Belfast Road therefore criteria (d) has been met.
161. The policy tests associated with TRA1 are met.
162. Supporting detail confirms the geometric layout of the Belfast Road right turning lane junction to be in accordance with the standards outlined in the Design Manual for Roads and Bridges (DMRB) CD 123. Proposed visibility splays from Belfast Road, forward visibility and stopping sight distances along Belfast Road are also in accordance with the DMRB and (DCAN15). As such the development proposals are considered to have minimal risk to road safety for all road users.
163. DfI Roads have considered detail provided and are content thus providing a safe means of access to the site the proposed internal road and road network has sufficient capacity to cater for the additional dwellings Officers having read the content of the supporting documents accept the advice of DfI Roads.
164. Advice received from DfI Roads confirms that they have no objection subject to endorsement of PSD drawings and conditions. Based on a review of the detail and advice from DfI roads, it is accepted having regard to the nature and scale of the proposed development, that the proposal complies with criteria (a) of Policy TRA2 and that it will not prejudice road safety or significantly inconvenience the flow of vehicles.
165. The Belfast Road is a protected route within the settlement limit therefore criteria (b) of policy TRA2 and policy TRA3 are engaged. As previously mentioned, the proposal seeks to permanently close the 2No. existing access points onto the Belfast Road and relocated access to the site further north with proposed right hand turning lane.
166. Detail within the supporting TAF acknowledges there to be a small increase in traffic movements and slight intensification of use beyond that of existing. It is accepted that access arrangement cannot reasonably be taken from an adjacent minor road and it is also considered that the nature and level of access will significantly assist in the creation of a quality environment.
167. On 3<sup>rd</sup> March 2026 DfI Roads on review of supporting information considered the proposed development to be acceptable and raise no concern in relation to road safety or intensification onto the protected route.
168. The proposal seeks to reduce the overall number of access points onto the Belfast Road than existing therefore will not result in a proliferation of access points along the protected route.
169. Therefore, the proposed development is considered to meet criteria (b) of policy TRA2 and TRA3.

170. The site is at highly assessable location within the settlement on an arterial route. Detail within the supporting Travel Plan and TAF promote alternative transport modes in the immediate vicinity to include bus stops adjacent to the site and Hilden Train Station. Additional car parking beyond that specified to meet parking requirements to serve this scale of development is to be provided.
171. In terms of parking requirements, the scale of development proposed requires 163 car parking spaces and as 165 car parking spaces are to be provided to serve the development the parking requirement is met in accordance with policy TRA7.

### **Flooding**

172. A Drainage Assessment was provided in support of the application by TJK Consulting in support of the residential development as more than 10 residential dwellings are proposed.
173. The assessment sought to determine details of the foul and storm drainage as well as potential sources of flooding at the site and their associated risk to life and property within the site or elsewhere. The assessment determines the site for development in relation to flood risk.
174. The assessment advises that foul drainage within the residential element of the scheme will be designed in accordance with NI Water regulations.
175. On 23<sup>rd</sup> January 2026 NI Water recommend approval advising that a solution has been reached for this proposal and confirm there to be available capacity at the Wastewater Treatment Works and there to be a public foul sewer within 20 metres of the proposed development boundary which can adequately service the proposal.
176. On 11<sup>th</sup> August 2025 DfI Rivers provided comment in relation to the impact of the proposed development in relation to flood risk.
177. With regard to Policy FLD 2 – Protection of Flood Defence and Drainage both TJK Consulting and DfI Rivers confirm there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site.
178. On consideration of Policy FLD 3 Development and Surface Water (Pluvial) Flood Risk outside Flood Plains – DfI Rivers response state

*Rivers Agency have confirmed that the surface water discharge from this relevant part of the site fits in with the overall drainage plan for the entire site. Directorate have reviewed the Drainage Assessment by TJK Consulting Ltd, dated May 2025, and our comments are as follows Rivers Directorate, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. It should be brought to the attention of the applicant that the responsibility for justifying the Drainage Assessment and implementation of the proposed flood risk*

*measures (as laid out in the assessment) rests with the developer and his/her professional advisors (refer to Section 16 of LDP 2032).*

*The Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event including an allowance for climate change and urban creep could be contained within the attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption. However, in order to ensure compliance with LDP 2032, Rivers Directorate requests that the Planning Authority includes the following Condition as part of its planning permission if granted.*

*Condition – Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with FLD 3 and LDP 2032, to be agreed with the Planning Authority which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change and urban creep.*

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

179. On 13<sup>th</sup> February 2026 Water Management Unit advised that they have considered the impacts of the proposal on the surface water environment and on the basis of the information provided has no objection.
180. Based on a review of the information and advice received from DfI Rivers, Water Management Unit and NI Water, it is accepted that the proposal complies with policies FLD2 and 3 of the Plan Strategy.

## **Waste Management**

181. Information submitted with the application indicates that water connection, surface water and foul sewerage will be through the public mains.
182. As stated in point 177, NI Water was consulted and recommend approval, and a solution has been reached. They have confirmed that there is available capacity at the Waste-Water Treatment Works and there is a public foul sewer within 20 metres of the proposed development boundary which can adequately service the proposal and recommend condition.
183. Based on the information submitted and review of the advice from NI Water, it is considered that the proposal will not adversely affect the water environment and complies with policy WM2.

## Land Contamination

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

## Renewable Energy

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

## Consideration of Representations

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

## Conclusions

189. For the reasons outlined above, it is accepted that the proposal complies with the local development plan and the relevant policies detailed in the preceding paragraphs.
190. This recommendation is subject to a Section 76 planning agreement, and the affordable housing requirement should be delivered in tandem with the private housing as a mixed tenure development.

## Conditions

191. The following conditions are recommended:

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

Reason: Time limit

2. The vehicular accesses, including visibility splays and any forward sight distance shall be provided in accordance with Drawing No. C104 Rev. G, published to the planning portal date stamp 03 March 2026 prior to the occupation of the development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. C104 Rev. G, bearing the Dfl - Road's determination date stamp 03 March 2026.

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

5. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved drawing no. C104 Rev. G, bearing the date stamp 3 March 2026, to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. C104 Rev. G, bearing the Dfl – Roads date stamp 04 March 2026. The Department hereby

attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

7. The dwellings within the development, hereby permitted, shall not be occupied until the works necessary for the improvement of the public road at Belfast Road, as indicated on Drawing No. C104 Rev. G, bearing the date stamp 3 March 2026, have been fully completed. All works shall comply with the Design Manual for Roads and Bridges and all other relevant standards and technical guidance.

Reason: To ensure that the works necessary for the improvement of the public road are carried out in the interests of road safety and the convenience of road users.

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

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

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

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

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

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

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

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

12. Prior to occupation of the proposed dwellings, window systems (glazing and frame) shall be installed capable of providing a sound reduction index, when

the windows are closed, of the Required Sounds Reductions (dB RTRA (or  $R_w + C_{tr}$ ) /  $R_w$  or greater) identified in Table 8 of the Noise Impact Assessment dated 21 March 2025.

Reason: To achieve internal noise level in line with BS8233

13. Prior to occupation of the proposed dwellings, passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving the Required Sounds Reductions (dB RTRA (or  $R_w + C_{tr}$ ) /  $R_w$  or greater) identified in in Table 8 of the Noise Impact Assessment dated 21 March 2025, when in the open position (with respect to noise transmission from the exterior to the interior of the building), shall be installed. Mechanical ventilators shall not have an inherent sound pressure level (measured at 1 metre) in excess of 30dB(A), whilst providing a flow rate of at least 15 litres per second.

Reason: To achieve internal noise level in line with BS8233

14. A 2m high acoustic barrier shall be erected along the site's boundary as presented on approved drawings 02C Site Plan and 26 Proposed Boundary Treatments prior to occupation of the proposed dwellings. The barrier should be constructed of a suitable material (with no gaps), should have a minimum self-weight of at least 10 kg/m<sup>2</sup> and so retained thereafter.

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

15. Prior to the commencement of development other than that required to carry out remediation, the approved remediation scheme must be carried out in accordance with the details approved, unless otherwise agreed, in writing, by the Local Planning Authority. The Planning Service must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, an independent verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Council.

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

16. A clean cover system shall be installed to form an encapsulation layer above the contaminated soils as detailed below:

The clean cover system shall be installed in the gardens and landscaping areas as detailed in the Remediation Strategy.

A minimum capping system of 600mm within gardens to include a 200mm topsoil layer; and A minimum capping system of 400mm within landscaping areas to include a 200mm topsoil layer.

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

17. Prior to occupancy of Apartment Block 3 hereby approved, suitable mitigation measures shall be installed to provide protection from and prevent the ingress of hydrocarbon vapours. Details of the selected protection measures shall be detailed in the validation report.

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

18. Prior to occupancy of the development a validation report containing full details of the selected cover system, the sampling methodology and results must be submitted to the Planning Service Unit. In the event of a geotextile membrane being installed in impacted areas, the installation should be inspected prior to the emplacement of the overlaying material. The clean cover system should be validated in accordance with Liverpool City Council Guidance – Verification Requirements for the remediation of Contaminated Land Cover Systems. Installation of the clean cover system must be overseen and validated by a suitably qualified person.

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

19. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in accordance with the Northern Ireland's Environment Agency Documents entitled; "Installation, Decommissioning and Removal of Underground Storage Tanks: PPG27" & "Above Ground Oil Storage Tanks PPG2". Any impacted soil in the vicinity of the storage tanks and associated infrastructure should be excavated and the quality of the surrounding soils verified. This process should be supervised by a suitably qualified Environmental Engineer.

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

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

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

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

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

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

22. Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with FLD 3 and LDP 2032, to be agreed with the Planning Authority which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change and urban creep.

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

23. There shall be no site clearance or development activity within 25 metres of badger setts, as shown on the badger survey map, figure 4 until written evidence has been provided to the Planning Authority that badgers have been excluded and the setts have been closed under the terms of a licence issued by the Northern Ireland Environment Agency.

Reason: interest protecting priority species

24. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: This condition is to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. This includes the purchase of any wastewater treatment plant.

25. No development shall commence until the applicant has submitted evidence in writing to the Planning Authority for its agreement demonstrating that the risks to groundwater and other environmental receptors due to on-site contamination of the ground and groundwater have been effectively assessed.

This evidence should include:

Implementation of the recommendations in RSK Report No.605539 – R1

(00). APRIL 2025 that further investigations are completed to fully delineate the extent of fuel contamination at the site, site investigations and groundwater monitoring works are to be designed and implemented in accordance with British Standard BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated land sites,

Review of the conceptual site model and quantitative risk assessment(s) produced in accordance with the Land Contamination: Risk Management (LCRM) guidance, to if necessary to include provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to receptors. The remedial criteria are required to be derived through quantitative risk assessment based on the conceptual site model.

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

26. The development hereby permitted shall not commence until a detailed remediation strategy to address all unacceptable risks to environmental receptors identified from Condition 26. This strategy must be submitted in writing and agreed with the Planning Authority and should identify all

Regulation Unit

unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

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

27. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks> . In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented and verified to its satisfaction.

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

28. After completing the remediation works under Condition 26 and or 27; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> . The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the

works in managing all the risks and wastes in achieving the remedial objectives.

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

29. Evidence must be presented in the Verification Report that all waste oil storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2 and/or GPP27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Conditions 27 and 28 will apply.

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

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

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

31. Prior to development all site investigation and geotechnical boreholes must be fully decommissioned and in line with SEPA guidance document good practice for decommissioning redundant boreholes and wells (UK Groundwater FoWMM). Evidence for the decommissioning will be provided in the verification report required for Condition 29.

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

32. Prior to any work commencing on site, all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified on the Tree Protection Plan (Drawing No. 37, published on the Portal 20 February 2026) and in accordance with the British Standard 5837: 2012 (section 6.2), and must be in place before any materials or machinery are brought onto site. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

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

33. All trees and planting within the site shall be retained unless shown on the Tree Protection Plan (Drawing no. 37 published on the Portal 20 February 2026) as being removed. Any retained trees or planting indicated on the approved drawings which die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

34. No arboriculture work or tree surgery shall take place on any retained tree other than in accordance with the Tree Survey Report by Andrew Boe, dated 9th April 2025 and published on the Planning Portal on 29th May 2025, without the written consent of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998:2010 Recommendations for Tree Work.

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

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

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

36. Should any construction works be required by necessity within the Root Protection Area of any tree that is to be retained, all works shall be carried out in accordance with the Tree Survey Report provided by Andrew Boe (dated 9th April 2025 and uploaded to the Portal 29th May 2025) and as per the details within the Tree Protection Plan, (Drawing no. 37 and uploaded to the Portal 20 February 2026).

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

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

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

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

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

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

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

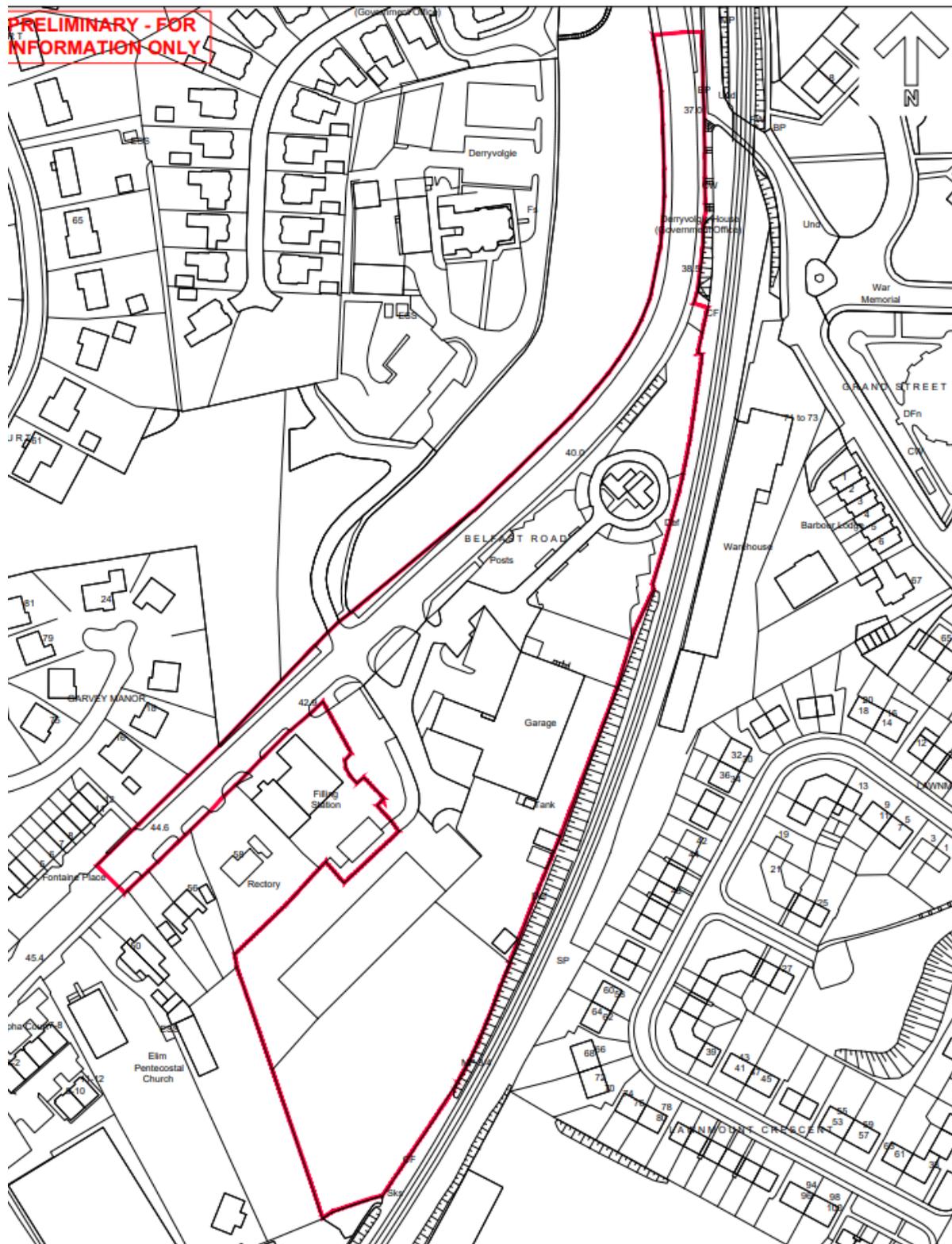
40. All hard and soft landscape works shall be carried out in accordance with Drawing No. 31 published to the planning portal on 29 May 2025 and the approved details. The works shall be carried out no later than the first available planting season after occupation of the first dwelling.

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

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

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

Site Location Plan – LA05/2025/0384F



Rev		Description	Date	Drawing		
Client				<b>LOCATION PLAN</b>		
<b>LOTUS HOMES</b>				 CHARTERED ARCHITECTS PROJECT MANAGERS		
Project Name and Address				Project Reference	Req No.	Rev.
<b>NEW RESIDENTIAL DEVELOPMENT ON FORMER GARAGE SITE, 70 BELFAST ROAD, LISBURN</b>				<b>24.1269</b>	<b>001</b>	-
Scale:	Drawn	Checked	Date:	8th Floor, Causeway Tower, 9-11 James Street South, Belfast, BT2 8DN T: +44 (0)28 9044 9814 E: info@rolstonarchitects.com www.collinsrolston.com		
1:1250 / A3	AL	MC	18.DEC'24	This document has been prepared in accordance with the scope of Collins Rolston's appointment with its client and is subject to the terms of that appointment. Collins Rolston accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided. Only written dimensions will be used. © Collins Rolston Architects.		



## Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	9 March 2026
Committee Interest	Local (Exceptions Apply)
Application Reference	LA05/2023/0534/F
District Electoral Area	Castlereagh South
Proposal Description	Proposed residential development of 26 No. dwellings comprising of 6 No. semi-detached and 20 No. detached, garages, car parking, open space, landscaping and all associated site and access works.
Location	Lands immediately south of 58 Brooke Hall Heights and east of 26 Brooke Hall, Belfast
Representations	Twenty letters of objection and six letters of support
Case Officer	Gillian Milligan
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Scheme of Delegation in that the application requires a Section 76 planning agreement to secure the delivery of affordable housing and the spine road connecting Laurelgrove Avenue and Lancaster Park to Brooke Hall and Primrose Hill is constructed and operational.
2. This site was previously identified as a 'village centre' in the concept masterplan for the wider development site under permission Y/1996/0233/O and a Section 40 Agreement. An alternative location for a neighbourhood centre in substitution of the agreed location has been proposed at Ballymaconaghy Road to include a petrol filling station, two retail units and a community facility. The application reference is LA05/2023/0603/F and the proposal is being presented in parallel with this proposal.
3. It is recommended in the LA05/2023/0603/F planning report that the Ballymaconaghy Road site is considered a more suitable location as it is located along a main road, will result in less impact on residential amenity and is a more central location for all the new housing developments approved in the area.

4. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies HOU1, HOU3 and HOU4 of Lisburn and Castlereagh City Council Plan Strategy in that the detailed layout and design of the proposed buildings create a quality residential environment. When the buildings are constructed, they will not adversely impact the character of the area, and the development will have no detrimental impact on the amenity of existing residents in properties adjoining the site by reason of overlooking or dominance.
5. Furthermore, the density is not significantly different than that found in the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area.
6. The proposal will provide adequate provision of public open space with a large area of open space in the centre of the site containing a play park and seating/picnic areas in accordance with HOU5 of the Plan Strategy. This site will still provide a focal point as a 'village green' connecting the pedestrian links through the wider development.
7. It is considered that the proposal is also in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of the development.
8. The proposal complies with policies NH1, NH2 and NH5 of the Plan Strategy in that the development will not harm any protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance including any European designated sites.
9. The proposal complies with policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footpaths and tactile paving within the site.
10. The proposal complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the creation of two new accesses will not prejudice road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
11. The proposal complies with the policy TRA7 of the Plan Strategy in that the detail demonstrates that adequate provision for car parking and appropriate servicing arrangements have been provided without prejudice to road safety. The proposal will not inconvenience road users or impede the flow of traffic on the surrounding road network.
12. The proposed development complies with policies FLD 1, 2, 3 of the Plan Strategy as it is demonstrated that adequate drainage can be provided within the site to service the proposal without causing or exacerbating flooding elsewhere.

13. The proposal complies with policy RE2 as the new dwellings will have solar panels and be constructed in accordance with current building control standards and DfC design standards which encourages sustainable design and energy efficiency.

## Description of Site and Surroundings

### Site Context

14. This 1.4 hectare site is located at lands immediately south of 58 Brooke Hall Heights and east of 26 Brooke Hall, Belfast and is an irregular shaped parcel of land that has been mostly cleared in preparation for development and is being used for the storage of building materials. Some areas of amenity grassland are remaining. The topography of the land falls gradually from south-east to north-west.
15. In respect of the boundary treatments, adjacent to Brooke Hall is fencing along the boundary to secure the site. Along the northern boundary is a retaining wall with timber fencing that is the rear boundary of existing dwellings in Brooke Hall Heights. Along the north-western boundary is a part constructed cycle path and access road. The southern boundary is hedging with some trees, and the rest of the site is open onto a larger area that has been cleared for development.

### Surrounding Context

16. The land to the north, west and east of the site is residential in character. The land to the south is agricultural land.

## Proposed Development

17. This is a full application for the proposed residential development of 26 No. dwellings comprising of 6 No. semi-detached and 20 No. detached, garages, car parking, open space, landscaping and all associated site and access works.
18. The following documents are submitted in support of the application:
  - Design and Access Statement
  - Northern Ireland Biodiversity Checklist and Preliminary Ecological Appraisal
  - Drainage Assessment
  - Schedule 6 Agreement

## Relevant Planning History

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

Reference Number	Location	Proposal	Decision
LA05/2019/0786/F	Lands immediately south of No. 58 Brooke Hall Heights and east of No. 26 Brooke Hall Belfast	Proposed residential development of 26No. dwellings comprising of 4No. semi-detached, 10No. detached and 12No. townhouses, garages, car parking, open space, landscaping and all associated site and access works	Withdrawn
Y/2010/0060/F	Land between Laurelgrove Manor and Knockbracken Road, Cairnshill, Belfast.	Spine Road linking Laurelgrove Manor and Primrose Hill via Brooke Hall	Permission Granted 18 August 2011
Y/2005/0562/RM	Lands 400m east of Saintfield Road and 300m north of Knockbracken Road, extension of Primrose Hill development, Cairnshill, Belfast.	The erection of 88 dwellings consisting of townhouses, semi-detached and detached dwellings. Sites 39-126.	Permission Granted 15 November 2006
Y/1996/0233	Lands between Primrose Hill and Laurel Grove housing developments and Knockbracken Road/Ballymaconaghy Road Castlereagh	Site for housing development	Permission Granted 7 July 2004
Y/1996/0258	Martins land west of Ballymaconaghy Road and North of Knockbracken Road, Castlereagh	Site for Housing development	Permission Granted 7 July 2004

20. A previous application on the site LA05/2019/0786/F was withdrawn in April 2023 as the land within that application was previously identified as a 'village centre' in the concept masterplan agreed for the wider development site under permission Y/1996/0233/O and there was an Article 40 agreement for this village centre. No alternative provision was made within the proposal for the neighbourhood facilities specified in the agreement.

21. This current application is on the lands which contains the history of a 'village centre'. No 'village centre' is proposed, only an area of open space with a play park.
22. A separate planning application has been submitted for a neighbourhood centre including a petrol filling station, two retail units and a community facility at Ballymaconaghy Road (LA05/2023/0603/F) as an alternative location and in substitution for the 'village centre' which is being considered by the Council in parallel with this application.

## Consultations

23. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
DfI Rivers Agency	No objection
Housing Executive	No objection
Northern Ireland Electricity	No objection
LCCC Environmental Health	No objection
NI Water	No objection
NIEA Water Management Unit	No objection

## Representations

24. Twenty objections and six support letters have been received in respect of the application.
25. The main issues raised in the objections are:
  - Contrary to original plan of open space/pitches, more greenspace and areas for children to play needed.
  - Poor infrastructure in the area, need more investment in schools, health centres, not more housing.
  - Greenbelt being eroded.
  - No serious consultation with residents
  - Over-developed, increased cars, insufficient parking in adjacent development, too many cars narrowing the roads.
  - Increased noise, pollution
  - Impact on wildlife
  - Impact of site traffic

### Environmental Impact Assessment (EIA)

26. The thresholds set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 have been considered as part of this assessment.
27. The site area is 1.41 hectares and exceeds the thresholds set out in Section 10(b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2017.
28. An EIA determination was carried out, and it was concluded that given the scale and nature of the proposal there is not likely to be any unacceptable adverse environmental impacts created by the proposed development and as such, an Environmental Statement was not required to inform the assessment of the application.

### Local Development Plan

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

#### Plan Strategy 2032

30. 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.*

31. In accordance with the transitional arrangements the existing BUAP and the Plan Strategy are the local development plan. Draft BMAP remains a material consideration.
32. The BUAP identified the application site as being located on 'whiteland' between the Belfast Urban Area development limit and the inner edge of the greenbelt.
33. In draft BMAP the site is located within the settlement limit of Metropolitan Castlereagh and zoned for housing under designation MCH 03/05.
34. A large part of the zoning was identified as having already been developed through previous planning applications. Consequently, significant weight is given to the location of the site within the settlement limit on land zoned for housing.
35. This proposal is for new residential development on land within a settlement. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

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

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

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

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

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

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

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

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

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

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

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

*The Plan will support development proposals that:*

- a) *are in accordance with the Strategic Housing Allocation provided in Table 3*
  - b) *facilitate new residential development which respects the surrounding context and promotes high quality design within settlements*
  - c) *promote balanced local communities with a mixture of house types of different size and tenure including affordable and specialised housing*
  - d) *encourage compact urban forms and appropriate densities while protecting the quality of the urban environment.*
41. The strategic policy for protecting and enhancing natural heritage is set out in Strategic Policy 19 which states:

*The Plan will support development proposals that:*

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

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

### **Housing in Settlements**

43. As this application is for new residential development within the settlement limit for Metropolitan Castlereagh policy HOU1 - New Residential Development states that:

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

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

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

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

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

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

*overall design and layout of the development.*

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

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

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

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

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

*in terms of overlooking, loss of light, overshadowing, noise or other disturbance*

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

46. The Justification and Amplification states that:

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

47. It also states that:

*Accessible Accommodation*

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

48. This proposal is for 26 dwellings on a site that measures 1.41 hectares. The proposal includes open space and a play park. Policy HOU5 - Public Open Space in New Residential Development states that:

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

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

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

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

*being provided.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

50. The Justification and Amplification states that:

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

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

*Affordable Housing – affordable housing is:*

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

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

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

### **Natural Heritage**

52. As the site contains grassland and trees/hedging along the boundaries and an undesignated watercourse flows via the site, the potential impact on the natural environment is considered.

53. Policy NH2 Species Protected by Law states:

*European Protected Species*

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

*In exceptional circumstances a development proposal that is likely to harm these*

*species may only be permitted where:*

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

#### *National Protected Species*

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

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

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

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

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

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

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

#### **Access and Transport**

55. The application proposes the use of an existing access from Brooke Hall but more importantly it connects the spine road envisaged in the concept masterplan linking the Ballymaconaghy Road to the Saintfield Road. Policy TRA1 - Creating an Accessible Environment states that:

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

*appropriate:*

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

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

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

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

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

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

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

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

57. The justification and amplification states that:

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

58. In curtilage and visitor parking is proposed. Policy TRA7 – Car Parking and Servicing Arrangements states:

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

vehicles.

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

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

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

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

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

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

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

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

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

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

## **Flooding**

59. Given the size of the site and the amount of hardstanding proposed flooding and drainage are also considered. An undesignated watercourse also flows via the site.

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

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

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

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

## Justification and Amplification

*Flood defence and drainage infrastructure are critical in providing a level of flood protection to people and property and adequate land drainage.*

*Where a development proposal is located beside a flood defence, control structure or watercourse it is essential that an adjacent working strip is retained to facilitate future maintenance. The working strip should have a minimum width of 5 metres, but up to 10 metres where considered necessary, and be provided with clear access and egress at all times.*

*There is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations.*

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

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

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

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

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

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

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

## Renewable Energy

63. The use of renewable energy is encouraged in new residential development in the Plan Strategy.

64. Policy RE2 Integrated Renewable Energy states:

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

### **Waste Management.**

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

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

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

## **Regional Policy and Guidance**

### **Regional Policy**

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

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

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

68. It states that:

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

69. Paragraph 3.6 of the SPPS Edition 2 states:

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

70. Paragraph 3.8 of the SPPS Edition 2 states:

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

71. Paragraph 6.232 of the SPPS Edition 2 states:

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

72. The site is proposed to be developed for housing development. It is stated at paragraph 6.136 that:

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

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

### **Retained Regional Guidance**

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

Creating Places

75. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.
76. The guide is structured around the process of design and addresses the following matters:
- *the analysis of a site and its context;*
  - *strategies for the overall design character of a proposal;*
  - *the main elements of good design; and*
  - *detailed design requirements.*

77. Paragraph 7.16 provides guidance on separation distances stating:

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

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

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

Development Control Advice Note 8 – Housing in Existing Urban Areas

79. Paragraph 4.10 states that:

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

Parking Standards

80. This document sets out the parking standards that the Council will have regard to in assessing proposals for new development. The standards should be read in conjunction with the relevant policies contained in the Plan Strategy.

Development Control Advice Note 15 – Vehicular Access Standards

81. The policies in PPS 3 are replaced by the Plan Strategy but the guidance in Development Control Advice Note 15 – Vehicular Access Standards states at paragraph 1.1 that:

*The Department's Planning Policy Statement 3 "Development Control: Roads Considerations" (PPS3) refers to the Department's standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.*

## Assessment

### Policy HOU 1 – New Residential Development

82. This application is for 26 residential units within the Settlement Development Limit of Metropolitan Castlereagh and on land zoned for housing in draft BMAP. As new residential development is acceptable on zoned housing land the policy tests of Policy HOU1 are met.

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

83. The application site is a portion of land adjacent to the existing Brooke Hall and Lancaster housing developments in Castlereagh.
84. The surrounding developed land contains a mix of detached, semi-detached, and terraced housing. The dwellings are set in medium sized plots with in-curtilage parking and gardens to the rear. The dwellings vary in size and design but are typical of a suburban residential setting.
85. The form and general arrangement of the buildings are characteristic of those built and currently under construction within the adjacent Brooke Hall and Lancaster housing developments.
86. The plot sizes and general layout proposed is consistent with and comparable with other built development in the general vicinity of the site.
87. Based on a review of the information provided, it is considered that the character of the area would not be significantly changed by the proposed residential development, and it is considered that the established residential character of the area would not be harmed by either the form or scale of development proposed.
88. The layout of the rooms in each of the units, the position of the windows and separation distance also ensure that there is no overlooking into the private amenity space of neighbouring properties.
89. The separations distances between the existing and proposed development are acceptable and would minimise any unacceptable overlooking from existing properties.

90. The proposed dwellings are two storey and given the separation distances between the existing and proposed development, there would be no dominant or overbearing impact and no loss of light to any property would be caused.
91. Having regard to this detail and the relationship between the buildings in each plot and having considered the guidance recommended in the Creating Places document, criteria (a) of policy HOU3 is met.
92. With regard to criteria (b), there are no archaeological or historic features to integrate into the overall design and layout of the development.
93. In relation to landscape characteristics, most of the site has been cleared for development. There is a hedging buffer remaining along the southern boundary of the site that will be retained.
94. No other landscape characteristics/features have been identified that required integration into the overall design and layout of the development and as such all the requirements of policy HOU3 are met.

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

95. A number of different house types are proposed. The dwellings are a mix of semi-detached and detached two-storey buildings with two (semi-detached dwellings) or four bedrooms (detached dwellings).
96. There are also two different garage types proposed – one finished in render and the other in brick. All are single storey and designed to match the detail and finishes of the associated dwelling house.
97. The external material finishes include a mix of facing brick and render with flat black concrete roof tiles and solar panels. Doors and windows to be coloured uPVC and rainwater goods to be black uPVC. These are acceptable for the site and its location in the urban context and will be in keeping with the surrounding residential character.
98. All dwellings have at least 10 metres separation distance to the rear boundary and where there are any back-to-back relationships between dwellings there is at least 20 metres separation distance which meets the guidance in Creating Places.
99. The size and design of the buildings means that they are not dominant or overbearing. This in combination with the separation distances between the properties will ensure that no loss of light to any adjacent property will arise.
100. The layout of the rooms in each of the units, the position of the windows along with the separation distance also ensures that there is no overlooking into the private amenity space of neighbouring properties.
101. The proposed layout is consistent with the type of housing found in the surrounding area. The proposed dwellings all face towards the road network with in-curtilage parking spaces provided for each dwelling.

102. Detail submitted with the application demonstrates that the provision of private amenity space varies from 72 square metres at the lower end, up to a maximum of 216 square metres. An average of 117 square metres is provided across the site which is in excess of the guidance of an average of 70 square meters for the development as a whole as contained within Creating Places for a medium density housing development.
103. The agent has also confirmed that the scheme will be constructed in line with current NI Building Regulations energy efficient standards and each dwelling includes roof mounted PV panels.
104. For the reasons outlined above, criteria (a), (i), (e) and (f) of policy HOU 4 are met.
105. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. However, the original masterplan for the site (Y/1996/0233/O) granted permission for a 'village centre' on this site and an Article 40 Agreement for this is in place.
106. The applicant has submitted an application for a neighbourhood centre, consisting of a petrol filling station, two retail units and a community facility at Ballymaconaghy Road, 700 metres to the north-east of the site, as an alternative location for the 'village centre' which is being considered in parallel with this housing application.
107. It is considered that the Ballymaconaghy Road is a more accessible location for a neighbourhood centre on a main road rather than accessing through more minor roads and a compact housing development. The alternative location would also result in less impact on residential amenity than being located within a compact housing development.
108. Ballymaconaghy Road is also considered to be a more central location to serve all the new housing developments within the surrounding area as there are also two large housing sites approved adjacent to Ballymaconaghy Road. A Section 76 Planning Agreement will be required to secure the neighbourhood centre, and the applicant is content to enter into that agreement.
109. An open space area with a playpark and seating/picnic benches is included within the centre of this development to provide a community focus for this site and the larger surrounding housing development. Criteria (c) of policy HOU 4 is met.
110. Boundary treatments around and within the site are proposed to separate each unit. There is a mixture of fencing and boundary walls proposed with some planting. These are acceptable for this type of development in the urban context.
111. Landscaped areas are proposed as part of the overall development. The submitted landscape plan details that there will be two areas of open space within the site, one with a seating area and the other with seating areas and a play park. The existing natural boundaries of the site to the south are to be retained, and planting will be added throughout the site to soften the visual

impact of the proposed development and aid integration. A Landscape Management and Maintenance Plan is included to ensure the continued quality of the landscaping within the site. For the reasons outlined above, criteria (b) of policy HOU 4 are considered to be met.

112. With regard to criteria (d) the proposal is for 26 units on a site measuring 1.41 hectares which is 18.5 dwellings per hectare. This is considered to be in keeping with the surrounding suburban context and will not result in overdevelopment in line with policy HOU 4.
113. The proposed development will provide a residential density not significantly lower than that found in the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area. The average unit size exceeds space standards set out in supplementary planning guidance.
114. The internal road layout provides for safe and convenient access through the site, and the provision of dropped kerbs and tactile paving will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for parking of at least two in-curtilage spaces per dwelling and on-street visitor parking spaces which meets the required parking standards. Criteria (g) and (h) of policy HOU4 are met.
115. The careful delineation of plots with appropriate fencing and privacy walls and that dwellings will face onto the open space will serve to deter crime and promote personal safety. Criteria (l) is met.
116. Permeable paving and sustainable drainage are proposed as part of the development in line with criteria (j) of policy HOU4.
117. Provision is available for householder waste storage within the driveways of each dwelling, and its safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria k) of policy HOU4 is met.

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

118. Detail submitted with the application indicates that the site exceeds one hectare therefore open space must be provided as an integral part of this development.
119. Policy HOU5 sets out that the open space provision must be at least 10% of the total site area. The site is 1.41 hectares therefore the minimum requirement is 0.141 hectares.
120. Two areas of open space are shown to be provided within the site. The larger area in the middle of the site is approximately 0.32 hectares in area which exceeds the 10% requirement. This area contains pathways, seating/picnic table, planting and a play park and will also serve the large residential development surrounding the site.

121. The smaller area of open space which measures approximately 0.038 hectares consists of a planted area with seating.
122. It is considered that adequate provision is provided for public open space as an integral part of the development in accordance with Policy HOU 5. To ensure the comprehensive development of the wider housing development is secured, a condition is proposed that no more than five dwellings are occupied before the village green is constructed and the play equipment has been installed.

### Policy HOU10 - Affordable Housing

123. Policy HOU10 requires a 20% affordable housing provision. In the context of the proposed scheme, this equates to six units.
124. A draft Section 76 agreement has been submitted for consideration. It details that six units for affordable provision are to be provided within the proposed development at sites 177, 178, 181, 182, 188 and 189 which are dispersed throughout the site and designed to integrate with the overall scheme. No more than 16 of the private dwellings will be constructed until the six affordable housing units are constructed and are available for occupation.
125. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

### **Natural Heritage**

126. A Biodiversity Checklist was submitted for the proposal which details that a site walkover was completed by a qualified ecologist on 15 August 2025 and acts as an update to the previous ecological site investigations carried out during the processing of planning application LA05/2019/0786/F on this site.
127. The Biodiversity Checklist Preliminary Ecological Appraisal (PEA) and additional badger survey for LA05/2019/0786/F dated September 2019 were also submitted as part of this proposal.
128. The ecologist refers to the application as comprising of
- 'An area of previously cleared land that currently comprises expanses of bare ground, bare and vegetated spoil mounds, rejuvenating semi-improved grassland, tall ruderal, scattered and dense scrub.'*
129. The site is not located within any designated site. There is a small drainage ditch located approximately 30m west of the application site boundary. The PEA from September 2019 commented that
- 'it is highly unlikely that development will have any significant adverse impact on the integrity of these designated sites, particularly with the implementation of standard techniques and practices for environmental protection during*

*construction, as have operated successfully at the wider site for several years and are in place for on-going construction on adjacent sites.'*

130. With regard to priority habitats the updated Biodiversity checklist comments that there is a species rich hedgerow along the southern boundary that is classified as a priority habitat. This hedging will be retained and a condition added to any planning permission to ensure its retention therefore there are no impacts upon priority species.
131. In relation to protected species, the application site is void of any built structures or trees capable of supporting roosting bats therefore there are no impacts upon roosting bats.
132. The application site has been subject to a number of detailed badger activity surveys spanning numerous years which are well documented in the previous PEA on this site and for other development schemes within the immediate surrounding landscape.
133. Within the previous PEA four badger setts were identified that the proposal may have an impact upon. The updated Biodiversity Checklist for this site and walkover of the site in August 2025 noted that one of the previous badger setts is no longer present within the adjacent development lands to the east-northeast. At the time of the current site investigations, this sett could not be located and is presumed to have been permanently closed under licence for the adjacent development site (approved for permanent closure within planning application LA05/2015/0338/F).
134. During the site investigations for LA05/2019/0786/F, it was established that a further sett had been unlawfully destroyed during works that were not undertaken by or at the instruction of the applicant. The walkover of the site by the ecologist in August 2025 confirmed that there was no evidence or sign of the presence of this sett and this sett is no longer present.
135. The further two setts which are located to the south-west of the site and outside the site boundary remain present and viable sites of refuge for badgers. However, the badger survey included within the PEA dated September 2019 demonstrated that a 25m protection zone around these setts would be provided from the footprint of development. This 25m protection zone is included on the current site layout plan which shows that a small portion of the protection zone overlaps with the curtilages of the proposed dwellings in the south-western corner of the site. There is no development on this portion of the site, and it is noted that the fences will have the bottom rail a minimum of 300mm above the ground for badgers.
136. Natural Environment Division was consulted on the previous application LA05/2019/0786/F which included the PEA, additional information and a similar site layout showing the 25m protection zone and commented that it *'has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. NED has reviewed the information submitted and has consulted the NIEA Wildlife Team and can confirm that the badger setts of concern were previously closed under licence. Therefore, NED has not further concerns with this application.'*

137. The conclusion of the ecologist following the walkover of the site in August 2025 is that the recommendations specifically relating to badgers and their sites of refuge detailed within the reports submitted under LA05/20219/0786/F remain accurate and relevant to the current development proposals.
138. On review of the information provided, the recommendations of the suitably qualified ecologists who carried out the PEA on the previous application and the updated Biodiversity checklist for this application and that NED were previously content with a similar proposal on the site, it is considered that the proposal will have no significant adverse effects on protected or priority species or habitats of ecological or nature conservation value or any designated sites and as such policies NH1, NH2 and NH5 of the Plan Strategy are met.

### **Access Movement and Parking**

139. The P1 Form indicates that the proposal involves the use of an existing unaltered access to the public road for both vehicular and pedestrian use.
140. Access to the site will be via an existing road within Brooke Hall. but more importantly it connects the spine road envisaged in the concept masterplan linking the Ballymaconaghy Road to the Saintfield Road.
141. Any decision to grant planning permission should be linked to the provision of the spine road and public transport provision being secured through a Section 76 agreement as follows:
- No dwelling in the development shall be commenced until the spine road connecting Laurelgrove Avenue and Lancaster Park to Brooke Hall and Primrose Hill is constructed and operational.
  - No dwelling shall be occupied until the public transport provision offset because of the loss of the bus turning circle on the Ballymaconaghy Road required for the neighbourhood centre proposed in application LA05/2023/0603/F has been agreed in writing with the Council in consultation with DfI Roads and Translink.
142. Footpaths will connect the site to the wider housing developments and tactile paving will be provided.
143. The proposal also includes a connection to the already constructed cycle path to the north of the site and the spine road linkage to the Bracken Hill development to the east.
144. The detail associated with the application indicates that all dwellings will have at least two in-curtilage car parking spaces with some dwellings being provided with a garage. There is also visitor parking provided on-street in a layby adjacent to the open space.

145. Based on a review of the detail submitted with the application and advice from DfI Roads it is considered that the proposal complies with policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways and the surrounding road network.
146. It is also considered having regard to the advice of DfI Roads that the development complies with policy TRA2 of the Plan Strategy in that the detailed road layout plan submitted demonstrates that the site can be connected to the existing road network without prejudice to road safety or significantly inconvenience the flow of traffic. Regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network.
147. The proposal is also considered to comply with policy TRA7 of the Plan Strategy in that having reviewed the submitted plans adequate provision for car parking and appropriate servicing arrangements has been provided so as not to prejudice road safety or inconvenience the flow of traffic.

### **Flood Risk**

148. Flood Maps (NI) indicates that the development does not lie within the 1 in 100-year fluvial flood plain including the most up to date allowance for climate change.
149. Under policy FLD2 a 6-metre wayleave will be provided for the culvert under the play park within the site and this is shown on the site layout plan.
150. Given the number of dwellings proposed, a Drainage Assessment has been submitted in accordance with policy FLD3.
151. The Drainage Assessment concludes that the discharge will be limited to a maximum of 16.2l/s equivalent to the existing greenfield runoff rate. This is achieved through the use of a vortex flow control device with attenuation provided within oversized drainage infrastructure.
152. Schedule 6 consent was granted by DfI Rivers to discharge the total greenfield runoff figure of a maximum of 16.2 l/s to the undesignated watercourse.
153. DfI Rivers was consulted and commented that '*Rivers Directorate, while not being responsible for the preparation of the Drainage Assessment report accepts its logic and has no reason to disagree with its conclusions. It should be brought to the attention of the applicant that the responsibility for the accuracy, acceptance of the Drainage Assessment by Marrac Design dated June 23 and implementation of the proposed flood risk measures rests with the developer and their professional advisors.*'
154. Based on a review of the information and advice received from DfI Rivers, it is accepted that the proposal complies with policies FLD1, 2, and 3 of the Plan Strategy.

## Renewable Energy

155. The agent has confirmed that the proposed dwellings will be constructed in line with current NI Building Regulations energy efficient standards and each dwelling includes roof mounted PV panels.
156. It is therefore considered that the proposal meets the requirements of paragraph 6.232 of the SPPS Edition 2 and Policy RE2 of the Plan Strategy as renewable energy technology will be integrated into the design of the proposed dwellings.

## Waste Management

157. The information submitted indicates that water connection would be via the mains, and storm water and foul sewerage would be disposed of via the mains. NI Water was consulted and offers no objections and confirmed that there is available capacity at the Waste-Water Treatment Works.
158. NIEA Water Management Unit (WMU) was consulted and had concerns that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Newtownbreda Wastewater Treatment Works (WWTW). Water Management Unit advised that NI Water were consulted and if NI Water indicated that the WWTW and associated sewer network is able to accept the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit would have no objection to this aspect of the proposal.
159. As above NI Water has confirmed there is capacity at the WWTW.
160. Based on the information submitted and taking on board the advice from NI Water and NIEA WMU, it is considered that the proposal will not adversely affect the water environment and complies with policy WM2.

## Representations

161. Twenty objections and six letters of support were received.
162. The main issues of concern from the objections are:
  - *Contrary to original plan of open space/pitches, more greenspace and areas for children to play needed.*

Two areas of open space are included in the proposal, one includes a playpark, seating/picnic areas that can be used by the residents of the wider housing developments.

The original masterplan for the site included a 'village centre' on this site. An alternative site on the Ballymaconaghy Road, 700 metres to the north-east of the site has been proposed which will include a petrol filling station, two retail units and a community facility.

It has been considered previously in the report that the Ballymaconaghy Road is a more accessible location for a neighbourhood centre on a main road rather than accessing through more minor roads and a compact housing development. The alternative location would also result in less impact on residential amenity than being located within a compact housing development.

Ballymaconaghy Road is also considered to be a more central location to serve all the new housing developments within the surrounding area as there are also two large housing sites approved adjacent to Ballymaconaghy Road. The community facility within the Ballymaconaghy Road site and the open space and playpark in the centre of this site will provide suitable community use for all residents in the area.

- *Poor infrastructure in the area, need more investment in schools, health centres, not more housing.*

The site is zoned for housing and has previous history of approved housing on the site. The proposal will allow the spine road to be completed between Ballymaconaghy Road and Saintfield Road to improve accessibility

- *Greenbelt being eroded.*

The site is zoned for housing and is within the settlement limit.

- *No serious consultation with residents*

As this is a local development proposal there is no legislative requirement to carry out community consultation. Any neighbours directly abutting the site would have received notification letters to make them aware of the proposed development and the proposal was advertised in the local press.

- *Over-developed, increased cars, insufficient parking in adjacent development, too many cars narrowing the roads.*

It has been detailed in the report that the proposal and number of dwellings on the site is in keeping with the surrounding pattern of residential development and the density is acceptable and therefore will not result in overdevelopment.

In relation to parking, sufficient parking will be provided that meets current parking standards. DfI Roads was consulted and offers no objections from a road safety perspective.

- *Increased noise, pollution*

Environmental Health in the Council were consulted and offer no objections with their remit covering noise and impact on human health. An informative will be included in any decision to make the developer aware to follow construction best practice standards and control the operating hours of the site. NIEA Water Management Unit have no concerns from a pollution perspective.

- *Impact on wildlife*

A Biodiversity checklist was completed by a qualified ecologist which demonstrates that the proposal is not likely to have an adverse impact on any designated site, protected or priority species, habitat or features of natural heritage importance.

- *Impact of site traffic*

Site traffic is only temporary during the construction phase. An informative will be included in any decision to make the developer aware to follow construction best practice standards and control the operating hours of the site.

163. The letters of support received welcome the proposal to complete the Brooke Hall development and improve the attractiveness of the area, complete the spine road to link Ballymaconaghy Road and Saintfield Road to alleviate traffic congestion and allow public transport service in the area, provide a large open space area and play area instead of commercial or retail uses that would detract from the character of Brooke Hall.

### Recommendation

164. Based on the above consideration, the recommendation is to approve the application subject to conditions and to the Section 76 planning agreement to ensure that the developer fulfils his obligations with regards to the delivery of affordable housing in accordance with the requirements of policy HOU10 and that the spine road is delivered ensuring the comprehensive development of the wider lands and to facilitate public transport provision.

### Conditions

165. The following conditions are recommended:

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

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

2. The vehicular accesses, including visibility splays and any forward sight distance shall be provided in accordance with Drawing No. 2540/PSD401.1B, bearing the Council date stamp 24 February 2025 prior to the occupation of any other works or other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

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

4. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 2540/PSD401.1B bearing the DFI determination date stamp 07th January 2024.

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

5. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved Drawing No. 2540/PSD401.1B, bearing the Council date stamp 24 February 2025, to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

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

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

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

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

8. All hard and soft landscape works shall be carried out in accordance with Drawing No. 36C published to the Planning Register on 17 February 2026 and the approved details. The works shall be carried out no later than the first available planting season after occupation of the first dwelling.

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

9. Prior to the commencement of development, a final landscape management and maintenance plan shall be submitted to and agreed with the Council in writing and implemented as agreed.

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

10. The existing natural screenings along the southern boundary of the site shall be retained unless removal is necessary to provide safe access to the site or to prevent danger to the public. If any retained tree or hedge is removed, dies, or is seriously damaged within 5 years from the date of the occupation of the first dwelling, another tree or hedge of a native species shall be planted during the next available planting season.

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

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

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

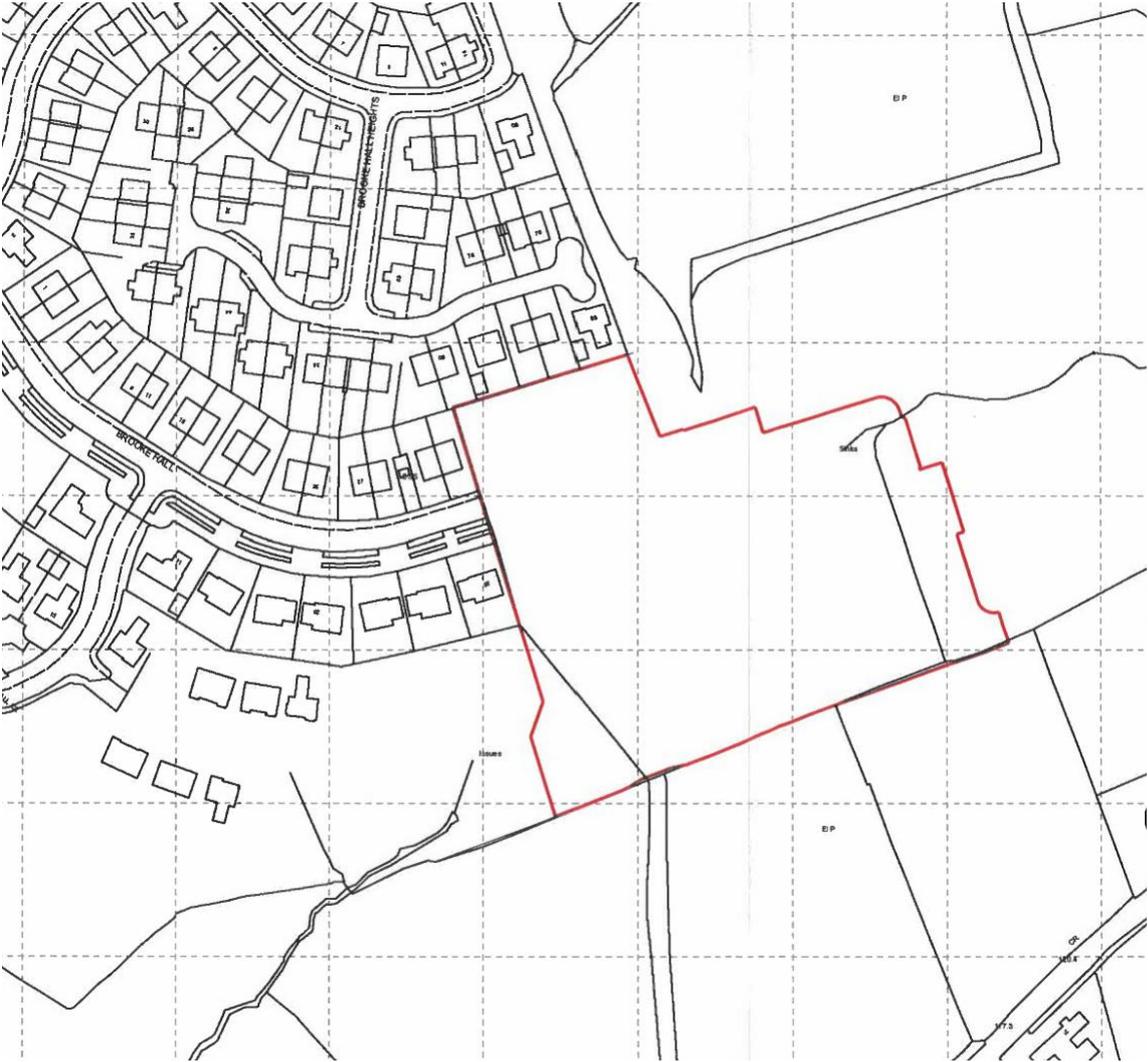
12. Prior to the occupation of the fifth dwelling, the open space and play park as indicated on the landscape layout Drawing No. 39, published to the Planning Register on 18 February 2026, shall be laid out in accordance with the approved details and permanently retained thereafter or as otherwise agreed with the Council in writing.

Reason: To ensure the provision of a high standard of open space.

13. The long-term management and maintenance of the open space as indicated on the landscape layout Drawing No. 39, published to the Planning Register on 18 February 2026, shall be undertaken by a management company commissioned by the developer. Details of the arrangements to be put in place to establish the management company and details of the alternative measures which will take effect in the event that the management arrangements break down, must be submitted to and agreed in writing by the Council prior to the occupation of any dwelling hereby approved.

Reason: To ensure the provision and maintenance of public open space within the site.

**Site Location Plan – LA05/2023/0534/F**



## Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	9 March 2026
Committee Interest	Local (Exceptions Apply)
Application Reference	LA05/2023/0603/F
Date of Application	19 June 2023
District Electoral Area	Castlereagh South
Proposal Description	Neighbourhood centre comprising two retail units; a community unit; six pump Petrol Filling Station; four EV charging points; forecourt canopy; services bay; ATM; cycle parking; car parking; landscaping; and all associated site and access works.
Location	Lands east of the Ballymaconaghy Road immediately south of Knockbracken Golf Centre and north east of no. 1 Laurelgrove Court, Belfast
Representations	285 – 246 letters of objection and 39 letters of support
Case Officer	Gillian Milligan
Recommendation	<b>Approval</b>

### Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Scheme of Delegation in that the application requires a legal agreement to secure the delivery of the neighbourhood centre as part of the comprehensive development of the neighbouring housing lands to the south.
2. A neighbourhood centre was required under an Article 40 agreement for a previously approved application Y/1996/0233/O. This has never been provided but policy HOU4 of the Plan Strategy still requires adequate provision to be made for necessary local community facilities, provided by the developer. This is an alternative proposal in substitution for the neighbourhood centre required by the Article 40 agreement.
3. The zoned housing lands of designation MCH 04/15 has planning history for over 300 dwellings (LA05/2018/0847/F, LA05/2019/0712/F as amended under

- LA05/2022/1170/F). Within the approved layout of LA05/2018/0847/F and the masterplan for the housing zoning the site is identified as a future neighbourhood centre. The proposal is therefore in accordance with criterion a) of policy HOU2.
4. This application is presented with a recommendation to approve as the retail component meets the requirements of policies TC1 and TC6 of the Plan Strategy as it has been demonstrated that whilst this is an out of centre location there is a clear need for neighbourhood facilities to serve the existing housing to the south and west of the site and under construction/ approved housing to the north and east of the site. Safe and appropriate access can be provided to the facility and there is no other existing petrol station on the Ballymaconaghy Road that serves a local need.
  5. The site is on an existing bus turning circle, but alternative provision is made for public transport via the completion of the spine road through the neighbouring housing development of Brooke Hall to the south. The decision to grant planning permission is linked to the provision of this link being secured through the Section 76 agreement.
  6. The provision of a community facility meets the requirements of policies TC1 and CF01 as it is located within the settlement of Metropolitan Castlereagh, on land zoned for housing within the local development plan that identified the site as a future neighbourhood centre in the masterplan. It has also been demonstrated that it is necessary to serve the local population and will offer safe and convenient access through the provision of walking and cycling within the development and linking the site to the surrounding network and it will meet the needs of mobility impaired persons.
  7. The proposal provides sufficient renewable energy technologies in the form of EV charging points in compliance with policies TC6 and RE2 of the Plan Strategy.
  8. The proposal complies with policies TRA1 and TRA2 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways and pedestrian crossing points and the new accesses onto Ballymaconaghy Road will not prejudice road safety or significantly inconvenience the flow of vehicles.
  9. The proposal complies with policies TRA7 of the Plan Strategy in that it has been demonstrated that an acceptable level of car parking is provided.
  10. It is considered that sufficient information has been provided to demonstrate that the proposal is not likely to have an adverse impact on any designated site, protected or priority species or habitat or features of natural heritage importance in accordance with policies NH1, NH2 and NH5 of the Plan Strategy.
  11. The proposed development complies with policies FLD1, FLD2, and FLD3 of the Plan Strategy in that the detail submitted demonstrates that adequate drainage can be provided within the site to service the proposal without the risk of flooding to the site or elsewhere.

12. The proposal complies with Policy WM2 of the Plan Strategy as it has been demonstrated that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.

## Description of Site and Surroundings

### Site Context

13. This is 0.94-hectare site is located on the eastern side of the Ballymaconaghy Road and consists of a turning circle and bus stop/shelter with grassland. The land slopes slightly downwards in northerly direction.
14. The western boundary along the roadside is post and wire fencing. The southern and eastern boundaries are undefined as they are part of a larger area of grassland, and the northern boundary is mature hedgerow

### Surrounding Context

15. To the north of the site is on-going residential development and Knockbracken Congregational Church.
16. The lands to the south and west of the site are characterised by several suburban housing developments including Laurelgrove and Bracken Hill. To the east is open countryside. There is approval on these lands for further housing development.

## Proposed Development

17. The proposed development is for a neighbourhood centre comprising two retail units; a community unit; six pump Petrol Filling Station; four EV charging points; forecourt canopy; services bay; ATM; cycle parking; car parking; landscaping; and all associated site and access works.
18. The application is supported with the following documents:
  - Planning and Supporting Statements
  - Preliminary Ecological Assessments
  - Preliminary Risk and Generic Quantitative Risk Assessment
  - Flood Risk and Drainage Assessments
  - Schedule 6 consent
  - Kitchen Odour Screening Assessment
  - Noise Impact Assessments
  - Photometric Reports
  - Community Engagement report

- Construction Method Statement
- Roads Engineer Statement
- Service Yard Management Plan

### Relevant Planning History

19. The relevant planning history is as follows:

Reference	Location	Description	Decision
Y/1996/0233/O	Lands between Primrose Hill and Laurel Grove housing developments and Knockbracken Road/Ballymaconaghy Road Castlereagh	Site for housing development	Permission Granted July 2004
LA05/2018/0847/F	Land East of the Ballymaconaghy Road including 30 32 and 34 Ballymaconaghy Road south of 24 Ballymaconaghy Road and north of 52 Knockbracken Road.	Proposed residential development of 196 dwellings comprising 88 detached and 108 semi-detached dwellings, with associated open space (including equipped childrens play area) landscaping, pumping station and all other site and access works including new access junction from Ballymaconaghy Road, road widening of Ballymaconaghy Road and works to Four Winds roundabout.	Permission Granted November 2021
LA05/2019/0712/F	Lands north of Ballymaconaghy Road including No's 14 & 22-24 Ballymaconaghy Road Castlereagh	Proposed residential development comprising erection of 126 dwellings (64 semi-detached, 46 detached and 16 apartments), associated open space and landscaping, access and ancillary works	Permission Granted October 2021
LA05/2022/1170/F	Lands north of Ballymaconaghy Road including No's 14 & 22-24 Ballymaconaghy Road Knockbracken	Proposed residential development comprising erection of 141 no. dwellings (comprising 81 no. detached; 44 no. semi-	Permission Granted September 2024

	Belfast	detached; 2 no. bungalows; and 14 no. apartments) including open space and landscaping, children's play area, access and all associated site works	
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20. The planning history demonstrates that there are several permissions for large housing developments adjacent to and south of the site. The zoned housing lands of designation MCH 04/15 within the latest revision to draft BMAP has planning history for over 300 dwellings (LA05/2018/0847/F, LA05/2019/0712/F as amended under LA05/2022/1170/F). Within the approved layout for application LA05/2018/0847/F and the masterplan for the housing to the east and west the site is identified as a future neighbourhood centre.

21. Within Y/1996/0233/O for lands south of Ballymaconaghy Road, a village centre was included in the Concept Master Plan and an Article 40 agreement. The agreement included a village centre on lands now known as Brooke Hall which was never constructed.

**Consultations**

22. The following consultations were carried out:

Consultee	Response
Dfl Roads	No objection
LCCC Environmental Health	No objection
NI Water	No objection
DAERA Natural Heritage	No objection
DAERA Water Management	No objection
DAERA Regulation Unit	No objection
Dfl River Agency	No objection
Shared Environmental Service	No objection

## Representations

23. 246 letters of objection have been submitted in respect of the proposal. The following issues have been raised:
- Unnecessary due to other petrol stations and shops close by
  - Impact on existing businesses in the area
  - Bus terminus is needed
  - Increased noise, light, odour pollution
  - Increased traffic congestion, cumulative impact on roads with all new housing developments, impact on road safety
  - Erode countryside
  - Large scale
  - Not sustainable, Government's intention to ban all petrol/diesel vehicles by 2030 - counter productive
  - Impact on wildlife
  - Risk to National Trust site
  - Anti-social behaviour
  - Devaluation of property prices
  - Commercial interests against local community
  - No community benefit – area needs playgrounds greenspaces, recreation, community hall
  - Proposal will reduce size of back garden – road widening
24. 39 letters of support were received which included that the proposal will enhance the local community, provide more choice of shops and services within walking distance, investment in local economy by providing jobs, encourage active travel.
25. The issues raised will be considered in the assessment of the proposal.

## Environmental Impact Assessment (EIA)

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

## Local Development Plan

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

### Plan Strategy 2032

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

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

30. In accordance with the transitional arrangements the Lisburn and Castlereagh Plan Strategy and the Belfast Urban Area Plan (BUAP) are the extant Development Plans. Draft BMAP remains a material consideration.
31. Within the BUAP, the subject site is located outside of the development limit for Belfast, and any proposal would normally be subject to the strict policy controls that apply in the open countryside.
32. However, representations were made through the plan process for draft BMAP to have the lands which are the subject of this application included within the development limit. The representations were discussed at the public Inquiry before the Planning Appeals Commission (PAC).
33. These lands were subsequently brought into the post Inquiry but unlawfully adopted revision of BMAP within the settlement limit of Metropolitan Castlereagh and referenced as housing zoning MCH 04/15.

34. Significant weight is given to the designation of the site within the settlement limit for Metropolitan Castlereagh for the above reasons and given the recent history of approval for housing adjacent to surrounding the site consistent with the requirements of the zoning.
35. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

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

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

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

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

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

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

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

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

*should respect the careful management, maintenance and enhancement of ecosystem services which form an integral part of sustainable development.*

39. The strategic policy for Town Centres, Retailing and Other Uses, Strategic Policy 14 states that:

*The Plan will support development proposals that:*

- a) promote town centres, retailing and other uses within the City and town centres to enhance their vitality and viability in accordance with their role and function in the retail hierarchy*
- b) support the role of District and Local Centres.*

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

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

41. The proposal includes retail and other town centre uses. Policy TC1 Town Centres, Retailing and Other Uses states:

*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 choice of good public transport.*

42. It is further stated in the Justification and Amplification of the policy that:

*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.*

43. The proposal includes a petrol filling station with two associated retail units. Policy TC6 Petrol Filling Stations and Roadside Service Facilities states:

*Petrol filling stations should be located within a defined settlement limit, subject to the following:*

- a) safe and appropriate access can be achieved at the site*

*b) it is demonstrated there is a clear need for the facility that cannot be catered for by an existing petrol station on the same transport route*

*c) proposals for retail unit(s) associated with the Petrol Filling Station above a threshold of 1,000 square metres gross external area which are not within a defined settlement limit will be required to undertake a Retail Impact Assessment and/or an assessment of need.*

*In circumstances where an associated retail unit is proposed, which is under 1,000 square metres (gross area) and is provided at an edge of Town Centre or out of Town Centre location, a quantitative and qualitative assessment of need may be required that clearly demonstrates and takes account of the proposal's impact on defined centres and existing facilities serving a similar function.*

*An exception may be permitted for proposals on the trunk road network in the countryside, subject to compliance with the above policy criteria and where it is demonstrated a clear need for the facility exists that cannot be provided within a defined settlement limit.*

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

### **Community Facilities in Settlements**

44. The proposal includes a community facility. Policy CF01 Necessary Community Facilities in Settlements states:

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

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

*In the case of land zoned for residential use it must be demonstrated to the Council, with sufficient evidence, that the proposal:*

- e) is necessary to serve the local population*
- f) offers safe and convenient access through provision of walking and cycle infrastructure, both within the development proposal and linking to existing or planned networks*
- g) meets the needs of mobility impaired persons*
- h) respects existing public rights of way.*

## Protection of Land Zoned for Housing

45. The proposed petrol filling station and associated retail units and community facility will be located on land zoned for housing. Policy HOU2 states:

*Planning permission for alternative uses on zoned housing land, where not identified as a Key Site Requirement (KSR), will only be granted in the following circumstances:*

- a) the proposed use is compatible with the housing zoning, it meets a demonstrable community need and it cannot be provided on a suitable alternative site*
- b) the nature, size and scale of the alternative use is, and will remain, ancillary to the main use of the land for housing.*

### *Justification and Amplification*

*Alternative uses on zoned housing land can provide local community facilities such as schools, crèches, surgeries, local shops and leisure facilities. Such uses can encourage a sense of community and place and relieve pressure on existing community infrastructure within the wider residential area. In all cases proposed alternative uses must comply with criteria a), b), g), h), i), j) and l) of Policy HOU4 to ensure there are no detrimental impacts on the privacy or amenity of existing or proposed residential properties.*

46. As referenced in Policy HOU2 above, the relevant criteria in Policy HOU4 design in new residential development are:
- a) the design of the development must draw upon the best local architectural form, materials and detailing*
  - b) landscaped areas using appropriate locally characteristic or indigenous species and private open space must form an integral part of a proposal's open space and where appropriate will be required along site boundaries to soften the visual impact of the development and assist in its integration with the surrounding area*
  - g) a proposed site layout must indicate safe and convenient access through provision of walking and cycling infrastructure, both within the development and linking to existing or planned networks; meet the needs of mobility impaired persons; and respect existing public rights of way*
  - h) adequate and appropriate provision is made for car and bicycle parking including where possible electric vehicle charging points*
  - i) the design and layout must not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance*
  - j) the design and layout should where possible include use of permeable paving and sustainable drainage*
  - l) the development is designed to deter crime and promote personal safety.*

## Access and Transport

47. The proposal will create two new vehicular accesses on to the Ballymaconaghy Road which is not a protected route. Parking will also be provided on-site for customers to the facilities.

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

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

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

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

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

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

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

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

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

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

50. Policy TRA7 – Car Parking and Servicing Arrangements states:

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

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

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

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

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

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

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

### **Natural Heritage**

51. The proposal will result in the removal of grassland and there is an undesignated watercourse along the northwestern boundary of the site. The proposal has the potential to impact on the natural environment.
52. Polic NH1 European and Ramsar Sites - International states:

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

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

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

53. Policy NH2 Species Protected by Law states:

*European Protected Species*

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

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

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

*National Protected Species*

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

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

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

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

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

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

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

## **Flooding**

55. There is an undesignated watercourse along the northwestern boundary of the site, and the development includes a large area of hardstanding. Flood Risk and Drainage Assessments have been submitted in support of the proposal.

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

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

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

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

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

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

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

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

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

*A development requiring a DA will be permitted where it is demonstrated through the DA that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere. If a*

*DA is not required, but there is potential for surface water flooding as shown on the surface water layout of DfI Flood Maps NI, it remains the responsibility of the developer to mitigate the effects of flooding and drainage as a result of the development.*

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

### **Waste Management**

59. The proposal includes a Biodisc treatment unit that will discharge into a watercourse. Policy WM2 Treatment of Waste Water Development states:

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

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

### **Renewable Energy**

60. The proposal includes renewable energy technologies such as EV charging points. Policy RE2 Integrated Renewable Energy states:

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

## **Regional Policy and Guidance**

### **Regional Policy**

61. 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.*

62. 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.*

63. The proposal includes retail use. The SPSS at paragraph 6.277 states:

*The aim of the SPSS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS.*

64. Paragraph 6.278 confirms that:

*The regional strategic objectives for town centres and retailing are to secure a town centres first approach for the location of future retailing and other main town centre uses.*

65. Para 6.287 of the SPSS states that:

*A sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to date LDP.*

66. Paragraph 6.288 states that:

*Planning authorities will require applications for main town centre uses to be considered in the following order of preference (and consider all of the proposal's catchment):*

- *primary retail core.*
- *town centres.*
- *edge of centre; and*
- *out of centre locations, only where sites are accessible by a choice of good public transport modes.*

67. Paragraph 6.232 states:

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

### **Retained Regional Guidance**

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

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

### **Parking Standards**

69. This document sets out the parking standards that the Council will have regard to in assessing proposals for new development. The standards should be read in conjunction with the relevant policies contained in the Plan Strategy.

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

70. The policies in PPS 3 are replaced by the Plan Strategy but the guidance in Development Control Advice Note 15 – Vehicular Access Standards states at paragraph 1.1 that:

*The Department's Planning Policy Statement 3 "Development Control: Roads Considerations" (PPS3) refers to the Department's standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.*

## **Assessment**

### **Protection of Land Zoned for Housing and the requirement for neighbourhood facilities**

71. The site is located on land zoned for housing within the latest revision of draft BMAP (zoning MCH 04/15). Policy HOU2 allows alternative uses on zoned housing land, if not identified as a Key Site Requirement, where the proposal is compatible and meets a demonstrable community need that cannot be provided on an alternative suitable site and where the nature, size and scale is and will remain ancillary to the main use of the land for housing.
72. This site was identified as a location for neighbourhood centre in the concept masterplan of this zoning and site layout plan approved under LA05/2018/0847/F, therefore the proposal is considered to be compatible with the housing zoning.
73. The wider residential zoning of MCH 04/15 is 20.76ha, and the site is 0.94ha, which equates to roughly 4.5% of the total residential zoning therefore it is considered that the size and scale will remain ancillary to the main use of the land for housing.
74. A neighbourhood centre was required under an Article 40 agreement for a previously approved application Y/1996/0233/O. This has never been provided but criterion c) of policy HOU4 of the Plan Strategy still requires adequate provision to be made for necessary local community facilities, provided by the developer.

75. Whilst not a key site requirement this is an alternative proposal in substitution for the village centre required by the Article 40 agreement linked to the Y/1996/0233/O planning application.

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

76. The proposal includes retail and other town centre uses including a community facility and is assessed against the requirements of policy TC1.
77. With reference to the sequential approach that sites can be considered in out of centre locations, the first sentence of the third paragraph in the justification and amplification of policy TC1 highlights that the provision of a sequential approach enables a range of retailing opportunities appropriate to the needs of the community.
78. Notwithstanding the site-specific objections and strong feelings, the proposal has raised generally, and which are addressed later in the report, the planning history highlights the need for neighbourhood facilities at this location. There is a housing policy requirement to serve the existing housing to the south and west and the housing under construction/approved to the north and east of the site.
79. The proposed neighbourhood centre provides retail and other community facilities normally found in suburban residential neighbourhoods and is of a comparable scale to the Eurospar development at Wallace village in North Lisburn.
80. The proposal therefore falls within criterion d) of policy TC1. The supporting statement details that the proposed site is the most appropriate location for the provision of a neighbourhood centre in lieu of the previously identified location within Brooke Hall (under Y/1996/0233/O) given the substantive road improvements approved along Ballymaconaghy Road including the Four Winds Roundabout to facilitate the new housing developments in the area. It is also suggested that subsequent developments within Brooke Hall have left it of an insufficient scale to provide an appropriate level of services on its own and given the site at Ballymaconaghy Road was also identified as a neighbourhood centre would result in the fragmentation of local services across two different sites which would leave the proposals unsustainable and unviable.
81. Officers consider that the planning history of the provision of village and neighbourhood centres within both the Brooke Hall and Ballymaconaghy Road developments demonstrates that there has been a long-identified need for such facilities within the area. Officers also accept that the recently constructed housing and planning approvals in the area for more housing developments reinforces the need for a neighbourhood centre.
82. The nature of the development of two retail units (including a convenience store), one community unit, and six pump Petrol filling station is considered to be a neighbourhood centre as it would provide convenient day to day shops

and services that will serve the local community and the community unit would provide local residents with a facility which can be used for a variety of community activities, such as a venue for local clubs and societies, parent and toddler groups etc.

83. To ensure that the neighbourhood provision is comprehensive a Section 76 planning agreement is necessary requiring the community unit:
- to be constructed and available for occupation prior to the first retail unit becoming operational; and
  - subject to an agreement for the letting, management and maintenance of the building submitted to the Council within six months of the first retail unit becoming operational. The community unit will be operated in accordance with the approved agreement.
84. The location of a neighbourhood centre on the Ballymaconaghy Road is more suitable for a neighbourhood centre given the nature of the road and that the road will be improved and widened as part of the approved housing developments. The housing application at Brooke Hall that is being considered in conjunction with this application (LA05/2023/0534/F) will also include a road layout that will link the housing within Brooke Hall with the Ballymaconaghy Road thereby improving accessibility to the Ballymaconaghy Road site.
85. It is also considered that the site within Brooke Hall is now too restrictive for a village centre due to the compact housing layout of existing and approved residential developments in the immediate area. It should be noted that a large area of open space with a play park and seating/picnic areas will be included within the Brooke Hall site to provide a community focal point for residents.
86. In respect of the requirement for out of centre locations to be accessible by a choice of good public transport, the site is on an existing bus turning circle, but alternative provision is made for public transport via the completion of the spine road through the neighbouring housing development to the south linking Laurelgrove Avenue and Lancaster Park to Brooke Hall and Primrose Hill.
87. Any decision to grant planning permission should be linked to the provision of the spine road and public transport provision being secured through a Section 76 agreement as follows:
- No building in the retail development shall be commenced until the spine road proposed in application LA05/2023/0534/F, connecting Laurelgrove Avenue and Lancaster Park to Brooke Hall and Primrose Hill is constructed and operational.
  - No retail use will become operational until the public transport provision offset because of the loss of the bus turning circle has been agreed in writing with the Council in consultation with DfI Roads and Translink.

88. The proposal is also for a petrol filling station. Petrol filling stations are considered under Policy TC6 of the Plan Strategy.
89. Under Policy TC6 petrol filling stations should be located within a defined settlement limit, subject to several criteria. As discussed previously in the report determining weight is given to the designation of the site within the settlement limit of Metropolitan Castlereagh in the latest revision to draft BMAP.
90. The first criteria are that safe and appropriate access can be achieved at the site. It has been demonstrated through consultation with DfI Roads that a safe and appropriate access can be achieved. The proposal would provide two access points onto Ballymaconaghy Road, one way in and out with a righthand turn ghost island and appropriate visibility splays.
91. A Transport Assessment form was submitted which details that:
- 'a new right turning lane ghost island access designed in accordance with the Design Manual for Roads and Bridge will be provided. This new access will provide a ghost island facility for the Laurelgrove Manor housing development opposite, thus providing a safe means of access to the site with little impact on the existing through traffic on the Ballymaconaghy Road.'*
92. Safe and appropriate access will also be provided for pedestrians with tactile crossing points, dropped kerbs and pavements along Ballymaconaghy Road. A new island crossing point is included to allow safe pedestrian access from the western side of Ballymaconaghy Road and a pedestrian link will be added to the north of the site to connect the future residential development to the north.
93. On review of the details submitted with the proposal and DfI Roads offer no objections it is considered that criteria a) of Policy TC6 is met.
94. Criteria b) of Policy TC6 states that there should be a clear need for the petrol station that cannot be catered for by an existing petrol station on the same transport route. There are no other petrol stations along the Ballymaconaghy Road with the nearest petrol filling stations (PFS) located approximately 2 kilometres from the site at Sainsbury's Forestside, Tesco Extra Newtownbreda and the BP garage on Saintfield Road.
95. A Supporting Statement submitted with the proposal details that the location of the nearest petrol filling stations are on key transport routes of the dual carriageway and outer ring and therefore do not perform a local neighbourhood function. The Tesco PFS and Sainsburys PFS serve motorists on the A55/Belvoir Road/Upper Knockbreda Road, whilst the BP garage serves motorists on the Saintfield Road. This proposal on the Ballymaconaghy Road is not associated with these main transport routes and due to the nature of the road it is considered that it shall predominantly serve local residents.
96. With regard to the need of this facility the Supporting Statement details that the proposal will have a primary catchment area of the established housing areas to the west of the Ballymaconaghy Road, but also the recently approved housing lands to the east of the site comprising of an additional 337 dwellings.

97. The Supporting Statement has used census 2021 statistics to show that within its suggested catchment area there is an approximate population of 9,657 persons across 3,870 households. Counting the 337 new dwellings, the population within the catchment is expected to rise above 10,500 persons across 4,300 households. This indicates a sizeable catchment that the proposed PFS is intended to serve.
98. It is considered that the scale of the development (550 sqm NFA for the main retail unit, 77 sqm NFA for the smaller retail unit, 62 sqm NFA for the community facility and 6 petrol pumps with 73 no. parking spaces), demonstrates that the site will only serve a local need.
99. The Supporting Statement suggests that secondary to the urban catchment, the proposal also has the potential to serve a peripheral rural population to the east of the site, given the ease of accessibility along the Manse Road and Knockbracken Road to the north and south of the site.
100. It is therefore considered that the proposal complies with part b) of Policy TC6 as it has been demonstrated that there is a clear need for the facility that cannot be catered for on the same transport route.
101. Part c) of Policy TC6 is not relevant as the retail unit associated with the PFS will not be over 1,000 square metres and is within a defined settlement limit, therefore a retail impact assessment or assessment of need is not required. However, it has been considered in detail that the proposal will meet a local need.
102. Policy TC6 also requires the provision of an appropriate number of reserved electric charging point spaces and their associated equipment. The site layout plan indicates that four EV spaces with the equipment between the spaces will be provided within the car park of the site which is considered as appropriate for this size of development.

### **Community Facilities in Settlements**

103. The provision of a community facility meets the requirements of Policy CF01 criteria d) as it is located within the settlement of Metropolitan Castlereagh, on land zoned for housing within the latest revision to draft BMAP (MCH 04/15) that identified the site as a future neighbourhood centre in the masterplan.
104. As previously discussed, the site is within land zoned for housing and sufficient evidence has been provided to demonstrate that the community facility is necessary to serve the local population as the site was identified as a future neighbourhood centre in the concept masterplan and site layout approved under LA05/2018/0847/F and a 'village centre' was deemed necessary for the area under Y/1996/0233/O which has never been built but will be relocated to this site. It is also considered that the need has increased in the area given the extensive residential development that has been built and the future residential development approved within the area. Criteria e) is met.

105. The proposal will offer safe and convenient access through the provision of walking and cycling within the development and linking the site to the surrounding road network and pedestrian linkages will be provided in accordance with criteria f).
106. The proposal will meet the needs of mobility impaired persons through disabled parking and level access to the buildings and there are no existing public rights of way in accordance with criteria g) and h).

### **Other Considerations**

107. The proposal is also considered to comply with the relevant criteria in Policy HOU4 to ensure there is no detrimental impacts on privacy, amenity of existing or proposed residential properties.
108. The design of the proposal is considered as typical for this type of PFS development. The buildings will be finished in double glazed grey aluminium curtain walling, dark grey brick and off-white coloured facing brick and render with timber, stone and aluminium cladding, red aluminium feature entrance surround, dark grey/black roof tiles/slates and dark grey gutters and downpipes. The design is considered to draw the brick and render detailing from the surrounding area in accordance with criteria a) of Policy HOU4.
109. A landscaping buffer will be planted along the boundaries of the site to soften the visual impact of the retaining walls and low-level planting will be included at the entrance to the site. The existing hedgerow along the northern boundary of the site will be retained to aid integration of the proposal with the surrounding area. The proposal meets criteria b) of Policy HOU4.
110. The proposed site layout will allow safe and convenient access to pedestrians and cyclists by providing a pedestrian linkage along the northern boundary to the new housing development to the rear of the site and linking into the existing footpath along Ballymaconaghy Road. A bike stand will also be provided for cyclists. The needs of mobility impaired persons will be met by level access to the buildings and three disabled parking spaces in accordance with criteria g) of Policy HOU4.
111. In accordance with criteria h) of Policy HOU4, a bike stand will be provided at the entrance to the retail unit and six EV charging points will be provided within the parking layout.
112. The design and layout of the proposal will not create conflict with the adjacent residential properties in terms of overlooking, loss of light/overshadowing, noise or other disturbance. There is approved housing to the north, east and south-east of the site that is still to be constructed. A layout plan of the future housing has been provided which demonstrates that the proposal will have no adverse impact on the residential amenity of any future housing as there are acceptable separation distances of at least 10 metres between the proposed housing and the site boundaries.

113. The dwellings to the north are separated from the site boundary by existing hedgerow that will be retained and fencing along their rear boundaries. There is also a landscaped area with a pedestrian footpath and fencing along the site boundaries to protect the residential of these properties.
114. The dwellings to the east and south-east will mostly sit at a higher level than the site with the finished floor level (FFL) of the proposed retail units being 129.5 - 130 metres and the dwellings FFL ranging from 129.5 metres to 134.5 metres.
115. There will be retaining walls along these boundaries of the site (ranging from 1.4 metres to 1.9 metres) with boundary planting in between and 1.8 metres timber fencing on top of the retaining walls which will also help prevent any unacceptable adverse effects from overlooking or overshadowing/ loss of light to any future dwelling.
116. In relation to the impact of noise from the proposed operations of the PFS and retail units, several Noise Impact Assessments (NIA) by F. R. Mark & Associates have been submitted. The latest NIA concludes that:

*A noise survey has been conducted during both daytime and night-time at the proposed site to establish the existing noise environment.*

*The impact of the proposed plant has been calculated based on the manufacturer's data and using proprietary noise modelling software. The assessment has included vehicular movements from customer and delivery vehicles.*

*The assessment has been conducted following the methodology of BS4142 and BS8233. With reference to this document, it has been predicted that the proposed plant will not have an adverse impact on the noise environment based on the predicted noise levels.*

117. The Council's Environmental Health Department was consulted and offers no objections subject to conditions to include acoustic fencing and control operating hours relating to the retails units, deliveries, use of the kitchen extraction and ventilation system, the jet wash, the air/water/vacuum unit and the AC units. This will ensure that the amenity of neighbouring dwellings with respect to noise will be protected.
118. In relation to potential odours from the hot food kitchen and deli facility within the retail unit, a Kitchen Odour Screening Assessment by Tetra Tech Consulting NI was submitted. This assessment concluded that:
- The assessment identified the potential impact significance on surrounding receptors from the proposed kitchen unit is considered to be 'high'.*
- The requirement of the 'high level odour control' measures has been identified to include:*

1. *Fine Filtration or ESP followed by carbon filtration (carbon filters rates with a 0.2-0.4 second residence time); or,*
2. *Fine Filtration or ESP followed by UV ozone system to achieve the same level of control as detailed above in measure 1.*

*The good practice measures, as identified within the guidance within 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems', by EMAQ+, 5 May 2019, will be implemented by the occupier to control odour.*

*As such, by implementing the required odour control systems and the good practice maintenance program, the potential odour impact on the surrounding receptors from the proposed development will be sufficiently Controlled.*

119. The Council's Environmental Health Department was consulted and offers no objections subject to conditions that a three-stage filtration and extraction system with a high level of odour control must be installed and maintained and operated when cooking is being carried out. This will ensure that the amenity of neighbouring dwellings with respect to odours will be protected.
120. The associated canopy and lighting of the proposal have the potential to impact on the residential amenity of the nearby dwellings. Photometric Reports by Pro Light Design and Technology have been submitted. These reports detail that the assessment includes consideration of pole heights at 6 metres, signage lighting at 5 metres and 3 metres and the forecourt canopy height at 5 metres.
121. The Photometric Report details that the assessment is on the basis that this area is a "small town centre or suburban location" and in accordance with the Institute of Lighting Professions.
122. It also details that:

*Guidance Notes for the Reduction of Obtrusive Light GN01-21 Table 1 – Environmental Zones, would be deemed Zone E3. Therefore, in accordance with Table 2 – Obtrusive Light and Limitations for Exterior Lighting Installations – General Observes, the Light Intrusion into Windows is 10lux pre-curfew and 2lux postcurfew.*

*The fixtures proposed are non-dimmable. Therefore, calculations have been provided, based on the proposed site plan showing the proposed residential development to show that at no point does obtrusive light from the site design exceed 2lux on any adjacent wall containing window. This is in compliance with Zone E3 requirements.*

123. The Council's Environmental Health Department was consulted and offers no objections subject to a condition that any artificial lighting to the development must minimise obtrusive light and conform to the maximum values of vertical illuminance within the environmental zone for exterior lighting control – E3 (Suburban). This will ensure that the amenity of neighbouring dwellings with respect to obtrusive light will be protected.

124. The proposal is considered to meet criteria i) of Policy HOU4 as the design and layout of the proposal will not create conflict with the adjacent residential properties in terms of overlooking, loss of light/overshadowing, noise or other disturbance.
125. Sustainable drainage is provided by a Biodisc treatment unit, and the development is designed to deter crime as the site will have sufficient lighting and surveillance will be carried out from the retail unit. The proposal meets criteria j) and l) of Policy HOU4.

### **Access and Transport**

126. It is considered that the proposal will create an accessible environment and ease of access to all visitors to the site in accordance with Policy TRA1. There will be level access to the buildings, with tactile crossing points, dropped kerbs with a pedestrian crossing point added on the Ballymaconaghy Road. A pedestrian linkage will be added along the northern boundary to connect the site to the new housing development to the rear of the site, and the site will link into the existing footpath along Ballymaconaghy Road. A bicycle stand and disabled and parent parking spaces will be provided.
127. The proposal would provide two access points onto Ballymaconaghy Road, one way in and out with a righthand turn ghost island and appropriate visibility splays.
128. A Transport Assessment form was submitted which details that:
- 'a new right turning lane ghost island access designed in accordance with the Design Manual for Roads and Bridge will be provided. This new access will provide a ghost island facility for the Laurelgrove Manor housing development opposite, thus providing a safe means of access to the site with little impact on the existing through traffic on the Ballymaconaghy Road.'*
129. The Transport Assessment Form also details that the TRICS database was used:
- 'To compare the trips that were approved for the village centre under the concept master plan and those that will be generated under this application. The database showed that the proposed development will generate an additional 190 vehicular trips over the day. This is equivalent to an additional 19 trips during the weekday am and pm peak hour periods, i.e. 1 additional trip every 3 minutes which is low.'*
130. The peak period of traffic is forecast to be between 1700-1800 hours.
131. The Transport Assessment form makes reference to the site being located on an existing bus turning circle and that a new route needs to be provided to enable bus services in the Ballymaconaghy Road area. The justification for the loss of the bus turning circle is that the housing development at Brooke Hall that is being considered in conjunction with this application would allow the spine

road to be completed which would allow buses to travel from Ballymaconaghy Road through Brooke Hall and exit onto Saintfield Road.

132. Advice received from DfI Roads confirms that they have no objection subject to endorsement of PSD drawings. Based on a review of the detail and advice from DfI Roads, it is considered having regard to the nature and scale of the proposed development, that the proposal complies with Policy TRA2 as it will not prejudice road safety or significantly inconvenience the flow of vehicles. Ballymaconaghy Road is not a Protected Route.
133. Under Policy TRA7 the proposal will provide 73 no. total parking spaces, including 8no. spaces at the petrol pumps, three disabled and one parent space and four EV charging spaces.
134. In Parking Standards, Class A1: Shops Food retail the requirement is 1 space per 14m<sup>2</sup> gross floor area. The two retail units total 687 sqm which requires 50 no. parking spaces. The community facility requires 1 space per three seats. The floor plan for this unit indicates 70 seats and therefore 23no. parking spaces are required. The total requirement of parking spaces for this site is 73no. spaces therefore the proposal provides the appropriate number of spaces in accordance with Policy TRA 7.
135. In relation to servicing arrangements a Service Yard Management Plan and articulated lorry tracking plans were submitted. The Service Yard Management Plan details that there will be six fresh food and two other food deliveries a week between 07.00 – 21.00 hours that will use an articulated lorry. Other deliveries will be carried out by smaller vans at various times during the week. There will be one fuel delivery to the site per week, and this will be made using an articulated oil tanker.
136. The tracking plans demonstrate that lorries entering the site can reverse towards the dedicated service area, and after unloading, exit directly back onto the Ballymaconaghy Road in forward gear.
137. DfI Roads was consulted and offers no objections. Based on a review of the detail and advice from DfI Roads, Officers are content that an adequate provision of car parking and servicing arrangements will be provided, and the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles in compliance with Policy TRA7.

### **Natural Heritage**

138. The proposal includes the development of grassland with hedgerow boundaries and therefore has the potential to impact upon protected and priority species and habitats or features of natural heritage importance. There is also an undesignated watercourse along the northwestern boundary of the site which is hydrologically linked to European and International designated sites and Ramsar sites at Belfast Lough. A Preliminary Ecological Appraisal (PEA) was submitted as part of

the application and Natural Environment Division (NED) within DAERA and Shared Environmental Service (SES) were consulted.

139. In relation to the impact on designated sites NED commented that it:

*'Has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to recommended conditions.'*

140. Shared Environmental Service commented:

*'This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Lisburn and Castlereagh City Council which is the competent authority responsible for authorising the project. Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.'*

*In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject on the following mitigation measures being conditioned in any approval:*

- 1. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.*

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

141. This condition will be added to any planning approval to ensure the proposal will not have an adverse effect on the integrity of any European site in accordance with Policy NH1 of the Plan Strategy.

142. With regard to protected species a badger survey was provided which demonstrated that no badger setts were recorded within 25m of the development red line boundary, however, as badgers are highly mobile and can create setts at any time a pre-commencement badger survey was recommended. NED was consulted and agree this should be conditioned. A pre-commencement badger survey will be conditioned on any planning approval.

143. The proposal has the potential to impact on bats given the nature of the proposal and the lighting within a petrol filling station and forecourt. A lighting plan was submitted and NED was consulted. NED commented that it is content with the information submitted and the proposed light spill across the site. It is therefore considered that the proposal is not likely to have an adverse impact on any protected species in accordance with Policy NH2.

144. In relation to priority habitats, species or features of natural heritage importance, the PEA demonstrates that there will be no adverse impact on any birds or other wildlife and that the existing grassland of the site is of negligible importance. There is a hedgerow along the northern boundary that is identified as a NI Priority Habitat. This hedgerow will be conditioned to be retained in any planning approval to maintain the biodiversity value of the site.
145. Based on a review of the detail submitted with the application and the advice received from NED and SES, it is considered that provided conditions are included on any planning permission that the proposal is not likely to have an adverse impact on any designated site, protected or priority species or habitat or features of natural heritage importance in accordance with policies NH1, NH2 and NH5 of the Plan Strategy.

### Flooding

146. As there is an undesignated watercourse adjacent to the site and the amount of hardstanding proposed a Flood Risk Assessment and Drainage Assessment were submitted and DfI Rivers was consulted.
147. DfI River's Flood Maps (NI) indicate that the site is outside of both the Present day and Climate Change Q100 Fluvial and Coast Floodplains.
148. DfI Rivers commented in relation to the Flood Risk Assessment that:

*Rivers Directorate PAU, while not being responsible for the preparation of the Flood Risk Assessment by OCSC Consultants, accepts its logic and has no reason to disagree with its conclusions. It should be brought to the attention of the applicant that the responsibility for the accuracy, acceptance of the Flood Risk Assessment and implementation of the proposed flood risk measures rests with the developer and their professional advisors.*

149. The proposal complies with Policy FLD1.
150. An undesignated watercourse flows along the north-western boundary of the site. Under Policy FLD2 it is essential that a working strip with a minimum width of 5m from the top of the bank is provided. A working strip is shown on the site layout plan with a pedestrian link adjacent to the watercourse which DfI Rivers confirms can be used as the working strip. The requirements of Policy FLD2 are met.
151. With regards to the Drainage Assessment DfI Rivers commented that:
- Schedule 6 Consent to discharge 5l/s of surface water has now been approved.*
- The proposals would satisfy policy and be acceptable. The proposal is to attenuate the surface water within an underground storage unit and limit/restrict the discharge rate to mimic the Greenfield run-off rate (using a vortex to 5 l/s)*

*and discharge to the watercourse. Evidence has been provided that the drainage will be installed and designed not to flood up to a 1 in 100-year storm event. A 20% increase in storm rainfall has been included in the design to allow for an increase in storm event intensity due to Climate Change. For storm events greater than this exceedance flow paths should not cause any properties to flood. As mitigation against overflow from higher adjacent ground a storm collect sewer is included within the design.*

*Rivers Directorate PAU, while not being responsible for the preparation of the Drainage Assessment report accepts its logic and has no reason to disagree with its conclusions. It should be brought to the attention of the applicant that the responsibility for the accuracy, acceptance of the Drainage Assessment by OCSC Consulting dated 20/12/2023 and implementation of the proposed flood risk measures rests with the developer and their professional advisors.*

152. The proposal complies with Policy FLD3.
153. For the reasons outlined above and having regard to the detail submitted with the application and advice from DfI Rivers, no concern is raised in relation to flooding and the policy tests associated with policies FLD1, FLD2 and FLD3 are met.

### **Waste Management**

154. Detail provided with the application sets out that the proposal will use a Biodisc treatment unit to dispose of wastewater to a water course.
155. The Drainage Assessment details that:  
*'The proposed foul drainage from the site will be collected and suitably treated onsite, prior to discharging into the undesignated watercourse which runs to the north of the development site. The foul discharge generated by the retail units will be treated on site by a Klargestor Biodisc BF unit, the petrol forecourt discharge will be treated by a Klargestor Aquaoil Forecourt Separator, and the jet vac will be treated by a Klargestor washdown unit.'*
156. DAERA Water Management Unit was consulted and commented that:  
*'As the application states that there is no proposal to connect the development to mains sewer, then a Discharge Consent issued under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the proposed development.'*
157. This will be conditioned in any planning approval to ensure protection to the aquatic environment.
158. NI Water offer no objections given the proposal will not connect to the mains sewer.
159. Based on a review of the information submitted and advice of the consultees it is considered that the proposal will comply with Policy WM2 of the Plan

Strategy as it has been demonstrated above that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.

### Renewable Energy

160. Four EV charging spaces and associated equipment will be included within the site which is considered appropriate for this scale of development. The provision of EV charging spaces helps to promote and support the wider low carbon and emissions free transport network.
161. It is therefore considered that the proposal meets the requirements of policy RE2 of the Plan Strategy as renewable energy technology will be integrated into the proposed development.

### Contamination

162. A Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) prepared by Tetra Tech Consulting NI were submitted in support of the proposal.
163. Following completion of the PRA the following potential pollutant linkages were identified:
- *Potential presence of reduced quality made ground associated with agricultural,*
  - *Potential presence of reduced quality made ground presenting a potential risk to shallow groundwater and nearby surface watercourses via leaching; and,*
  - *Potential for the generation of ground gas from made ground.*
164. It was recommended that these pollutant linkages were investigated further to assess their significance with respect to the proposed development.
165. Following completion of the GQRA it was found that:
- *Reported contaminant concentrations detected within the soils were less than assessment criteria and are considered to pose a low risk to human health and controlled waters receptors.*
  - *One marginal exceedance of copper within groundwater was reported. In the absence of a viable pathway and receptor this marginal exceedance was determined to pose a low risk.*
  - *The site's ground gas regime has been assessed as CS1 – low risk, where no ground gas protection measures are required in future buildings.*
166. The PRA and GQRA concludes that site is considered to present an overall low risk based on a proposed commercial land use.

167. The Council's Environmental Health Department and DAERA Regulation Unit Land and Groundwater Team were consulted. Environmental Health offer no objections subject to conditions to ensure that risks from land contamination are minimised, and to ensure that the development can be carried out safely without unacceptable risks to public health.
168. DAERA Regulation Unit commented that no significant risk to the water environment has been identified and they have no objections to the development provided conditions are placed on any planning permission.

### Consideration of Representations

169. 246 letters of objection were received. Consideration of the issues raised are set out below:

- Unnecessary due to other petrol stations and shops close by.

It has been considered at paragraphs 94-100 that planning policy in relation to petrol filling stations (PFS), Policy TC6 requires that there should be a clear need for the petrol station that cannot be catered for by an existing petrol station on the same transport route. There are no other petrol stations along the Ballymaconaghy Road. The proximity of other petrol stations and shops does not preclude new facilities provided there is a need for the facility. Supporting information submitted with the application has sufficiently demonstrated the need for the facility. It is considered that the proposal complies with Policy TC6 of the Plan Strategy and will provide shops, services and a community facility to serve local need in the surrounding existing housing and new housing developments approved.

- Impact on existing businesses in the area.

No evidence has been provided on how the proposal will impact existing businesses in the area and therefore this objection is afforded no determining weight.

- Bus terminus is needed.

It has been detailed at paragraphs 86 and 131 that the site is located on an existing bus turning circle and that a new route needs to be provided to enable bus services in the Ballymaconaghy Road area. The justification for the loss of the bus turning circle is that the housing development at Brooke Hall that is being considered in conjunction with this application would allow the spine road to be completed which would allow buses to travel from Ballymaconaghy Road through Brooke Hall and exit onto Saintfield Road therefore the bus terminus would no longer be required.

- Increased noise, light, odour pollution.

It has been detailed in paragraphs 116-123 that the proposal will not create conflict with the adjacent residential properties in terms of noise, odours and light. Several Noise Impact Assessments, Odour and Photometric reports have been submitted. Environmental Health were consulted and offer no objections subject to conditions which will be added to any approval to ensure the amenity of neighbouring dwellings is protected.

- Increased traffic congestion, cumulative impact on roads with all new housing developments, impact on road safety.

It has been considered in detail in the report that the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles. Upgrades are proposed to the Ballymaconaghy Road and Four Winds roundabout as a result of the new housing developments and this location for the PFS is a more acceptable location due to the road improvements and accessibility on Ballymaconaghy Road. DfI Roads was consulted and offers no objection to the proposal on the basis of road safety.

- Erode countryside

The site is not within the countryside. For the reasons set out in paragraphs 32-34 significant weight is attached to the post Inquiry revision of draft BMAP which recommended that the land surrounding this site be included within the settlement limit and zoned for housing. This advice was accepted by the Department for the Environment, and the land was zoned for housing under designation MCH 04/15.

- Large scale.

The proposal is not considered as large scale and is comparable to similar PFS sites. It has been considered in detail in the report that the proposal will have no adverse impacts on the surrounding character of the area as similar materials will be used in the buildings that are reflective of the area, landscaping will be provided around the boundaries of the site to soften the visual impact and aid integration and various plans and reports have been submitted to demonstrate that the proposal will have no adverse impact on residential amenity by reason of overlooking, overshadowing/loss of light, noise, light or odours. There will also be no likely significant adverse impacts on any natural heritage issues.

- Not sustainable, Government's intention to ban all petrol/diesel vehicles by 2030 – application is counter productive.

The proposal is considered as sustainable and will provide renewable energy technologies through EV charging points. It has not been confirmed that the government intend to ban petrol/diesel vehicles and therefore no weight can be given to this objection.

- Impact on wildlife.

It has been considered in detail at paragraphs 138-145 that the proposal is not likely to have an adverse impact on any designated site, protected or priority

species or habitat or features of natural heritage importance in accordance with policies NH1, NH2 and NH5 of the Plan Strategy.

- Risk to National Trust site.

The National Trust site (Lisnabreeny Rath) is located approx. 850 metres to the north-east of the site and therefore there will be no impact from this proposal on the rath.

- Anti-social behaviour.

It is considered that adequate surveillance of the site will be provided through the retail stores and lighting of the site. It is the responsibility of the owner of the site to ensure that there is no anti-social behaviour.

- Devaluation of property prices

This is not considered as a material planning consideration as property prices can fluctuate for many reasons beyond the remit of planning.

- Commercial interests against local community
- No community benefit – area needs playgrounds, greenspaces, recreation, community hall

It has been considered in the report that the proposal will serve the local community, and a community facility is included which will be available for a variety of community activities, such as a venue for local clubs and societies, parent and toddler groups etc.

Open space and playgrounds have been approved in the housing developments adjacent to the site under LA05/2018/0847/F, LA05/2019/0712/F as amended under LA05/2022/1170/F. Within the approved layout of LA05/2018/0847/F and the masterplan for the housing zoning the site was identified as a future neighbourhood centre.

The site layout for the housing development at Brooke Hall (LA05/2023/0534/F) that is being considered in conjunction with this application includes a play park and area of open space with picnic areas and seating which will provide a community focal point and the housing development approved adjacent to Brooke Hall under LA05/2015/0338/F also includes open space and playgrounds.

It is therefore considered that there will be sufficient areas of open space, playgrounds and community facilities in the area to serve the local community.

- Proposal will reduce size of back garden – road widening.

The road widening was approved under a separate application and does not form part of this proposal. The address on the letter is Laurelgrove Park which is on the opposite side of the Ballymaconaghy Road and is therefore not relevant to this application.

170. 39 letters of support were received which include that the proposal will enhance the local community, provide more choice of shops and services within walking distance, investment in local economy by providing jobs, encourage active travel.

## Conclusions

171. For the reasons outlined above, it is considered that the proposal complies with the local development plan designation including the operational policies associated with policies outlined in the preceding paragraphs of the report.
172. The recommendation to approve is subject to a Section 76 planning agreement to ensure the delivery of the Neighbourhood Centre and the completion of the spine road through Brooke Hall.

## Conditions

173. 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 3 months prior to works commencing on site, an updated badger survey shall be carried out by a competent ecologist and a report submitted to the Planning Authority detailing the results of the survey.

Reason: To protect badgers.

3. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure the proposal will not have an adverse effect on the integrity of any European site or the aquatic environment.

4. The drainage for the site must be constructed in line with the approved drainage plan Drawing No. 14B published to the Planning Register on 16 December 2024.

Reason: In order to decrease the risk of the incorrect diversion of contaminated water to drains carrying rain / surface water to a waterway.

5. All hard and soft landscape works shall be carried out in accordance with Drawing No. 04G published to the Planning Register on 15 October 2025 and the approved details. The works shall be carried out no later than the first available planting season after occupation of the first dwelling.

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

6. The existing natural screenings along the northern boundary of the site shall be retained unless removal is necessary to provide safe access to the site or to prevent danger to the public. If any retained tree or hedge is removed, dies, or is seriously damaged within 5 years from the date of the occupation of the first dwelling, another tree or hedge of a native species shall be planted during the next available planting season.

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

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

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

8. The treatment plant hereby permitted shall be decommissioned and the development connected to a public sewer within six months of the Council notifying the applicant that the wastewater treatment works has been upgraded, or within such extended period as the Council may agree in writing. The treatment plant shall be removed, and the land it occupied shall be reinstated in accordance with a scheme to be agreed in writing with the Council, within six months of the development being connected to a public sewer.

Reason: In interest of public health and the water environment.

9. The rated noise levels emanating from the proposal shall be in strict accordance with the Amended Noise Impact Assessment dated October 2023, including the sound power levels associated with external plant and equipment as indicated on Page 7 of the Amended Noise Impact Assessment.

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

10. Acoustic barriers shall be erected to a height and location as presented on approved Drawing No. 04G published to the Planning Register on 15 October 2025 prior to the operation of the site. All barriers should be constructed of a suitable material (with no gaps), should have a minimum

self-weight of at least 25 kg/m<sup>2</sup> and so retained thereafter as presented on approved Drawing No. 07B published to the Planning Register on 24 June 2024.

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

11. The hours of operation at the site shall not exceed 06:00 to 00:00.

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

12. During the operational phase of the development no activity which is likely to generate excessive noise shall be undertaken outside the following hours:

- No deliveries or waste collections shall be undertaken outside the hours of 07:00 to 21:00.
- Use of the kitchen extraction and ventilation system, jet wash, air/water/vacuum unit and compactor are restricted to between 07:00 to 23:00.
- Use of the AC units is restricted to between 06:00 to 00:00.

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

13. A three-stage filtration and extraction system with a high level of odour control shall be installed to reduce odour from all cooking outlets in line with the EMAQ document entitled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. The outlet from any such ducting shall be terminated at a height not less than 1m above eave height at a minimum discharge velocity of 10-15m/s. The three-stage filtration and extraction system should be adequately cleaned and maintained as per manufacturer's instructions and records made available to the Council upon request.

The system shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the Council.

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

14. Any artificial lighting to the development shall minimise obtrusive light and conform to the maximum values of vertical illuminance within the environmental zone for exterior lighting control – E3 (Suburban). These values are contained within Table 3 of the Institution of Lighting Professionals Guidance Note 01/21- The reduction of obtrusive light.

Reason: To protect the amenity of neighbouring dwellings with respect to obtrusive light.

15. In the event that previously unknown land contamination is discovered development on the site shall cease. The Council shall be advised and a full written risk assessment in line with current government guidance (DAERA, Environmental Advice for Planning, Practice Guide, Redeveloping Land

Affected by Contamination and the Environment Agencies LCRM) that details the nature of the risks and any necessary mitigation measures shall be submitted for approval by the Council.

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

16. To prevent possible blockages and flooding of adjacent properties any foul water from kitchens or food preparation areas shall pass through a fat and grease trap of adequate design before discharge to the public sewer network. The fat and grease trap shall be adequately cleaned and maintained as per manufacturer's instructions.

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

Site Location Plan – LA05/2023/0603/F



<p>REF: 2713 Henderson Group</p> <p>PROJECT: Retail Development and PFS, Ballymaconaghy Road</p>	<p>DATE: 2713-0-R-16-0001</p>	<p>SCALE: A2 1:2500</p> <p>DATE: MAY 23</p> <p>DESIGNER: AH</p> <p>APPROVED: HMC</p>	<p><b>RPP</b> ARCHITECTS</p>	<p>HEADQUARTERS: BELFAST 155-157 DONEGALL PASS BELFAST BT7 9DT T: 028 9024 9777 EMAIL: INFO@RPPARCHITECTS.CO.UK</p> <p>LIBRARY: 18 CLARENDON ST LISBURN BT26 7ET T: 028 736 2782 WEB: RPPARCHITECTS.CO.UK</p>
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**Lisburn & Castlereagh City Council**

Council/Committee	Planning Committee
Date of Committee	9 March 2026
Committee Interest	Local Application (Exceptions Apply)
Date of Application	04 July 2024
Proposal Description	Proposed dwelling & garage in substitution for that previously approved under application reference LA05/2022/1032/F
Location	Approximately 100 metres northeast of 23 Lisleen Road, Comber
Representations	None
Case Officer	Helen McGuinness
Recommendation	Approval

**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 as the application is subject to a Section 76 planning agreement.
2. It is recommended that planning permission is granted as the proposal is in accordance with the requirements of policies COU1 of Lisburn and Castlereagh City Council Plan Strategy 2032 in that the detailed layout and design of the proposed dwelling is acceptable in the countryside and will contribute to the aims of sustainable development.
3. The development will also integrate sympathetically with the surroundings and encompass an appropriate design, in accordance with Policy COU15.
4. The development will not cause a detrimental change to, or further erode the rural character of an area, and will also not have a detrimental impact on the amenity of existing residents in properties adjoining the site by reason of overlooking or dominance/ loss of light, in accordance with Policy COU16.
5. The proposal complies with policies NH2 and NH5 of the Plan Strategy in that the detail demonstrates that the development is not likely to harm a European protected species nor is it likely to result in the unacceptable adverse impact on, or

damage to known priority habitats, species or features of Natural Heritage Importance.

6. The proposal complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that access will not prejudice road safety or significantly inconvenience the flow of traffic.
7. The proposed development complies with policy tests set out in policy WM2 of the Plan Strategy in that the detail demonstrates that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.
8. The proposal complies with Policy RE2 as renewable technologies are incorporated into the design, and the scheme will be constructed in line with current NI Building Regulations and the DfC Design Standards which emphasises sustainable design and energy efficiency.

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

9. The site is an open agricultural field located on the eastern side of Lisleen Road, Comber. It is accessed via an existing laneway and at the time of inspection, it was noted that works had been carried out to form a dual access into the site.
10. Topography across the site is relatively level throughout.
11. The boundaries were observed as follows:
  - Northern boundary- partial conifer and partial deciduous tree line.
  - Eastern boundary- Mature hedging
  - Southern boundary- partial mature hedging and partial wooden post and wire fencing.
  - Western boundary- Access and mature hedging and treeline.
12. The site is located within a rural/agricultural landscape. To the north and south of the site large two storey properties and farms reside within the surrounding area.

#### **Proposed Development**

13. Full Planning permission is sought for a proposed dwelling & garage in substitution for that previously approved under application reference LA05/2022/1032/F.
14. Supporting documentation for the application includes:

- Biodiversity Checklist
- Design and Access Statement

### Relevant Planning History

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

Reference	Description	Location	Decision
LA05/2018/0824/O	One and a half storey farm dwelling, access, landscaping and associated site works	Land approximately 100m NE of 23 Lisleen Road, Comber	Permission Granted 18/10/2018
LA05/2019/0973/F	One and a half storey farm dwelling, access, landscaping and associated site works (in substitution for extant approval LA05/2018/0824/O.	Land approximately 100m NE of 23 Lisleen Road, Comber.	Permission Granted 03/12/2019
LA05/2022/1032/F	Proposed change of house type and attached garage in substitution for that previously approved under application reference LA05/2019/0973/F	Lands approximately 100m north east of 23 Lisleen Road Comber	Permission Granted 16/05/2023

16. The site has been subject to a number of previous applications, with outline planning permission having been granted for a farm dwelling and garage on 18 October 2018 under planning reference LA05/2018/0824/O. Full planning permission was subsequently granted for a dwelling on 03 December 2019 under reference LA05/2019/0973/F and an application for a change of house type LA05/2022/1032/F was then granted planning permission on 16 May 2023. This last permission allowed 5 years to commence the development and normally is a material consideration of significant weight as this can be implemented in full. The proposal is, however, for a dwelling on a site nearby. For this reason, the extant permission carries less weight.

17. The current application for a change of house type was submitted to the Council on the 28 June 2024 and the applicant submitted a Certificate of Lawfulness for an Existing Use (CLEUD) to provide evidence that development was commenced.

18. The agent in support of LA05/2024/0885/CLEUD stated that:

*'Building Control have no record of the foundation strip that has been excavated and laid on site. The Agent has stated that as the site still has the live application on it for another couple of years it wasn't deemed necessary to submit building control.*

*From carrying out a site inspection and comparing with the date stamped approved drawings, the footprint of the foundation strip appears to be in a similar location to that of the approved dwelling under Change of House Type application LAO5/2022/1032/F.*

*It is clear that the access and sightlines along the road frontage are in place at the time of the site visit. Therefore, I am content that Condition 2's pre commencement requirement to provide vehicular access has also been lawfully discharged.*

*It is my opinion the development has been lawfully commenced.'*

19. In certifying the CLEUD the Council accepted that the digging of trenches and implementing the access and sightlines along the roadside constitute development as per section 23 of the Planning Act (2011).

20. While a Certificate of Lawfulness for a Proposed Use (CLOPUD) was not submitted to protect the future development of the land a CLEUD is evidence that the development is commenced in accordance with the LAO5/2022/1032/F planning permission. The officer assessing the CLEUD stated:

*I am of the opinion that sufficient evidence has been submitted to substantiate that the building operations through the construction of foundations have been carried out in accordance with the relevant permission and therefore it would be lawful to continue with the proposed operations — Approve*

21. This application does not propose one of the acceptable types of residential development proposals set out in policies COU2 to COU10. The applicant has a lawful fallback position based on the CLEUD however which must be weighed in the balance against the principle of developing this land for a house.

## Consultations

22. The following consultations were carried out:

Consultee	Response
LCCC Environmental Health	No Objection
Dfl Roads	No Objection
NI Water	No Objection
NIEA Water Management Unit	No Objection
NIEA Natural Environment Division	No Objection

### Representations

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

### Local Development Plan

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

#### Plan Strategy 2032

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

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

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

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

26. In accordance with the transitional arrangements, the Local Development Plan is the Plan Strategy and the Belfast Urban Area Plan (BUAP). Draft BMAP remains a material consideration.
27. The site is located in the countryside, outside of any designated settlement limit in the BUAP. This location of the site in the open countryside remains unchanged in the last revision to draft BMAP.
28. New residential development is proposed in the open countryside. 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.*

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

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

30. Strategic policy for Strategic Policy 09- new housing in the countryside states that:

*The Plan will support development proposals that:*

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

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

### **Development in the Countryside**

32. This is an application for a single dwelling in the open countryside.

33. Policy COU1 – Development in the Countryside states:

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

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

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

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

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

34. This is an application for a new dwelling in the countryside and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU15 and COU16, in addition to other relevant policies.

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

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

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

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

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

#### Rural Character and other Criteria

36. Policy COU16 – Rural Character and other Criteria states.

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

*A new development proposal will be unacceptable where:*

- a) *it is unduly prominent in the landscape*
- b) *it is not sited to cluster with an established group of buildings*
- c) *it does not respect the traditional pattern of settlement exhibited in that area*
- d) *it mars the distinction between a settlement and the surrounding countryside, or otherwise results in urban sprawl*
- e) *it has an adverse impact on the rural character of the area*
- f) *it would adversely impact on residential amenities*
- g) *all necessary services, including the provision of non-mains sewerage, are not available or cannot be provided without significant adverse impact on the environment or character of the locality*
- h) *the impact of ancillary works (with the exception of necessary visibility splays) would have an adverse impact on rural character*
- i) *access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.'*

## **Waste Management**

### Treatment of Wastewater

37. A new septic tank is proposed. Policy WM2 - Treatment of Wastewater states:

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

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

## **Access and Transport**

### Access to Public Roads

38. A new access is proposed to a lane which connects the site to the public road. Policy TRA2 – Access to Public Roads states:

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

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

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

## **Natural Heritage**

### Species Protected by Law

39. A bio-diversity checklist is submitted with the application. Policy NH2- Species Protected by Law states.

#### *'European Protected Species*

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

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

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

#### *National Protected Species*

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

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

### Habitats, Species or Features of Natural Heritage Importance

40. Policy NH5 – Habitats, Species or Features of Natural Heritage Importance states.

*'Planning permission will only be granted for a development proposal which is*

*not likely to result in the unacceptable adverse impact on, or damage to known:*

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

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

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

### Renewable Energy

41. All proposals for new development must integrate renewable technology into their design. Policy RE2 Integrated Renewable Energy states:

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

## **Regional Policy and Guidance**

### Regional Policy

42. The SPPS Edition 2 was published in December 2025. 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.*

43. It is stated in paragraphs 1.10 and 1.11 of the SPPS that:

*A transitional period will be operational until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within the documents identified below together with the SPPS. Any relevant supplementary and best practice guidance will also continue to apply.*

*Where a council adopts its Plan Strategy, existing policy retained under the transitional arrangements shall cease to have effect in the district of that council and shall not be material from that date, whether the planning application has been received before or after that date.*

44. Paragraph 3.8 of the SPPS states:

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

45. Further to this, paragraph 6.232 states 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.*

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

47. The policies in the Plan Strategy have been drafted to be consistent with SPPS.

### ***Building on Tradition***

48. With regards to countryside development, Building on Tradition para 7.2.0 notes:

*A design should consider every aspect of a new or existing building, its site and setting in order to achieve a successful outcome that considers the wellbeing of the natural environment and responds to the needs of the client. Achieving quality outcomes is as much about the design process as the quality of the site and resources available.*

49. It also notes that:

- *Buildings should be sited in a sheltered area to take advantage of the potential for energy conservation and renewable energy generation within residential development. The orientation should incorporate the most frequently used rooms e.g. kitchen/living/dining and family rooms to the south side of the house*
- *Reduce the house to the minimum size required to meet day-to-day needs*
- *Make the shape of the house as compact as possible; the greater the volume of the building the more surface area it has to lose or gain, heat from*

- *Smaller windows should be used in north facing elevations. On the south elevation, larger windows will increase solar gain, but this has to be weighed against heat losses in the winter and a risk of overheating in the summer*
- *In order to reduce heat losses, unheated spaces such as conservatories, green houses and garages which are attached to the outside of heated rooms can act as thermal buffers, the temperature of the unheated space being warmer than that outside.*

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

50. The policies in PPS 3 are replaced by the Plan Strategy. However, the guidance in Development Control Advice Note 15 – Vehicular Access Standards is retained. It states (Paragraph 1.1):

*‘The Department’s Planning Policy Statement 3 “Development Control: Roads Considerations” (PPS3) refers to the Department’s standards for vehicular accesses. This Development Control Advice Note (DCAN) sets out and explains those standards.’*

## **Assessment**

### **Development in the Countryside**

#### Policy COU1 – Development in the Countryside

51. Policy COU1 states that the details of operational policies relating to acceptable residential development are set out in policies COU2 to COU10.
52. The application pertains to a proposed dwelling and garage in the countryside. Whilst it has been determined under previous applications that a dwelling and garage on this site is acceptable as a farm dwelling no information is supplied in support of the proposal as a farm dwelling nor has any supporting information been offered to demonstrate that the proposal meets any of the other forms of acceptable residential development specified under policies COU2 to COU10. There is no policy reason to grant planning permission for a new dwelling.
53. The applicant asks for the recent history of CLEUD to be weighed as material consideration. Given that it had been previously accepted by the Council that the development was lawfully commenced under LA05/2024/0885/CLEUD it is acknowledged that the applicant has a fallback position which is a material consideration given significant weight.
54. On this basis given that the principle for a new dwelling and garage has been established nearby, and the applicant proposes in substitution to sacrifice that permission it is accepted that there is no demonstrable harm in principle for granting a dwelling at this location. This is, however, subject to the policy tests of COU15 and COU16 and all other planning considerations being met.

#### Policy COU15 - Integration and Design of Buildings in the Countryside

55. The dwelling and integrated garage approved within the context of planning application LA05/2022/1032/F was designed to have a frontage of approximately 34 metres with a side elevation of approximately 31 metres. It had a maximum ridge height of 8.5 metres.
56. The roof was pitched and finishes included traditional blue black artificial slate, smooth render walls, with natural stone details around the attached garage, timber windows and doors with aluminium rainwater goods.
57. It was accepted that this design was typical of a simple rural form, with vertical emphasis to the windows and chimneys on the ridge. It was also 1.5-2 storey in appearance.
58. The design associated with the new house type provides for a smaller frontage of approximately 22 metres (a reduction of 12 metres), with a side elevation of 18 metres (a reduction of 13 metres). The ridge height is shown to be 8.5 metres in maximum height, therefore there is no change in this regard.
59. The design of the dwelling still incorporates a pitched roof form and windows with a vertical emphasis. One main difference between the previous scheme and proposed under this application is the garage is now detached and sited to the rear of the site.
60. The proposal shows the new dwelling and garage positioned closer to the road than the previously approved and lawfully commenced scheme.
61. Proposed materials include natural slate roof, a mix of white render, natural timber and natural stone walls. Windows and doors will be dark grey/black.
62. While the design and layout differ from the previous permission, the development continues to benefit from the site's established natural screening, and the topography of the land remains unchanged.
63. Furthermore, due to the revised orientation of the dwelling within the new design, officers consider that the perceived visual mass of the building is reduced when viewed while traversing the site. As a result, the revised proposal is not considered to generate a greater level of visual impact than the previously approved development. The proposal meets Criteria (a) of Policy COU15 and the guidance within Building on Tradition in relation to integrating with the landscape.
64. In terms of criteria (b), the approved dwelling was previously accepted as one that was visually linked or sited to cluster with an established group of buildings. It is therefore contented that the proposed dwelling would still cluster with existing dwellings/buildings located to the east and west of the application site. Criteria (b) of Policy COU15 is met.
65. Having regard for the existing mature hedging and trees that boarder the site, the relatively flat topography and the proposed dwelling will not be higher than the previously approved scheme, it is considered that the new house type will, as before, continue to blend with the landform, existing trees and other natural

features which provide a backdrop. The proposal meets Criteria (c) of Policy COU15 and the guidance within Building on Tradition.

66. Existing natural boundaries are to be retained. In addition, it is acknowledged that the existing roadside hedgerow and trees would also be retained. As assessed previously, it is contended that the application site is significantly enclosed and therefore there are limited views from Lisleen Road. Furthermore, it is not contended that the proposed scheme would rely primarily on the use of new landscaping for the purposes of integration, all new planting submitted would further integrate the new dwelling into the landscape. The proposal meets Criteria (d) and (e) of Policy COU15 and the guidance within Building on Tradition.
67. The dwelling and integrated garage approved within the context of planning application LA05/2022/1032/F was designed in two blocks with an integrated garage.
68. The roof was pitched and finishes included traditional blue black artificial slate, smooth render walls, with natural stone details around the attached garage, timber windows and doors with aluminium rainwater goods.
69. It was accepted that this design was typical of a simple rural form, with vertical emphasis to the windows and chimneys on the ridge. It was also 1.5- 2 storey in appearance across full scheme.
70. The design associated with the new house type provides a condensed two block footprint with a smaller frontage and side elevation. The maximum ridge height proposed remains the same as previously approved.
71. It is contended that the proposed dwelling, although would not exhibit simple rural form, has been designed to be of appropriate scaling and integrate appropriately within the landscape of the site.
72. The design of the dwelling still incorporates a pitched roof form and windows with a vertical emphasis. The proposal now includes a detached garage located at the rear of the site.
73. Proposed materials remain similar to the approved scheme including natural slate roof, a mix of white render, natural timber and natural stone walls. Windows and doors will be dark grey/black.
74. While the design differs from the previous permission, officers contend that the proposal does not significantly depart from the previously approved and lawfully implemented dwelling. The proposal meets Criteria (f) of Policy COU15 and the guidance within Building on Tradition.
75. With regards to proposed ancillary works, it is noted that the application incorporates vehicular access to the site from Lisleen Road. This access has been established via LA05/2024/0885/CLEUD. The lawful development certificate assessment states that:

*'It is clear that the access and sightlines along the road frontage are in place at the time of the site visit. Therefore, I am content that Condition 2's pre commencement requirement to provide the vehicular access has also been lawfully discharged. It is my opinion the development has been lawfully commenced.'*

76. The proposed site layout approved within the context of planning application LA05/2022/1032/F was designed to include a private laneway accessed via Lisleen Road leading eastwards to an area of hardstanding at the dwelling.
77. It is noted that access in this proposal would lead almost directly to an appropriately sized area of hardstanding which would accommodate the parking/turning of private vehicles within the application site. No ornate features have been proposed. It is considered that the features that aid with the integration of a dwelling on the application site would also aid with the integration of ancillary works.
78. Officers contend that the proposed ancillary works as shown on the proposed site layout plan do not significantly depart from the previously approved dwelling. The proposal meets Criteria (g) of Policy COU15 and the guidance within Building on Tradition.
79. Taking all of the above into account, it is considered that the proposal complies with Policy COU15 in that the design of the building is considered appropriate for the site and its locality.

#### Policy COU16 - Rural Character

80. As outlined previously, the proposed change of house type would incorporate significantly reduced frontage and side elevation. The proposed dwelling would incorporate a maximum ridge height of 8.5 metres, no higher than the previously approved and lawfully implemented scheme.
81. The design of the dwelling still incorporates a pitched roof form and windows with a vertical emphasis. The proposal will now incorporate a detached garage, and similar material finishes as the previously approved scheme.
82. While the design and layout differ from the previous permission, the development continues to benefit from the site's established natural screening, and the topography of the land remains unchanged
83. Furthermore, due to the revised orientation of the dwelling with the new design, officers consider that the perceived visual mass of the building is reduced when viewed while traversing the site. As a result, the revised proposal is not considered to generate a greater level of visual impact than the previously approved development. The proposal meets Criteria (a) of Policy COU16 and the guidance within Building on Tradition and will not be unduly prominent in the landscape.

84. In terms of criteria (b), the approved dwelling was previously accepted as one that was visually linked or sited to cluster with an established group of buildings. It is therefore contended that the proposed dwelling would still cluster with existing dwellings/buildings located to the east and south of the application site. Criteria (b) of Policy COU16 is met
85. With regards to Criteria (c), the approved dwelling was previously accepted as respecting the traditional pattern of settlement exhibited in the area. For the reasons outlined above, the site remains adequately concealed from public views by existing landscaping and the laneway. The new dwelling will maintain the same maximum height as the previously approved dwelling and incorporate a high-quality design. This proposal is considered to be consistent with the established pattern of settlement, similar in design, scale and sitting as the surrounding detached dwellings. The proposal meets Criteria (c) of Policy COU16 and the guidance within Building on Tradition.
86. The application site is located wholly within the open countryside, out with any designated settlement limit. It is not considered that the proposed scheme would mar the distinction between a settlement and the surrounding countryside, nor would it result in urban sprawl. The proposal meets Criteria (d) of Policy COU16 and the guidance within Building on Tradition.
87. Taking into consideration the proposed design as outlined above, it is contended that the proposal does not significantly depart from the previously approved and lawfully implemented dwelling. In addition, the proposed new dwelling will retain the existing natural screening of the site and also include enhancing planting. As such, the proposal meets Criteria (e) of Policy COU16 and the guidance within Building on Tradition in that the proposal will not have an adverse impact on the rural character of the area.
88. The proposed dwelling would be sited approximately 74 metres from the shared boundary with the nearest neighbouring property (No.23 Lisleen Road to the south). In addition, there are existing mature trees and hedging along the boundary to the south as well as an existing lane further separating the nearest neighbouring property from the application site. Given the scale, sitting and design of the proposed dwelling and the boundaries in situ, it is not considered that the proposal would result in an adverse impact on residential amenity through loss of outlook, overshadowing or loss of privacy to the neighbouring property of no. 23 Lisleen Road. As such, the proposal meets Criteria (f) of Policy COU15.
89. The proposal submitted indicates wastewater will be dealt with via soakaway and foul via septic tank. The proposed site layout indicates the septic tank to be located to the south of the site.
90. LCCC Environmental Health, NI Water and Water Management Unit were consulted as part of the processing of the application and subsequently responded with no concerns. Therefore, the necessary services can be provided without significant adverse impact on the environment or character of the area in line with criteria g) of Policy COU16.

91. As outlined previously, the application incorporates vehicular access to the site from Lisleen Road. This access has been established via LA05/2024/0885/CLEUD.
92. As discussed in paragraphs 75-78, the ancillary works as proposed do not significantly depart from that approved and lawfully implemented under the previous planning approval.
93. Furthermore, it is considered that the features that aid with the integration of a dwelling on the application site, would also aid with the integration of ancillary works. Officers therefore contend that the proposed ancillary works would not result in an adverse impact on rural character.
94. The proposal meets Criteria (h) of Policy COU16 and the guidance within Building on Tradition.
95. The application incorporates established vehicular access and visibility splays via Lisleen Road. The access and sightlines have been established as lawfully implemented via LA05/2024/0885/CLEUD.
96. The proposed change of house type submitted does not seek to alter access arrangements. In addition, DfI Roads were consulted as part of the processing of the application. In their consultation response of 9<sup>th</sup> August 2024, DfI Roads offer no objections. It is therefore considered that the proposal will comply with criteria (i) of Policy COU16.
97. Taking all of the above into account, it is contended that the proposed scheme would comply with Policy COU16.

### **Access and Transport**

#### Policy TRA2 - Access to Public Roads

98. The proposal includes a new vehicular access via Lisleen Road. There is no change in access arrangements from the earlier application.
99. DfI Roads were consulted as part of the processing of the application. In their consultation response of 9 August 2024, DfI Roads offer no objection to the proposal on the grounds of road safety or traffic progression. Based on a review of the planning history, observations from the site visit and taking account of the advice of DfI Roads, the officer is satisfied that the requirements of policy TRA2 are met.

### **Waste Management**

#### Policy WM2 – Treatment of Wastewater

100. The detail submitted with the application (Application Form and Plans) indicates that the source of water supply is to be from the Mains. Surface water is to be disposed of by soakaways, and foul sewage is to be disposed of via septic tank.

101. LCCC Environmental Health were consulted as part of the processing of the application. In their final consultation response, dated 24 July 2024, they offer no objection to the proposal.
102. Standing Advice from DAERA Water Management Unit is applicable to this form of development.
103. Consideration of flood risk is included as a criterion for assessment in Policy WM2. This proposal is not of sufficient scale to require the submission of a flood risk assessment and consent to discharge is required as a parallel consent process. Foul and storm discharge is normally through a soakaway designed to an appropriate standard. No flood risk is identified.
104. NI Water were also consulted as part of the processing of the application. In their final consultation response, they offer no objection to the proposal. Informatives would be included with any approval.
105. Based on a review of the information and advice received from consultees, the officer is satisfied that there are no concerns insofar as it relates to the treatment of Wastewater. The requirements of policy WM2 are met.

### **Natural Heritage**

#### Policy NH2 – Species Protected by Law

#### Policy NH5 - Habitats, Species or Features of Natural Heritage Importance

106. It is noted that the application site was not occupied by any buildings at the time of site inspection, and no demolition works are proposed.
107. It is further noted that the application site currently benefits from mature natural boundaries.
108. A Biodiversity checklist and extended ecological statement prepared by Flanagan Ecology in December 2025 was submitted as part of the application process.
109. The submitted ecological statement provides the following assessment:

*A Ground-Level Tree Assessment (GLTA) was carried out in order to identify if any trees present on site exhibited any Potential Roost Features (PRFs) which may be utilised by roosting bats. No individuals appeared to have any observable PRFs, therefore, all individuals are considered to hold negligible suitability for roosting bat potential overall.*

*There is no water courses present or near the site.*

*No mammal paths were observed on site. No evidence of foraging badgers or sett excavations was identified within site boundary, and no evidence of foraging otters or otter holts was identified within the site boundary.*

*The grassland and the boundary feature present on site may be utilised by various bird species for foraging and/or nesting opportunities. Species observed calling from within the site include Eurasian Magpies, Common Chaffinch, Eurasian Jackdaw, and European Robin. A singular bird nest was observed in the hawthorn hedgerow along the east of the site.*

*Provided that the current plans remain as stated, with no boundary vegetation being cleared, no further surveys are recommended at this time.*

110. From the information submitted, there does not appear to be any natural heritage feature or protected species impacted by the proposed development.

## **Renewable Energy**

### Policy RE2 Integrated Renewable Energy

111. The dwelling has been orientated to maximize solar gains, with the main glazing elements facing south and west.
112. The proposal will be subject to the latest revision of the building control regulations. This requires the applicant to incorporate low carbon technologies. The applicant can use permitted development rights to integrate renewable energy and low carbon technologies into the development once the dwelling is occupied.
113. For these reasons it is considered that the proposal is capable of meeting the requirements of policy RE2.

## **Consideration of Representations**

114. Not applicable

## **Conclusions and Recommendation**

115. It is recommended that planning permission is approved.

## **Conditions**

116. The following conditions as recommended:
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

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

2. The vehicular access, including any visibility splays and any forward sight distance, shall be provided in accordance with the approved Drawing No. 02 published 4 July 2024 on the Planning Portal, prior to the commencement of any other works or other development hereby permitted. The area within the visibility

splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved Site Layout Drawing No.02, published on the Public Planning Portal on 4 July 2024 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

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

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

6. All existing trees and screen planting on all boundaries, except where vehicular access is to be gained, shall be permanently retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing within 14 days. If any retained tree or hedge is removed, dies, or is seriously damaged within 5 years from the date of the occupation of the building, another tree or hedge of a native species shall be planted during the next planting season.

Reason: To ensure the continuity of amenities afforded by existing trees, and the provision, establishment and maintenance of a high standard of landscape and protection of biodiversity.

7. The scheme of planting as shown on the approved Drawing No. 02, published on the public planning portal on 4 July 2024, shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

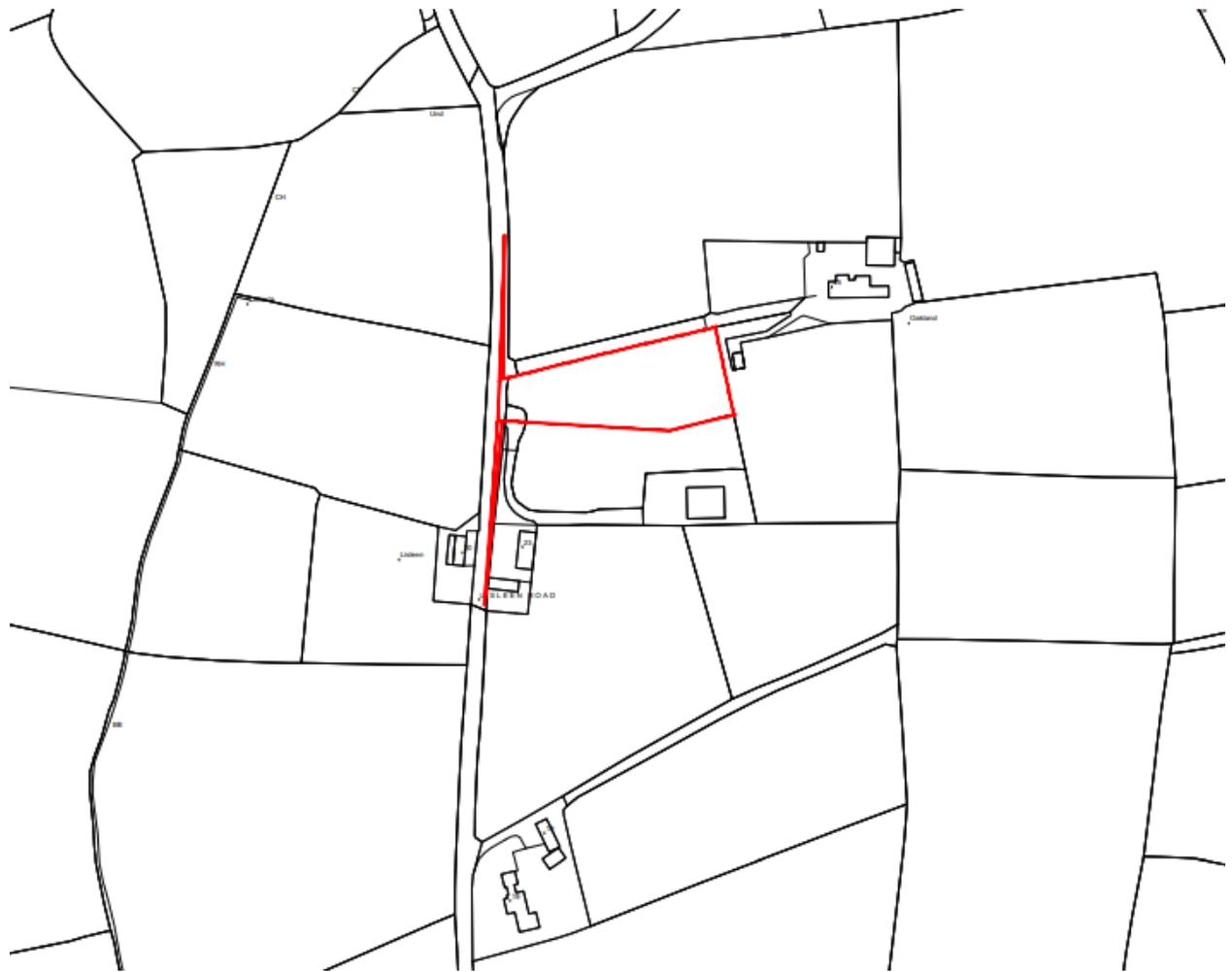
8. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The work shall be carried out prior to the occupation of any part of the dwelling.

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

9. The septic tank/sewage treatment unit shall be sited as indicated with suitable levels and adequate area of subsoil irrigation for the disposal of effluent (if appropriate). This comment is based on an assessment of potential nuisance and in no way does it negate the need to meet the requirements of the Water (Northern Ireland) Order 1999. Consent to discharge must be obtained from the Northern Ireland Environment Agency. The approved scheme shall be maintained for the life of the approved development.

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

### Site Location Plan – LA05/2024/0515/F



## Lisburn & Castlereagh City Council

Planning Committee Report	
Date of Committee	09 March 2026
Committee Interest	Council Interest
Application Reference	LA05/2025/0798/F
Date of Application	10 November 2025
Proposal Description	New synthetic sports pitch to include 6-metre-high ball stop fencing, 15-metre-high floodlighting columns with floodlights and new pedestrian entrance
Location	Carryduff Primary School, Killynure Road, Belfast, BT8 8EE
Representations	18 letters and one petition of support
Case Officer	Helen McGuinness
Recommendation	<b>Approval</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 submitted by the council and therefore has an interest in the proposal.
2. The proposal also meets the requirements of policy OS2, of the Plan Strategy as it has been demonstrated that the proposal will have no significant detrimental impact on amenity, character or biodiversity of the area.
3. The proposal also takes account of the needs of people with disabilities and is located in an accessible area. In addition, the proposal can safely handle any extra vehicular traffic the proposal may generate, and satisfactory arrangements are provided for site access, car parking, drainage and waste disposal.
4. The proposal also meets the requirements of policies OS3 and OS5 of the Plan Strategy as it has been demonstrated that there is no conflict, disturbance or nuisance caused to people living nearby. In addition, there is no conflict, disturbance or nuisance caused to the natural environment nor is any harm caused to nature conservation or the historic built environment.
5. The proposal also meets the requirements of policy OS5 of the Plan Strategy as it has been demonstrated that the proposed floodlighting will not adversely impact on the amenity of people living nearby, no adverse impact on the natural environment/nature conservation, visual amenity or character of the locality and public safety is not prejudiced.

6. In addition, the proposal satisfies the requirements of policies TRA1 of the Plan Strategy as the proposed pedestrian entrance onto Church Road will assist in creating an accessible environment.
7. The proposal complies with policies NH2 and NH5 of the Plan Strategy as it has been demonstrated that the development will not harm species or result in the unacceptable adverse impact on or damage to known priority habitats or features of natural heritage importance.
8. The proposal also complies with policies FLD2 and FLD3 as a Drainage Assessment was submitted which demonstrates that the proposed development will not impede the operational effectiveness of drainage infrastructure or hinder access for maintenance or be at risk of flooding or exacerbate flooding elsewhere.

## Description of Site and Surroundings

### Site

9. The site lies within the grounds of Carryduff Primary School, and the land is currently in use as a grass sports pitch.
10. The site can be accessed via the school entrance along Killynure Road to the east. An additional access was noted to the northwest corner of the site via Church Road.
11. The site topography is relatively level throughout.
12. During the site inspection, the boundaries are noted as follows.
  - North- mature treeline and metal fencing.
  - West- metal fencing
  - South- undefined, bordering existing mobile school units
  - East- undefined

### Surroundings

13. The surrounding area is mixed in use along Church Road with Carryduff Presbyterian Church opposite and the nearby Library and shopping centre. Residential properties are located to the southeast of the site, beyond the school grounds.

## Proposed Development

14. Full planning permission is sought for a new synthetic sports pitch to include 6m high ball stop fencing, 15-metre-high floodlighting columns with floodlights and new pedestrian entrance onto Church Road.

15. The application is also supported by a:

- Biodiversity Checklist and accompanying Ecological Statement
- Drainage Assessment

### Relevant Planning History

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

Reference Number	Description	Location	Decision
LA05/2019/0963/F	New synthetic sports pitch to include 5m high ball stop fencing with 10m high floodlighting columns.	Carryduff Primary School Killynure Road Carryduff	Permission Granted 20/11/2020

### Consultations

17. The following consultations were carried out:

Consultee	Response
NIEA Water Management Unit	No objection
LCCC Environmental Health	No objection
DFI Roads	No objection
DFI Rivers	No objection
LCCC Tree Officer	No objection
NI Water	No objection

### Representations

18. Eighteen letters of support were received and one petition of support with 36 names listed.

### Local Development Plan

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

### **Plan Strategy 2032**

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

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

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

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

21. In accordance with the transitional arrangements, the development plan is the Plan Strategy and Carryduff Local Plan. Draft BMAP remains a material consideration.
22. The site is situated within the Settlement Development Limit of Carryduff in the Carryduff Local Plan. This remains unchanged in draft BMAP. No other designation applies to the site.
23. As explained above, this application is for a proposed pitch for the use of the local community.
24. The following strategic policies in Part 1 of the Plan Strategy apply. Strategic Policy 01 Sustainable Development states that:  
  
*The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting balanced economic growth; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.*
25. Strategic Policy 06 Protecting and Enhancing the Environment states:

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

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

*The Plan will support development proposals that:*

- a) protect and enhance existing open space and provide new open space provision*
- b) support and protect a network of accessible green and blue infrastructure*
- c) support and promote the development of strategic and community greenways.*

27. The proposed development is a new synthetic sports pitch. The following operational policies in Part 2 of the Plan Strategy also apply.

### **Open Space**

28. Policy OS2 Intensive Sports Facilities

*Development of intensive sports facilities will only be permitted where these are located within settlements.*

*An exception may be permitted in the case of the development of a sports stadium where it meets all of the following criteria:*

- a) no alternative site within the settlement can accommodate the development*
- b) the proposed development site is located close to the edge of the settlement and can be clearly identified as being visually associated with the settlement*
- c) there is no adverse impact on the setting of the settlement*
- d) the scale of the development is in keeping with the size of the settlement.*

*In all cases, the development of intensive sports facilities will be required to meet all of the following criteria:*

- a) there is no unacceptable impact on amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated*
- b) there is no adverse impact on features of importance to nature conservation or the historic environment*
- c) buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment*
- d) the proposed facility takes into account needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to*

- walking, cycling and public transport*
- e) *the road network can safely handle the extra vehicular traffic the proposal will generate, and satisfactory arrangements are provided for site access, car parking, drainage and waste disposal.*
29. The laying of a synthetic surface and proposed floodlighting means the pitch can be used more frequently and in the evening. Policy OS3 Noise-Generating Sports and Outdoor Recreational Activities states:

*Proposals for the development of sport or outdoor recreational activities that generate high levels of noise will only be permitted where all the following criteria are met:*

- a) *there is no conflict, disturbance or nuisance caused to people living nearby or other noise sensitive uses*
- b) *there is no conflict, disturbance or nuisance caused to farm livestock and wildlife*
- c) *there is no conflict, disturbance or nuisance caused to the enjoyment of the natural environment/nature conservation and the historic environment.*
30. New floodlighting is proposed. Policy OS5 Floodlighting of Sports and Outdoor Recreational Facilities states:

*The Council will only permit the development of floodlighting associated with sports and outdoor recreational facilities where its design and operation meet all of the following criteria:*

- a) *there is no adverse impact on the amenity of people living nearby*
- b) *there is no adverse impact on the natural environment/nature conservation, visual amenity or character of the locality*
- c) *public safety is not prejudiced*

### **Natural Heritage**

31. The proposal includes floodlighting. A biodiversity checklist and ecological statement were submitted as part of this application.
32. A bio-diversity checklist and Ecological Statement are submitted with the application.
33. Policy NH2 Species Protected by Law states that:

#### *European Protected Species*

*Planning permission will only be granted for a development proposal that is not likely to harm a European protected species. In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:*

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

#### *National Protected Species*

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

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

#### **Habitats, Species or Features of Natural Heritage Importance**

34. It is further stated at policy NH5 Habitats, Species or Features of Natural Heritage Importance that:

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

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

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

#### **Access and Transport**

35. The proposal involves the construction of a new pedestrian access and floodlighting.
36. Policy TRA1 – Creating an Accessible Environment states:

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

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

*Public buildings will only be permitted where they are designed to provide suitable access for customers, visitors and employees. Access to existing buildings and their surroundings should be improved as opportunities arise through alterations, extensions and changes of use.*

*Submission of a Transport Assessment Form (TAF)32 and a Design and Access Statement may also be required to accompanying development proposals.*

### **Flooding**

- 37. The proposal has the potential to impact on flooding and drainage.
- 38. Policy FLD2 Protection of Flood Defence and Drainage Infrastructure states:

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

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

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

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

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

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

*A development requiring a DA will be permitted where it is demonstrated through the DA that adequate measures will be put in place so as to effectively*

*mitigate the flood risk to the proposed development and from the development elsewhere. If a DA is not required, but there is potential for surface water flooding as shown on the surface water layout of DfI Flood Maps NI, it remains the responsibility of the developer to mitigate the effects of flooding and drainage as a result of the development.*

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

*The justification and amplification section states:*

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

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

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

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

### **Renewable Energy**

40. All proposals for new development must consider how low carbon energy technologies can be incorporated into the scheme. Policy RE2 Integrated Renewable Energy states that:

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

## **Regional Policy and Guidance**

### Regional Policy

41. The SPPS Edition 2 was published in December 2025. 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.*

42. It is stated a paragraph 1.10 and 1.11 of the SPPS that:

*A transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within the documents identified below together with the SPPS. Any relevant supplementary and best practice guidance will also continue to apply.*

*Where a council adopts its Plan Strategy, existing policy retained under the transitional arrangements shall cease to have effect in the district of that council and shall not be material from that date, whether the planning application has been received before or after that date.*

43. The operational policies in Part 2 of the Plan Strategy are considered to take precedence over the retained suite planning policy statements and of determining weight in the assessment of this planning application.
44. 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.
45. It states that:

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

46. 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*

47. 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.

48. 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.*

49. 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.

50. Paragraph 6.174 of the SPPS states that:

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

51. Paragraph 6.182 of the SPPS further states that:

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

52. Paragraph 6.198 of the SPPS states that:

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

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

54. Paragraph 6.213 of the SPPS states that:

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

55. It also advises that:

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

56. 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.*

57. Further to this, paragraph 6.232 states 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.*

58. There are no implications for this proposal following the publication of the SPPS Edition 2, only paragraph 6.232 is new and the need for integrated renewable energy was taken account of in the preparation of policy within the LDP Plan Strategy. Requirements of policy RE2 are considered later in the report.
59. The policies in the Plan Strategy (as modified) have been drafted to be consistent with the SPPS.

## Assessment

60. The proposal seeks to provide a new synthetic pitch, ball stop fencing, floodlighting and new pedestrian entrance at Carryduff Primary school.
61. The proposed site layout plan drawing 03 depicts 35 metres by 55 metres rectangular pitch adjacent Carryduff Primary School.
62. The proposed site layout plan 03 illustrates proposed landscaping detail, synthetic grass area and position of floodlighting columns and mesh fencing.
63. A cross section of composition of pitch is provided in the Drainage Assessment illustrating that the pitch will be permeable in nature and that the proposal does not seek to create a new hardstanding area.
64. Proposed plan 05 illustrates; 6-metre-high ball stop mesh fence and 15 metre flood lighting columns. The proposed materials and finish colour have been annotated on the drawing.

### **OS2 Intensive Sports Facilities Development of Intensive Sports Facilities**

65. As stated previously, the application site lies within the settlement limits of Carryduff and relates to an application for a synthetic sports pitch, as such criteria a) to d) in the first section of policy OS2 relating to sports stadia are not engaged.
66. The proposal will be located on land currently used as a grass playing field within the established school grounds.

67. The applicant has stipulated that the pitch will be operated between 9am-10pm seven days a week, therefore providing an appropriate level of control over the activity of the site.
68. In addition, any potential impact resulting from light pollution can be satisfactorily mitigated by the requirement for the applicant to submit a detailed lighting plan in accordance with relevant guidance provided by Environmental Health.
69. Furthermore, the proposal will maintain adequate separation distances from the nearest neighbouring property, with a minimum distance of approximately 29 metres from the site to the closest properties at Killynure Way.
70. Taking into consideration the proposed scale, nature and frequency of sporting activities proposed, it is not anticipated that the development will result in an unacceptable impact on neighbouring residential amenity. Criterion a) of the second part of policy OS2 has been met.
71. The site is not located or in proximity to any historic or environmental designated sites or listed buildings.
72. In addition, following a review of the supporting ecological information submitted, no concerns were raised with regards to nature conservation, no further surveys were required. It is therefore considered that criterion b) of the second part of policy OS2 has been met.
73. No buildings or structures are proposed, therefore criteria c) of the second part of policy OS2 is not engaged.
74. The proposed development is located within the grounds of the existing school and considered to be of a high-quality, accessible location to service all levels of users' mobility.
75. Furthermore, DfI Roads were consulted and offered no objection to the proposal. It is considered that criterion d) of the second part of policy OS2 has been met.
76. The site has a long-established use as a grass sports pitch within the existing school grounds. The proposal seeks to upgrade this to a synthetic playing surface, as such, it can be used more often throughout the year and for longer into the evening. The proposal does not represent an intensification of the established use as there is still only one pitch that can be booked.
77. In addition, the proposal is located within an accessible area with a bus stop located directly adjacent to the site along Church Road and unrestricted parking along Church Road.
78. DfI Roads were also consulted and offered no objection to the proposal.

79. It is therefore considered that the proposal will not give rise to any additional pressures on the surrounding road network, car parking and site access that could compromise road safety.
80. The applicant has also illustrated in the proposed plans that the proposed development of a synthetic pitch does not constitute an area of hardstanding. A supporting drainage assessment has also been submitted. Following a consultation with DfI Rivers and subject to a satisfactory maintenance and management procedure, it is considered that the proposal complies with criterion e).

### **OS3 Noise-Generating Sports and Outdoor Recreational Activities**

81. The proposal seeks to replace the existing grass sports field and is associated with the school grounds. Environmental Health has been consulted in relation to disturbance or nuisance and noise and offered no objections. Criterion a) is met.
82. A Biodiversity checklist was submitted as part of the processing of the application. The checklist concluded that no further surveys are required and no adverse impact on wildlife. Following DAERA Natural Environment Division checklist flowchart no consultation with NED is required. Criterion b) is met.
83. The Council's Tree Officer was consulted and offered no objections.
84. There is no conflict, disturbance or nuisance caused to the enjoyment of the natural environment/nature conservation and the historic environment by the proposal. Criterion c) is met.

### **OS5 Floodlighting of Sports and Outdoor Recreational Facilities**

85. The proposal includes floodlights mounted on 15 metre lighting columns located at intervals around the main pitch as identified on the proposed site plan 03. Plan 05 indicates the lights to be tilted towards the pitch.
86. In a response from Environmental Health dated 24 February 2026 it is stated that:

*Environmental Health note that a Lighting Consultant will be engaged. Any artificial lighting to the development must minimise obtrusive light and conform to the requirements of the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 (Suburban) contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.*

87. Any potential impact resulting from light pollution can be satisfactorily mitigated by the requirement for the applicant to submit a detailed lighting plan in accordance with relevant guidance provided by Environmental Health Officers.

88. Furthermore, due to the scale and nature of the development, it is advised that the proposal will not result in an adverse impact on the visual amenity or character of the locality.
89. As mentioned previously, DfI Roads were consulted and offered no objection. No evidence is presented to indicate that the operation of the floodlights will prejudice road safety.
90. For the reasons detailed in the preceding paragraphs it is advised that the proposal complies with the requirements set out in Policy OS5.

### **Parking & Access**

#### **Policy TRA1 - Creating an Accessible Environment**

91. The proposed development is located within the grounds of the existing school and considered to be of high-quality accessible design to service all levels of users' mobility.
92. Furthermore, DfI Roads were consulted in the lifetime of the application and offered no objection to the proposal
93. It is therefore contended that the proposal will create an accessible environment as the siteworks are designed to provide level access to the site and footpaths within the site linking to surrounding area to provide unhindered and priority access to pedestrians.
94. As mentioned previously, the application site is accessed via Church Road which currently benefits from unrestricted parking. No additional parking is proposed in this development. As such, criteria d) is not engaged.
95. It is considered that the development as proposed is in accordance with the requirements of policy TRA1 of the Plan Strategy.

### **Flooding**

#### **Policy FLD2-Protection of Flood Defence and Drainage Infrastructure Policy FLD3- Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains**

96. The proposal is within the settlement of Carryduff and proposes to dispose of surface water via an existing culverted watercourse.
97. The application was accompanied by consent to discharge which is consented by DfI Rivers who deemed that the total maximum discharge of 2.0 l/s presented no risk to the effectiveness of the river for drainage purposes.
98. The Flood Maps (NI) indicates that the development does not lie within the 1 in

- 100-year fluvial flood plain including the most up to date allowance for climate change.
99. DfI Rivers have indicated that historical maps indicate that the site is traversed from south to north-west by an undesignated culverted watercourse. As such, have indicated that a working strip is maintained.
100. It is therefore contended that the proposal would not impede the operational effectiveness of flood defence and drainage infrastructure or hinder access for maintenance.
101. The application was accompanied by a Drainage Assessment as it is proposed to divert the surface water run-off from the pitch to a watercourse which may adversely impact on other development or features of importance to nature conservation, archaeology or historic environment features.
102. DfI Rivers was consulted and offered no objection to the proposal subject to a satisfactory Maintenance and Management Plan to further mitigate any potential flooding issues. A Schedule 6 consent is agreed to ensure that the run-off is at greenfield rates to mitigate any adverse impact on other development.
103. It is considered that the submitted plans showing the proposed ground works in combination with the Drainage Assessment demonstrate the proposals resilience to flooding in consultation with DfI Rivers and NIEA – Water Management Unit, who offered no objection. The proposal is considered for the reasons set out in the preceding paragraphs to comply with policies FLD2 and FLD3 of the Plan Strategy.

## **Natural Heritage**

### **NH2 Species Protected by Law**

### **NH5 Habitats, Species or Features of Natural Heritage Importance**

104. A biodiversity checklist has been submitted as part of this application along with an accompanying ecological statement prepared by MCL Consulting. It is a requirement of policy OS2 that there is no significant detriment to nature conservation of the site because of the development.
105. The ecological statement provides the following information:

#### *Habitats and Flora*

*The site red line boundary consists solely of amenity grassland in the form of an existing sports pitch, with a small area of hardstanding in the form of access road within the school grounds. Several species were identified within the grassland including dandelion, creeping buttercup, common daisy, white clover and bramble. A treeline of mature poplar trees also runs along the Northern and Eastern boundary of the site, with these trees being retained.*

### *Protected and Notable Species*

*A systematic search was carried out for evidence of site potential, and up to 30m beyond, to support protected mammal species such as badger (*Meles meles*), bats (*Chiroptera spp.*), otter (*Lutra lutra*), pine martin (*Martes martes*) and red squirrel (*Sciurus vulgaris*). Other protected species included within the search are smooth newt (*Lissotriton vulgaris*), common lizard (*Zootoca vivipara*) breeding and nesting birds, Lepidoptera species and listed plant species.*

*There was no evidence of protected or notable species of plants or animals found on site at the time of survey.*

### *Birds*

*Trees, hedgerows, and scrub are of importance to breeding and nesting birds. Removal/trimming of hedgerows, trees and scrub during the breeding season will negatively impact nesting birds. This is in direct violation of Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence. Should any tree felling, hedgerow removal and/or scrub clearance be required, it should be kept to a minimum and undertaken outside of the breeding season (1st March – 31st August).*

### *Lighting*

*To mitigate the potential impact of lighting on any flora/fauna which may be present on-site during/post-construction, several measures should be considered:*

- Install lamps with the lowest permissible density.*
- Lamps should be positioned to direct light to avoid upward spill onto any green corridors (adjacent hedgerows/scrubland) that could be used by commuting bats or features with bat roost potential.*
- LED lighting – with no/low UV component is recommended.*
- Lights with a warm colour temperature – 3000k or 2700k have significantly less impact on bats.*
- The use of timers and dimmers is recommended to avoid lighting areas of the site all night.*

106. As mentioned above, any potential impact resulting from light pollution can be satisfactorily mitigated by the requirement for the applicant to submit a detailed lighting plan in accordance with relevant guidance provided by Environmental Health.
107. In addition, the proposed site plan indicates the retention of the treeline to the northern boundary. There is no adverse impact to the landscape features within the site.
108. It is considered based on a review of the submitted information that the policy requirements of NH2 and NH5 are met, and the proposal will not likely harm

any protected species or result in the unacceptable adverse impact on or damage to known priority habitats, species or features of natural heritage importance.

### **Integrated Renewable Energy**

#### Policy RE2 Integrated Renewable Energy

109. This proposal is for a new synthetic sports pitch, 6m high ball stop fencing, 15m high floodlighting columns with floodlights and new pedestrian entrance.
110. The proposal requires a detailed lighting plan to be submitted at the detailed design stage. This will allow the incorporation of appropriate energy-efficiency measures and standards for the most impactful part of the development from a renewable energy perspective.
111. For these reasons it is considered that the proposal can meet the requirements of Policy RE2 and the requirements of the paragraph 6.232 of the SPPS2.

### **Consideration of Representations**

112. No objections were received and the letters and petition of support highlight the following.
  - The proposal is a welcome community need for Carryduff and surrounding area.
  - Represents a well-managed space for sport, recreation and will support physical wellbeing
  - The proposal is consistent with both regional and local policy.
  - The proposal represents a shared community asset.
  - The proposal will support mental and physical wellbeing.
  - The proposal is needed in the area with local populations rising and will deliver lasting benefits to the local community.
  - The proposal represents a safe and modern facility catering to the school and wider community,
  - The proposal will create opportunities for young people and adults to engage in healthy, structured sport close to home.
  - The proposal will encourage community cohesion through shared, safe spaces.
113. The submitted supporting petition registered 36 signatures.

### **Conclusions and Recommendation**

114. For the reasons outlined above, the recommendation is to approve planning permission as the proposal is in accordance with the requirements of policies detailed in the preceding paragraphs of the report.

**Conditions**

115. 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. Prior to any work commencing on site, all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed and in accordance with the British Standard 5837: 2012 (section 6.2) and must be in place before any materials or machinery are brought onto site. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

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

3. All trees and planting within the site shall be retained as shown on the Proposed Site Plan (Drawing no. 03 published on the Portal 10<sup>th</sup> November 2025). Any retained trees or planting indicated on the approved drawings which die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

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

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

5. The premises shall not be in operation outside the hours of 09:00- 22:00 Monday to Sunday.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

6. The development shall be carried out in accordance with the proposed site plan 03, published to the planning register 10<sup>th</sup> November 2025.

Reason: To ensure the development is carried out in accordance with the approved plans.

7. Prior to the commencement of development, a Lighting Plan shall be submitted to and approved in writing by the Council specifying the maximum

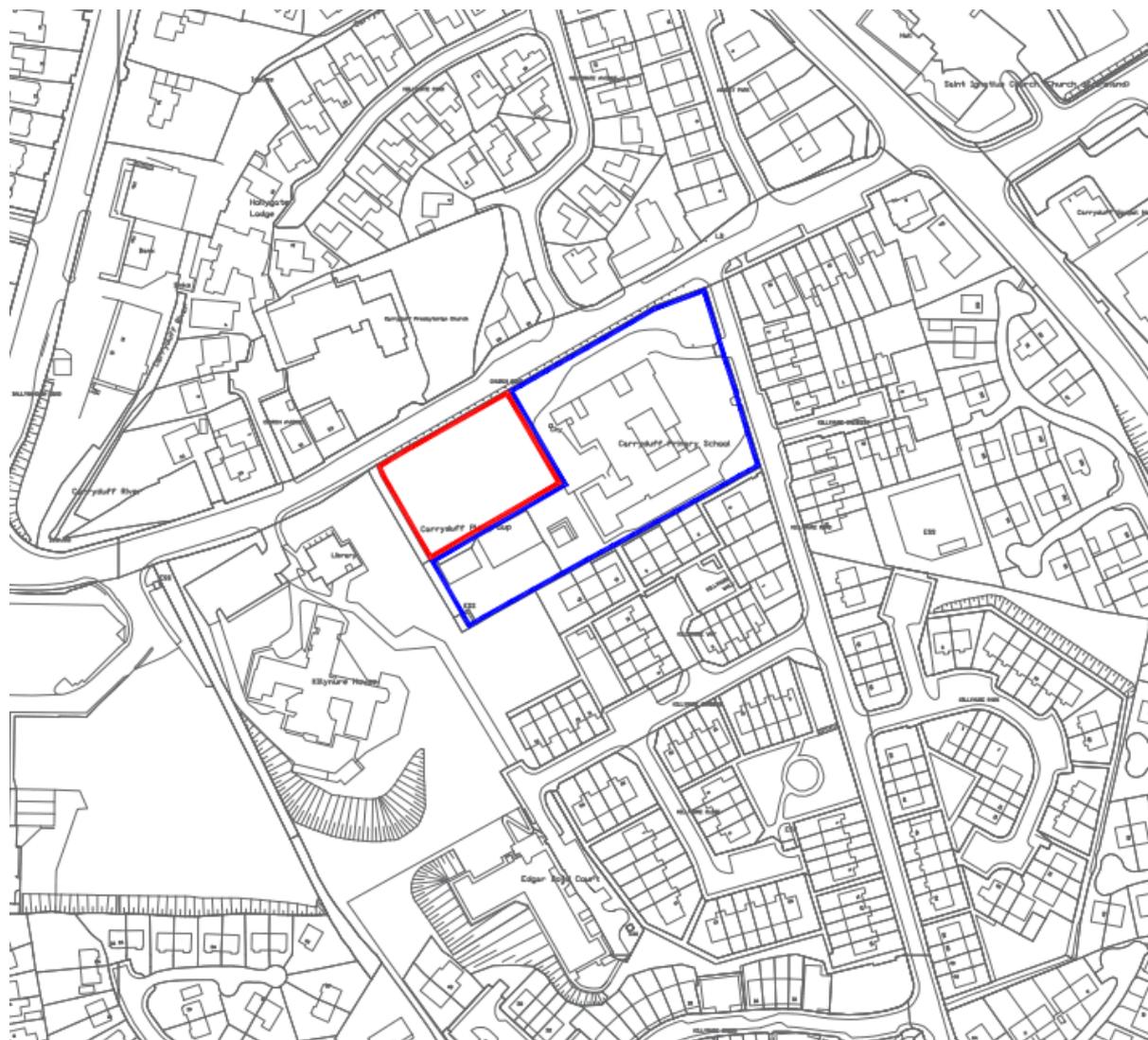
level of illumination and conform with the requirements of the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 (Suburban) contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 or as revised. The floodlighting shall be installed in accordance with the agreed specification.

Reason: In the interest of nature conservation, residential amenity, road safety and the convenience of road users.

8. Prior to the commencement of development, a management and maintenance plan of the drainage system shall be submitted to and agreed with the Council in writing and implemented as agreed.

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

### Site Location Plan – LA05/2025/0798/F



<b>Committee:</b>	Planning Committee
<b>Date:</b>	09 March 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 2 – Statutory Performance Indicators – January 2025

## 1.0 **Background**

1. The Planning Act (Northern Ireland) 2011 sets out the legislative framework for development management in NI and provides that, from 1 April 2015, Councils now largely have responsibility for this planning function.
2. The Department continues to have responsibility for the provision and publication of official statistics relating to the overall development management function, including enforcement. The quarterly and annual reports provide the Northern Ireland headline results split by District Council. This data provides Councils with information on their own performance in order to meet their own reporting obligations under the Local Government Act (Northern Ireland) 2014.

### **Key Issues**

1. The Department for Infrastructure has provided the Council with monthly monitoring information against the three statutory indicators. A sheet is attached (see Appendix) summarising the position for each indicator for the month of January 2026.
2. This data is unvalidated management information. The data has been provided for internal monitoring purposes only. They are not validated official statistics and should not be publicly quoted as such.
3. Members will note that the performance against the statutory target for local applications for January 2026 was 22 weeks. This is another month that the processing times for local applications was below 30 weeks and evidence that the focus on reducing the number of older planning applications is continuing to be reflected in the average number of weeks taken to process applications. Our performance in year to date is 31.6 weeks.
4. Members will note that the performance against the statutory target for Major applications for January 2026 was 84.2 weeks, more major applications are processed this year than received. Our performance in year to date is 62.4 weeks.
5. Enforcement is reported separately on a quarterly basis but for completeness Members are advised that the Council remains on target to achieve the statutory target of processing 70% of cases within 39 weeks. In January 78.6% of cases were decided in 39 weeks.

2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that the Committee notes the information in relation to the January 2026 Statutory Performance Indicators.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance or resource implications.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
4.1	<p>Has an equality and good relations screening been carried out?</p>	<p>No</p>
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out</p> <p>This is a report outlining progress against statutory targets and EQIA is not required.</p>	
4.3	<p>Has a Rural Needs Impact Assessment (RNIA) been completed?</p>	<p>No</p>
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out.</p> <p>This is a report outlining progress against statutory targets and RNIA is not required.</p> <p>.</p>	

<p><b>Appendices:</b></p>	<p>Appendix 2 – Statutory Performance Indicators – January 2026</p>
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**Statutory targets monthly update - January 2026 (unvalidated management information)**  
**Lisburn and Castlereagh**

Major applications (target of 30 weeks)					Local applications (target of 15 weeks)				Cases concluded (target of 39 weeks)			
	Number received	Number decided/ withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 30 weeks	Number received	Number decided/ withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 15 weeks	Number opened	Number brought to conclusion <sup>3</sup>	"70%" conclusion time <sup>3</sup>	% of cases concluded within 39 weeks
April	1	1	27.4	100.0%	50	81	47.6	17.3%	29	13	96.2	38.5%
May	3	2	119.2	50.0%	40	59	56.6	20.3%	20	17	86.0	52.9%
June	1	2	76.6	50.0%	59	85	42.2	24.7%	25	21	20.2	81.0%
July	0	0	0.0	-	50	69	25.6	23.2%	13	21	27.4	76.2%
August	0	1	62.4	0.0%	61	52	27.5	23.1%	15	13	45.4	69.2%
September	0	0	0.0	-	43	69	25.6	34.8%	18	27	73.0	55.6%
October	1	0	0.0	-	49	70	19.4	31.4%	18	30	51.4	60.0%
November	0	0	0.0	-	59	69	33.8	23.2%	20	15	41.6	66.7%
December	1	0	0.0	-	55	26	16.0	46.2%	17	24	54.5	58.3%
January	0	1	84.2	0.0%	51	63	22.0	42.9%	33	28	35.3	78.6%
February												
March												
<b>Year to date</b>	<b>7</b>	<b>7</b>	<b>62.4</b>	<b>42.9%</b>	<b>517</b>	<b>643</b>	<b>31.6</b>	<b>27.4%</b>	<b>208</b>	<b>209</b>	<b>50.2</b>	<b>64.6%</b>

Source: NI Planning Portal

**Notes:**

1. DCs, CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures

2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".

3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.

<b>Committee:</b>	Planning Committee
<b>Date:</b>	09 March 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 3 – Appeal Decision – LA05/2021/1253/F

## 1.0 **Background**

1. An application for the retention of existing cattle shed and machinery and straw storage shed (replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works on lands to the rear of 28 Moss Road, Drumbo was refused planning permission on 28 July 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 25 September 2025.
3. The procedure followed in this instance was an informal hearing held on 15 January 2026.
4. The main issues in the appeal relate to whether the proposed development would be acceptable in principle, is necessary for the efficient use of the agricultural holding, and would adversely impact on the residential amenity of a nearby resident because of noise, odour and pollution.
5. In a decision received on 02 February 2026 the Commission confirmed that the appeal was allowed and planning permission granted subject to conditions.

### **Key Issues**

6. The key issues identified in this appeal were the:
  - principle of development (is the development necessary for the efficient use of the agricultural holding)
  - impact of development's associated use on adjoining residential amenity
7. Information included in the appellant's statement of case provided clarification on the livestock numbers and additional clarification on how the impact of noise, odour, and pests could be managed by a management plan.
8. The Council accepted that the information did not raise new issues at appeal and accepted inclusion of additional information as appeal evidence.
9. Criteria (b) of Policy COU 12 requires applicants to demonstrate that development is necessary for the efficient use of the agricultural holding.
10. All the parties agreed the subject shed was located on the footprint of a former shed which was historically used for the keeping of livestock associated with the

identified farm business. Regarding assessment as to whether the shed is necessary for the efficient operation of the agricultural holding the Commissioner clarified that the previous use of 'former buildings' is not a policy test within policy COU12. This proposal must be considered on its own merits.

11. Following the exchange of evidence and the clarification offered by the appellant in respect of the livestock numbers, redevelopment potential and building capacity within the existing agricultural unit, the Council withdrew its refusal reason and accepted that it had now been demonstrated that criteria (b) of Policy COU12 had been met.
12. Criterion (f) of Policy COU12 requires that the development will not result in detrimental impact on amenity of residential dwellings outside the holding or enterprise, including potential problems arising from noise, smell and pollution.
13. The Council, in the absence of robust assessment and having regard to the third-party's concerns in relation to odour, noise and pests, had taken a precautionary approach in refusing planning permission. The impact of the development on the amenity of the residents in the closest neighbouring property had not been properly quantified.
14. The additional clarification offered at the appeal in the submission of updated air quality, noise and odour assessments was tested at the appeal.
15. The Commissioner commented that the Council's reliance of Part 7 of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (the Order) was deemed not to be justified as reference to a '75 m Class A restriction, in the interests of protecting third party residential amenity' is not mentioned within the wording of policy COU12.
16. The Commissioner further concluded that, in the absence of cogent or counter evidence from the Council or third party, accepted that there was no significant harm to the amenity of the neighbouring resident subject to restrictions on use throughout the year and related planning conditions for monitoring the use.
17. The appeal decision is important in that it highlights the need for noise, odour and air quality assessments to be available at the earliest stage of an application process to allow officers to carefully consider the evidential context in assessing the impact of this type of development on the amenity of neighbouring residents.
18. The 75-metre separation distance detailed in Part 7 class A should not be construed as a restriction of agricultural building being sited closer to dwellings not on a farm. They can be closer than 75 metres if the evidence supports this.

2.0

### **Recommendation**

It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.

3.0

### **Finance and Resource Implications**

No cost claim was lodged by any party in this instance.

4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out</p> <p>This is a report updating the committee on a decision by the PAC and EQIA is not required.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out.</p> <p>This is a report updating the committee on a decision by the PAC and RNIA is not required.</p>	

<b>Appendices:</b>	Appendix 3 – Appeal Decision – LA05/2021/1253/F
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Our reference: **2025/A0069**  
Authority  
reference: **LA05/2021/1253/F**  
2 February 2026

Lisburn & Castlereagh City Council  
Local Planning Office

*By Email*

Dear Sir / Madam

**Re:**

**Appellant name: Mr. Brian Trimble**

**Description: Retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works**

**Location: Lands to rear of no 28 Moss Road, Drumbo, Lisburn**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Robert Reilly  
PACWAC Admin Team



# Appeal Decision

Planning Appeals Commission  
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E: info@pacni.gov.uk

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Appeal Reference:	2025/A0069
Appeal by:	Mr Brian Trimble
Appeal against:	Refusal of full planning permission
Proposed Development:	Retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works.
Location:	Lands to the rear of no. 28 Moss Road, Drumbo, Lisburn
Planning Authority:	Lisburn and Castlereagh City Council
Application Reference:	LA05/2021/1253/F
Procedure:	Hearing on 15 <sup>th</sup> January 2026
Decision by:	Commissioner Gareth McCallion, 2 <sup>nd</sup> February 2026

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## Decision

1. The appeal is allowed, and full planning permission is granted subject to conditions.

## Preliminary Matter

2. Section 59(1) of the Planning Act (Northern Ireland) 2011 (the Act) states that a party to the proceedings is not to raise any matter which was not before the council at the time the decision appealed against was made unless that party can demonstrate to the satisfaction of the Commission: (a) that the matter could not have been raised before that time: and (b) that it not being raised before that time was a consequence of exceptional circumstances. Section 59(2) goes on to say that nothing in subsection (1) affects any requirement or entitlement to have regard to (a) the provisions of the local development plan, or (b) any other material consideration.
3. At the hearing, there was brief discussions about whether evidence on livestock numbers, noise, odours, and a pest management plan submitted by the Appellant could be accepted by the Commission. The Council advised this information was not available when the planning application was decided. However, the Council agreed the evidence addressed issues already before it and considered during the processing of the planning application. They confirmed that the evidence did not

raise new matters at appeal. Thus, after reviewing the material, the Council withdrew its objection to its inclusion as appeal evidence.

4. Given all parties had the same time to review this information following the exchange of evidence and had an opportunity to comment, no prejudice arises. Therefore, the information is admissible and will be considered.

## Reasons

5. The main issues relate to whether the proposed development:
  - would be acceptable in principle;
  - is necessary for the efficient use of the agricultural holding; and
  - would adversely impact on residential amenity.
6. Section 45(1) of the Act requires that in dealing with an appeal, regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act requires that where, in making any determination under this Act, regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
7. The Council's adopted Plan Strategy (PS) provides the strategic policy framework for the plan area. In accordance with the transitional arrangements set out in the Schedule to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended), where the PS is adopted by the Council, a reference to the local development plan, in the Act, is a reference to the Departmental Development Plan (DDP) and the PS read together.
8. The DDP is the Lisburn Area Plan 2001 (LAP). It indicates that the appeal site is in the countryside and within the Greenbelt. There were no objections to the appeal development regarding Greenbelt policies. In line with the legislation, any conflict between a policy contained within the DDP and those of the PS must be resolved in favour of the latter. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is also material to all decisions at appeal stage. On 11<sup>th</sup> December 2025, the Department for Infrastructure published the SPPS, Edition 2, which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS, Edition 2 advises that all other policy provisions within the former SPPS are unchanged. Paragraph 1.9 of the SPPS, Edition 2 states that where a council adopts its PS, existing policy retained under the transitional arrangements shall cease to have effect in the district of that council. Accordingly, previously retained regional policies, such as the Planning Policy Statements (PPSs), now cease to have effect within this Council area.
9. Policy COU1 'Development in the Countryside', of the PS, 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". It continues that "details of operational policies relating to acceptable non-residential development proposals are set out in policies COU11 - COU14". There

was no dispute between the parties that the appeal before me relates to development on agricultural holding. Policy COU1 also states that “any proposal for development in the countryside will also be required to meet all of the general criteria set out in Policies COU15 - COU16”.

10. The appeal site, which is largely rectangular in shape, comprises a farmyard with several structures contained therein, namely the appeal buildings (2 No. conjoined agricultural sheds), a lean-to shed for housing cattle and an operational slurry lagoon. Access is taken either directly from Moss Road via a lane running north/south, adjacent to the property of No. 28, or via a laneway running east/west from The Cooper, east of the appeal site. Its eastern and northern boundaries are largely defined by post and wire fences. The western boundary of the appeal site adjoins the rear garden of No. 32 Moss Road and is defined by a combination of mature hedgerows, wooden posts, and wire-mesh fencing. The finished topography of the appeal site means that the appeal buildings are situated approximately 1 metre (m) lower than the rear garden of No. 32.
11. The lower sections of both appeal buildings are made of precast concrete, while the upper parts and both north and south-facing end gables feature grey corrugated sheet metal. Entry to the sheds is provided by two separate grey metal-clad doors, designed to accommodate both livestock and vehicles. Both buildings have apex roofs, with ridgelines running parallel (north-south) starting from the gable doorways. The metal sheeting on the roofs is interposed by windows that allow natural light inside. Of the two, the building closest to the western boundary of the site has less floor space. During my visit, I observed that it was set up with cubicles and passageways for livestock, and cattle were housed within it. The adjacent building was being used to store agricultural equipment, machinery, and straw at the time of my visit.
12. Immediately to the south of the appeal buildings stands a barrel-roofed, barn-like structure associated with the residential property at No. 28 Moss Road. The dwelling of No. 28 is positioned in front of this barn, with access to both provided via Moss Road. The front garden and dwelling of No. 32 Moss Road are located to the west, sharing a common boundary with both the dwelling and shed at No. 28. The broader environment encompasses rural residences, agricultural land, and farmyards, including those associated with No. 45 on the opposite side of Moss Road from the appeal site.
13. Policy COU12 ‘Agricultural and Forestry Development’ of the PS directs that planning permission will be granted for development on an agricultural or forestry holding where it is demonstrated that it complies with several criteria as listed in therein. The Council has advised that the appeal development is contrary to criteria b) and f) of the Policy.
14. Turning first to criterion b). It requires that it is demonstrated that proposed development is necessary for the efficient use of the agricultural holding. There was no disagreement between any of the parties that the two appeal buildings now sit upon the site of four former agricultural buildings. Furthermore, after discussing past use, livestock numbers, evidence of the Appellant's need to temporarily house cattle/calves elsewhere, redevelopment potential, and building capacity

within the agricultural holding, the Council withdrew its objections to the appeal proposal under criterion b) of Policy COU12.

15. Given the former buildings agricultural nature and size, at the hearing, there was no disagreement between the parties that they, on the balance of probability, could have housed livestock at one time or another. I recognise that the third-party contended, prior to the Appellant acquiring the farm, no livestock were housed within the former sheds by the previous owner. However, no evidence was submitted to substantiate this testimony and the third-party acknowledged that they had never inspected the buildings. Without evidence to corroborate their testimony, the third-party objections have not been sustained. In any event, the previous use of former buildings is not one of the tests within policy COU12. Accordingly, the use of former buildings does not assist in the assessment as to whether the building is necessary for the efficient operation of the agricultural holding, as required by criterion (b) of Policy COU12. Therefore, the third-party's objections are not upheld.
16. Criterion f) requires that the development will not result in detrimental impact on amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution. The Council and third-party concerns relate to odour, noise and vermin (including flies) caused by the appeal development.
17. The Council's Environmental Health Department (EHD) initially raised no objections to the appeal proposal but later stated it could cause significant adverse effects from odour, noise, and insects. EHD referenced Part 7 of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (the Order). They directed that "permitted development rights exist where the development is more than 75m from any non-associated dwelling. This separation distance aims to minimise the likelihood of an adverse amenity impact being caused to the residents of that dwelling. Where development is less than 75m from any non-associated dwelling then amenity impact may result".
18. The Council clarified that the Air Quality Impact Assessment (AQIA), requested for ammonia modelling, was insufficient for assessing odour impacts at the rear garden of No. 32 Moss Road. The Council observed omissions and errors in receptor listings within the AQIA but confirmed at the hearing that they had no objections to the findings of ammonia modelling and assessment, provided mitigation measures are implemented within three months, if planning permission is approved. They also pointed to a lack of information about other amenity impacts, such as noise and insects. They advised that, due to the lack of assessments on these matters, it had not demonstrated whether suitable planning conditions could address its concerns.
19. The Appellant provided an odour (PAC 1) and noise (PAC 2) assessments together with a pest management plan (PAC 3) for the appeal development. These reports confirmed that no more than 25 cattle will be housed in one of the appeal buildings, and only during October to March (winter housing). The assessments covered the entire appeal site, including current facilities and environmental factors. The Appellant, referencing decisions 2022/A0138 and 2021/A0047,

argued that the 75m distance specified in the Order is not automatically relevant to policy or indicative of adverse impacts on amenity and questioned its relevance to tests of policy.

20. Regarding intensification, the Appellant submitted evidence of historic Google Streetview images and aerial photographs from around April 2020, showing the four former sheds on the appeal development site. The evidence detailed the locations of these sheds in relation to the existing slurry lagoon and lean-to and included a comparison of the total floor space of the previous four buildings with that of the current appeal buildings. The four sheds consisted of a former piggery near No. 32 Moss Road, used for sheep until demolition. East of this, there was a silo for storing grass and silage with an adjacent building previously housing 25 calves, both later demolished for the appeal development. Lastly, there was also a vacant barrel-roofed cattle unit. The combined gross floor space of the previous buildings was about 490m<sup>2</sup>, compared to approximately 468m<sup>2</sup> for the appeal development.
21. In my mind, the 75-metre distance stipulated in the Order, between developments allowed under Class A and any dwelling house not occupied by someone involved in agricultural operations on that unit, is a condition pertaining to permitted development. The Council confirmed at the hearing this distance is not stipulated within criterion f). Although the two appeal cases (2022/A0138 and 2021/A0047) involve different planning authorities with their own policies, I consider the Appellant's references to both, in the context of Part 7 of the Order, to be relevant. I was given no substantial evidence to show why it follows that any new development or agricultural activity within 75 metres of a dwelling (unless it is occupied by someone engaged in those operations) would create unacceptable negative effects on amenity. Thus, I find the Council's reference and reliance to the distance, as stipulated, when assessing whether new agricultural development will have an adverse impact on amenity, to be misplaced.
22. During the hearing, the Council was unable to indicate where, within criterion f) of Policy COU12, there is any test related to intensification. Whilst they conceded that there was no discussion regarding intensification found within the J&A of the policy or in criterion f), the Council advised that the photographs purport to show the original sheds and livestock contained there, this information could not be "verified beyond doubt", as the previous sheds had been demolished and were never inspected by the planning authority. However, both the Council and the third-party confirmed, at the hearing, that, excluding the silo, the Google Aerial and Streetview images both illustrate that the former agricultural buildings were of a size and scale that they could reasonably have accommodated livestock, such as cattle and sheep, at one time or another. Additionally, both the Council and the third-party did not contest the Appellant's evidence regarding the previous layout or structure of the buildings and the comparisons of floor space.
23. I acknowledge that three of the former buildings could have accommodated more than 25 calves along with sheep, whereas the current appeal proposal seeks to retain housing in one of the two sheds for no more than 25 cattle. Both parties agreed that this limit could be appropriately conditioned if planning permission were granted. Therefore, based on the Appellant's photographic and floor space

evidence, as well as testimony and internal photographs showing livestock previously housed in the former sheds, I find there is no intensification of use linked to the appeal development. Therefore, neither the Council's nor third parties' objections on this issue are backed by policy criteria or evidence relevant to this appeal.

24. Regarding odour concerns, both the Council and the third-party stated during the hearing that they did not object to the methodology or the list of receptors and addresses included in the OIA. However, the Council noted that the cumulative impact assessment attached to the main report showed odour levels exceeding the acceptable target of 3 ou/m<sup>3</sup> in part of the rear garden at No. 32 Moss Road, beyond the property boundary. The Council suggested that, if this model was extrapolated, it could indicate that the entire rear garden would be exposed to odour levels above 3 ou/m<sup>3</sup>, making the OIA's conclusion, that the impact at this location is not significant, inaccurate. The third-party also mentioned that, although they accepted the OIA's findings, their concern was focused on the use of the whole garden area during the summer months, which they identified as May through September.
25. The Appellant asserted that the OIA shows odour impacts from the proposed development do not exceed the target level of 3 ou/m<sup>3</sup> at the nearest sensitive receptor, including the rear garden of No. 32 Moss Road. They explained that the cumulative impact assessment, which evaluates the appeal development together with existing odour sources on the site, was undertaken as a precaution to demonstrate the development's effect within the current established environment. The Appellant noted that the assessment identifies the existing slurry lagoon as the primary source of odour at the appeal site. This lagoon will remain regardless of the appeal's outcome. The Appellant argued that the Council's EHD had misinterpreted the report in relation to cumulative modelling. Although the modelling shows a slight impact at the party boundary between the appeal site and 32 Moss Road, which extends marginally into the rear garden of No. 32, the Institute of Air Quality Management guidelines indicate this impact does not exceed the slight descriptor. As such, the effect on all receptors assessed in the OIA, including those covered in the appended cumulative assessment, is interpreted as not significant.
26. During the hearing, it was explained that the Appellant's odour expert conducted 'sniff tests' at the appeal site and nearby areas, these tests were carried out on 10th December 2025, 12th December 2025, and 19th January 2026. Each site visit (test) lasted about 20–25 minutes, during periods of cold weather and strong southerly winds, and involved observing 15–19 calves housed within the appeal buildings. No odour was detected along the boundary with No. 32 Moss Road during any of these assessments.
27. The Appellant's sniff tests matched my own experiences of odour levels along the party boundary and the rear garden of No. 32 Moss Road. During my site visit, there were around 30 cattle on the property, including those found within the adjacent lean-to shed. Slurry was also evident within the lagoon. I found the farmyards (both the appeal site and that close to The Coopers) to be well organised, tidy, and properly maintained, with very little noticeable odour. It's

important to note, however, that my visit was during cold, dry, fair weather, and changes in season, weather conditions, and I acknowledge that agricultural activities and weather conditions can affect the potential for disturbance to neighbouring properties.

28. Although the cumulative assessment shows that 98th percentile 1-hour odour values from the appeal site will slightly affect the rear garden of No. 32 Moss Road, the Council did not explain how this would significantly harm amenity, principally since existing farm operations and the undisputed main odour source (slurry lagoon) would continue regardless of the appeal's outcome. I acknowledge the Council's direction that if the model was extrapolated, impact from odour could extend to the entire garden area. However, I also note that during the hearing the Council confirmed that the methodology employed was sound and based on industry standards. Furthermore, I was provided with no cogent evidence in the form of modelling or technical data by the EHD to present how this would differentiate from the Appellant's modelling nor whether any extrapolation of the modelling would, in fact, lead to an impact which was greater than 'slight' and result in unacceptable adverse impacts to amenity.
29. The third-party confirmed they never filed odour complaints directly with the EHD after the appeal development began operation. Although they considered that amenity concerns were being addressed in the planning process, they provided no evidence of reported incidents or logs of times of adverse impacts that would have prompted direct complaints. According to a letter from the EHD dated 29<sup>th</sup> September 2025, which was confirmed at the hearing, no issues regarding odour, dust, vermin, or noise related to the appeal site and subsequent development have been reported in the last five years. Therefore, I conclude that objections by the Council and third-party concerning odour have not been substantiated.
30. I am further bolstered in my reasoning, given the Appellant's confirmation that, in line with the assessment, only 25 heads of cattle will be housed in the shed and only during the winter months (October - March), with no livestock to be housed in the appeal development during the summer months, April through to September. This schedule aligns with the third-party's confirmed use of their garden in spring and summer. If approved, planning permission could limit both cattle numbers and the housing period by condition. Additionally, a condition could require the Appellant to re-assess odour, with a methodology to be agreed with the Council, if a reasonable and justified complaint is raised. The Appellant also confirmed that no slurry mixing occurs in the two new sheds. Waste from livestock will be managed as outlined in the AQIA and Nutrient Management Plan, which were submitted to the Council and agreed with DAERA during planning application process. If planning permission is granted, these management measures and restrictions on slurry mixing could be appropriately controlled by conditions.
31. Turning to noise. Following confirmation from the Appellant's expert that the NIA considered of the provision of small wooden batons used to close air gaps between the corrugated sheeting when modelling the impact, and that these works had subsequently been undertaken prior to the appeal hearing, neither the Council nor the third-party disagreed with the methodology and findings of the NIA. The

assessment demonstrated that noise from the appeal development would not result in adverse impacts to residential amenity beyond the agricultural holding.

32. As confirmed by the third-party at the hearing, this period, when the appeal development will remain empty of livestock, coincides with their enjoyment of their garden area during the spring and summer months. As already discussed, if planning permission was to be forthcoming, the total head of cattle along with the period restricting the housing livestock, within the appeal development, could be appropriately conditioned. Again, it was suggested and agreed that a condition could be attached if planning permission was to be granted, which would seek to have the noise from the appeal development re-assessed if there was a reasonable and verifiable complaint, with the methodology for the assessment to be agreed with the Council.
33. Whilst the Council advanced concerns, at the hearing, regarding noise levels from vehicle movements associated with the appeal site, they acknowledged that these movements have been accounted for within the NIA. I have already found above that these can be re-assessed, if required, via a planning condition. Therefore, I find that the Council and third-party objections pertaining to noise have not been sustained and therefore there is no need for a condition restricting vehicle movements to and from the appeal site.
34. The Council had no objections to the Pest Management Plan (PMP), if enforced throughout the appeal development's operation and maintained indefinitely. The Appellant agreed to follow the PMP year-round. However, the third-party questioned its effectiveness, reporting increased rodent and fly issues since the development began. After her cat passed away, she noticed more rodents entering her home and has resorted to setting traps in the attic to manage the problem.
35. The photographs of traps and a solitary rodent presented do not constitute evidence of a pest infestation, as asserted by the third-party during the hearing. Moreover, the third-party acknowledged that the presence of rodents and flies is typical in rural locations, particularly near agricultural operations such as those adjacent to the appeal site. The recent rise in rodent activity appears to be correlated with the loss of her cat. The Appellant's pest management plan, which could be conditioned for perpetual implementation should planning permission be granted, specifies regular inspections, ongoing monitoring, long-term prevention strategies, weekly fly assessments, secure feed storage, trapping measures, and establishes complaint procedures. There are also protocols which seek to attend to the removal of external debris and unused equipment outside the appeal buildings. Based on these factors, I conclude that the Appellant has demonstrated measures for effective control over vermin and pest issues, and the objections raised by the third-party are not substantiated.
36. Consequently, having carefully considered the evidence presented by all parties, I find that the objections raised by the Council and the third-party in relation to the appeal development resulting in detrimental impact on the amenity of residential dwellings outside the agricultural holding, including the potential problems arising from odour, noise, and vermin have not been substantiated. The methodologies

employed in the appellant's assessments have been shown to be robust and in accordance with industry standards, and no compelling alternative evidence has been provided to challenge their findings.

37. Additionally, the lack of complaints over a significant period further supports the view that the development has not resulted in unacceptable adverse impacts on residential amenity. The conditions proposed, including restrictions on the number of cattle and periods of occupation, as well as ongoing monitoring and management plans, provide appropriate safeguards. Therefore, I am satisfied that any potential impacts can be effectively managed. Consequently, for the reasons given above, I find that the proposal is not contrary criterion f) of Policy COU12 and the Council's second reason for refusal is not sustained.
38. Policy COU16 'Rural Character and other Criteria' states that "in all circumstances proposals for development in the countryside must be in accordance with and must not cause detrimental change to, or further erode the rural character of an area". The Council contend that the appeal development is unacceptable as it fails to meet with criterion f) of Policy COU16 as it would adversely impact on residential amenity. To support its position, the Council again relied on the consultation response from EHD and the proximity of the appeal development to residential properties beyond the agricultural holding. They again advised that there had been a failure of behalf of the Appellant to demonstrate that the appeal development would not result in an adverse impact on these properties in the form of impacts from odour, noise and pest/insects.
39. I have already concluded that the Appellant has demonstrated that the appeal development will not adversely impact on residential amenity in terms of odour, noise and pest/insects. Consequently, I hold that the appeal development is acceptable in line with criterion f) of Policy COU16 as it would not adversely impact on residential amenity. Thus, the Council's third reason for refusal is not sustained.
40. The third-party also advised that given the scale and proximity of the appeal development, which runs the length of her rear garden, the sheds now tower over her private amenity space compared to that of the former sheds. Whilst the third-party did not raise objections in relation to overshadowing and there are no windows on the building which would raise issues of overlooking, I acknowledge that the Council had no objections relating to the visual impact of the shed from the third-party property. However, my site visit included an appraisal of this matter from the property, including the rear garden, at No. 32 Moss Road.
41. Considering the Appellant's evidence and my site visit to both the subject property and No. 32 Moss Road, I conclude that the appeal development does not extend the full length of the neighbouring rear garden; instead, its length along the shared boundary is generally similar to that of the previous buildings on the site. The appeal buildings are positioned about 1m lower than the adjacent rear garden, so the height difference, along with a mature hedge along the border and a section of panelled fencing, largely screens the west elevation of the development from the rear garden at No. 32. Additionally, the ridgelines are set back from the shared boundary, which means the appeal buildings do not loom over the garden or any

part of No. 32 Moss Road. In fact, the barrel-roofed shed behind No. 28 Moss Road appears more noticeable when standing at either of the patio areas within No. 32's garden. Therefore, I am not persuaded that, due to their position or size, the appeal buildings are visually intrusive from the rear garden of No. 32 Moss Road, and the third-party's objection is not upheld.

42. In line with the above reasoning, the appeal development is compliant with Policies COU12 and COU16. Thus, it follows that the appeal development is a type of non-residential development which in principle is acceptable in the countryside and that will contribute to the aims of sustainable development in line with Policy COU1. Consequently, the Council has not sustained its first reason for refusal.
43. While the third-party reported that Mr Stephen Dorman, the occupier of No. 28 Moss Road, expressed concerns about the appeal development, it is important to note that he did not submit a formal objection at either the planning application or appeal stage. Additionally, the Appellant's evidence includes a statement from Mr Dorman, dated 13 November 2025, confirming he never objected to the appeal development. Therefore, no weight has been given to the third-party's claims in this matter.
44. As I have found that the appeal development is not contrary to criteria b) and f) of Policy COU12 or criterion f) of Policy COU16 and aligns with the principles set out in Policy COU1, all the Council's reasons for refusal and third-party objections are not sustained. Thus, full planning permission is granted subject to the conditions as set out below.

### Conditions

1. Livestock (cattle/calves) may be housed in the approved development only from October to March, with a maximum of 25 animals at any time.
2. The proposed mitigation measures relied upon to achieve the process contributions utilised within the Air Quality Impact Assessment dated 5<sup>th</sup> November 2024 must be in place within 3 months of the date of this approval and retained in perpetuity. The mitigation measures must be fully operational whilst livestock are housed within the sheds.
3. There shall be no mixing of slurry/manure within the sheds hereby approved.
4. All slurry/manure from the approved development must be utilised, as detailed within the Air Quality Impact Assessment dated 5<sup>th</sup> November 2024 and the Nutrient Management Plan (Nitrates Programme Support), stamped dated by the planning authority 12<sup>th</sup> November 2024, unless otherwise agreed with the planning authority.
5. Should a reasonable and justified odour complaint arise, and upon receipt of a written request from the planning authority, the applicant shall undertake an odour impact assessment. The methodology for this assessment must be agreed with the planning authority in writing no less than two weeks prior to

commencement. Upon completion, the findings shall be presented to the planning authority in a final report, which must be submitted within two weeks of receiving written agreement regarding the methodology. Where necessary, the report will include appropriate mitigation measures to address any noise levels that exceed those specified in the assessment dated 11<sup>th</sup> December 2025 (PAC 1). Any additional mitigation measures will be implemented within a timescale to be agreed with the Council.

6. Should a reasonable and justified noise complaint arise, and upon receipt of a written request from the planning authority, the applicant shall undertake a noise impact assessment. The methodology for this assessment must be agreed with the planning authority in writing no less than two weeks prior to commencement. Upon completion, the findings shall be presented to the planning authority in a final report, which must be submitted within two weeks of receiving written agreement regarding the methodology. Where necessary, the report will include appropriate mitigation measures to address any noise levels that exceed those specified in the assessment dated 8<sup>th</sup> December 2025 (PAC 2). Any additional mitigation measures will be implemented within a timescale to be agreed with the Council.
7. The Pest Management Scheme, known as PAC 3 and dated 14<sup>th</sup> November 2025, must be put into effect within one month of this approval and maintained indefinitely.

The decision is based on the following drawings and reports:

<b>Drawing/Report Ref:</b>	<b>Appellant's Title:</b>	<b>Stamped Date of Decision:</b>
01	Location Plan	28 <sup>th</sup> July 2025
02C	Proposed Site Plan	28 <sup>th</sup> July 2025
03A	Proposed Floor Plans and Elevations	28 <sup>th</sup> July 2025
PAC 1	Odour Impact Assessment	11 <sup>th</sup> December 2025
PAC 2	Noise Impact Assessment	8 <sup>th</sup> December 2025
PAC 3	Pest Management Plan	14 <sup>th</sup> November 2025

**COMMISSIONER GARETH McCALLION**

**List of Appearances**

Planning Authority: - Mr Kevin Maguire (Lisburn and Castlereagh City Council – Planning Department) \*  
Ms. Vicky Elliot (Lisburn and Castlereagh City Council - Environmental Health Department) \*

Appellant: - Mr Conor Fegan BL  
Mr Thomas Bell (Bell/Rolston Planning)  
Dr Chris Jordan (Irwin Carr Consulting)  
Mr Christy Carr (Irwin Carr Consulting)  
Mr Brian Trimble (Appellant)

Third-party: - Ms Fiona Smith

\*denotes remote attendance

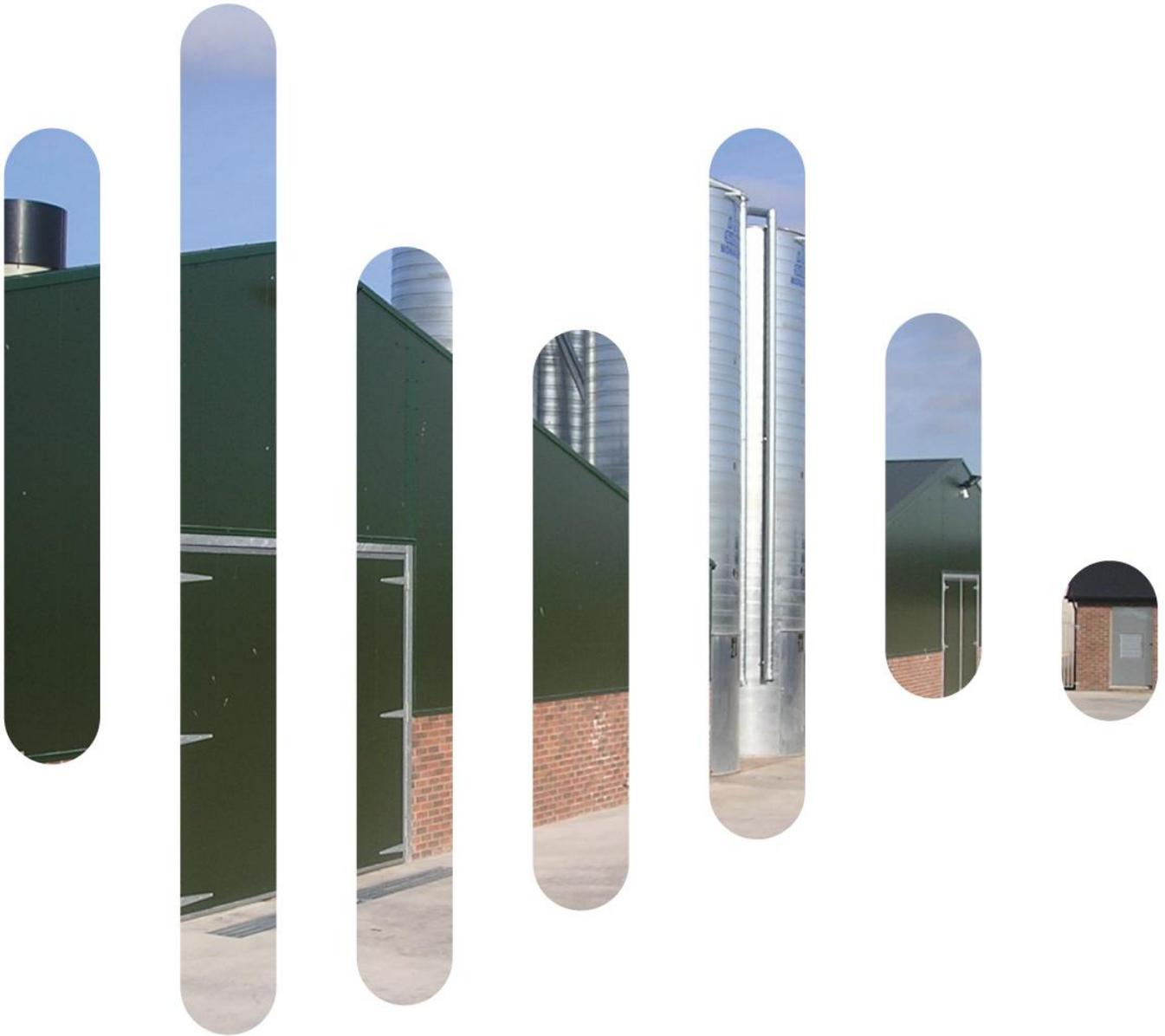
**List of Documents**

Planning Authority: - Statement of Case (Lisburn and Castlereagh City Council)

Appellant: - Statement of Case (Bell/Rolston Planning)

Third-party: - Statement of Case (Ms Smith)

# IRWIN CARR CONSULTING



## ODOUR IMPACT ASSESSMENT BRIAN TRIMBLE

Rp001A 2025408 (Drumbo Calf Shed)  
11 December 2025

**PROJECT:** ODOUR IMPACT ASSESSMENT

**PREPARED FOR:** BELL ROLSTON  
THE CORNER HOUSE  
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NEWTOWNABBEY  
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**ATTENTION:** THOMAS BELL

**REPORT NO.:** Rp001A 2025408

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**Document Control**

Status:	Rev:	Comments	Date:	Author:	Reviewer:
Final	2.0		11 December 2025	Christy Carr	Shane Carr




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## 1 INTRODUCTION

Irwin Carr Ltd have been commissioned to undertake an odour impact assessment for the proposed retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works, lands to rear of No 28 Moss Road, Dumbo, Lisburn.

The proposed development consists of two sheds:

- A cattle shed for no more than 25 calves
- A machinery and straw storage shed

The proposed development replaced existing agricultural buildings used to house livestock. This report assesses the potential odour impact arising from operational activities associated with the development on nearby sensitive receptors.

The purpose of this assessment is to provide an objective evaluation of the potential odour impacts of the proposed development, to inform consideration of any mitigation measures that may be necessary.

It is understood that this odour impact assessment will be submitted in support of planning appeal reference 2025/A0069.

A Freedom of Information Request response dated 29 September 2025 confirmed that, "No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farms sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years."

### 1.1 Development Description

The development site is an established agricultural holding located approximately 50m north of Moss Road, with vehicular access via a laneway from the main farm complex approximately 230m to the east.

The development site consists of two sheds:

- A cattle shed used for no more than 25 calves
- A machinery and straw storage shed

In addition, there is an existing lean to shed directly adjacent to the east with external holding pens, with an open slurry lagoon directly to the north-east. Directly to the south there are sheds associated with a third party at 28 Moss Road.

The proposed development replaced existing agricultural buildings used to house livestock. Appendix E presents aerial photography of the previous sheds in April 2020, with an area of approximately 490m<sup>2</sup>, and aerial photography of the existing sheds in March 2025 with a total area of approximately 468m<sup>2</sup>. The proposed development has a reduced footprint.

From an odour perspective, the principal source of odour associated with the proposed development is the housing of animals and manure within the cattle shed.

The location of the site and nearby residential properties is shown in Appendix A.

A cumulative odour assessment has been completed on a without prejudice which takes account of the following established sources of odour:

- Existing cattle shed 20 cows
- Existing open slurry lagoon

The input parameters, emissions and results of this additional odour assessment are provided in Appendix B.

## 2 LEGISLATIVE POLICY AND GUIDANCE

### 2.1 Statutory Nuisance

#### 2.1.1 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND)

The Clean Neighbourhoods and Environment Act (Northern Ireland)<sup>1</sup> has been produced to improve the quality of the local environment by giving the Local Authority additional powers to deal with litter, nuisance alleys, graffiti, and fly posting, abandoned and nuisance vehicles, dogs, noise and statutory nuisance.

Part 7 makes provision to constitute “statutory nuisances” for the purposes of the Act<sup>1</sup>. Specifically, Section 63 gives the following definitions of statutory nuisance relevant to dust, odour, and particles:

- “Any dust, steam, smell or other effluvia arising from industrial, trade or business premises or smoke, fumes or gases emitted from premises to be prejudicial to health or a nuisance”.
- “Any accumulation or deposit which is prejudicial to health or a nuisance”.

Following this, Section 65 says that where a statutory nuisance is shown to exist, the Local Authority must serve an abatement notice. The abatement notice would impose either all or any of the following requirements:

- Requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence; or,
- Requiring the execution of such works, and the taking of such other steps, as may be necessary for any of those purposes.

Nuisance is a subjective concept, and its perception is highly dependent upon the existing conditions and the change which has occurred.

### 2.2 Strategic Planning Policy

#### 2.2.1 STRATEGIC PLANNING POLICY FOR NORTHERN IRELAND

The Strategic Planning Policy Statement for Northern Ireland (SPPS)<sup>2</sup> sets out how planning policies should be applied.

Annex A of the SPPS<sup>2</sup> relates to the management of air quality. Annex A states the following key points:

- The planning system can also positively contribute to the improvement of air quality and in minimising its harmful impacts on health and well-being.
- In managing development, planning authorities should recognise that air quality can be a material consideration in the determination of planning applications.
- Where a proposed development is likely to have a significant air quality impact or add to a cumulative impact in an area, applications should be supported by sufficient information to allow full consideration of the impact on local air quality.
- Adequate consultation between the planning authority and those with responsibility for air quality and pollution control will be essential.
- The impact on ambient air quality is likely to be particularly important for development proposals located within or close to a designated AQMA.

Nuisance is referenced throughout the SPPS<sup>2</sup> whereby, “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...” and “development proposals should not result in environmental problems such as noise, nuisance or disturbance.”

<sup>1</sup> Acts of the Northern Ireland Assembly (2011) Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Part 7 Statutory Nuisances 2011 c.23 [online] <http://www.legislation.gov.uk/nia/2011/23/part/7>

<sup>2</sup> Department of the Environment (2015) Strategic Planning Policy Statement for Northern Ireland [online] [https://www.planningni.gov.uk/index/policy/spps\\_28\\_september\\_2015-3.pdf](https://www.planningni.gov.uk/index/policy/spps_28_september_2015-3.pdf)

## 2.3 Best Practice Guidance

The following best practice guidance document has been used in the production of this odour impact assessment:

- Institute of Air Quality Management (IAQM) - Guidance on the Assessment of Odour for Planning<sup>3</sup>.

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<sup>3</sup> Institute of Air Quality Management (IAQM) (Version 1.1 Updated 2018) Guidance on the assessment of odour for planning [online] <https://iaqm.co.uk/text/guidance/odour-guidance-2014.pdf>

### 3 ODOUR ASSESSMENT METHODOLOGY

The development has the potential to cause an adverse effect from increased odour emissions stemming from the operation of the cattle shed.

The following method has therefore been derived to present an assessment of the potential impact of odour releases during the operation of the development for consideration during the appeal process.

#### 3.1 Method

An impact assessment of odour releases from the Existing Development has been carried out using the AERMOD dispersion modelling package (Version 13.0.0), as developed by the American Meteorological Society, in conjunction with the US Environmental Protection Agency (US EPA) and consideration of best practice guidance documents (see Section 2.3).

AERMOD is the current US EPA regulatory model used to predict pollutant concentrations from a wide range of sources that are present at typical industrial facilities. AERMOD is classified as a Gaussian (steady state) plume dispersion model.

The model accepts hourly meteorological data to define the conditions for plume rise, transport, diffusion, and deposition and give due consideration to the surrounding terrain. AERMOD estimates the concentration or deposition value for each source and receptor combination for each hour of input meteorology and calculates user-selected short-term averages. Since most air quality standards are stipulated as averages or percentiles, AERMOD allows further analysis of the results for comparison purposes.

Percentile analysis for emissions is calculated for the maximum averages using the AERMOD-percent post-processing utility. This utility calculates the maximum concentration of a pollutant from all receptors at a specific percentile, for a specific period. Employing the percentile facilitates the omission of unusual short-term meteorological events that may cause elevated pollutant concentrations and hence a more accurate representation of the likely average pollutant concentrations over an averaging period.

#### 3.2 Odour Impact Assessment

##### 3.2.1 SCOPE OF ASSESSMENT

The scope of the odour impact assessment has been determined by the following:

- Desktop study to identify receptor locations e.g., residential dwellings that may be susceptible to an adverse effect on amenity from odorous releases made from the Site.
- Review of emissions parameters for the Proposed Development and completion of an atmospheric dispersion modelling exercise with application of the AERMOD modelling software to predict the 98<sup>th</sup> percentile of hourly mean, ground-level odour concentrations at those identified sensitive receptor locations for each considered assessment year.

##### 3.2.2 DEFINITION OF ODOUR

DEFRA issued a guidance document<sup>4</sup> for Local authorities around odour investigation and control. Page 8 of the DEFRA Odour guidance<sup>4</sup> states that,

*“An odour is the organoleptic attribute perceptible by the olfactory organ on sniffing certain volatile substances. It is a property of odorous substances that make them perceptible to our sense of smell.*

*The term odour refers to the stimuli from a chemical compound that is volatilised in air. Odour is our perception of that sensation, and we interpret what the odour means. Odours may be perceived as pleasant or unpleasant.”*

Odour concentration is expressed as European Odour Units (ou<sub>E</sub>) and the emission rate can be determined as European odour units per cubic metre of air (ou<sub>E</sub>/m<sup>3</sup>) or in ou<sub>E</sub>/m<sup>2</sup>/s depending on the source of emission.

<sup>4</sup> DEFRA (2010) *Odour Guidance for Local Authorities* [online]  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645286/pb13554-local-auth-guidance-100326.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/645286/pb13554-local-auth-guidance-100326.pdf)

### 3.2.3 EFFECT OF ODOUR

Before an adverse effect (such as loss of amenity, annoyance, nuisance, or complaints) can occur, there must be odour exposure. For odour exposure to occur all three links in the source – pathway – receptor chain must be present:

- A) An emission source – a means for the odour to get into the atmosphere
- B) A pathway – for the odour to travel through the air to locations off site, noting that:
 

Anything that increases dilution and dispersion of an odorous pollutant plume as it travels from source to receptor will reduce the concentration at the receptor, and hence reduce exposure. Increasing the length of the pathway (e.g., by releasing the emissions from a high stack) will – all other things being equal – increase the dilution and dispersion.
- C) The presence of receptors (people) that could experience an adverse effect, noting that people vary in their sensitivities to odour.

The scale of exposure (the impact) is determined by the parameters collectively known as the FIDOL<sup>5</sup> factors (Frequency, Intensity, Duration, Offensiveness and Location); these are described in Table 1.

The magnitude of the effect experienced is determined by the scale of exposure (FIDO) and the sensitivity of the receptor (L, denoting the location, which is often taken to be a surrogate for the sensitivity and incorporates the social and psychological factors that can be expected for a given community).

According to the IAQM<sup>3</sup>, *“Different combinations of the FIDO factors can result in different exposures at a location. For example, odours may occur as a one-off, as frequent short bursts, or for longer, less-frequent periods, and may be said to give ‘acute’ or ‘chronic’ exposures, respectively.”*

**Table 1: Description of FIDOL Factors**

<b>Frequency</b>	How often an individual is exposed to odour
<b>Intensity</b>	The individual’s perception of the strength of the odour
<b>Duration</b>	The overall duration that individuals are exposed to an odour over time
<b>Offensiveness</b>	Odour unpleasantness describes the character of an odour as it relates to the hedonic tone’ (which may be pleasant, neutral, or unpleasant) at a given odour concentration/intensity. This can be measured in the laboratory as the hedonic tone, and when measured by the standard method and expressed on a standard nine-point scale it is termed the hedonic score.
<b>Location</b>	The type of land use and nature of human activities in the vicinity of an odour source. Tolerance and expectation of the receptor. The ‘location factor can be considered to encompass the receptor characteristics, receptor sensitivity, and socio-economic factors.

The IAQM<sup>3</sup> guidance provides definitions of how ‘impact’ is characterised in an odour impact assessment to inform the judgement on significance of ‘effect’.

The following definitions have been applied, as per Box 1 of the IAQM<sup>3</sup> guidance document.

- Impacts – These are changes to the environment attributable to the development proposal.
- Effects – These are the results of the changes on specific receptors.
- Receptors – Are the users of the adjacent land, which may vary in their sensitivity to odour.

<sup>5</sup> The term FIDOR is sometimes used in place of FIDOL, whereby ‘R’ represents the ‘Receptor’ (location(s))

### 3.2.4 DEFINITION OF ODOUR

To inform an odour impact assessment, an air quality practitioner must incorporate one assessment method that gives due consideration to the FIDOL factors (see Table 1).

The IAQM<sup>3</sup> offers the air quality practitioner best practice guidance to complete an appropriate odour impact assessment.

For the sensitivity of people to odour, the IAQM recommends that professional judgement is applied to identify where on the spectrum between high and low sensitivity a receptor lies, considering the general principles within Table 2.

**Table 2: Receptor Sensitivity to Odours**

<b>High Sensitivity Receptor</b>	<p>Surrounding land where:</p> <ul style="list-style-type: none"> <li>• Users can reasonably expect enjoyment of a high level of amenity; and</li> <li>• People would reasonably be expected to be present here continuously, or at least regularly for extended periods, as part of the normal pattern of use of the land.</li> </ul>
<p>Examples may include residential dwellings, hospitals, schools / education and tourist / cultural.</p>	
<b>Medium Sensitivity Receptor</b>	<p>Surrounding land where:</p> <ul style="list-style-type: none"> <li>• Users would expect to enjoy a reasonable level of amenity, but would not reasonably expect to enjoy the same level of amenity as in their home; or</li> <li>• People would not reasonably be expected to be present here continuously or regularly for extended periods as part of the normal pattern of use of the land.</li> </ul>
<p>Examples may include places of work, commercial / retail premises, and playing / recreation fields.</p>	
<b>Low Sensitivity Receptor</b>	<p>Surrounding land where:</p> <ul style="list-style-type: none"> <li>• The enjoyment of amenity would not reasonably be expected; or</li> <li>• There is transient exposure, where the people would reasonably be expected to be present. Only for limited periods of time as part of the normal pattern of use of the land.</li> </ul>
<p>Examples may include industrial use, farms, footpaths, and roads.</p>	

For odour assessments, the probability is the likelihood of exposure (impact), and the consequence can be the effect on the receptor if that exposure (impact) took place. These two components are brought together by the Source-Pathway-Receptor (S-P-R) concept, as outlined within the IAQM guidance on odour for planning<sup>3</sup>.

### 3.2.5 ASSESSMENT CRITERIA

According to the IAQM odour guidance<sup>3</sup>, an odour impact assessment may be required to reach a conclusion as to the likely significance of any predicted odour impacts for planning purposes. The significance can be therefore assessed with regard to the magnitude of the impact and the sensitivity of considered receptors.

Section 5 of the IAQM odour guidance<sup>3</sup> presents a review of odour benchmarks (see Section 3.2.6) and illustrates two tables with respect to impact descriptors based on the 'moderately offensive' and 'most offensive' odour categories, as referenced within the IAQM's odour guidance<sup>3</sup> document. The corresponding magnitude scale for this assessment has been derived based on the suggested benchmark for 'moderately offensive' odours.

The significance of impacts has been determined through the interaction of the predicted 98<sup>th</sup> percentile of hourly mean odour concentrations (i.e., the magnitude) and receptor sensitivity (see Table 2). The relevant assessment matrix is summarised in Table 3.

Although the matrix acts as a guide, professional judgement is required to take into account various factors such as a community's tolerance of existing odours. *The IAQM<sup>3</sup> note that "It is incumbent on the responsible practitioner to exercise good professional judgement in selecting an appropriate odour assessment criterion for any particular case and providing justification for that selection. Practitioners are also recommended to exercise such judgement in appreciating other factors which govern human responses to odour."*

**Table 3: Matrix for Assessing the Significance of Impacts predicted from Dispersion Modelling of Moderately Offensive Odour**

Odour Exposure Level as 98th %ile of Hourly Mean (ouE/m <sup>3</sup> )	Receptor Sensitivity		
	Low	Medium	High
Less than 0.5	Negligible	Negligible	Negligible
0.5 – 1.5	Negligible	Negligible	Negligible
1.5 – 3.0	Negligible	Negligible	Slight
3.0 – 5.0	Negligible	Slight	Moderate
5.0 – 10.0	Slight	Moderate	Moderate
More than 10.0	Moderate	Substantial	Substantial

It should be noted that Table 3 applies equally to cases where there are increases and decreases in odour exposure as a consequence of development, in which case the informative terms 'adverse' and 'beneficial' have been respectively applied to the corresponding descriptors.

The IAQM odour guidance<sup>3</sup> surmises that, *"Where the overall effect is deemed 'moderate' or 'substantial', it is likely to be considered as significant, whilst if the effect is termed as 'negligible' or 'slight' then it is likely to be adjudged as not significant. It is acknowledged that this is a binary judgement of either it is significant or not significant."*

This has been considered to determine the overall significance of potential odour impacts associated with the Site.

### 3.2.6 ODOUR BENCHMARKS

The IAQM Odour Guidance provides guidelines for dispersion modelling as well as identifying target odour levels at the nearest sensitive locations in the vicinity of operations such as the proposed site.

Table 4 below shows how different types of processes are categorised and the appropriate odour benchmark values.

**Table 4: Odour Benchmark levels**

Relative Offensiveness of Odour	Benchmark level (ou/s)
Most Offensive odours; <ul style="list-style-type: none"> <li>• Processes involving decaying animals or fish</li> <li>• Processes involving septic effluent or sludge</li> <li>• Biological landfill odours</li> </ul>	1.5
Moderately Offensive Odours <ul style="list-style-type: none"> <li>• Intensive livestock rearing</li> <li>• Fat frying (food processing)</li> <li>• Sugar beet processing</li> <li>• Well aerated green waste composting</li> </ul>	3.0
Less offensive odours; <ul style="list-style-type: none"> <li>• Brewery</li> <li>• Confectionery</li> <li>• Coffee roasting</li> <li>• Bakery</li> </ul>	6.0

For the purposes of assessing odorous emissions from the cattle shed, the odour target value of  $C_{98}$ , 1-Hour  $\leq 3$  ou/m<sup>3</sup> will be adopted at the nearest sensitive receptor.

To put these guidelines into context, an odour threshold of 1ou/m<sup>3</sup> is the level at which an odour is detectable by 50% of screened panelists. The recognition threshold is about 5 times this concentration i.e. 5ou/m<sup>3</sup>. Furthermore, odour concentration of between 5 and 10 ou/m<sup>3</sup> above background will give rise to a faint odour and concentrations greater than 10ou/m<sup>3</sup> constitute a distinct odour and are likely to give rise to nuisance complaints.

Odour assessments are commonly compared to the 98<sup>th</sup> percentile of hourly averages. For a typical meteorological year, the dispersion model predicts 8,760 hourly concentrations for each receptor location. The 98<sup>th</sup> percentile is part of the statistical distribution, where 98% of the results fall below this value and 2% of the results fall above this value.

## 4 AERMOD DISPERSION MODELLING DATA

The inputs for the dispersion modelling assessment are described in detail in this Section.

### 4.1 AERMOD Dispersion Modelling Package Description

The AMS.EPA Regulatory Model (AERMOD) is the current US EPA regulatory model used to predict pollutant concentrations from a wide range of sources that are present at typical industrial facilities.

The model accepts hourly meteorological data to define the conditions for plume rise, transport, diffusion and deposition. It estimates the concentration or deposition value for each source and receptor combination for each hour of input meteorology and calculates user-selected short term averages. The model also takes into account the local terrain surrounding the facility. Since most air quality standards are stipulated as averages or percentiles, AERMOD allows further analysis of the results for comparison purposes.

Percentile analysis for emissions is calculated for the maximum averages using the AERMOD-percent post-processing utility. This utility calculates the maximum concentration of a pollutant from all receptors at a specific percentile, for a specific period. Employing the percentile facilitates the omission of unusual short-term meteorological events that may cause elevated pollutant concentrations and hence a more accurate representation of the likely average pollutant concentrations over an averaging period.

The following information was input into the model for the prediction of maximum ground level ambient ammonia concentrations from the farm.

### 4.2 Input Parameters

The site layout map, building plans and elevations were used as a template for all sources, relevant structures, and the boundary of the facility. The AERMOD package uses the steady state Gaussian plume equation for a continuous elevated point or line source.

The location of the proposed shed is provided in Appendix A.

Table 5 below gives general details of the proposed cattle sheds on the site.

**Table 5: Dimensions of Proposed Cattle Shed**

	Shed 1- Proposed
Approx Dimensions of Source	21.1m x 4.85m x 5.2m
Total Area	102m <sup>2</sup>
Emissions	Naturally Ventilated

### 4.3 Odour Emissions

The main odour source within a cattle shed is typically the slurry tanks underneath the animal housing areas, or the straw bedded floor where manure is stored.

The rate of production of an emission, such as odour, is best quantified as an emission rate. It is the amount of odorous pollutant emitted from each square meter of a source per second and expressed in ou/m<sup>2</sup>/s.

#### 4.3.1 CATTLE SHED

In relation to the emissions from cattle sheds, the odour emission rate was agreed in previous discussion with Environmental Health Officers from Northern Group Systems, and a document entitled “Odour emissions from livestock production facilities” Valli et al<sup>6</sup>, was deemed as providing appropriate odour emissions from cattle slurry in ou/m<sup>2</sup>/s.

This document sets out various emission rates associated with odour from cattle sheds, which are summarised below:

- Emissions based on weight of cattle housed (Table 1 of Valli document)
  - Mean odour emission rate of 32ou<sub>E</sub>/s/tonne of cattle housed in a Deep Litter (straw-bedded) system.
- Emissions based on area of storage (Table 5 of Valli document).
  - Yearly average emission rate of 2.72ou<sub>E</sub>/s/m<sup>2</sup> of cattle slurry/ manure storage.

For the purposes of odour and nutrient management modelling, a typical liveweight of 200–250 kg is used for calves under 12 months, consistent with the assumptions underlying DAERA’s (and DEFRA’s) nutrient management calculators and excretion rate tables.

Drawings associated with the application show that the shed is straw bedded, and it has been conservatively assumed that odour will be emitted from 100% of the area of the shed, which is greater than the expected (typical) area of 50%.

The Tables below provide the expected emission rates from the shed associated with each method of calculating odour emissions.

**Table 6: Odour Emission Rates Based on Cattle Weight**

Source	Total Number of Cattle	Average Weight per Calf (tonne)	Total Livestock Weight (tonnes)	Odour Emission Rate (ou/tonne/s)	Total Emissions from Shed (ou/s)
Cattle Shed	25 x Calves	0.25	6.25	32	200

**Table 7: Odour Emission Rates Based on Floorspace**

Source	Approx. Area of Source (m <sup>2</sup> )	Assumed Slatted Area (m <sup>2</sup> )	Odour Emission Rate (ou/(m <sup>2</sup> /s))	Total Emissions per Source (ou/s)
Cattle Shed	102	102	2.72	277

It can be seen from the Tables above that while the calculated emissions are similar, there is a higher odour level calculated when emissions are based on the floorspace of the shed.

As the calves are only housed during the winter, the odour emissions from the cattle shed are based on a rate of **281ou/s** and are assumed to be ‘active’ for 6x months from Oct – March.

<sup>6</sup> Odour emissions from livestock production facilities. Valli et al. January 2008. Available Online: [Valli et al](#)

## 4.4 Meteorological Data

The AERMOD dispersion model requires the use of meteorological data (such as wind speed and direction) as pollutant concentrations can vary in time and space depending on the distribution of pollution sources and topography.

The Environment Agency's Permitting: Air Dispersion Modelling Reports<sup>7</sup> Guidance recommends that "to represent conditions for an 'average year' hourly meteorological data for a period of at least three, preferably five years should be used" to assess inter-year variations.

For this assessment, five years of hourly sequential meteorological data has been acquired from the Belfast International Airport, Aldergrove site for the years between 2018 and 2022 and incorporated into the AERMOD dispersion modelling exercise. This allowed for the determination of the predicted impact of emissions of ammonia from the site.

The corresponding meteorological datasets for the assessment have been acquired from Lakes Environmental who utilise the Weather Research and Forecasting (WRF) model, a mesoscale numerical weather prediction system designed for both atmospheric research and operational forecasting applications to generate a representative, high resolution meteorological dataset suitable for use within the AERMOD dispersion modelling package. The WRF model is used globally to simulate weather and air quality conditions by drawing from observations and archived meteorological model data and objective analysis to generate gridded meteorological parameters horizontally and vertically for a region.

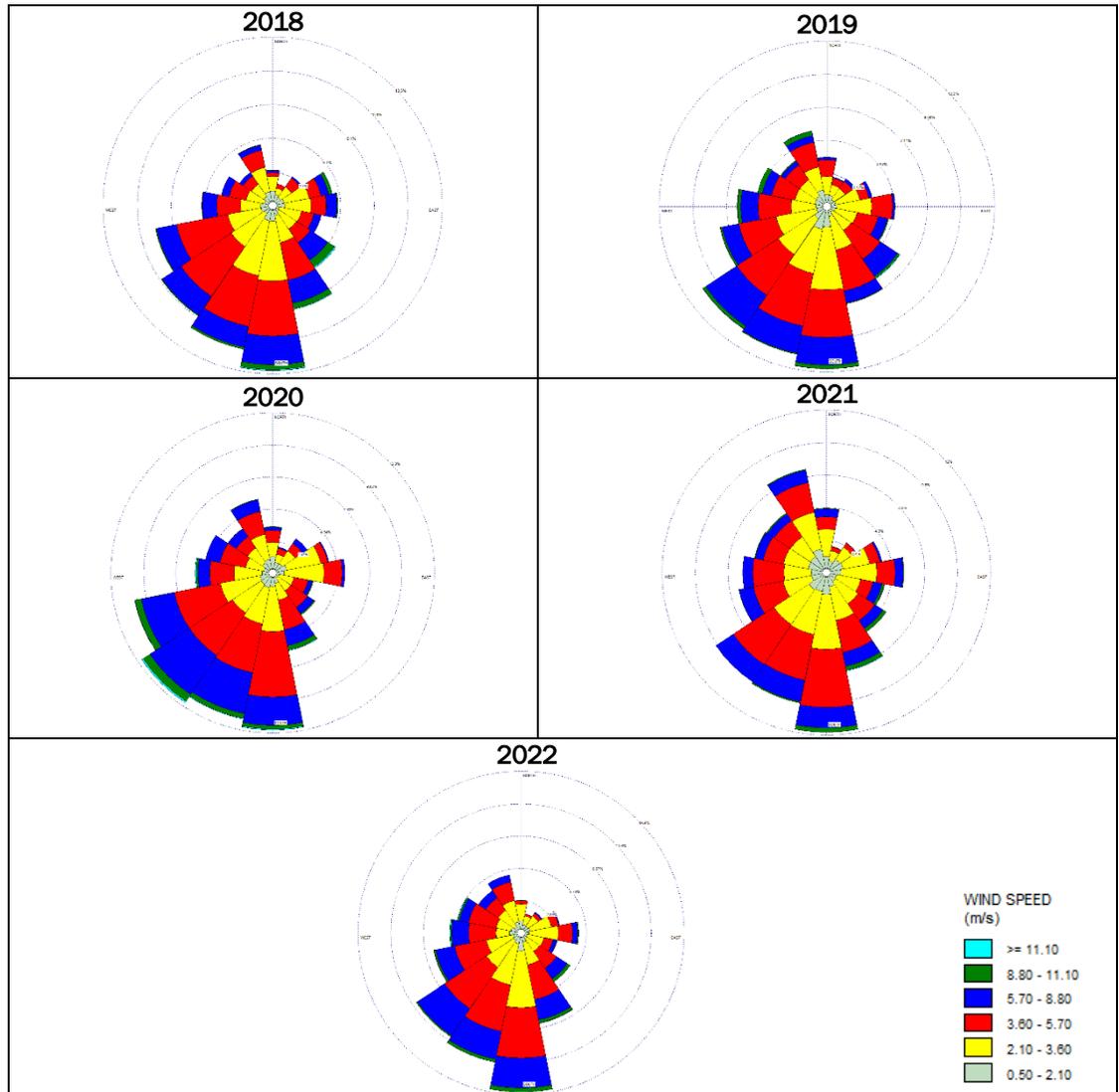
Lake Environmental then employ the Mesoscale Model Interface Program (MMIF) to convert the prognostic WRF meteorological model output to AERMET pre-processor data input format prior to use within the AERMOD dispersion modelling package.

The associated wind rose plots for each individual year are presented in Figure 1.

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<sup>7</sup> Environment Agency & DEFRA. *Environmental permitting: air dispersion modelling reports*. 19 January 2021. Available at: <https://www.gov.uk/guidance/environmental-permitting-air-dispersion-modelling-reports>

Figure 1: Annual Windrose Data



**4.5 Building Downwash**

When one or more buildings in the vicinity of a point source interrupt wind flow, an area of turbulence known as a building wake is created. Pollutants emitted from a relatively low level can be caught in this turbulence, affecting their dispersion. This phenomenon is called building downwash. In order to conduct an analysis of downwash effects of the point sources created to mimic the release of odorous air from the farm, the dimensions (including heights) of the proposed shed and other existing buildings on-site was obtained from drawings.

**4.6 Digital Terrain Data**

AERMOD contains a terrain data pre-processor called AERMAP. Receptor and source elevation data from AERMAP output is formatted for direct insertion into an AERMOD control file. The elevation data are used by AERMOD when calculating air pollutant concentrations.

Regulatory dispersion models applicable for simple to complex terrain situations require information about the surrounding terrain. With the assumption that terrain will affect air quality concentrations at individual receptors, AERMAP first determines the base elevation at each receptor and source. For complex terrain situations, AERMOD captures the essential physics of dispersion in complex terrain and therefore needs elevation data that convey the features of the surrounding terrain. In response to this need, AERMAP searches for the terrain height and location that has the greatest influence on dispersion for each individual receptor. This height is referred to as the hill height scale. Both the base elevation and hill height scale data are produced by AERMAP as a file or files which can be directly inserted into an AERMOD input control file.

## 5 RESULTS

There are seven third party residential properties in the immediate vicinity of the site, which are detailed below.

**Table 8: Nearest Residential Properties**

Location	Description	Co-ordinates	Approx. Distance to Proposed Shed (m)
R1	Occupied Dwelling LA05/2022/0213/F	333701, 363722	45
R2	41 Moss Road	333617, 363695	55
R3	32 Moss Road	333627, 363741	10
R4	Moss Road*	333613, 363751	25
R5	36 Moss Road	333589, 363756	40
R6	40 Moss Road	333546, 363790	100
R7	28 Moss Road	333635, 363728	20

\*The property number of Location R4 could not be confirmed, but the exact coordinate used in the AERMOD model is provided in the Table, and all the properties are shown in the figure in Appendix A.

It should be noted that the distances included in the Table above are provided for indicative purposes only and have no impact on the AERMOD model. The only input used in the model are the co-ordinates provided above, with details of the sources provided in Appendix C. The Table details the distance from the co-ordinates provided to the closest point of the proposed shed.

### 5.1 Odour

Odour modelling was carried out for each individual year with the results at the nearest sensitive locations presented in Table 9 below. All results are the odour concentration in ( $\text{ou}_E/\text{m}^3$ ).

**Table 9: 98<sup>th</sup> Percentile of the Max 1-hr odour levels at nearest residential properties**

Location	2018	2019	2020	2021	2022
R1	0.07	0.09	0.07	0.08	0.08
R2	0.06	0.09	0.06	0.09	0.08
R3	0.58	0.77	0.49	0.87	0.58
R4	0.29	0.42	0.35	0.44	0.29
R5	0.11	0.17	0.11	0.16	0.11
R6	0.04	0.05	0.03	0.04	0.03
R7	0.32	0.44	0.27	0.47	0.38

For the proposed site layout, all approved or existing dwellings are below the  $3\text{ou}_E/\text{m}^3$  when considered as individual years and as a 5-year average of the 98<sup>th</sup> percentile.

## 5.2 Odour Significance

An assessment of the significance of the odour impact at each receptor using the specified criterion within the IAQM odour guidance (see Table 3) and dispersion modelling results (see Table 9) has been made in Table 10 below.

**Table 10: Significance of Estimated Odour Emissions at Considered Receptors**

	Receptor ID	Maximum Annual 98 <sup>th</sup> Percentile Hourly Mean Concentration (ou <sub>E</sub> /m <sup>3</sup> )		Receptor Sensitivity	Impact Descriptor
R1	Occupied Dwelling LA05/2022/0213/F	0.09	2019	High	Negligible
R2	41 Moss Road	0.09	2019	High	Negligible
R3	32 Moss Road	0.87	2021	High	Negligible
R4	Moss Road	0.44	2021	High	Negligible
R5	36 Moss Road	0.17	2019	High	Negligible
R6	40 Moss Road	0.05	2019	High	Negligible
R7	28 Moss Road	0.47	2021	High	Negligible

As indicated in Table 10, the significance of odour impacts has been predicted to be no worse than 'Negligible' at all receptors.

The IAQM guidance states that only if the impact is greater than slight, the effect is considered significant. As such, the maximum impact of 'Negligible' at all of the receptors is **considered not significant**, in accordance with the stated methodology.

## 6 CONCLUSIONS

An odour impact assessment has been undertaken in relation to the retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works, lands to the rear of No 28 Moss Road, Dumbo, Lisburn.

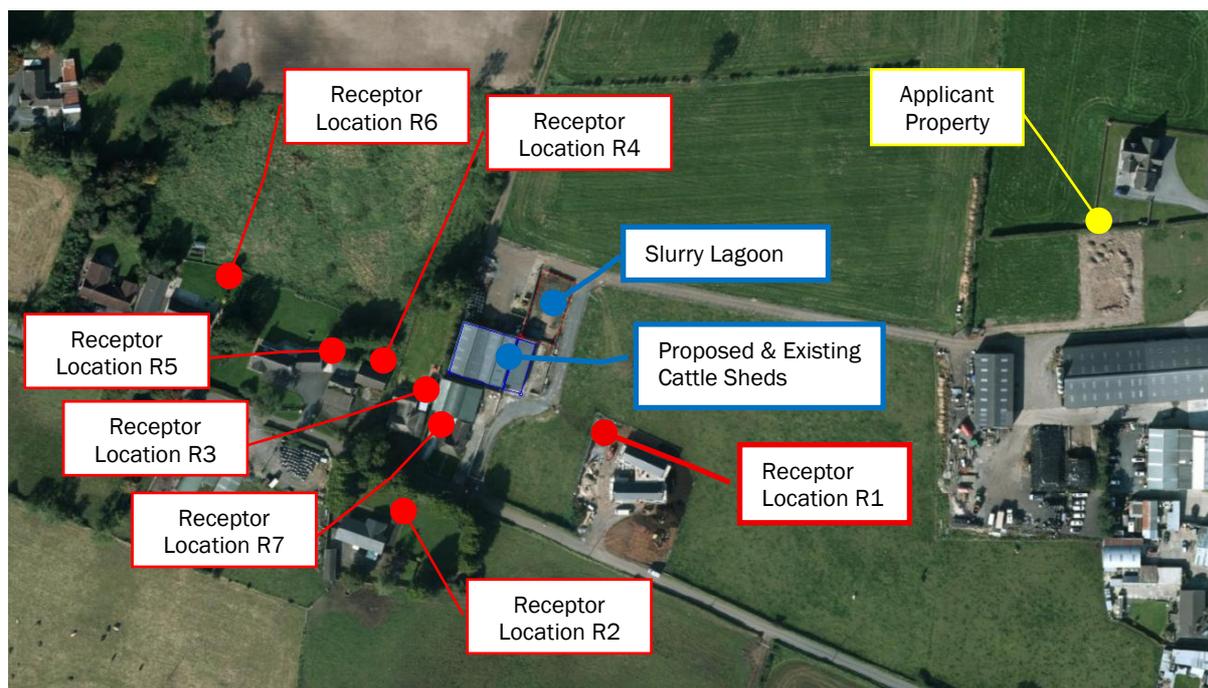
The maximum ground level odour concentration is predicted to be primarily confined to the immediate environs of the proposed shed, where calves will only be housed.

The maximum 98<sup>th</sup> percentile of 1-hour ground level odour concentration at the worst effected residential property in the vicinity of the site is in accordance with the target limit value of  $\leq 30 \mu\text{E}/\text{m}^3$  when taken as an average of the 5-year period or within any individual 1-year period.

A Freedom of Information Request response dated 29 September 2025 confirmed that, “No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farms sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years.”

On this basis, and taking into account the context, baseline conditions, and operational design of the proposal, it is the professional opinion of Irwin Carr Consulting that odour associated with the proposed development will not give rise to adverse impacts at nearby third-party properties. As such, odour should not be considered a negative determining factor in the planning assessment of this appeal.

APPENDIX A SITE LAYOUT



**\*\*Note- The above diagrams are not to scale and is for illustrative purposes only.**

## APPENDIX B CUMULATIVE ODOUR ASSESSMENT

An additional assessment was completed without prejudice, which takes account of the existing cattle (20 cows) shed and slurry lagoon on site.

The emissions and results associated with this assessment are detailed in the relevant sections below.

### Input Parameters

The site layout map, building plans and elevations were used as a template for all sources, relevant structures, and the boundary of the facility. The AERMOD package uses the steady state Gaussian plume equation for a continuous elevated point or line source.

The location of the proposed shed is provided in Appendix A.

Table 11 below gives general details of the proposed cattle sheds on the site.

**Table 11: Dimensions of Proposed Cattle Sheds**

	Shed 1- Proposed	Shed 2- Existing	Existing Slurry Lagoon
Approx Dimensions of Source	21.1m x 4.85m x 5.2m	21.1m x 7.1m x 5.2m	28.45m x 14.1m
Total Area	102m <sup>2</sup>	149.8m <sup>2</sup>	401m <sup>2</sup>
Emissions	Naturally Ventilated	Naturally Ventilated	Area Source- Naturally Venting

### Cattle Shed Emissions

As detailed in Section 4.3.1, the odour emissions are based on floorspace of the cattle sheds.

The Table below provides the expected emission rates from the existing and proposed cattle sheds.

**Table 12: Odour Emission Rates Based on Floorspace**

Source	Approx. Area of Source (m <sup>2</sup> )	Assumed Slatted Area (m <sup>2</sup> )	Odour Emission Rate (ou/(m <sup>2</sup> /s))	Total Emissions per Source (ou/s)
Proposed Cattle Shed	102	102	2.72	277
Existing Cattle Shed	149.8	149.8	2.72	557

As the cattle in each shed are only housed for 6x months, the odour emissions from each shed are assumed to be 'active' for 6x months, from Oct - March.

### Slurry Lagoon Emissions

Table 4.167 of the BAT Reference Document<sup>8</sup> notes that an odour reduction of up to 90% is achievable for floating flexible covers on slurry stores, and that emissions are reduced because the surface covering forms a physical barrier.

The ammonia emission factors for slurry storage are detailed in the PPC Application form and Guidance published by the Environment Agency<sup>9</sup>, and this document notes an ammonia reduction of 60% is applicable for floating covers.

As part of this assessment, the odour emission rate takes account of a 60% reduction (which is the more conservative of the 2 Guidance documents), and the emission rate is therefore defined as 1.09 ou/m<sup>2</sup>/s.

<sup>8</sup> Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs Industrial Emissions Directive 2010/75/EU (Integrated Pollution Prevention and Control)

<sup>9</sup> Pollution Inventory Reporting. Environmental Permitting (England and Wales) Regulations 2010. Regulation 60 (1). January 2013, Version 5

Table 13 below show the odour emission rates relied upon in this assessment.

**Table 13: Odour Emission Rates- Slurry Lagoon**

Source	Approx. Area of Source (m <sup>2</sup> )	Assumed Slatted Area (m <sup>2</sup> )	Odour Emission Rate (ou/(m <sup>2</sup> /s))	Total Emissions per Source (ou/s)
Slurry Lagoon (Floating Cover)	401	401	1.09*	436

*\*This emission rate includes a 60% reduction in the odour emission rate as a result of the floating cover that will be in place over the lagoon.*

It has been assumed that the odour emission rate will be emitted from the lagoon at all times throughout the year.

#### Predicted Odour Impacts

There are seven third party residential properties in the immediate vicinity of the site, which are detailed in Table 8 above.

Odour modelling was carried out for each individual year with the results at the nearest sensitive locations presented in Table 14 below. All results are the odour concentration in (ou<sub>E</sub>/m<sup>3</sup>).

**Table 14: 98<sup>th</sup> Percentile of the Max 1-hr odour levels at nearest residential properties**

Location	2018	2019	2020	2021	2022
R1	1.00	1.18	1.11	1.50	1.55
R2	0.38	0.43	0.35	0.56	0.41
R3	1.57	1.87	1.66	2.59	1.54
R4	1.05	1.16	1.14	1.51	0.99
R5	0.55	0.65	0.60	0.73	0.52
R6	0.19	0.24	0.15	0.25	0.18
R7	1.46	1.63	1.35	2.09	1.55

For the proposed site layout, all approved or existing dwellings are below the 3ou<sub>E</sub>/m<sup>3</sup> when considered as individual years and as a 5-year average of the 98<sup>th</sup> percentile.

### Odour Significance

An assessment of the significance of the odour impact at each receptor using the specified criterion within the IAQM odour guidance (see Table 3) and dispersion modelling results (see Table 14) has been made in Table 15 below.

**Table 15: Significance of Estimated Odour Emissions at Considered Receptors**

	Receptor ID	Maximum Annual 98 <sup>th</sup> Percentile Hourly Mean Concentration (ou <sub>E</sub> /m <sup>3</sup> )		Receptor Sensitivity	Impact Descriptor
R1	Occupied Dwelling LA05/2022/0213/F	1.55	2022	High	Slight
R2	41 Moss Road	0.56	2021	High	Negligible
R3	32 Moss Road	2.59	2021	High	Slight
R4	Moss Road	1.51	2021	High	Slight
R5	36 Moss Road	0.73	2021	High	Negligible
R6	40 Moss Road	0.25	2021	High	Negligible
R7	28 Moss Road	2.09	2021	High	Slight

As indicated in Table 15, the significance of odour impacts has been predicted to be no worse than 'Slight' at all receptors.

The IAQM guidance states that only if the impact is greater than slight, the effect is considered significant. As such, the maximum impact of 'Slight' at all of the receptors is **considered not significant**, in accordance with the stated methodology.

**APPENDIX C SOURCE AND RECEPTOR LOCATIONS**

The Table below details the location of the line sources of the proposed cattle shed, which was included in the model, as well as the existing sources included in the additional scenario detailed in Appendix B.

**Table 16: Building Location**

Building Number	Irish Grid Co-ordinates (SW Corner)
Shed 1 - Proposed	333637, 363748
Shed 2 - Existing	333659, 363741
Slurry Lagoon - Existing	333667, 363762

**Table 17: Odour Sources**

Building	Source	Irish Grid Co-ordinates (To the Nearest 1m)	
Shed 1 - Proposed	Line Source (Start)	333649	363766
	Line Source (End)	333643	363746
Shed 2 - Existing	Line Source (Start)	333666	363739
	Line Source (End)	333672	363759
Lagoon	Area Source (Approx Centre Point)	333677	363774

**Figure 2: Nested Uniform Cartesian Receptor Details**

Nested Grid Receptors

Nested Grid ID: NSTD2 # Receptors: 849

Grid Settings | Generated Receptors

Bounding Box

Origin (SW Corner) (X, Y): 333632.58 363734.2 [m]

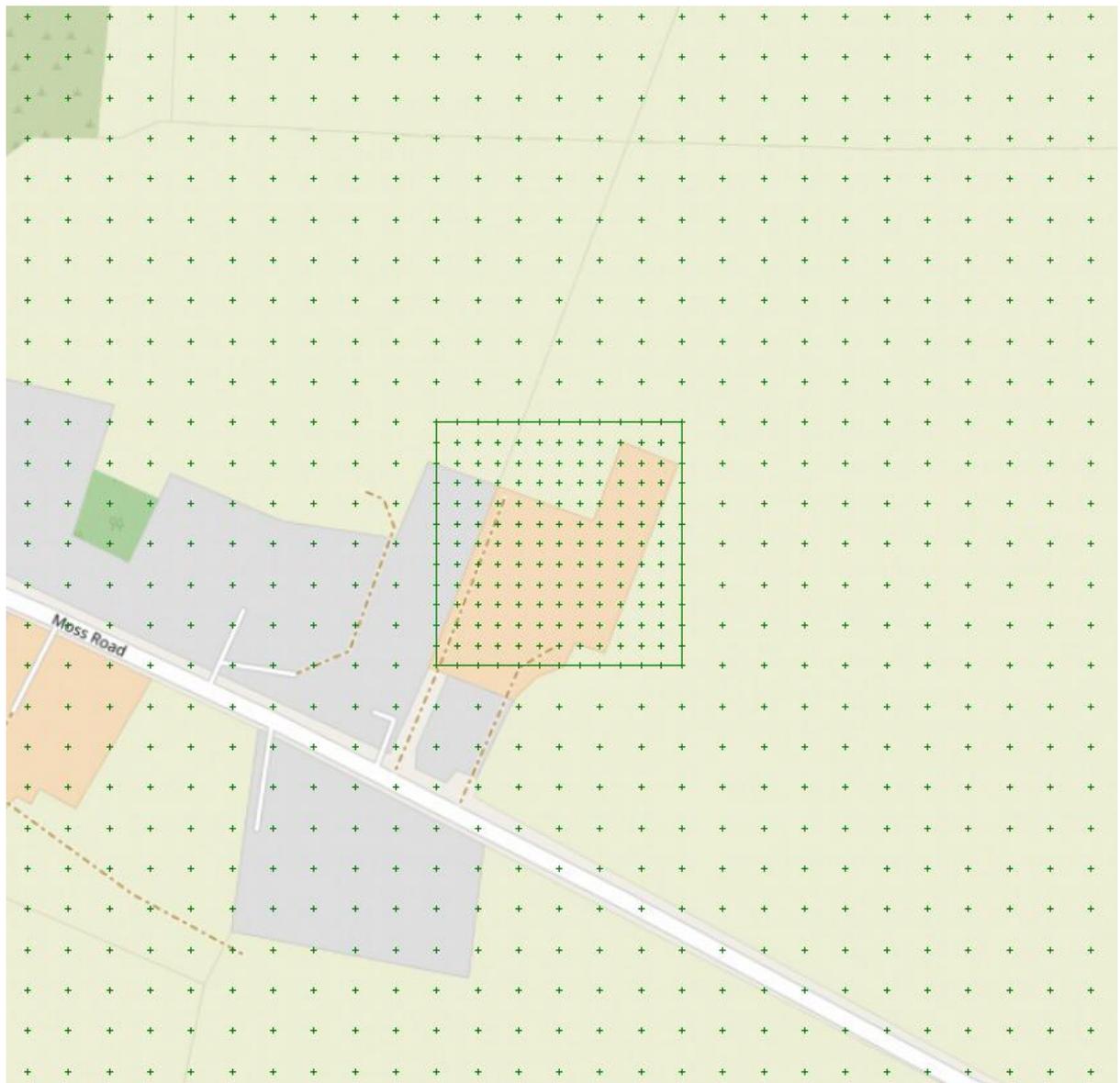
Size (Width, Height): 60.0 60.0 [m]

Receptor Spacing: 5.0 [m]

#	Distance from Bounding Box [m]	Receptor Spacing [m]
1	100.00	10.00

Buttons: Add, Delete

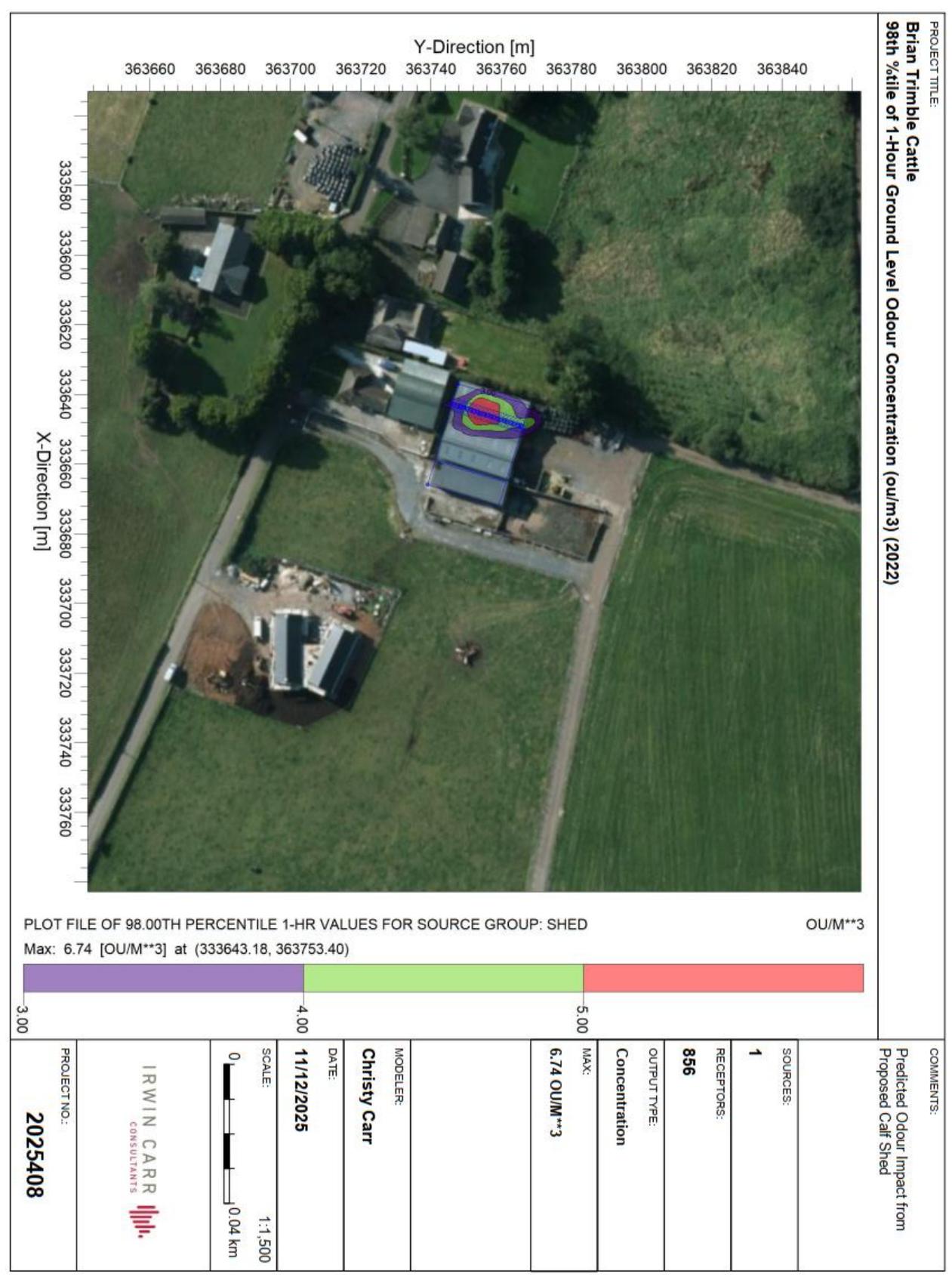
Figure 3: Graphical Representation of Nested Grid Receptors

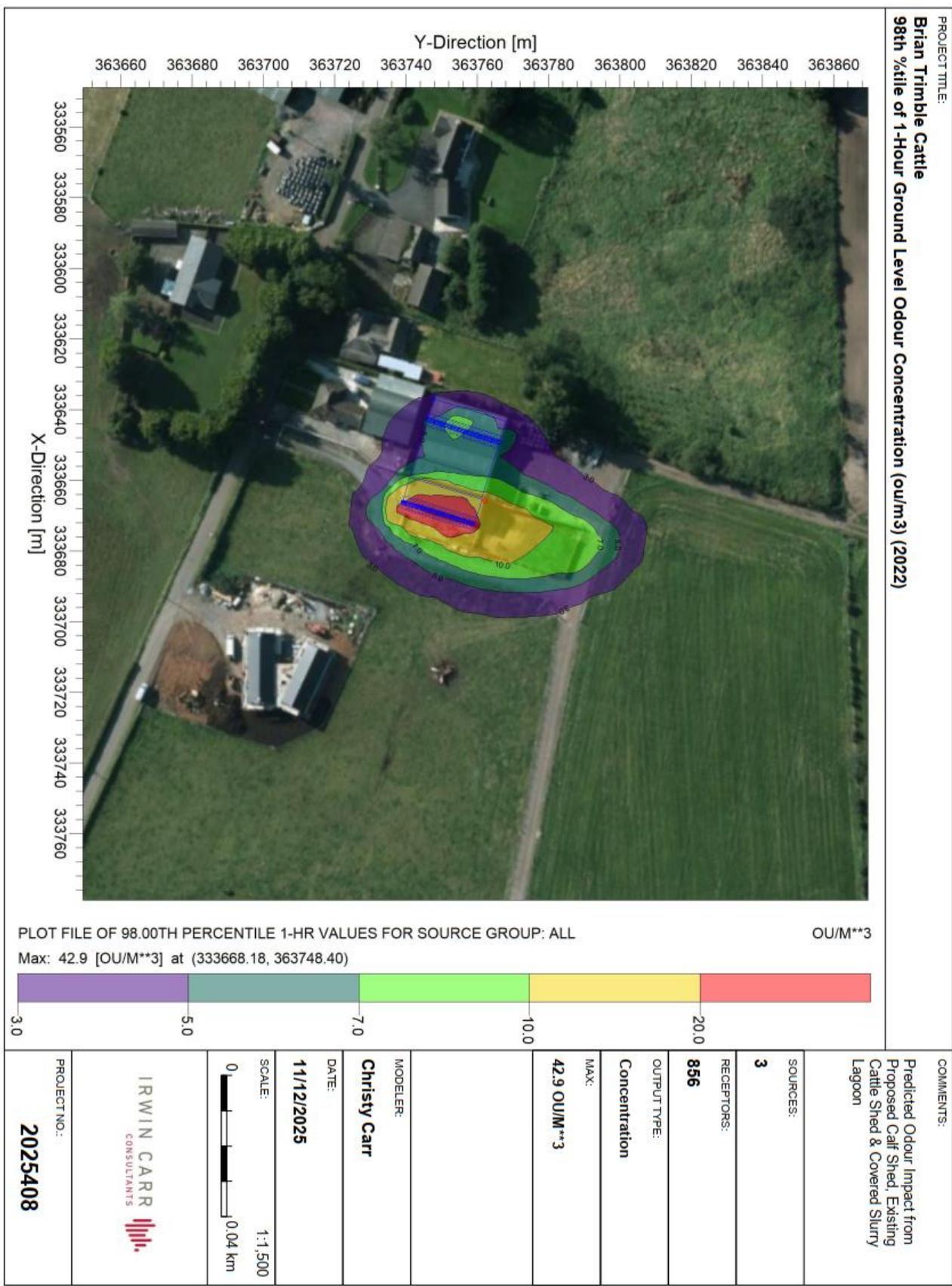


The Figures above provide the inputs of the Nested Grid Receptor that was used to produce the odour contour/ plumes in the vicinity of the site, as provided in Appendix D.

**APPENDIX D MODELLING RESULTS**

The Figures below details the odour plume for 2022 for the proposed shed, as well as the cumulative impact.





**APPENDIX E FREEDOM OF INFORMATION REQUEST – RESPONSE 29 SEPTEMBER 2025**

**Date:** 29/09/2025

**Case reference:** FOI866

Lisburn & Castlereagh City  
Council

Freedom of Information  
enquiries

**email:**

[foi@lisburncastlereagh.gov.uk](mailto:foi@lisburncastlereagh.gov.uk)

Dear Mr Jordan

Thank you for your request for information dated 25/09/2025, in relation to **Lands to the rear of No.28 Moss Road, Drumbo, Lisburn.**

No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farm sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years.

If you are not happy with this response, you can request an Internal Review by clicking here [Make a Freedom of Information request - Lisburn & Castlereagh \(lisburncastlereagh.gov.uk\)](#) and select Internal Review under request type.

Following an Internal Review, if you remain dissatisfied and wish to appeal the Internal Review decision, please contact the Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

The ICO can be contacted on their main helpline number 0303 123 1113; via email at [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk) or alternatively you can click on the online complaints form here [FOI and EIR complaints | ICO](#).

Yours Sincerely

**Vicky Elliott**  
**Environmental Health Manager (Acting)**  
**Lisburn & Castlereagh City Council**

APPENDIX F COMPARISON WITH PREVIOUS LIVESTOCK SHEDS

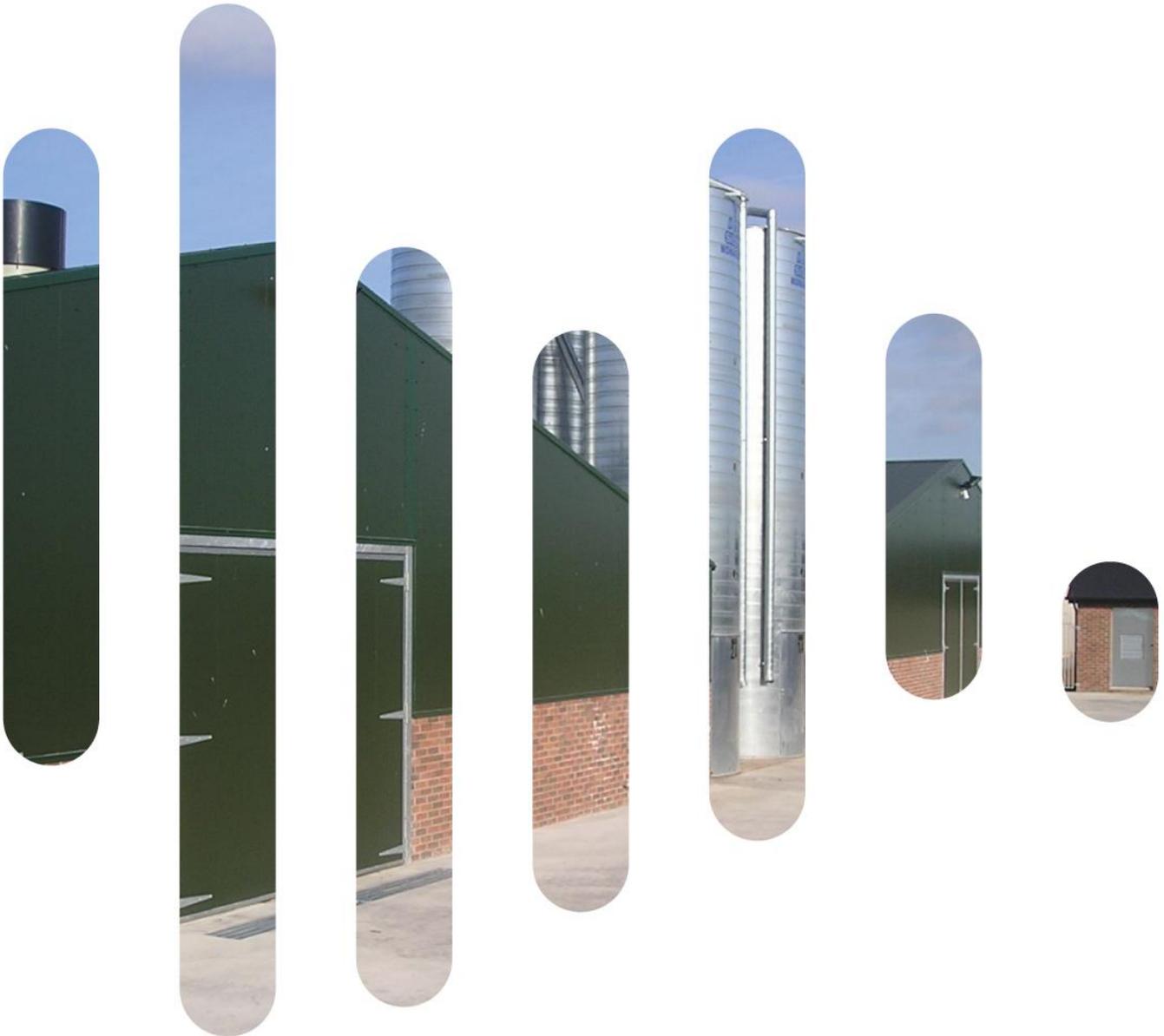
Figure A1: Previous Livestock Sheds – April 2020



Figure A2: Existing Livestock Sheds – March 2025



# IRWIN CARR CONSULTING



## NOISE IMPACT ASSESSMENT DRUMBO CALF SHED

Report No. RP001N 2025408 (Drumbo Calf Shed)  
8 December 2025

**PROJECT:** DRUMBO CALF SHED

**PREPARED FOR:** BELL ROLSTON  
THE CORNER HOUSE  
183-185 BALLYCLARE ROAD  
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**ATTENTION:** THOMAS BELL

**REPORT NO.:** RP001N 2025408

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**Document Control**

Status:	Rev:	Comments	Date:	Author:	Reviewer:
Final	1.4		8 December 2025	Dr Chris Jordan	Shane Carr
					

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## 1.0 INTRODUCTION

Irwin Carr Consulting has been commissioned to undertake a noise impact assessment in relation to the retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works, lands to rear of No 28 Moss Road, Dumbo, Lisburn.

The proposed development consists of two sheds:

- A cattle shed used to over winter no more than 25 calves
- A machinery and straw storage shed

The proposed development replaced existing agricultural buildings used to house livestock. This report assesses the potential noise impacts arising from operational activities associated with the development on nearby noise-sensitive receptors.

The purpose of this assessment is to provide an objective evaluation of the potential noise implications of the proposed development, to inform consideration of any mitigation measures that may be necessary.

It is understood that this noise impact assessment will be submitted in support of planning appeal reference 2025/A0069.

A Freedom of Information Request response dated 29 September 2025 confirmed that, “No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farms sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years.”

## 2.0 DEVELOPMENT DESCRIPTION

The development site is an established agricultural holding located approximately 50m north of Moss Road, with vehicular access via a laneway from the main farm complex approximately 230m to the east.

The development site consists of two sheds:

- A cattle shed used to over winter no more than 25 calves
- A machinery and straw storage shed

In addition there is an existing lean to shed directly adjacent to the east with external holding pens, with an open slurry lagoon directly to the north-east. Directly to the south there are sheds associated with a third party at 28 Moss Road.

The proposed development replaced existing agricultural buildings used to house livestock. Appendix F presents aerial photography of the previous sheds in April 2020, with an area of approximately 490m<sup>2</sup>, and aerial photography of the existing sheds in March 2025 with a total area of approximately 468m<sup>2</sup>, of which approximately 102m<sup>2</sup> is used for housing livestock. Demonstrating that the proposed development has a reduced footprint.

From an acoustics perspective, the principal source of noise associated with the proposed development is animal activity within the cattle shed. A minor increase in vehicle movements associated with the proposed development is also anticipated, contributing to the overall noise emissions.

The location of the site and nearby residential properties is shown in Appendix A and predictive noise model output is shown in Appendix B.

### 3.0 ASSESSMENT CRITERIA

There are two types of assessment criteria in relation to the predicted noise levels from this type of site. BS4142:2014 is an assessment methodology that can be described as using noise change criteria, where the predicted noise levels are compared to the existing background noise levels.

Another method of assessment compares the predicted noise levels to absolute noise levels such as the World Health Organisation (WHO) Guidelines, which outline absolute noise levels.

For completeness, we have assessed the predicted noise levels from this site in line with both criteria.

#### 3.1 BS4142:2014

BS 4142:2014, *Methods for rating and assessing industrial and commercial sound*, describes methods for assessing whether noise levels are likely to give rise to an adverse impact by comparison of the background noise level with the noise emissions from the facility under assessment.

The Standard introduces the concept of a Rating Level ( $L_{Ar}$ ) to account for the fact that certain characteristics of the noise source can increase the likelihood of an adverse impact. These characteristics include noise sources of an irregular nature or that contain distinguishable, discrete tonal noise.

Where applicable, a correction is added to the measured or predicted Specific Noise Level ( $L_{Aeq}$ ) to determine the Rating Level. Note that all noise levels are assessed at an amenity area of the property under consideration.

BS 4142:2014 requires that the measured Rating Level ( $L_{Ar}$ ) is compared to the Background Level ( $L_{A90}$ ), measured in the absence of the noise under assessment, to determine the likelihood of an adverse impact.

#### 3.2 World Health Organisation (WHO)

Example noise limits can be found in World Health Organisation (WHO) publication *Guidelines for Community Noise*, 1999 which states the following:

*“To protect the majority of people from being seriously annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB  $L_{Aeq}$  for a steady, continuous noise.”*

and

*“For a good night’s sleep, the equivalent sound level should not exceed 30dB(A) for continuous background noise, and individual noise events exceeding 45dB(A) should be avoided.”*

#### 3.3 BS 8233:2014 – Guidance on sound insulation and noise reduction for buildings

Example absolute noise limits can be found in British Standard 8233:2014 – Guidance on sound insulation and noise reduction for buildings. Table 8.7 of BS8233:2014 is replicated in Table 1 below:

**Table 1: Indoor noise criteria**

Activity	Location	07:00 to 23:00	23:00 to 07:00	23:00 to 07:00
Resting	Living Room	35 dB $L_{Aeq,16hour}$		
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$		
Sleeping	Bedroom	35 dB $L_{Aeq,16hour}$	30 dB $L_{Aeq,8hour}$	45 dB $L_{Amax}$

## 4.0 ENVIRONMENTAL NOISE SURVEY

Noise levels were measured between 14 and 20 October 2025 at a location deemed representative of the background level in the vicinity of the nearest residential properties in proximity to the site. The measurement location is described in Table 2 below and depicted in Appendix A.

The survey was set up by Dr Chris Jordan using the following equipment:

- 821 Larson Davis Sound Level Meter
- CAL200 Larson Davis Acoustic Calibrator
- Davis Vantage Pro Weather Station

**Table 2: Noise Monitoring Location**

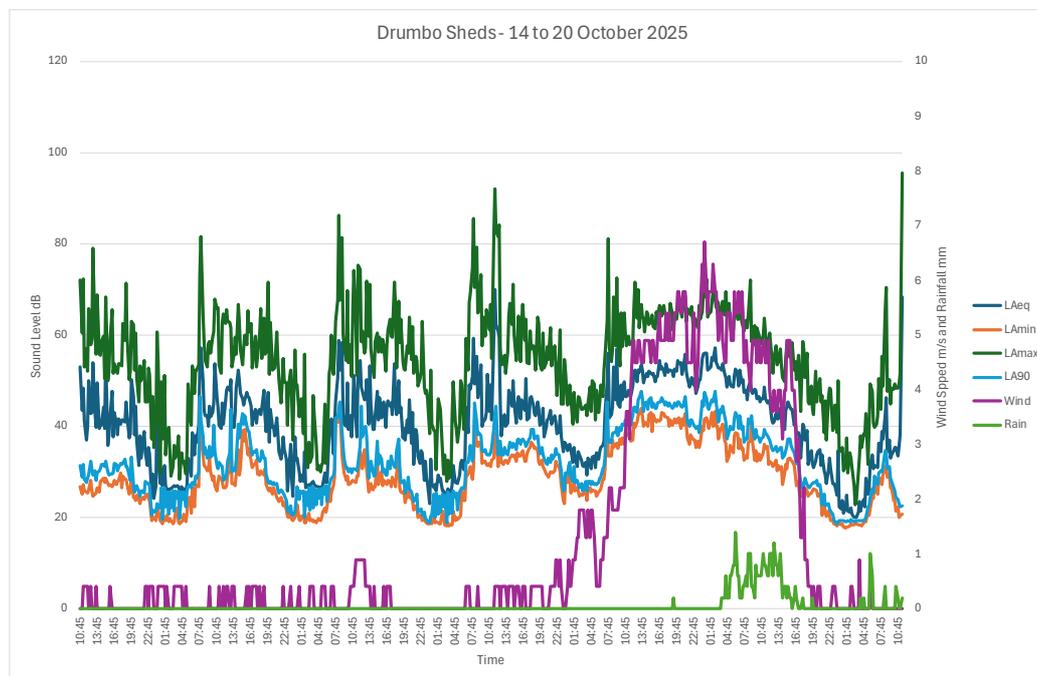
Location (Irish Co-ordinate System)	
Noise Monitoring Location	333835 363680

The acoustic parameters measured included  $L_{Aeq}$ ,  $L_{A90}$ ,  $L_{Amin}$  and  $L_{AMax}$ . Instrumentation was checked calibrated before and after the survey period with no deviations noted. Weather during the surveys was mostly dry and calm with wind speeds less than 5 m/s. Any periods of rainfall and wind speeds greater than 5m/s were removed from the data pool.

The prevailing soundscape is rural in character, typically defined by natural ambient sounds such as birdsong, wind through vegetation, passing vehicles and contributions from existing agricultural activities.

## 4.1 Survey Results

**Figure 1: Acoustic survey time history**

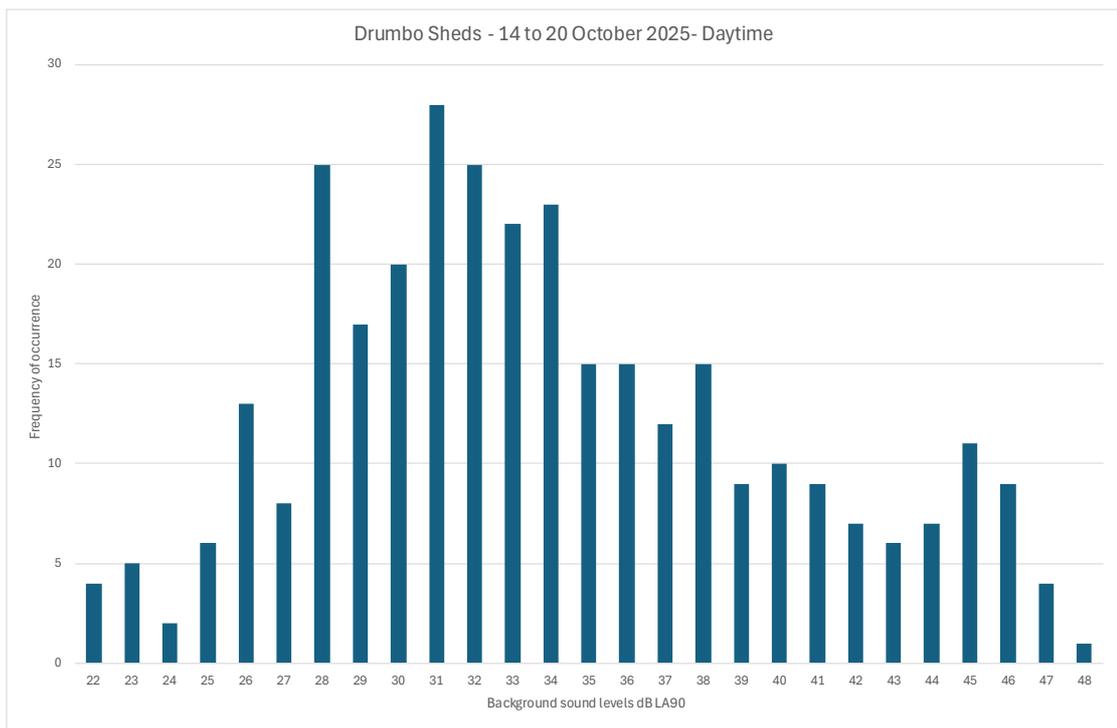


## 4.2 Background Sound Level

Background sound pressure levels were determined for the purposes of the BS4142 assessment of noise of a commercial or industrial nature associated with the proposed site. The standard uses a typical background level ( $L_{A90,T}$ ) in the absence of the specific sound under consideration. During the attended period of the survey it was noted that the dominant noise source was traffic noise, with little to no audible contribution from the existing farm.

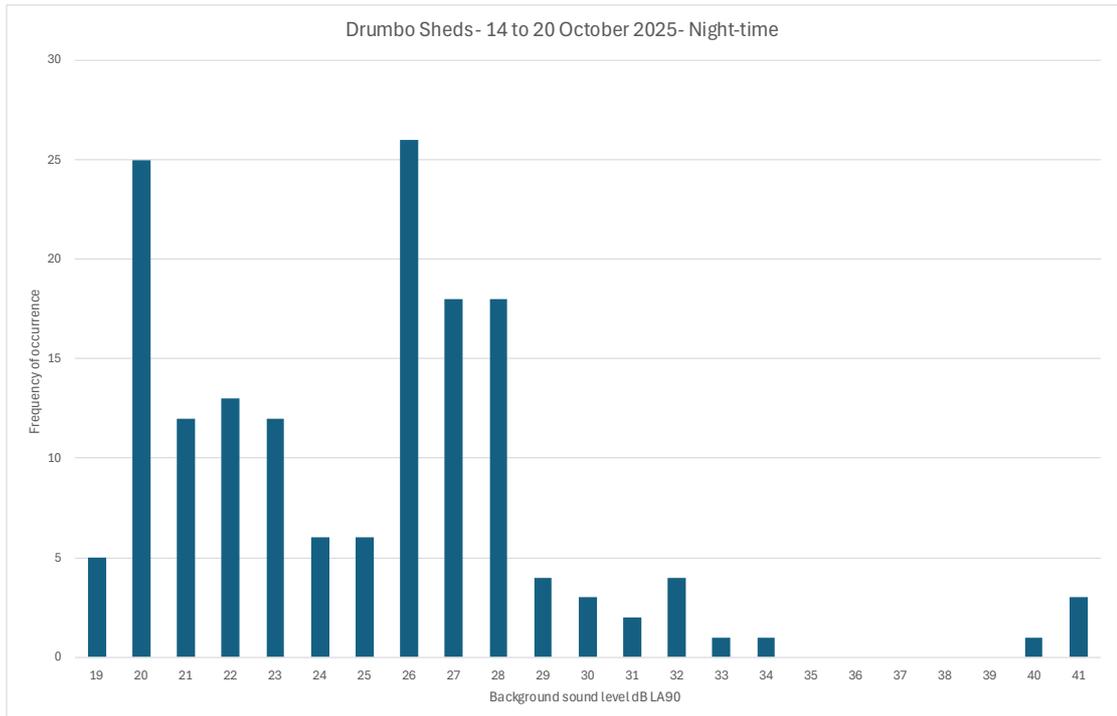
The results are shown below, where the measured background levels are shown as per the frequency of each occurrence. The results are presented for daytime and night-time in Figures 2 and 3 respectively.

**Figure 2: Histogram showing frequency distribution of daytime background sound levels at the monitoring location**



The daytime mean was 33.5 dB  $L_{A90}$ , the mode 31 dB  $L_{A90}$  and median 32.7 dB  $L_{A90}$ . Based on analysis of the data presented in Figure 2 and guidance from BS4142:2014, **32 dB  $L_{A90}$**  has been chosen as a robust and representative background noise levels for the daytime period as it lies centrally within the main data range and is similar to the mean, modal and median values.

**Figure 3: Histogram showing frequency distribution of night-time background sound levels at the monitoring location**



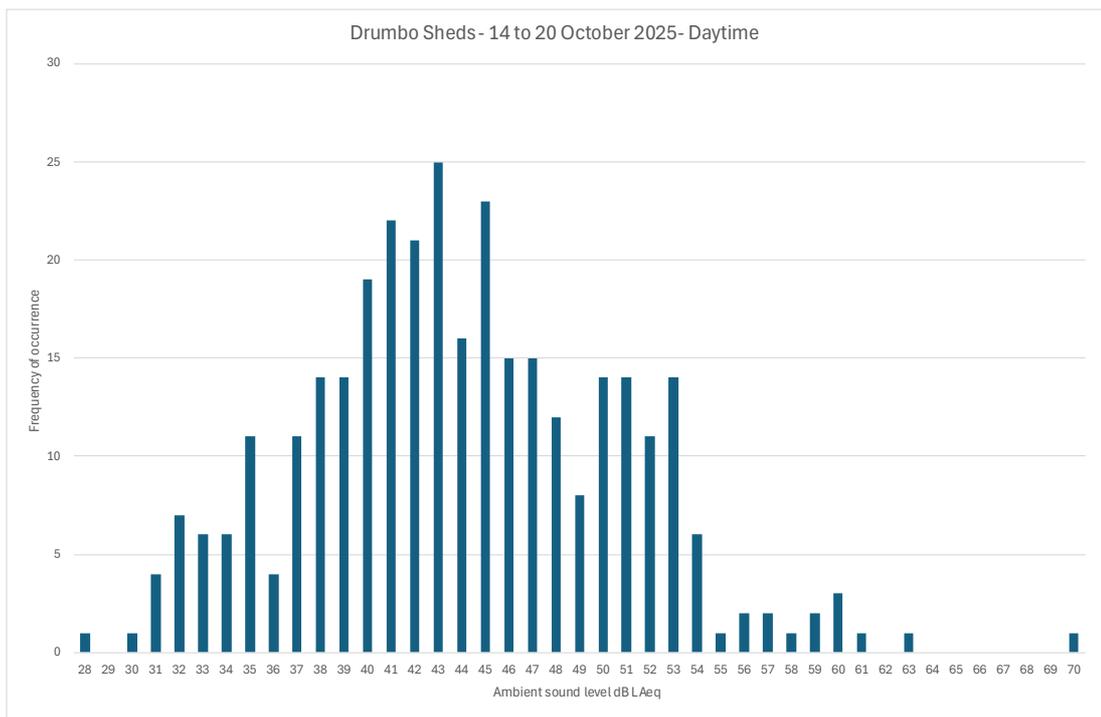
The night-time mean was 24.5 dB LA90, the mode 26 dB LA90 and median 25.2 dB LA90. Based on analysis of the data presented in Figure 3 and guidance from BS 4142:2014, **26 dB LA90** has been chosen as robust and representative background noise levels for the night-time period as it lies centrally within the main data range and is similar to the mean and median values and identical to the modal value.

### 4.3 Ambient Sound Level

Ambient sound pressure levels were determined for the purposes of the BS 4142 assessment of noise of a commercial or industrial nature associated with the proposed site. The standard uses a typical ambient level ( $L_{Aeq, T}$ ) in the absence of the specific sound under consideration. As above, during the attended period of the survey it was noted that the dominant noise source was traffic noise, with little to no audible contribution from the existing farm.

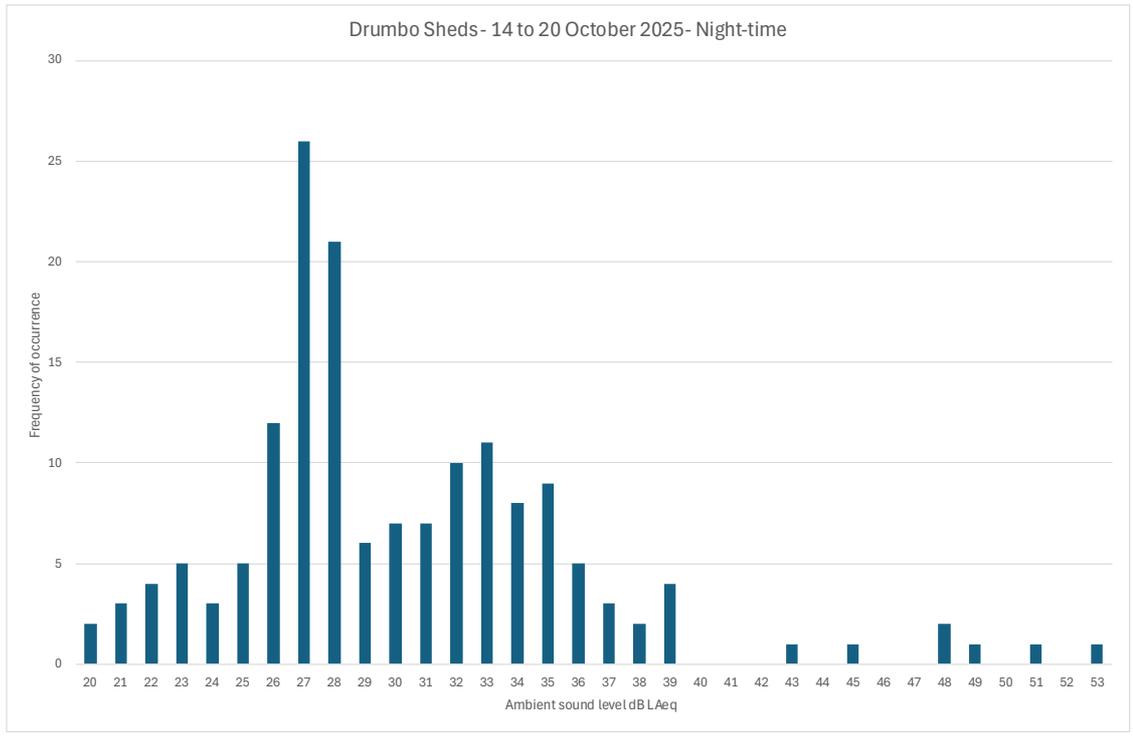
The results are shown below, where the measured ambient levels are shown as per the frequency of each occurrence. The results are presented for daytime and night-time in Figures 4 and 5 respectively.

**Figure 4: Histogram showing frequency distribution of daytime ambient sound levels at the monitoring location**



The daytime mean was 43.5 dB  $L_{Aeq}$ , mode 43 dB  $L_{Aeq}$  and median 43 dB  $L_{Aeq}$ . Based on analysis of the data presented in Figure 4 and guidance from BS 4142:2014, **43 dB  $L_{Aeq}$**  has been chosen as appropriate and representative ambient noise levels for the daytime period as it is similar to the mean value and identical to the modal and median values.

**Figure 5: Histogram showing frequency distribution of night-time ambient sound levels at the monitoring location**



The night-time mean was 29.8 dB LAeq, the mode 27 dB LAeq and median 28 dB LAeq. Based on analysis of the data presented in Figure 5 and guidance from BS 4142:2014, **28 dB LAeq** has been chosen as an appropriate and representative ambient noise level for the night-time period as it is the similar to the mean and modal values and identical to the median value.

## 5.0 NOISE PREDICTIONS

### 5.1 SoundPLAN Noise Modelling

For the purposes of this assessment, computer modelling has been undertaken to accurately predict noise emissions at the nearest residential properties due to the development extension where the newest noise sources could not be measured in isolation during the site survey.

The model was implemented in *SoundPLAN* version 9.0, which is produced by Braunstein & Berndt GmbH. The *SoundPLAN* implementation of ISO9613 has been tested in-house by *SoundPLAN* developers to ensure calculated results are within 0.2dB of the standard.

The model is integrated, allowing noise from all sources, with prediction methodologies to be undertaken simultaneously. The noise model takes into consideration the following parameters:

- Topographical effects
- Atmospheric absorption
- Ground absorption
- Screening effects
- Reflections
- Focusing effects
- Metrological conditions

The model predicts the propagation of noise for each source-receiver pair and produces a noise level contour map. The noise level contours are colour coded for ease of interpretation.

### 5.2 Source Noise Levels and Noise Model Inputs

#### 5.2.1 BUILDING CONSTRUCTION

The roofing/wall cladding material of the cattle shed is 0.6 mm thick corrugated steel sheeting providing a sound reduction index of 20 dB  $R_w$  over a 152 mm thick solid concrete wall providing a sound reduction index of 55 dB  $R_w$  (INSUL sound reduction values Appendix C). It is noted that the existing shed has small air gaps between the corrugated steel sheeting, it is proposed that these air gaps are 'filled in' with wooden batons along the whole of the western side to provide a solid façade.

There is a roller shutter door in the northern façade, it has been assumed that the roller shutter door is open 24/7, with a sound reduction index of 0  $R_w$ .

#### 5.2.2 INTERNAL NOISE LEVELS

In addition to background noise level monitoring, a noise level meter was installed within the cattle shed from the 7 to 14 October 2025.

The daytime mean was 53.8 dB  $L_{Aeq}$ , mode 54 dB  $L_{Aeq}$  and median 53.5 dB  $L_{Aeq}$ .

The night-time mean was 46.1 dB  $L_{Aeq}$ , mode 46 dB  $L_{Aeq}$  and median 46.1 dB  $L_{Aeq}$ .

Given the above, an internal noise level of 54 dB  $L_{Aeq}$  has been applied to the noise model at all times.

Charts of the internal noise level measurements are presented in Appendix D.

#### 5.2.3 VEHICLE MOVEMENTS

It has been confirmed that overall vehicle movements will not increase as a result of the proposed development, given its replacement of existing sheds. However, for robustness, a worst-case scenario has been assessed whereby one agricultural tractor or HGV enters and leaves the site each hour during the daytime (i.e. 2 movements per hour). A sound power level of 98 dB(A) has been applied for these vehicle movements (based on BS 5228-1:2014), with an assumed travel speed of 20 km/h within the site.

Digital mapping was used to present the site layout and the closest residential properties in the vicinity of the site, included in Appendix B.

### 5.3 Receptors

Seven receptors were identified representing the amenity areas of the nearest residential properties in the vicinity of the proposed development site. The location of these receptors is presented in Table 3 and Appendix A.

**Table 3: Noise Sensitive Receptors**

Location	Co-ordinates	
R1 - New Build Moss Road - Side Garden	333693	363707
R2 - 28 Moss Road - Front Garden	333634	363709
R3 - 32 Moss Road - Rear Garden	333630	363755
R4 - 32 Moss Road - Rear Patio	333623	363741
R5 - 36 Moss Road - Rear Garden	333578	363767
R6 - 41 Moss Road - Front Garden	333611	363692
R7 - 45 Moss Road - Side Garden	333514	363736

## 5.4 Predicted Noise Levels

The predicted noise levels at each receptor location are presented in Table 4.

**Table 4: Predicted Noise Levels**

Location	Predicted noise impact L <sub>Aeq</sub> , 1hr/15min	
	Daytime L <sub>Aeq</sub> , 1hr	Night-time L <sub>Aeq</sub> , 15min
R1	32.3	17.1
R2	20.0	7.0
R3	33.0	31.1
R4	29.8	29.1
R5	29.0	15.5
R6	22.4	12.9
R7	17.2	6.2

## 6.0 NOISE ASSESSMENT

### 6.1 BS 4142:2014 Noise Assessment

The predicted operational noise of the site at the amenity areas associated with the worst affected residential properties has been assessed in accordance with BS 4142:2014.

- The highest predicted level at a third-party residential receptor is taken from Table 4 above, during the daytime this was R3 – 32 Moss Road, at night-time the noise level at the patio area (R4) would be deemed more reflective of the noise level at the façade of the 32 Moss Road
- The acoustic feature correction was assessed this takes account of:
  - Tonality – The noise sources associated with the proposed development are not expected to be tonal.
  - Impulsivity – Noise from the proposed development is not expected to be impulsive.
  - Other sound characteristics – Noise from the proposed development would be consistent with the existing noise environment, considering the agricultural nature of the wider area and the long standing nature of livestock housing at the proposed development site.
  - Intermittency – When referring to the application of a character correction for intermittency, Section 9.2 of BS 4142 states:

*“If the intermittency is readily distinctive against the residual acoustic environment, a penalty of 3 dB can be applied.”*

The predicted impact of the site is significantly below the daytime ambient sound level (43 dB  $L_{Aeq}$ ), and any potential intermittency element due to vehicle movements is not anticipated to be readily distinctive as it is effectively masked by the ambient sound climate. There will be no vehicle movements at night-time. Therefore, no character correction for intermittency has been applied.

**Table 5: BS 4142 assessment**

Description	Daytime (R3)	Night-time (R4)
Predicted source $L_{Aeq}$ noise level	33 dB	29 dB
Acoustic feature correction	+0 dB	+0 dB
Rating Level, $L_{Ar}$	33 dB	29 dB
Typical background level (measured $L_{A90}$ )	32 dB	26 dB
Difference	Rating Level = Background + 1 dB	Rating Level = Background + 3 dB

BS 4142:2014 requires that the background noise level is subtracted from the Rating Level to identify the presence or otherwise of an adverse impact. The greater this difference, the greater the likelihood of an adverse impact as follows:

- A difference of +10dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.
- The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

Taking the above into consideration, it is determined that the impact of noise during the daytime and night-time would be considered ‘low’. Additionally, these noise levels are significantly below WHO recommended noise levels for external amenity spaces 50-55 dB  $L_{Aeq}$ .

## 6.2 Context

It should be recognised that findings above are deemed an 'initial estimate of the impact' which may need to be modified due to context. BS 4142:2014 presents several pertinent factors that also need to be taken into consideration:

1. The absolute level of sound – *“where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background.”*

Measured background sound levels during the period of interest were low, comparable to absolute internal noise thresholds, therefore, the following has been considered.

BS8233 Guidance on Sound Insulation and Noise Reduction for Buildings, 2014 recommend criteria as per Table 1.

Typically, an open window provides 10-15 dB attenuation (World Health Organisation Guidelines for Community Noise 1999).

The worst case predicted specific daytime noise level of 33 dB(A) (R3) equates to 23 dB(A) internally - if the lower estimate for sound reduction is assumed. Therefore, taking this into consideration, internal noise levels within the receptor property would be always deemed compliant with BS8233 daytime internal noise criteria of 35 dB(A) in all habitable rooms with windows open.

The worst case predicted specific night-time noise level of 29.1 dB(A) (R4 – patio next to facade) equates to 19.1 dB(A) internally - if the lower estimate for sound reduction is assumed. Therefore, taking this into consideration, internal noise levels within the receptor property would be always deemed compliant with BS8233 daytime internal noise criteria of 30 dB(A) in all habitable rooms with windows open.

2. The character and level of noise – *‘...assess the degree to which the specific sound source is likely to be distinguishable and will represent an incongruous sound by comparison to the acoustic environment that would occur in the absence of the specific sound’.*

It should be highlighted that noise from the proposed development is not incongruous with the locality given that the area is characterised by agricultural developments, with farms and similar development in the vicinity. The new elements do not give rise to noise which is beyond the character of the existing environment, but simply replace previous animal housing sheds.

3. The sensitivity of the receptor and whether dwellings already incorporate design measures that secure good internal acoustic condition.

It is unknown if neighbouring dwellings already incorporate design measures that secure good internal acoustic condition and hence has not been a determining factor.

Taking the above into consideration, it is determined that the context of this scenario is such that the daytime and night-time noise impact would be deemed 'low'.

### 6.3 Uncertainty

BS 4142:2014 requires a qualitative consideration of the level of uncertainty in relied upon data, measurements and calculations. Where the level of uncertainty could affect the conclusion, reasonably practicable steps to reduce the level uncertainty should be taken.

Background noise level measurements –

- Background noise level measurements were undertaken for 7 days, reducing uncertainty over the derived 'typical' day background noise levels
- Background noise level measurements were reviewed for suspected abnormal events and these were excluded, increasing conservatism
- Background noise level measurements were reviewed against prevailing weather conditions, where weather effects were noted (i.e. high winds or rainfall) these were excluded, reducing uncertainty
- Background noise level measurements were undertaken using Type 1 calibrated sound level meters, reducing uncertainty
- Background noise level measurements presented a typical diurnal pattern which was repeated daily, this demonstrates limited variability in the daily background noise level pattern, reducing uncertainty

Ambient sound level measurements –

- Ambient sound level measurements were undertaken for 7 days, reducing uncertainty over the derived 'typical' ambient sound levels
- Ambient sound level measurements were reviewed against prevailing weather conditions, where weather effects were noted (i.e. high winds), these were excluded, reducing uncertainty
- Ambient sound level measurements were undertaken using Type 1 calibrated sound level meters fitted with wind shields, reducing uncertainty
- Ambient sound level measurements presented a typical diurnal pattern which was repeated daily, this demonstrates limited variability in the daily noise level pattern, reducing uncertainty

Sound Power Level Data –

- Where available, manufacturer's sound power level data was relied upon, reducing uncertainty
- Where manufacturer's sound power level data was not available, conservative assumptions were relied upon, whilst not reducing uncertainty, conservative assumptions ensure that any uncertainty would only have a positive impact on conclusions (i.e. impacts only lower than presented).

Calculations –

- Calculations were undertaken using SoundPlan noise modelling software which has been independently validated and assumes a slight downwind propagation from source to receiver, reducing uncertainty

Taking into consideration all of the above, where reasonably practicable, uncertainty has been reduced. Where uncertainty remains, conservative assumptions have been applied to ensure that such uncertainty would only have a positive impact on conclusions.

## 7.0 CONCLUSION

Irwin Carr Consulting has been commissioned to undertake a noise impact assessment in relation to the retention of existing cattle shed and machinery and straw storage shed (Replacement of existing farm buildings) including laneway linking both groups of farm buildings and ancillary works, lands to rear of No 28 Moss Road, Dumbo, Lisburn.

For this assessment, background noise levels were measured at a location representative of the nearest noise sensitive properties between 14 and 20 October 2025. The background noise level measured at this location was deemed representative of the background noise levels in the vicinity of the site.

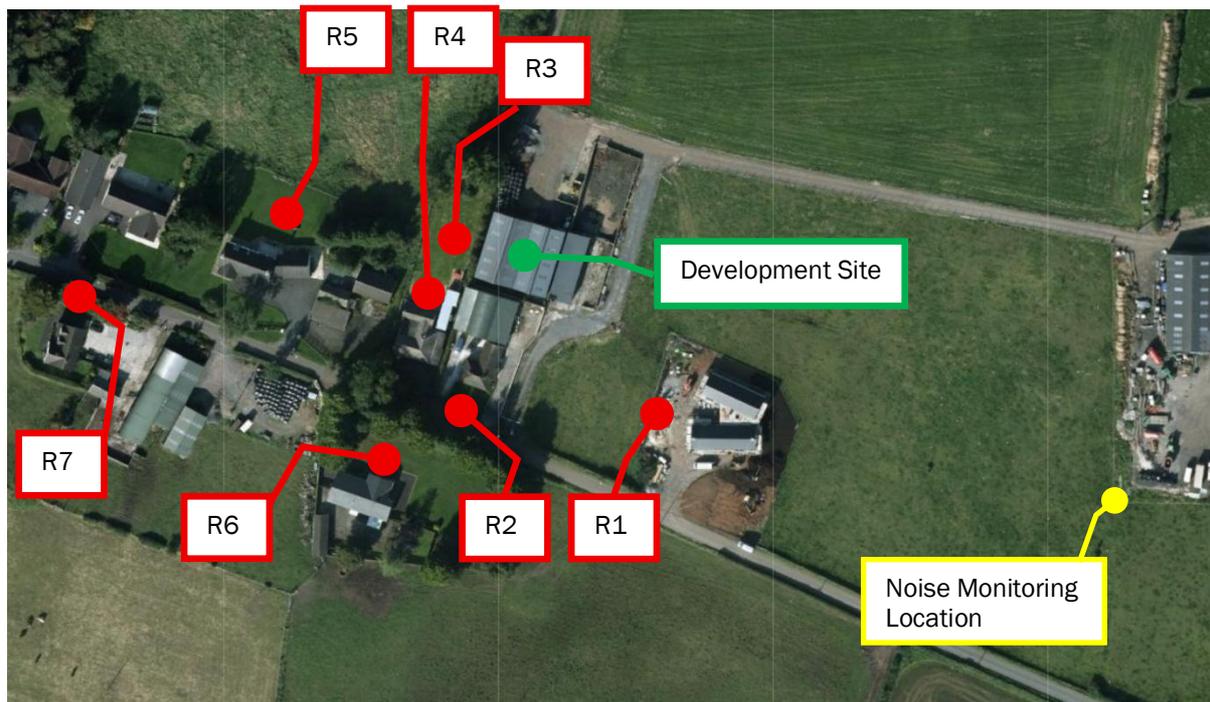
The predicted noise levels at each of the nearest sensitive receptors were assessed against BS 4142:2014 limits and WHO/BS8233 recommended noise levels.

It was found that operational noise from the proposed development is likely to have a low impact during the daytime and night-time periods.

A Freedom of Information Request response dated 29 September 2025 confirmed that, *“No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farms sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years.”*

On this basis, and taking into account the context, baseline conditions, and operational design of the proposal, it is the professional opinion of Irwin Carr Consulting that noise associated with the proposed development will not give rise to adverse impacts at nearby third-party properties. As such, noise should not be considered a negative determining factor in the planning assessment of this appeal.

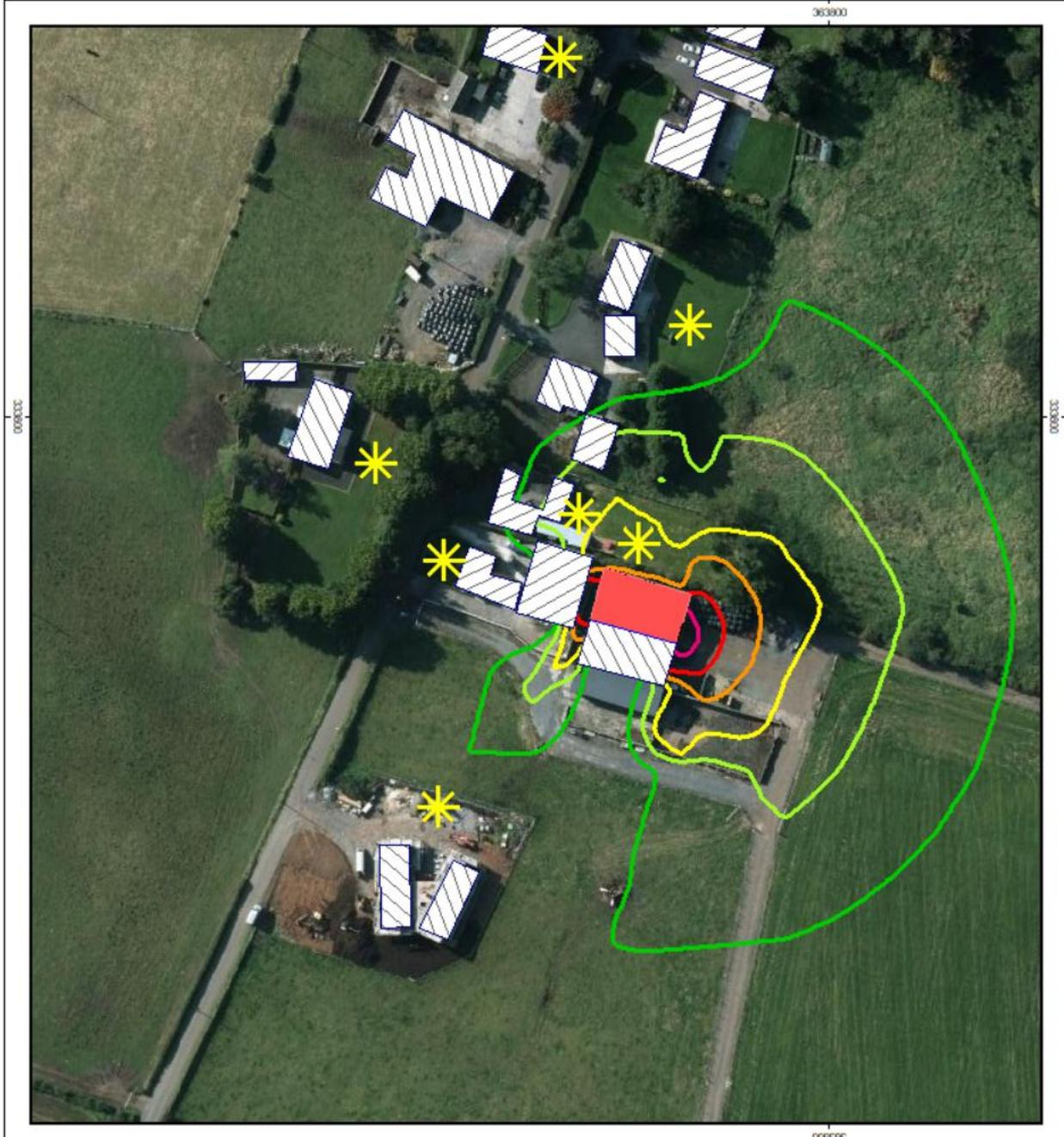
APPENDIX A SITE, RECEPTORS AND NOISE MONITORING LOCATION



*\*\*Note- The above diagram is not to scale and is for illustrative purposes only*

APPENDIX B SOUNDPLAN NOISE MODEL OUTPUTS





Customer: Bell Rolston  
 Project: Moss Road Calf Shed  
 Project-No. 2025408

Map

2

**Moss Road Calf Shed - Night-time**

Noise contours representing the worst-case impact of the proposed development on the nearby residential properties.

Project engineer: Dr. Chris Jordan  
 Created: 14/10/2025  
 Processed with SoundPLAN 9.0, Update: 17/02/2025

<p><b>Levels Lrd</b> (in dB(A))</p> <table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #008000;"></td><td>&lt; 20</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00FF00;"></td><td>20 - 25</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #90EE90;"></td><td>25 - 30</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #3CB371;"></td><td>30 - 35</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00CED1;"></td><td>35 - 40</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00BFFF;"></td><td>40 - 45</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00CED1;"></td><td>45 - 50</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00BFFF;"></td><td>50 - 55</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00CED1;"></td><td>55 - 60</td></tr> <tr><td style="width: 15px; height: 10px; background-color: #00BFFF;"></td><td>&gt;= 60</td></tr> </table>		< 20		20 - 25		25 - 30		30 - 35		35 - 40		40 - 45		45 - 50		50 - 55		55 - 60		>= 60	<p><b>Signs and symbols</b></p> <table border="0"> <tr><td></td><td>3rd Party Buildings</td></tr> <tr><td></td><td>Noise receiver</td></tr> <tr><td></td><td>Industrial Sources</td></tr> <tr><td></td><td>Facade as source</td></tr> <tr><td></td><td>Outdoor area source</td></tr> <tr><td></td><td>Line source</td></tr> <tr><td></td><td>Noise calculation area</td></tr> </table>		3rd Party Buildings		Noise receiver		Industrial Sources		Facade as source		Outdoor area source		Line source		Noise calculation area
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	Noise receiver																																		
	Industrial Sources																																		
	Facade as source																																		
	Outdoor area source																																		
	Line source																																		
	Noise calculation area																																		



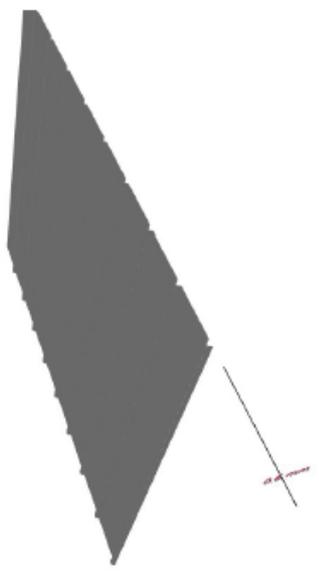
**APPENDIX C INSUL SOUND REDUCTION VALUES**

Sound Insulation Prediction (v9.0.24)

Program copyright Marshall Day Acoustics 2017  
 Margin of error is generally within  $R_w \pm 3$  dB  
 - Key No. 1511  
 Job Name:  
 Job No.: Initials: Chris Jordan  
 Date: 14/10/2025  
 File Name: insul



Notes:



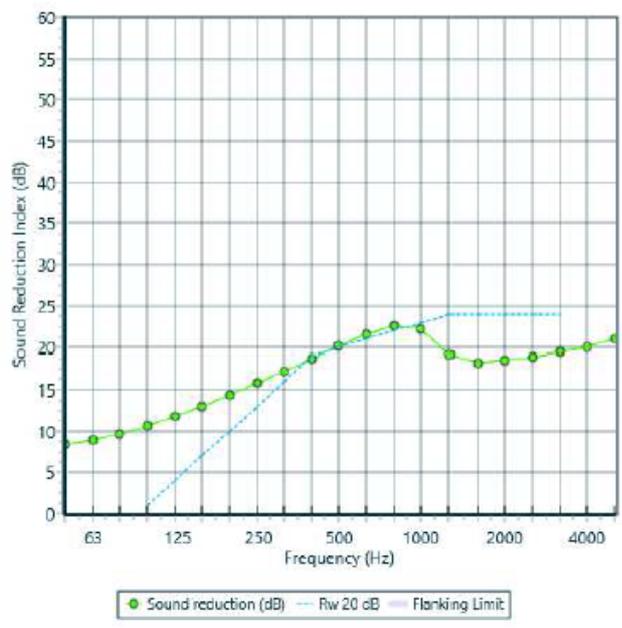
$R_w$  20 dB  
 C -1 dB  
 Ctr -1 dB

Panel Size = 2.7 m x 4.0 m  
 Partition surface mass = 5.11 kg/m<sup>2</sup>

System description

Panel 1 : 1 x 0.6 mm Roof Cladding Trimclad

freq.(Hz)	R(dB)	R(dB)
50	8	
63	9	9
80	10	
100	11	
125	12	12
160	13	
200	14	
250	16	16
315	17	
400	19	
500	20	20
630	21	
800	23	
1000	22	21
1250	19	
1600	18	
2000	19	19
2500	19	
3150	20	
4000	20	20
5000	21	



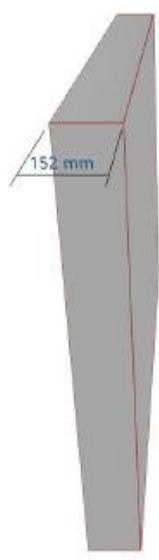
Sound Insulation Prediction (v9.0.24)

Program copyright Marshall Day Acoustics 2017  
 Margin of error is generally within  $R_w \pm 3$  dB  
 - Key No. 1511  
 Job Name:  
 Job No.:  
 Date: 03/07/2025  
 File Name: insul

Initials: Chris Jordan



Notes:



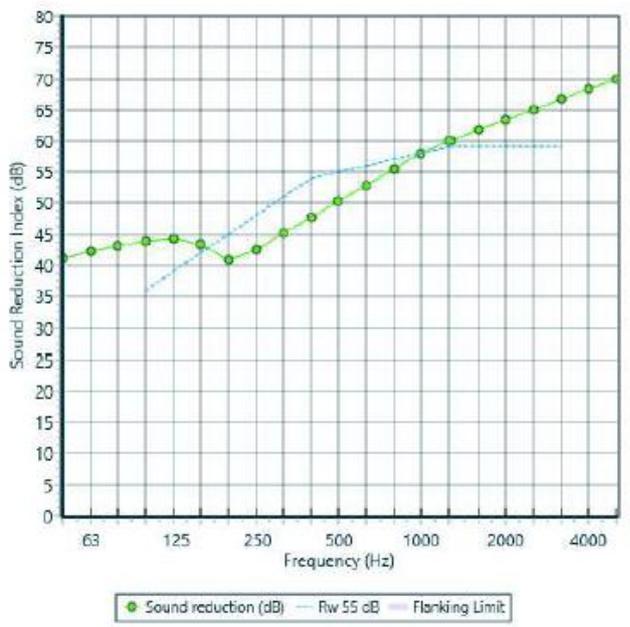
**$R_w$  55 dB**  
 C -1 dB  
 Ctr -5 dB

Panel Size = 2.7 m x 4.0 m  
 Partition surface mass = 367 kg/m<sup>2</sup>

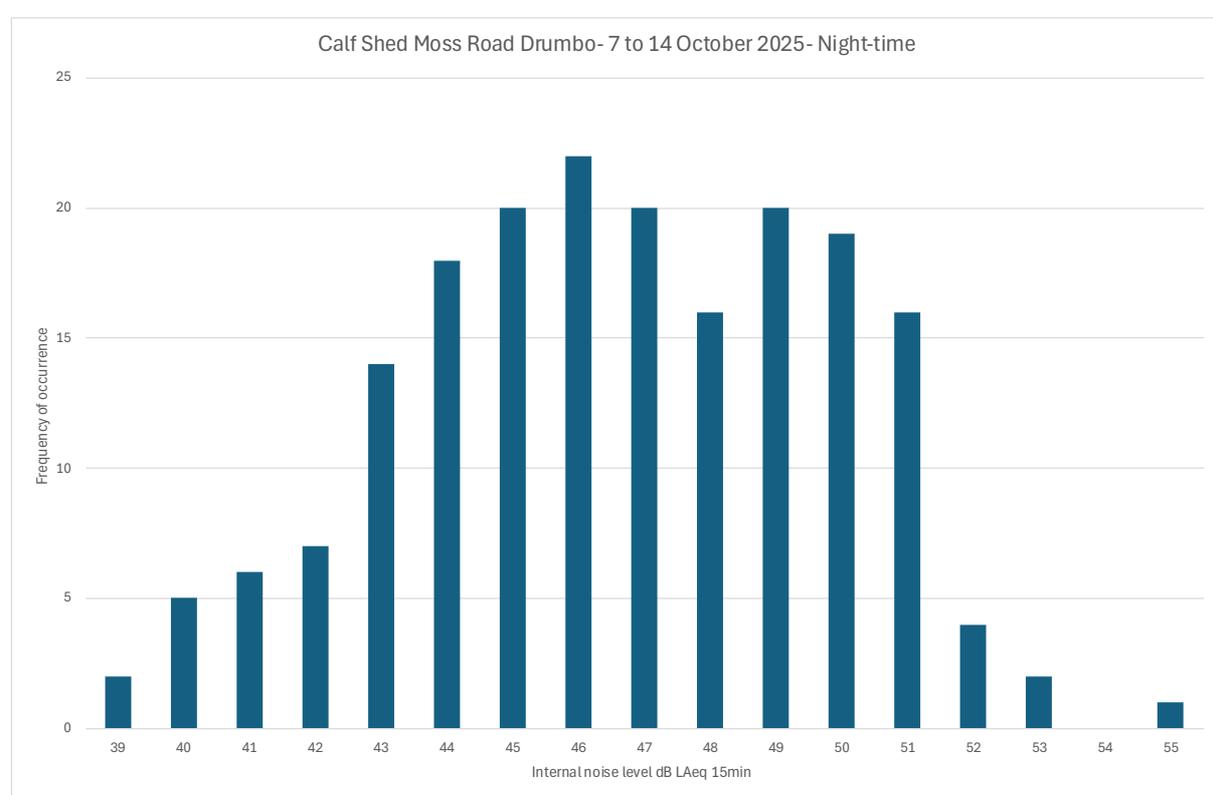
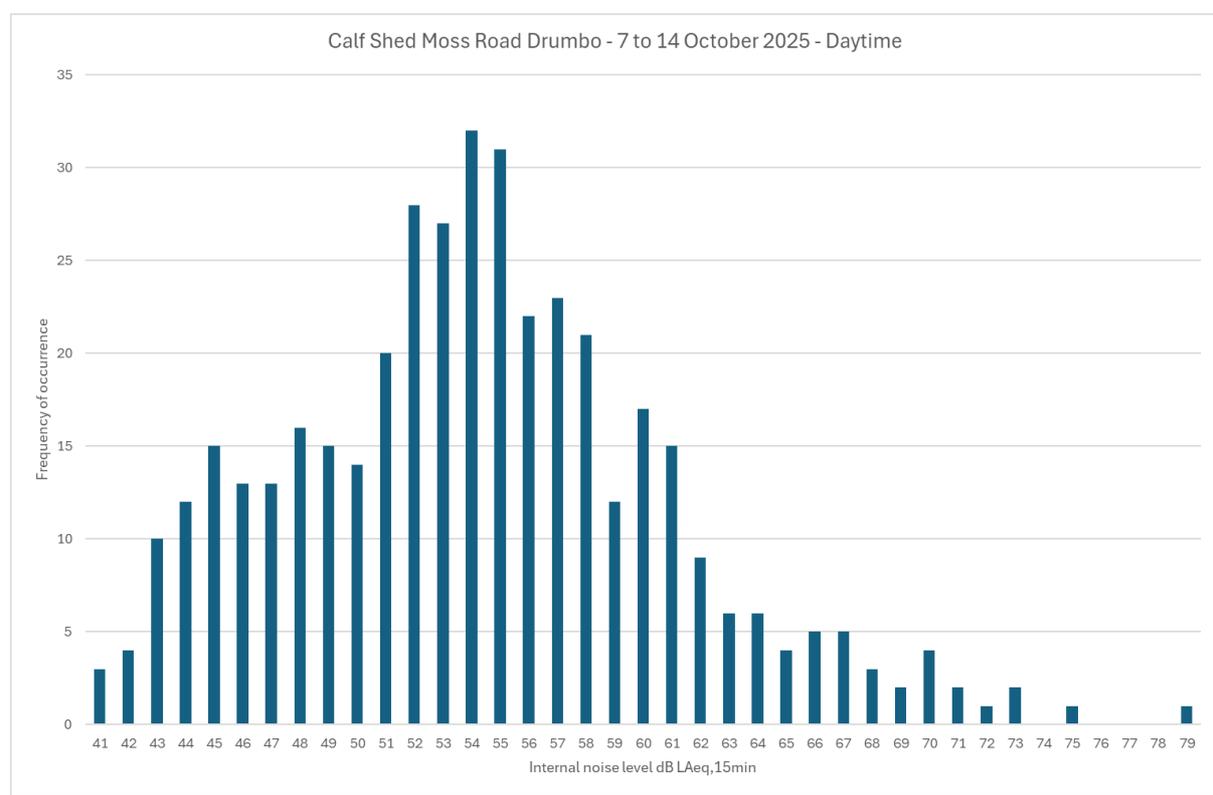
System description

Panel 1 : 1 x 152.4 mm Concrete

freq.(Hz)	R(dB)	R(dB)
50	41	
63	42	42
80	43	
100	44	
125	44	44
160	43	
200	41	
250	43	42
315	45	
400	48	
500	50	50
630	53	
800	55	
1000	58	57
1250	60	
1600	62	
2000	63	63
2500	65	
3150	67	
4000	68	68
5000	70	



**APPENDIX D INTERNAL NOISE LEVEL MEASUREMENTS WITHIN CATTLE SHED**



**APPENDIX E FREEDOM OF INFORMATION REQUEST – RESPONSE 29 SEPTEMBER 2025**

**Date:** 29/09/2025

**Case reference:** FOI866

Lisburn & Castlereagh City  
Council

Freedom of Information  
enquiries

**email:**

[foi@lisburncastlereagh.gov.uk](mailto:foi@lisburncastlereagh.gov.uk)

Dear Mr Jordan

Thank you for your request for information dated 25/09/2025, in relation to **Lands to the rear of No.28 Moss Road, Drumbo, Lisburn.**

No complaints have been received by Lisburn and Castlereagh City Council with respect to noise, odour, dust or vermin with respect to the farm sheds to the rear of No.28 Moss Road, Drumbo, Lisburn over the past 5 years.

If you are not happy with this response, you can request an Internal Review by clicking here [Make a Freedom of Information request - Lisburn & Castlereagh \(lisburncastlereagh.gov.uk\)](#) and select Internal Review under request type.

Following an Internal Review, if you remain dissatisfied and wish to appeal the Internal Review decision, please contact the Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

The ICO can be contacted on their main helpline number 0303 123 1113; via email at [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk) or alternatively you can click on the online complaints form here [FOI and EIR complaints | ICO](#).

Yours Sincerely

**Vicky Elliott**  
**Environmental Health Manager (Acting)**  
**Lisburn & Castlereagh City Council**

APPENDIX F COMPARISON WITH PREVIOUS LIVESTOCK SHEDS

Figure A1: Previous livestock sheds – April 2020

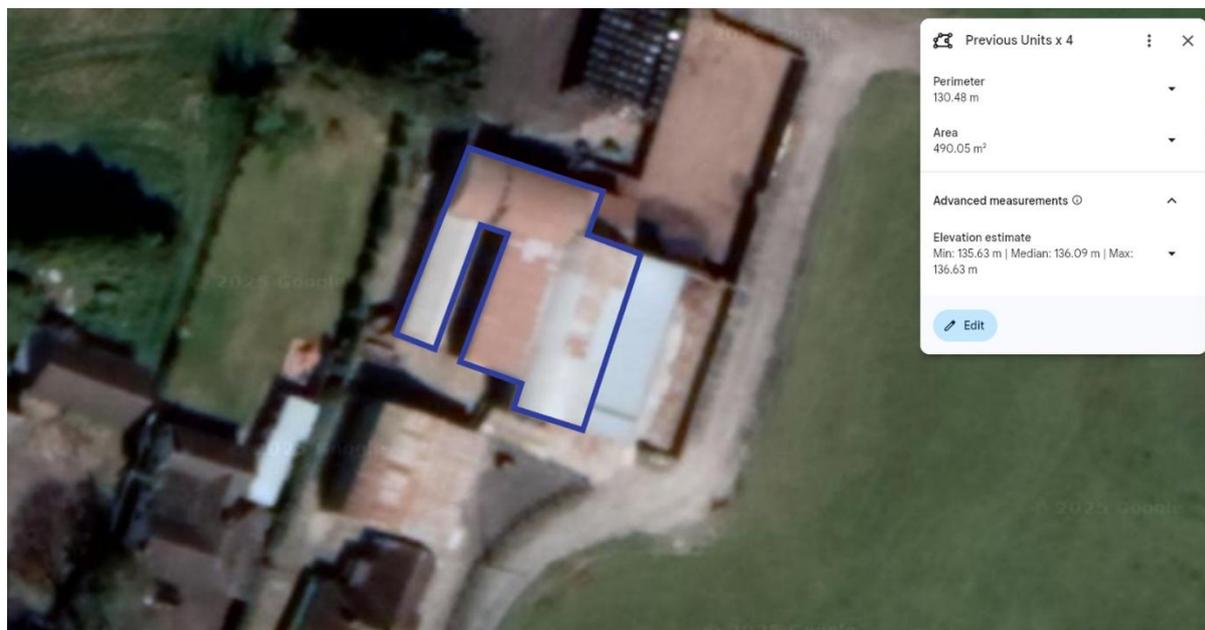


Figure A2: Existing livestock sheds – March 2025



**Pest Management Plan – Moss Road Calf Shed****14 November 2025****1.0 Pest Management Plan**

This document represents a Pest Management Plan (PMP) for the proposed calf shed to the rear of No. 28 Moss Road, Drumbo, Lisburn. The farm is operated by Mr B Trimble. The site location plan shows the proposed development.

**1.1 Plan Objectives**

Housing of livestock has the potential to attract pests, and care has to be taken in the site management procedures to minimise the potential for the occurrence of pest infestations via good operating and management practice. This PMP has been issued to specify actions to be taken at the site to minimise the risk of pest infestations. Although pests may not be completely eliminated, their numbers will be minimised by implementing the following structured steps:

- Ensure that staff are trained in key areas, for example the public health, nuisance, and commercial significance of pests, using control techniques and facility and waste procedures;
- Monitor pest number and locations;
- Select and implement the most appropriate long-term prevention methods;
- Respond quickly and accurately in a timely manner to head off possible infestations and minimise their extent, if they occur;
- In the event of possible infestation, assess the requirement for active pest reduction treatments;
- Formalise and implement the procedures for recording, assessing, and addressing any pest complaints;
- Regularly review effectiveness of the pest control methods.

**1.2 Common Pests****1.2.1 Rodents**

Housing of livestock are vulnerable to rodent infestations due to the provision of food and water. The house mouse and Norway rat are common pests in and around livestock and farm facilities. When rodent infestations are not diligently managed they can quickly become severe, which in turn can pose nuisance, public health and animal health risks, and significant economic and production problems.

**1.2.2 Flies**

Housing of livestock inevitably creates quantities of manure, which is vulnerable to fly infestation. The potential for problems is greatest in husbandry regimes where the manure remains within the animal house for extended periods. Though flies are reduced over the winter months due to the colder temperatures.

## 1.3 Inspections and Monitoring

### 1.3.1 Rodent Inspections

Conducting monthly rodent inspections is one of the most important good production practices. Such inspections should be done on a pro-active basis (i.e. regardless of whether or not a facility has a current infestation). Because rodents tend to be secretive and are active at night, infestations can build quickly. Thus, performing monthly inspections, minor infestations or new incoming rodents can be prevented from becoming severe. Rodents living in farm buildings are most active just after dusk and again shortly before dawn. If rodents are seen repeatedly during the day, it indicates an established infestation. To get an accurate assessment of the rodents at a facility, the interior and exterior premises should be inspected using a torch, with the lights out at either dusk or within an hour or two of dawn. If rodents are present, the inspection will reveal the location, distribution and severity of the infestation. The results of the inspection will also prove valuable in determining control procedures – such as the most important areas to bait or place traps. In this way, baits and the time spent baiting or trapping will be used as efficiently as possible. After a control program is in place, the inspection reveals the program's effectiveness. When inspecting for rat burrows, all areas around the building's foundations and around slabs should be carefully checked. To confirm whether or not a rat burrow is active, the burrows can be caved in and inspected the following day.

### 1.3.2 Fly Monitoring

Routine assessments are carried out as part of a proactive fly control work. The benefits of fly monitoring include:

- Trends in fly numbers at the alleged source can be compared with trends in numbers in complainants' premises, possibly providing evidence of a link.
- Monitoring data from different parts of the site, can be used to identify localised areas where fly breeding is occurring. This will allow specific causes to be identified so more focussed or intensive control efforts, where needed, can be applied.
- Monitoring flies throughout a cycle will allow 'normal' levels to be established. Any rise in numbers will be noticeable, so early additional control measures or treatment can be put in place.
- Where records have been recorded over several seasons, they can predict impending fly peaks, so allowing pre-emptive fly control work.
- Comparing fly numbers before and after particular fly control measures have been used will indicate the effectiveness of the treatment. This is particularly useful if the officer suspects that the treatment is not being used correctly or that resistance to specific chemicals is becoming apparent. The following techniques can be used as part of a one-off inspection to gain an idea of the level of infestation, or regularly as routine monitoring to build up a picture of trends in fly numbers.
- Indoor resting counts for common house fly – this species readily rests in numbers on structural surfaces within buildings, so resting counts are used to indicate relative population size. Typically 1 x 1m squares are outlined in white paint on internal wall surfaces with the centre of the square at about head height. Squares should be located in areas where flies are seen to be resting, away from frequent people or vehicle movements, close to likely fly breeding

areas, and where the square will not subsequently be obscured by manure, waste or other materials. The operator counts and records the number of flies resting within each square at regular intervals, for example up to twice a week from April to October and once a week at other times.

- Indoor adhesive paper traps for houseflies – adhesive fly papers are used to monitor lesser housefly numbers. In the building two to four 30cm wide rolls are hung up at about head height in areas where flies have been noted. At weekly intervals, a length of paper (approx. 30cm) is pulled down from the roll, at the end of the week, the flies stuck on the exposed paper are counted and recorded. The paper should then be torn off the roll, covered with cling-film and retained so flies can be identified and counted. A fresh 30cm length is then pulled down ready for the coming week. Operators should carry counts from April to October, and at some sites may be required throughout the year. Fly counts increasing to 20 or more of one species of fly on a paper in a week indicates that numbers are rising and may cause off-site nuisance.

#### **1.4 Risk Management Measures for Pest Control**

Facility cleanliness, feed storage and basic sanitation play a critical role in controlling pest populations. Table 1 presents a summary of the risk management measures to be applied. The key elements are:

- Twice-weekly monitoring of adult and larval flies during April to October using appropriate monitoring methods;
- Monthly surveys for rodents
- No manure storage within the calf shed
- Training staff in monitoring and treating infestations
- Clean feed spillages daily, where possible
- Any exterior debris such as old equipment, junk piles, and the like to be eliminated
- Controlling of weeds.

Table 1: Risk Management Measures for Pest Control

Management Measure	Description	Implementation Schedule	Comment
Fly monitoring	Routine monitoring for flies using rest counts; adhesive paper fly catches, fly larval counts	Weekly	
Rodent monitoring	Monthly rodent inspections on a pro-active basis (i.e. regardless of whether or not a facility has a current infestation)	Monthly	
Action levels	Trigger levels followed for the relevant monitoring method/s to initiate insecticidal control	As needed	Baseline monitoring has not been completed to date. Trigger levels will be assessed after 1 year of monitoring to establish baseline levels
Manure and Dirty Water Management	No manure is stored on-site The building will be cleaned out regularly directly to a covered trailer Wash down and disinfection will take place once the birds have been removed. The dirty water will be directed to an underground dirty water tank. The tank is not vented and will be emptied frequently. Therefore there will be no emission point for odours to the air from the dirty water tank	Ongoing	
Cleanliness of yard areas	Manure from the housing is loaded directly to trailers for transport to muck stores when the housing is cleaned out	Ongoing	
Infrastructure	Buildings are in good condition and kept well maintained Windows and doors fitted with fly-screen if appropriate but do not impede ventilation		
Feed storage	Dry feeds and feed ingredients all stored in covered bins and hoppers Spillages are clean up as soon as possible	Ongoing	

## 1.5 Eliminating Infestations

### 1.5.1 Rodents

Rats and mice can be eliminated or severely reduced in numbers by using poison baits (rodenticides) and/or rodent traps. In the majority of cases involving established infestations, rodenticide baits strategically placed based on the results of the rodent inspections will provide the most cost effective control.

Rodent traps: for minor infestations of rats and mice, or to stem off an infestation from new incoming rats or mice, the use of traps, placed strategically where rodents have been notice is very effective, and inexpensive.

Poison baits: there are many different types of poison baits on the market, and selecting the right bait for the appropriate purpose is key. The three keys to effective control using rodent baits are:

- 1) Installing fresh baits in the rodent's high activity areas as determined from the inspections and/or rodent signs (droppings, gnaw marks etc)
- 2) Placing out enough bait points to ensure the rodents readily encounter the baits during their nightly travels to gather food
- 3) Matching the right bait formulation to the specific area needing to be baited.

HSENI requires that anyone using pesticides professionally should have adequate instruction, training and guidance in their correct use. Should there be a need to utilise poison baits, a licensed pest control company that is a member of a recognised trade association, and can meet minimum requirements in terms of training, insurance, pesticide handling procedures will be used.

### 1.5.2 Flies

Fly infestations can be eliminated or severely reduced in number by using physical trapping methods or insecticides.

Physical fly control techniques – flies within buildings may be caught by mass trapping with adhesive papers, or with electronic fly control units. These can be effective at reducing the number of flies present in small premises but several may be required throughout the livestock house. They are unlikely to actually control infestations. These traps are suitable for a broad range of species and more effective with smaller fly numbers in smaller enclosed areas, but will not provide a useful level of control in large structures.

Insecticides – should there be a need to utilise insecticides, a licensed pest control company that is a member of a recognised trade association, and can meet minimum requirements in terms of training, insurance, pest handling procedures will be used.

### 1.6 Cessation Limits

There are no practical means by which to derive quantitative limits for cessation of process operations based on pest levels. Monitoring of pest levels will be conducted by site staff on an ongoing and regular basis. In addition, as discussed below, pest complaints will be recorded and promptly investigated. Should there be excessive and uncontrollable pest levels at the site, as evidenced by monitoring data, or repeated, confirmed complaints, site operations would cease in the affected areas until such time as the pest infestation has been eliminated and key risk management processes have been restored.

### 1.7 Pest Compliant Procedures

A systematic recording and investigation of pest complaints will be implemented. Any pest complaint received will be dealt with directly by Mr B Trimble. If a complaint is made, the form included in Appendix B of this plan will be completed and this will be available for inspection by the Competent Authority. Information will normally be collected by visiting the complainant, although in some cases, contact may be made by telephone. After details of the complaint have been compiled, the cause(s) will be investigated, with reference to:

- The activities taking place on the farm at the time
- The timing of the complaint and whether weekday, weekend etc
- The likely reasons for the complaint will be added to the form and the complainant will be contacted as appropriate. The feasibility of making changes to the activities responsible for the complaint will be considered. If changes are made, the Pest Management Plan will be amended accordingly.

### 1.8 Review Procedures

The plan will be reviewed at least every three years or as soon as practicable after a complaint (whichever is the earlier), or significant changes are made to facility operations, and updated as required.

**Appendix A - Site Location**



**Appendix B – Pest Complaint Log**

Pest Complaint Log	
Date recorded	
Name and address of complainant	
Telephone number	
Details of complaint	
Date, time and duration of offending odour	
Monitoring information e.g. comparison with baseline levels	
Any other comments from complainant	
Weather conditions (e.g. dry, rain, fog, snow)	
Wind strength and direction (e.g. light, steady, strong, gusting)	
Any previous complaints relating to this?	Yes / No
Any other relevant information	
Potential site materials / conditions that could give rise to the pest infestation	
Note on operating conditions at the time offending incident occurred	
<b>Follow-up</b>	
Date and time caller contacted	
Action taken	
Amendment required to the pest management plan	Yes / No
Form completed by	
Signed	

<b>Committee:</b>	Planning Committee
<b>Date:</b>	09 March 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 4 – Enforcement Notice Decision – LA05/2023/1142/CA

## 1.0 **Background**

1. An enforcement notice for a site for erection of a dwelling on lands at 86a Beechill Road, Belfast was served on 20 July 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 31 July 2025.
3. The procedure followed in this instance was by informal hearing on 04 November 2025.
4. The appeal was brought on Grounds (a), (b), (c), (f) and (g) as set out in Section 143(3) of the Planning Act (Northern Ireland) 2011.
5. In a decision received on 16 February 2025 the Commission confirmed that the ground (a) appeal was allowed and the enforcement notice is quashed. Planning permission was granted for a dwelling subject to condition.

### **Key Issues**

1. The key issues were whether:
  - the matters stated in the Notice have occurred (Ground (b)).
  - the matters stated in the Notice constitute a breach of planning control (Ground (c)).
  - the development subject to the Notice should be granted permission (Ground (a)).
2. The Commissioner accepted the Council's position on Ground (b) that the unauthorised building was a dwelling house and not ancillary accommodation. It was the Commissioner's opinion that the building's appearance, form and internal arrangement align more with an independent dwelling than with incidental or subordinate use associated with the appellants own property.
3. The Commissioner also accepted that the Council's position on Ground (c) that a planning breach had occurred. The unauthorised building as constructed was considered to be materially different from the previously approved scheme LA05/2018/0264/F.
4. In respect of the Ground (a) appeal and with regard to refusal reason relating to policy ED7, the Commissioner accepted the appellants argument that the subject

site being physically constrained, landlocked within a residential area, with no realistic potential for independent employment use and the site could not function as a stand alone as economic development land for the purposes of Policy ED7.

5. In the context of the findings for Grounds (b) and (c) the Commissioner further considered the unauthorised development of a dwelling to be in accordance with the requirements of policy HOU3 in that it is in keeping with nearby development, appropriate to the character of the site and reflective to the immediate area.
6. Regarding criterion (i) of Policy HOU4 the Commissioner accepted that there was sufficient existing separation distances on the ground and the orientation of building and existing vegetation would limit potential overlooking. Privacy concerns raised by the Council could be controlled by condition to obscure glazing to upper-floor habitable-room windows.
7. Although the Commissioner acknowledged the large scale of the building he did not consider this to be oppressive or dominating presence when viewed from neighbouring properties. The Commissioner further highlighted the previous approval on site established a principle for this scale and massing.
8. The appeal decision highlights a difference in opinion on how the employment designation was treated as a material consideration. The Commissioner attaches a different weight to the policy ED7 in terms of the benefit of using the site for employment in the future. He considers housing to be a better use for the reasons set out in the appeal.

2.0

**Recommendation**

It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.

3.0

**Finance and Resource Implications**

No cost claim was lodged by any party in this instance.

4.0

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

4.1

Has an equality and good relations screening been carried out?

No

4.2

Brief summary of the key issues identified and proposed mitigating actions **or** rationale why the screening was not carried out

This is a report updating the committee on a decision by the PAC and EQIA is not required.

4.3

Has a Rural Needs Impact Assessment (RNIA) been completed?

No

4.4

Brief summary of the key issues identified and proposed mitigating actions **or** rationale why the screening was not carried out.

This is a report updating the committee on a decision by the PAC and RNIA is not required.

**Appendices:**

Appendix 4 – Enforcement Notice Decision – LA05/2023/1142/CA



4th Floor  
92 Ann Street  
Belfast  
BT1 3HH

Phone: 02890 893906 (direct line)  
Phone: 028 9024 4710 (switchboard)  
Email: [info@pacni.gov.uk](mailto:info@pacni.gov.uk)

Website: [www.pacni.gov.uk](http://www.pacni.gov.uk)

Lisburn & Castlereagh City Council, Local  
Planning Office  
Via email

Our reference: 2025/E0036  
Authority  
reference: EN/LA05/2023/1142/CA  
16 February 2026

Dear Sir/Madam

**Appellant name: Mr. Darragh Dumigan**  
**Description: Alleged unauthorised erection of a dwelling**  
**Location: Land at 86A Beechill Road, Belfast, BT8 7QN**

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Kathryn McConnell  
PACWAC Admin Team



# Enforcement Appeal Decision

4th Floor  
92 Ann Street  
Belfast  
BT1 3HH  
T: 028 9024 4710  
E: info@pacni.gov.uk

307

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<b>Appeal Reference:</b>	2025/E0036
<b>Appeal by:</b>	Mr D Dumigan
<b>Appeal against:</b>	An Enforcement Notice dated 20 <sup>th</sup> July 2025
<b>Alleged Breach of Planning Control:</b>	Erection of a dwelling
<b>Location:</b>	Land at 86a Beechill Road, Belfast
<b>Planning Authority:</b>	Lisburn and Castlereagh City Council
<b>Authority's Reference:</b>	EN/LA05/2023/1142/CA
<b>Procedure:</b>	Informal hearing on 4 <sup>th</sup> November 2025
<b>Decision by:</b>	Commissioner K Donaghey, dated 16 <sup>th</sup> February 2026

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## Grounds of Appeal

1. The appeal was brought on Grounds (a), (b), (c), (d), (f) and (g) as set out in Section 143(3) of the Planning Act (Northern Ireland) 2011 (the Act). It was confirmed at the hearing that Ground (d) has been withdrawn. There is a deemed planning application by virtue of Section 145 (5) of the Act.

## The Notice Building

2. The appeal site lies to the rear of No. 86A Beechill Road and is accessed via a private laneway serving Nos. 86–86C. The surrounding area comprises a mix of detached dwellings, ancillary buildings and the adjoining Beechill Business Park. The appeal building is a substantial multi-storey structure incorporating garaging and residential accommodation, finished in brick, render and stone, and located within the established curtilage of No. 86A. The surrounding context comprises detached dwellings set within individual plots. The wider area contains a mix of residential and employment uses. The site lies within a built-up area.
3. The appeal site comprises the principal dwelling at No. 86A and a separate building located to the rear of that dwelling within the same landholding. The site includes associated curtilage, driveway access and garden areas. Whilst the appeal building shares an access from the public road with the existing dwelling, this branches off into a separate driveway which serves the appeal building. There is a small wall which delineates a separation between the appeal building and the dwelling at No. 86A.
4. The appeal building is physically detached from the principal dwelling and there is no internal connection between them. It is positioned to the rear of No. 86A and occupies a much lower ground level within the plot. The appeal building extends over multiple levels, including a basement. It incorporates residential style

fenestration and a front and side balcony. The appeal building contains kitchen, bathroom and sleeping accommodation arranged in a normal domestic layout. While the building shares utility connections and access with No. 86A it does not have a separate postal address or rates assessment. Overall, the site comprises a detached dwelling and a substantial, physically separate building within a single residential plot in an established suburban setting.

**Ground (b): Whether the matters stated in the Notice have occurred.**

5. Under this ground of appeal, the onus is on an appellant to demonstrate that the matters alleged in the Notice have not occurred. The appellant argues that the building does not constitute a dwelling but is ancillary to No. 86A in that it is used for storage, leisure and occasional family accommodation, sharing access, services and curtilage with the principal dwelling. The Council state that the building contains a full range of domestic facilities, including kitchen, bathroom, bedrooms, heating system and associated fittings, and is therefore configured as a self-contained residential unit.
6. The presence of domestic facilities alone is not indicative that the appeal building is a dwelling. However, the arrangement, extent and completeness of those facilities are material. In this case, the building contains sleeping accommodation, cooking facilities, bathing facilities and living space arranged over multiple floors in a conventional residential layout. This goes beyond what would ordinarily be expected for ancillary accommodation and is consistent with a self-contained dwelling in physical terms.
7. The appellant further relies on the absence of independent occupation, asserting that the building has never been separately lived in, has no separate postal address, no separate rates assessment, and no independent utility billing. The appellant relies upon the fact that the building remains functionally dependent on No. 86A, sharing utilities, access and curtilage, and therefore lacks independence. The Council responds that the test under Ground (b) is not whether the building has been occupied, but whether a dwelling has been erected, and that occupation is not a prerequisite for a finding that a dwelling exists.
8. Occupation is not necessarily a determining factor under Ground (b). The relevant question is whether a building has been created which is capable of functioning as a separate dwelling. A dwelling may exist even if it has never been occupied. The absence of independent occupation does not overcome the physical nature of the building's configuration.
9. The building is physically separate, has no internal connection to No. 86A, possesses its own defined internal layout, heating system and servicing arrangements, and is capable of independent operation regardless of current utility arrangements. While shared services may indicate a degree of functional linkage, they do not preclude the existence of a dwelling. It is not uncommon for ancillary dwellings or newly constructed dwellings to share services initially. In this case, the lack of an internal connection, the self-contained internal layout and the physical separation of the structure indicate that the building is capable of independent residential occupation, notwithstanding shared services. Whatever the original intent, the building now exists in a form which is entirely capable of functioning as a separate dwelling.

10. The appellant relies on previous appeal decisions where buildings containing domestic facilities were found to be ancillary rather than dwellings. Whether a building constitutes a dwelling is a matter of fact and degree. Whilst the appeal examples cited are helpful in outlining the various factors which demonstrate connection or functional dependency, they are not directly comparable to the current appeal which must be decided on its own merits. In the present case, the scale, layout and degree of physical separation exceed what would ordinarily be expected of ancillary accommodation such as a guest suite, granny flat or home office. The building's form and internal configuration are more consistent with a separate dwelling than with incidental or subordinate accommodation.
11. Having considered all matters raised, I find that the building is physically configured as a self-contained residential unit and is capable of independent occupation. The absence of independent occupation to date and the sharing of certain services do not outweigh the objective physical reality of the building's form and layout. Therefore, it can be concluded that a dwelling has been erected and that the matter alleged in the Enforcement Notice has occurred. The appeal under Ground (b) fails.

**Ground (c): Whether the matters stated in the Notice constitute a breach of planning control.**

12. The question under Ground (c) is whether what has been built and how it is used amounts to unauthorised development. This requires consideration of both operational development and any material change of use.
13. The appellant argues that the building as constructed is materially the same as that approved under planning permission LA05/2018/0264/F and that any differences are minor, non-material and incapable of constituting a breach of planning control. The appellant argues that the overall form, scale and massing of the building remain consistent with the approved scheme, asserting that the footprint and ridge height are broadly unchanged and that any dimensional differences are marginal. The Council responds that the building incorporates a basement not shown on the approved plans, has an increased footprint and ridge height, and includes additional floorspace and bulk, resulting in a materially different structure.
14. While individual dimensional changes may appear modest when viewed in isolation, the introduction of a basement level and the increase in footprint and overall volume materially alter the scale and massing of the building. The cumulative effect of these changes results in a structure that is materially different from that which was approved. These changes introduce additional windows serving habitable rooms and balconies capable of use, thereby materially altering the building's external appearance and its relationship with neighbouring properties. The addition of balconies and changes to fenestration are not merely cosmetic. They alter both the external appearance and the functional relationship of the building with its surroundings, particularly in terms of potential overlooking and amenity impact. The changes to the building are not merely cosmetic and contribute to a material departure from the approved scheme.
15. Internal layout alone does not normally constitute operational development. However, in this case the internal layout is entirely residential and bears no resemblance to the approved office and storage use. This is not merely a matter of internal rearrangement but evidences a fundamental change in the nature and use of the building.

16. The appellant asserts that any change of use has not occurred because the building remains ancillary to No. 86A and has not been used as a separate dwelling. The approved use was commercial in nature, comprising an equipment store with offices above. The current use, as residential accommodation, is materially different in character, intensity and planning impact. Whether or not the accommodation is ancillary, it remains residential in nature and therefore represents a material change of use from the approved development.
17. The appellant argues that the 2018 permission remains extant in form and that the building substantially accords with that approval. Whether or not the 2018 permission was lawfully commenced is not a matter for this ground of appeal. For the reasons set out above, the building as constructed materially departs from the approved scheme and is being used for a materially different purpose. I conclude that the matters alleged in the Enforcement Notice constitute a breach of planning control. The appeal under Ground (c) fails.

**Ground (a): That the development subject to the Notice should be granted permission.**

18. The deemed planning application is for the retention of the development as it is stipulated on the Notice, which is the erection of a dwelling. Section 45(1) of the Planning Act (Northern Ireland) 2011 indicates that in dealing with an appeal, regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act requires that regard must be had to the LDP unless material considerations indicate otherwise.
19. The Council adopted the Lisburn and Castlereagh City Council Local Development Plan 2032, Plan Strategy (PS) on 26th September 2023. The PS sets out the strategic policy framework for the Council area. In accordance with the transitional arrangements set out in the Schedule to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended), where the PS is adopted by the Council, a reference to the local development plan in the Act is a reference to the Departmental Development Plan (DDP) and the PS read together.
20. The site is located in an area which comprises part of the Lisburn Urban Area as identified within the Lisburn Area Plan 2011. However, the area within which this site is situated directs to the Belfast Urban Area Plan 2001 (BUAP) for the particular operational policies. Therefore, for the purposes of this appeal the relevant DDP is the BUAP. In accordance with the legislation, any conflict between a policy contained within the DDP and those of the PS must be resolved in favour of the latter. Furthermore, as the Council has now adopted its PS, previously retained policies set out in the suite of regional Planning Policy Statements (PPSs) have now ceased to have effect within this Council area.
21. In the DDP, the appeal site is within the Belfast Urban Area. There are no policies contained within the DDP that are pertinent to this proposal, so no conflict arises with the PS. In May 2017, the Court of Appeal declared the adoption of the 2014 BMAP unlawful. Consequently, no reliance can be placed on its provisions. However, while draft BMAP 2004 (dBMAP) is not a DDP, it could still be a material consideration in certain cases. Draft BMAP, does show the site on the fringe of an area designated as 'Existing Employment and Industrial Land' under MCH11.

22. The Council argue that this zoning precludes any residential development at the site, referring also to Policy ED7 of the PS to assert the relevance of this zoning. The appellant argued that the operative statutory development plan is the BUAP, which does not zone the site for employment use, and that draft BMAP carries limited weight, particularly where the zoning is anomalous, irregular and not reflective of the established residential character of the area. The appellant also refers to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (LDP Regs). The schedule to these regulations defines what acts as a DDP. This simply confirms that draft BMAP cannot operate as a DDP as it was not adopted by the Department.
23. Draft BMAP is a material consideration but has not been adopted and therefore carries limited weight. The PS does not seek to carry forward the particular zonings of draft BMAP. The zoning of the appeal site in draft BMAP extends into a residential area and captures land that is physically constrained, landlocked and not realistically capable of independent employment development. Whilst the previous approval on the site was for some commercial storage, the site was functionally linked to the domestic dwelling at No 86A and was to be used as commercial storage for the appellant's business. The appellant no longer requires the commercial storage due to the sale of his company, but the site remains linked to his domestic property. In these circumstances, I do not consider the site to function as land zoned for economic development for the purposes of Policy ED7 of the PS.
24. As the site lies within the settlement limit, the principle of residential development is supported by Policy HOU1 of the PS, subject to compliance with other relevant policies.
25. Policy HOU3 of the PS requires new residential development to respect the surrounding context, by creating or enhancing a local identity and distinctiveness that reinforces a sense of place and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas. The building, while substantial, broadly reflects the form and scale of the development previously approved under LA05/2018/0264/F and sits within an established cluster of large dwellings and ancillary structures. Its materials and architectural treatment are consistent with nearby development. The building is appropriate to the character of the site.
26. Criterion (i) of Policy HOU4 seeks to protect the amenity of existing and future residents by ensuring that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The appellant contends that the development does not result in unacceptable harm to the residential amenity of neighbouring occupiers, relying on the separation distances, changes in level, intervening vegetation and the building's orientation.
27. The Council argue that the scale, height and positioning of the building, combined with upper-floor windows and balconies, give rise to unacceptable overlooking, loss of privacy and an overbearing impact, particularly in relation to No. 86C. The appellant submits that the building does not give rise to unacceptable overlooking due to its orientation, separation distances, and the presence of mature vegetation along the site boundaries, which is said to provide effective screening. The appellant also offers to accept obscured glazing or other mitigation measures where

necessary. The Council further argue that several windows and balconies directly overlook the rear amenity space of No. 86C and that reliance on vegetation, which is not under the appellant's control, is insufficient to mitigate privacy impacts.

28. I accept that certain upper-floor windows and balcony areas have the potential to overlook neighbouring gardens and windows, particularly in relation to No. 86C. However, the extent of overlooking must be assessed in context. The separation distances are not unreasonably tight in an urban setting, and the building is positioned at an oblique angle relative to neighbouring dwellings, which reduces direct intervisibility. The presence of established vegetation further mitigates potential overlooking. Whilst vegetation alone cannot be relied upon as a permanent form of mitigation it currently protects much of the neighbour's amenity and is under the control of the neighbour. The middle floor of the building is to be retained as a garage and domestic store, these are not habitable rooms and therefore the rear windows on the middle floor are unlikely to impact upon privacy, subject to this area remaining a domestic store. Parties agreed that this could be satisfied by an appropriately worded condition. I am satisfied that any residual privacy impacts can be adequately addressed through appropriately worded planning conditions, including obscure glazing to the windows of habitable rooms on the upper floor of the appeal development. With such measures in place, I do not find that the development would result in unacceptable loss of privacy.
29. The appellant states that the building does not appear overbearing or dominant when viewed from neighbouring properties, noting that it broadly reflects the scale of the previously approved structure and sits within an established cluster of substantial buildings. The Council argues that the building's height, massing and proximity to boundaries result in an oppressive and overbearing presence, particularly when viewed from the rear of No. 86C.
30. While the building is substantial, I do not find that it creates an oppressive or dominating presence when viewed from neighbouring properties. The changes in ground level, the stepping of the building's massing, and the intervening vegetation reduce its visual impact. The building's scale is also consistent with the development previously approved on the site, which establishes a legitimate baseline for assessing acceptability. In this context, I am not persuaded that the appeal building results in an unacceptable sense of enclosure or overbearing impact.
31. The appellant asserts that the development does not result in unacceptable loss of light or overshadowing, noting the building's orientation, separation distances and the absence of any technical evidence demonstrating material harm.
32. No daylight or sunlight assessment has been provided by either party. In the absence of such technical evidence, the assessment must be based on the physical relationship between the buildings. From the evidence and my on-site observations, given the separation distances, relative orientation and changes in level, I am not satisfied that the development would result in material loss of daylight or sunlight to neighbouring habitable rooms or amenity spaces.
33. In light of the consideration above, the appeal development is acceptable and as such the deemed application is granted and the Notice is quashed. As such, I need not consider the remaining grounds of appeal.

## Conditions

1. The four windows marked 'x' and numbered 1 - 4 on the attached plan No. A1PLA50, shall be glazed with opaque glass or obscure glazing and retained as such in perpetuity, unless agreed in writing with the planning authority.
2. The first floor shall be retained as a garage and domestic store, unless agreed in writing with the planning authority.

## Decision

The decision is as follows:-

- The appeal on Ground (b) fails;
- The appeal on Ground (c) fails; and
- The appeal on Ground (a) succeeds and full planning permission is granted, subject to the attached conditions; and
- The Enforcement Notice is quashed.

**COMMISSIONER KENNETH DONAGHEY**

2025/E0036

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**List of Appearances**

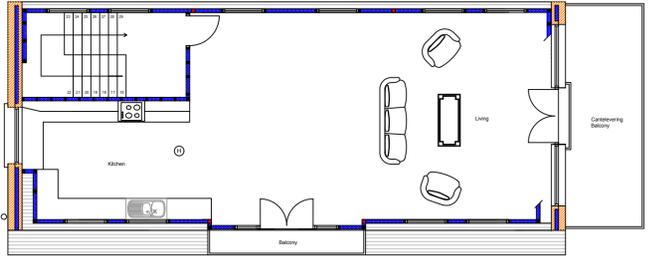
Planning Authority:- Ms L McCausland – Lisburn and Castlereagh City Council  
Mr M Vladeanu - Lisburn and Castlereagh City Council

Appellant:- Mr D Dumigan – Appellant  
Mr C Fegan BL  
Mr D Donaldson – Donaldson Planning

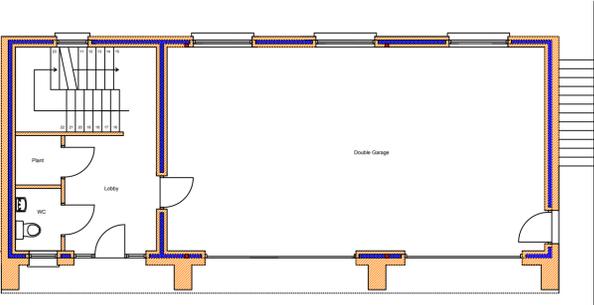
**List of Documents**

Planning Authority:- “A1” Statement of case and appendices

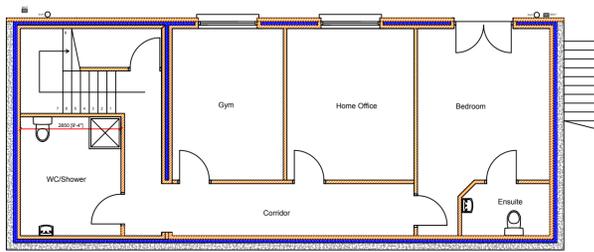
Appellant:- “B1” Statement of case and appendices



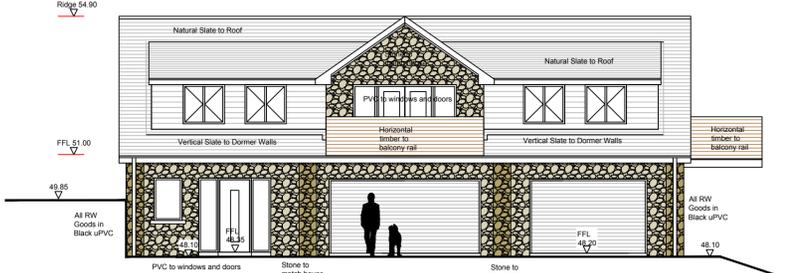
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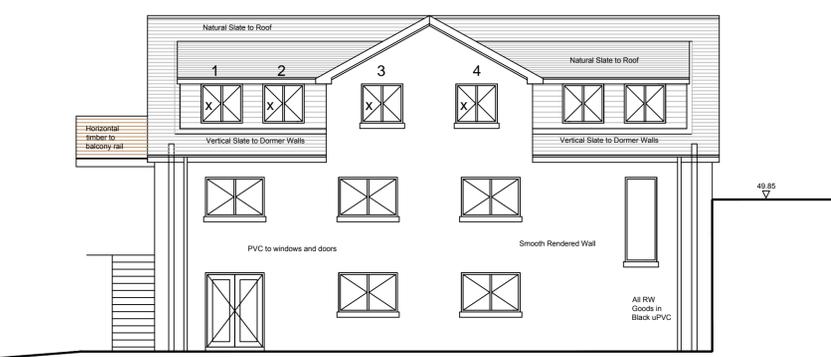
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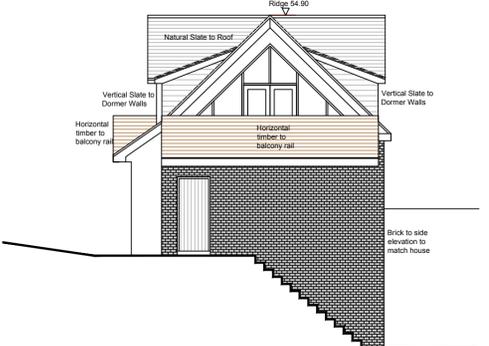
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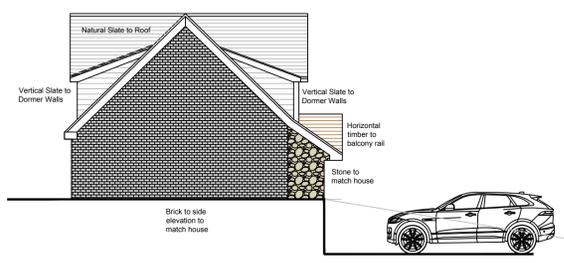
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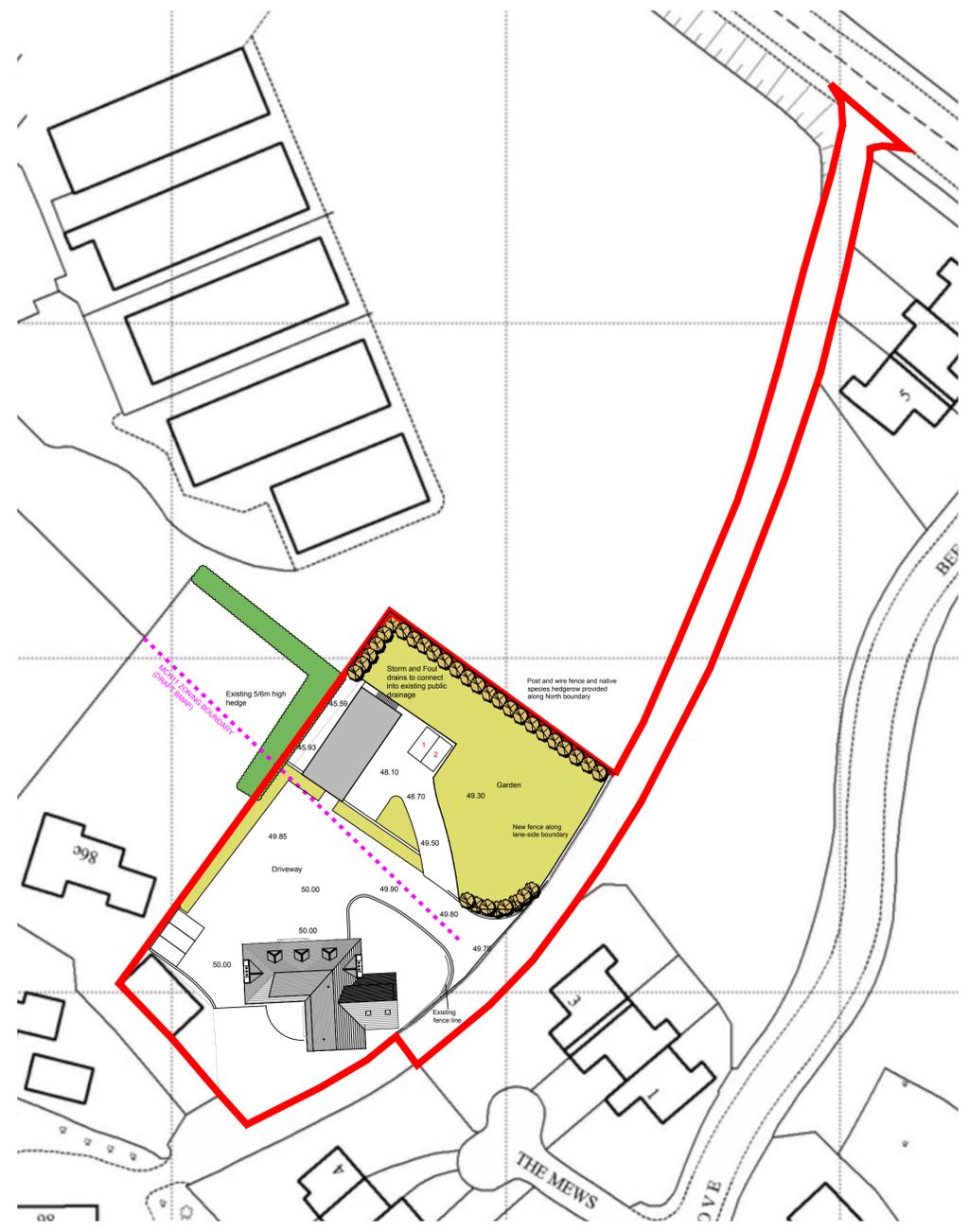
AS CONSTRUCTED REAR ELEVATION 1:100



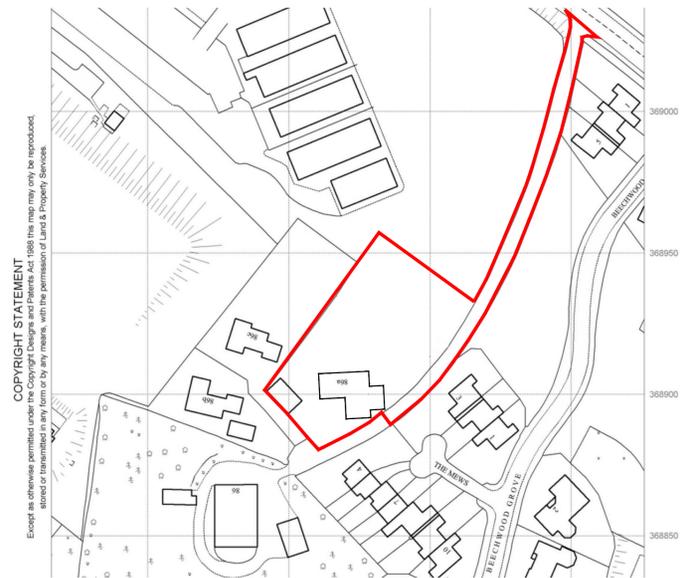
AS CONSTRUCTED SIDE ELEVATION 1:100



AS CONSTRUCTED SIDE ELEVATION 1:100



SITE PLAN 1:500



LOCATION MAP 1:1250



AERIAL PHOTOGRAPH 1:1250

REV.	INITIALS	SUMMARY	DATE

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CLIENT  
**DARRAGH DUMIGAN**

PROJECT  
**GARAGING AND ANCILLARY ACCOMMODATION AT 86A BEECH HILL ROAD, BELFAST**

DRAWING NAME  
**PLANNING DRAWINGS (RETROSPECTIVE)**

SCALE	DRAWN BY	CHECKED BY	DATE
AS INDICATED	BH		12/09/2023

PROJECT NO.	DRAWING NO.	REVISION	STATUS
2018 - 1539	A1 - PLASO		PLANNING



ARCHITECTURE : DESIGN : PLANNING



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<b>Committee:</b>	Planning Committee
<b>Date:</b>	09 March 2026
<b>Report from:</b>	Head of Planning and Capital Development

<b>Item for:</b>	Noting
<b>Subject:</b>	Item 5 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>The Council is notified by Cornerstone and WHP Telecoms Ltd, of their intention to utilise permitted development rights to install communications apparatus at three separate locations within the Council area.</li> <li>The works consist of the installation of broadband and telecommunication apparatus, upgrades to existing radio base stations and alteration or replacement of a mast or antenna in accordance with Part 18 (Development by Electronic Communications Code Operators) F31 of the Planning (General Permitted Development) Order (Northern Ireland) 2015.</li> </ol> <p><b><u>Key Issues</u></b></p> <ol style="list-style-type: none"> <li>The notifications advise the Council of the location of the apparatus where they intend to utilise permitted development rights. Detail is also provided in relation to the nature and scale of the works proposed.</li> <li>Only the schedule of locations where the works are proposed has been appended to the report (<b>see Appendix</b>). However, the content of notifications detailed above are provided separately on Decision Time to assist Members in understanding the scope and nature of the proposed works.</li> <li>No comment is provided on the requirement for planning permission for the equipment listed. This letter is also referred to the enforcement section of the Unit. They will write separately to the operator should it be considered that the requirements of the Regulations cannot be met at any of the locations specified.</li> </ol>
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that Members note the detail of the notifications specific to the sites identified.</p>
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>There are no finance or resource implications.</p>

4.0	<b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out  This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. EQIA not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <b>or</b> rationale why the screening was not carried out.  This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. RNIA not required.	

<b>Appendices:</b>	Appendix 5 – Notifications from an Operator in respect of intention to utilise permitted development rights
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### List of Notifications from Telecommunication Operators in relation to intentions to utilise Permitted Development Rights March Planning Committee

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Cornerstone	KTL	Land at Saintfield Road SW, Opp 190 Saintfield Road, Belfast	The proposed upgrade of an existing telecommunications base station comprising the removal of existing 20m pole, to be replaced by proposed 20m pole, the replacement of 6 no antennas with 6 no new antennas and the addition of 1 no new 300mm dish. Together with internal upgrades to the existing cabinet and ancillary development thereto.	13/01/2026
2.	Cornerstone	KTL	Land at Robbs Road, Dundonald	The proposed upgrade of an existing telecommunications base station comprising the removal of existing 20m pole to be replaced by proposed 20m pole, the replacement of 3 no existing antennas with 9 no new antennas and the addition of 1 no new 300mm dish. Together with internal upgrades to the existing cabinet and ancillary development thereto.	30/01/2026
3.	WHP Telecoms Ltd	Hutchison 3G UK Limited	Base station at Killynure, Carryduff	Removal of 6 no. antennas and 6 no MHA units, installation of 3 no. antennas on existing support poles, installation of 9 no. ERS units on new steelwork, installation of 3 no. Bob units on new steelwork, internal cabin works, ancillary development	09/02/2026
4.					