



May 6th, 2026

Chairman : Alderman J Tinsley

Vice Chairman : Councillor G Thompson

Aldermen : O Gawith and M Gregg

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

Notice of Meeting

A meeting of the Planning Committee will be held on **Monday, 11th May 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 14 April 2026

📄 *PC 13.04.2026 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) **LA05/2024/0566/F – Change of use of nine vacant commercial office units to nine residential apartments with associated parking amendments, amenity space, bin store and boundary treatment at TSL House, 38A Bachelors Walk, Lisburn**

📄 *Appendix 1.1 LA05.2024.0566.F Bachelors Walk.pdf*

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- (ii) **LA05/2022/0725/F – Construction of a dwelling to the rear of the site, with landscaping and all associated site works at 17-19 Main Street, Hillsborough**

📄 *Appendix 1.2 LA05.2022.0725.F Main Street Hillsborough .pdf*

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- (iii) **LA05/2025/0819/F – Removal of existing single storey flat roof extension and garage. Addition of single storey pitched roof extension and office/storage to replace existing garage at 3 Ardara Avenue, Dundonald**

📄 *Appendix 1.3a Addendum to 3 Ardara Avenue.pdf*

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📄 *Appendix 1.3b Report of Site Visit LA05-2025-0819-F - 28.04.2026.pdf*

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📄 *Appendix 1.3c - DM Officer Report LA05.2025.0819.F final.pdf*

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- (iv) **LA05/2024/0639/O – Replacement dwelling and retention of existing dwelling**

(with alterations) as farm building on lands approximately 180 metres north of 19 Ballycrune Road, Hillsborough

- ▢ *Appendix 1.4a Addendum LA05.2024.0639.O Ballycrune Road.pdf* *Page 115*

- ▢ *Appendix 1.4b Report of Site Visit LA05-2024-0639-O - 28.04.2026.pdf* *Page 125*

- ▢ *Appendix 1.4c LA05.2024.0639.O Ballyrcune Road Final.pdf* *Page 127*

- ▢ *Appendix 1.4d Appeal decision LA05 2021 1253F.pdf* *Page 147*

- ▢ *Appendix 1.4e Appeal decision la08 2021 0860o.pdf* *Page 219*

- ▢ *Appendix 1.4f Appeal Decision LA08 2017 0203o.pdf* *Page 226*

(v) **LA05/2025/0828/F – Proposed coffee kiosk and associated canopy at Navigation House, 148 Hillsborough Road, Lisburn**

- ▢ *Appendix 1.5 LA05_2025_0828_F Navigation House Coffee Kiosk_.pdf* *Page 239*

4.2 Quarter 3 Statistical Bulletin – October to December 2025

For Noting

- ▢ *Item 2- Quarter 3 Statistical Bulletin - October-December 2025.pdf* *Page 252*

4.3 Statutory Performance Indicators – March 2026

For Noting

- ▢ *Item 3 - Statutory Performance Indicators - March 2026.pdf* *Page 255*

- ▢ *Appendix 3 Lisburn_Castlereagh_March_Monthly_MI.pdf* *Page 257*

4.4 Appeal Decision – LA05/2024/0741/LBC

For Noting

- ▢ *Item 4 - Appeal Decision -LA05 2024 0741LBC.pdf* *Page 258*

- ▢ *Appendix 4 Appeal decision LA05 2024 0741LBC.pdf* *Page 260*

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

For Noting

- ▢ *Item 5 - Notifications from an Operator in respect of intention.pdf* *Page 271*

- ▢ *Appendix 5 List of Notifications - May 2026.pdf* *Page 273*

4.6 Annual Planning Appeal Decision Update

For Noting

📄 *Item 6 - Annual Appeal Decision Update.pdf*

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📄 *Appendix 6 Annual Appeal Decision Update.pdf*

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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):

Date of Meeting: _____

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

Nature of Private or Personal Non-Pecuniary Interest:

Name:

Address:

Signed:

Date:

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

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LISBURN & CASTLEREAGH CITY COUNCIL**Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 13 April, 2026 at 10.00 am****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Councillor G Thompson (Vice Chair)

Alderman O Gawith

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

IN ATTENDANCE:Director of Regeneration and Growth
Head of Planning & Capital Development
Principal Planning Officer (PS)
Senior Planning Officers (MB, GM, and LMcC)
Member Services Officers (FA and EW)**Cleaver Fulton Rankin**Mr B Martyn, Legal Advisor
Mr P Lockhart (remote attendance)
Ms I Kelly (remote attendance)**Commencement of Meeting**

At the commencement of the meeting, the Vice Chair, Councillor G Thompson, welcomed those present to the Planning Committee. The Vice Chair advised that the Chair, Alderman J Tinsley would be arriving late to the meeting and that she would chair the meeting until he arrived. The Acting Chair pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. The Head of Planning & Capital Development outlined the evacuation procedures in the case of an emergency.

1. Apologies

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

2. Declaration of Interests

Councillor D J Craig declared a pecuniary interest in planning application LA05/2023/0690/F as he was a Board Member of the Education Authority. He would withdraw from the Council Chamber during consideration of this application.

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Councillor S Burns arrived at the meeting (10.06 am).

3. Minutes of Meeting of Planning Committee held on 9 March, 2026

It was proposed by Councillor P Catney, seconded by Councillor A Martin and agreed that the minutes of the meeting of Committee held on 9 March, 2026 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Acting Chair, Councillor G Thompson, advised that there were 2 major and 5 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) LA05/2023/0690/F – New post-primary school, new primary school and nursery unit with associated works including car park, bus drop-off area and playing pitches with associated lighting at Fort Hill College, Belfast Road, Lisburn.

Having declared an interest in this matter, Councillor D J Craig left the Council Chamber whilst it was being considered (10.10 am).

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

The committee received Mr C Bryson to speak in support of the application. Mr Bryson was accompanied by Mr C Millar and together they responded to questions from Members'.

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

Debate

During debate:

- Councillor P Catney spoke of the length of time plans for the new school buildings had been in process, and commented that traffic congestion, which had been highlighted during questions to Messrs. Bryson and Millar, was only during short windows of time at the start and end of the school day and welcomed the application which would bring the school estate up to modern standards.;

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- (i) LA05/2023/0690/F – New post-primary school, new primary school and nursery unit with associated works including car park, bus drop-off area and playing pitches with associated lighting at Fort Hill College, Belfast Road, Lisburn. (Cont'd)
- Councillor N Trimble advised he was happy to vote in favour of the application and spoke of how the plan would use the space on the site more effectively and efficiently, whilst also bringing the facility up to modern standards;
 - Alderman O Gawith stated that he could not find any cons to the application and that he welcomed it;
 - Councillor A Martin advised that he would be supporting the application and stated that he hoped the Northern Ireland Executive would provide adequate funding to enable it to progress; and
 - The Acting Chair, Councillor G Thompson welcomed the application and advised it was a great opportunity for the school and the local community.

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 Acting Chair, Councillor G Thompson, declared the meeting adjourned at this point for a comfort break (10.44 am).

Resumption of Meeting

The meeting was resumed at 10.49 am. Councillor D J Craig returned to the meeting at this time.

- (ii) LA05/2024/0495/F – Freight transport hub for parking of HGV's and trailers, including a warehouse storage/distribution and office/administration building with onsite diesel storage and vehicle and trailer wash facilities. Dedicated site access with right turning lane, waste-water treatment plant and solar panels on South facing roofs on lands adjacent to 12 Lissue Road, Lisburn

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

The committee received Mr J McElroy to speak in support of the application and a number of Members' queries were addressed.

Planning Officers responded to questions from Members.

Arising from questions to Officers, but separate to the decision making of the application in question, The Director of Regeneration and Growth undertook to write

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- (ii) LA05/2024/0495/F – Freight transport hub for parking of HGV's and trailers, including a warehouse storage/distribution and office/administration building with onsite diesel storage and vehicle and trailer wash facilities. Dedicated site access with right turning lane, waste-water treatment plant and solar panels on South facing roofs on lands adjacent to 12 Lissue Road, Lisburn
(Cont'd)

to the Department of Infrastructure Roads (DfI Roads) regarding a concern separate to the application raised by Councillor D J Craig on road signage for height restrictions at a low bridge on the Lissue Road, Lisburn.

Debate

During debate:

- Councillor P Catney agreed with the issues raised regarding the low bridge during questions, however, continued that DfI Roads had no concerns with road safety in relation to the application. Councillor Catney spoke of the history of the applicant's business within the Lisburn area and advised that he welcomed their expansion, particularly during such financially uncertain times; and
- Councillor D J Craig welcomed the application and commented on the rising cost of fuel as the result of global political uncertainty.

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 Acting Chair, Councillor G Thompson, declared the meeting adjourned at this point for a comfort break (11.21 am).

Resumption of Meeting

The meeting was resumed at 11.32 am. Alderman J Tinsley arrived at the meeting during the comfort break and assumed his role as Chair. The Chair, Alderman J Tinsley thanked the Vice Chair, Councillor G Thompson for chairing the meeting in his absence.

- (iii) 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.

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

The committee received Ms L Quail to speak in support of the application, and she responded to a number of Members' queries.

Planning Officers responded to questions from Members.

Debate

During the debate:

- Councillor N Trimble referred to the response from DfI Roads stating there was no road safety issue in relation to the application and as a result he was content to accept the Officers' recommendation;
- Councillor D J Craig advised that given condition 4 of the Officers' recommendation, "The hours of operation at the site shall not exceed 08:00 – 18:00 Monday to Friday and 08:00 – 13:00 on Saturday with no activity on Sundays" would apply and that DfI Roads had no concerns he was content to accept the Officers' recommendation; and
- Councillor P Catney advised that he was content to support the application with the addition of a condition prohibiting sales at the site. This condition had been discussed during the questions to Officers and unanimously agreed by all Members.

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, with delegated authority to Planning Officers to include a condition prohibiting sales at the site.

At this point in the meeting, the agenda was running approximately 15 minutes ahead of schedule. The Chair, Alderman J Tinsley, decided to bring forward items 4.2 to 4.6 of the agenda, as a speaker registered for the next application to be heard, application LA05/2025/0819/F, had not yet arrived.

4.2 Statutory Performance Indicators – February 2026

It was agreed that information relating to Statutory Performance Indicators for February 2026 be noted.

4.3 Appeal against Enforcement Notice (LA05/2025/0068/CA)

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

4.4 Appeal against Enforcement Notice (LA05/2024/0041/CA)

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

4.5 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.

4.6 Letter to Heads of planning NIEA planning improvement programme

Members agreed to note the contents of the letter.

4.1 Schedule of Applications (Cont'd)

- (iv) LA05/2025/0819/F - Removal of existing single storey flat roof extension and garage. Addition of single storey pitched roof extension and office/storage to replace existing garage at 3 Ardara Avenue, Dundonald.

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

The committee received Mr B Greer to speak in opposition to the application via a remote location and a number of Members queries were addressed.

The committee received Mr R Gilmour to speak in support of the application following which he responded to questions from Members.

Planning Officers responded to questions from Members.

Following the questions to Planning Officers, it was proposed by Alderman O Gawith and seconded by Councillor N Trimble to defer the application to allow for a site visit. On a vote being taken, this proposal was declared 'carried', the voting being 5 in favour and 3 against.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned for lunch at this point (1.12 pm).

Resumption of Meeting

The meeting was resumed at 1.53 pm.

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- (v) LA05/2023/0439/O - Site for a dwelling and garage with associated site works on lands 50Metres Southwest of 271 Ballynahinch Road, Hillsborough.

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

The Committee received Mr N Coffey, to speak in support of the application. There were no questions put to Mr Coffey.

Planning Officers responded to a number of questions from Members.

Debate

During the debate:

- Councillor N Trimble referred to policy COU16 (d) which states “ A new development proposal will be unacceptable where it mars the distinction between a settlement and the surrounding countryside, or otherwise results in urban sprawl” and advised he could not argue that this application did not do this. Councillor Trimble also queried why the applicant has chosen the land in question for the site given that they had other land in their ownership which fell within the settlement boundary, and as a result he agreed with the Officers assessment of the application.

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, Alderman O Gawith, Councillor A Martin, Vice Chair, Councillor G Thompson, the Chair, Alderman J Tinsley, and Councillor N Trimble (7)

Against: Councillor D J Craig (1)

- (vi) LA05/2024/0639/O - Replacement dwelling and retention of existing dwelling (with alterations) as farm building at Approx 180m north of 19 Ballycrune Road, Hillsborough.

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

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

At this stage, it was proposed by Councillor D J Craig, seconded by Councillor P Catney and unanimously agreed that this application be deferred to allow a site visit to take place.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (2.43 pm).

Resumption of Meeting

The meeting was resumed at 2.49 pm.

- (vii) LA05/2023/0550/F - Proposed demolition of existing ruby's bar and restaurant (retention of off sales retail unit) and redevelopment of land to comprise 12 2 bed apartments with private and communal amenity space, PV panels, bin and bicycle store, landscaping, car parking and all associated site works on lands at 793 and 793a Upper Newtownards Road, Dundonald

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

The Committee received Mr T Stokes, accompanied by Ms A Diamond, 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:

- Councillor P Catney spoke of the change in business and how the applicant has looked to new ways to use the space. Councillor Catney noted the large number of objections to the application but advised that he thought the proposal was tastefully done and that he was in favour of the Officers recommendation with or without the travel scheme which formed part of the application; and
- Councillor S Burns advised that as a local resident of the area, while she understood the economic pressures on hospitality businesses, she was concerned with the loss of the restaurant and bar. Councillor Burns advised that due to there be no clear reason within policy that she could go against the recommendation of the Officers, she would abstain from the vote due to the negative impact the loss of the restaurant and bar could have on her local community.

Vote

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

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- (vii) LA05/2023/0550/F - Proposed demolition of existing ruby's bar and restaurant (retention of off sales retail unit) and redevelopment of land to comprise 12 2 bed apartments with private and communal amenity space, PV panels, bin and bicycle store, landscaping, car parking and all associated site works on lands at 793 and 793a Upper Newtownards Road, Dundonald (Cont'd)

In favour: Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor A Martin, Vice Chair, Councillor G Thompson and the Chair, Alderman J Tinsley **(6)**

Against: Councillor N Trimble **(1)**

Abstain: Councillor S Burns **(1)**

5. Any Other Business

5.1 Pillars at 70 Belfast Road, Lisburn Councillor P Catney

Councillor P Catney referred to an application which had been passed at the meeting of committee on 9 March 2026. Councillor Catney advised that there were three historic pillars at the entrance to the site and queried whether they would be retained as part of the new development. The Head of Planning and Capital Development advised that Officers would check the application for information on this but that the decision was legally binding and could not be revisited. The Head of Planning and Capital development suggested that a meeting could be arranged to allow Councillor Catney to discuss the matter directly with the applicant.

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 3.33 pm.

Chair/Mayor

Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Schedule of Planning Applications to be Determined
1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. The following applications have been made to the Council as the Local Planning Authority for determination. 2. In arriving at a decision (for each application) the Committee should have regard to the guiding principle in the SPPS (paragraph 3.8) that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. 3. Members are also reminded about Part 9 of the Northern Ireland Local Government Code of Conduct and the advice contained therein in respect of the development management process with particular reference to conflicts of interest, lobbying and expressing views for or against proposals in advance of the meeting. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. The applications are presented in accordance with the current scheme of delegation. There are five local applications. Three of these have been called in, two of which were previously deferred, an exception applies to one application which is subject to a Section 76 planning agreement, and one is mandatory as it is an application made by the Council. <ol style="list-style-type: none"> a) LA05/2024/0566/F – Change of use of nine vacant commercial office units to nine residential apartments with associated parking amendments, amenity space, bin store and boundary treatment at TSL House, 38A Bachelors Walk, Lisburn Recommendation – Approval b) LA05/2022/0725/F – Construction of a dwelling to the rear of the site, with landscaping and all associated site works at 17-19 Main Street, Hillsborough Recommendation – Refusal c) LA05/2025/0819/F – Removal of existing single storey flat roof extension and garage. Addition of single storey pitched roof extension and office/storage to replace existing garage at 3 Ardara Avenue, Dundonald Recommendation – Approval

- d) LA05/2024/0639/O – Replacement dwelling and retention of existing dwelling (with alterations) as farm building on lands approximately 180 metres north of 19 Ballycrune Road, Hillsborough
Recommendation – Refusal
- e) LA05/2025/0828/F – Proposed coffee kiosk and associated canopy at Navigation House, 148 Hillsborough Road, Lisburn.
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
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4.2	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out. The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	<p>Summary of the key issues identified and proposed mitigating actions or 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>	
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Appendices:	<ul style="list-style-type: none"> Appendix 1.1 LA05/2024/0566/F Appendix 1.2 LA05/2022/0725/F Appendix 1.3a LA05/2025/0819/F - addendum report Appendix 1.3b LA05/2025/0819/F – site visit report Appendix 1.3c LA05/2025/0819/F – planning officer report 13/4/26 Appendix 1.4a LA05/2024/0639/O- addendum report Appendix 1.4b LA05/2024/0639/O – site visit report Appendix 1.4c LA05/2024/0639/O – planning officer report 13/4/26 Appendix 1.4d LA05/2024/0639/O – appeal decision 2025/A0069 Appendix 1.4e LA05/2024/0639/O – appeal decision 2022/A0138 Appendix 1.4f LA05/2024/0639/O – appeal decision 2021/A0047 Appendix 1.5 LA05/2025/0828/F
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Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	11 May 2026
Committee Interest	Local Application
Application Reference	LA05/2024/0566/F
Date of Application	23 July 2024
District Electoral Area	Lisburn North
Proposal Description	Change of use of nine vacant commercial office units to nine residential apartments with associated parking amendments. Amenity space, bin store and boundary treatment
Location	TSL House, 38A Bachelors Walk, Lisburn, BT28 1XN
Representations	Two
Case Officer	Kevin Maguire
Recommendation	APPROVAL

Summary of Recommendation

1. This is a local application presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee as it is subject to a Section 76 planning agreement.
2. It is recommended that planning permission is approved subject to a Section 76 planning agreement as the proposal is in accordance with the requirements of policies HOU1, HOU3 and HOU4 and of Part 2: Operational Policies of the Lisburn and Castlereagh City Council Plan Strategy 2032 (subsequently referred to as the Plan Strategy) in that the detailed layout and design of the proposed building creates a quality residential environment and will not adversely impact on the visual character of the area. The development will also not have a detrimental impact on the amenity of existing properties adjoining the site by reason of overlooking or dominance or loss of light.

3. The density is acceptable and not significantly higher than that found in this City Centre location. The proposed pattern of development is also in keeping with the overall character and environmental quality of the area which has existing apartment development.
4. It is further considered that the requirements of policy HOU9 of the Plan Strategy are met given all the criteria of policies HOU3 and 4 are met. In addition, the development would not cause adverse effect on the local character, environmental quality or residential amenity of the surrounding area.
5. The existing building is not listed and there is no requirement to maintain and enhance the form, character and architectural features, design or setting. The original building is also has more than 150 square metres of gross internal floorspace and all of the proposed apartments are self-contained.
6. 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.
7. The proposed also complies with policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created.
8. It is also considered that the development complies with policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the access will not prejudice road safety or significantly inconvenience the flow of traffic. Account is also taken as 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.
9. The proposal is 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.
10. The proposal complies with policy RE2 as the new apartments have access communally to solar panels and be constructed in accordance with current building control standards and DfC design standards which encourages sustainable design and energy efficiency.
11. The proposal is also considered to comply with Policy WM2 in that it has been demonstrated that there is sufficient capacity within the mains sewage system to accommodate the change of use from a commercial offices' to a residential development at this location without the need to create additional capacity elsewhere.

Description of Site and Surroundings

Site

12. The application site is located at TSL House, 38A Bachelors Walk, Lisburn which is to the rear of buildings at Nos 34-40 Bachelors Walk.
13. Vehicular and pedestrian access is through an entry between the buildings adjacent at Nos. 36-38 and No. 40.
14. Within is an existing three- storey building, currently unoccupied but previously used as offices. The building has a brown brick finish to its southern and western elevations, with rendered finish to north and east elevations, a pitched roof with grey tiles, and red uPVC windows and doors with a larger area of glazing to the western façade and above one of the entrances.
15. There is hardstanding around the building site, with a parking area directly to the west and a smaller area to the south.
16. The land is flat throughout.
17. The western boundary is a rendered wall of varying heights between approximately 1.5 and 2.5 metres. The northern boundary abuts the railway embankment and is comprised of an approximately three-metre-high wall with stone and bottom and render further to top. The eastern boundary is defined by a rendered wall approximately 1.5 metres in height. The southern boundary runs along the rear of buildings along Railway Street, with walls sections of walls with rails to the southwest corner dividing the site from No 40B, and to the south east to the rear of No 36A. The rest of the southern boundary is undefined and opens up into the access off Bachelors Walk.
18. There is minimal vegetation within the site, with a small amount of overgrown ornamental vegetation along the western boundary adjacent to the existing boundary wall.

Surroundings

19. The land surrounding the site built up and includes a mix of commercial and residential uses. There is a commercial building to the west 52A but at the time of site visit was unoccupied. To the east there is a small area of parking associated with buildings fronting Bachelors Walk and a new residential building further to the east. There is a two-storey storage building a short distance to the northeast. To the north there is the Belfast to Newry train line, which is separated from the site by a three-metre wall and a line of mature trees and other vegetation, with the train lines beyond that.

Proposed Development

20. This is a full application for the change of use form nine commercial office units which are currently vacant to nine residential apartments with associated parking amendments. The application also proposes amenity space, bin store and boundary treatment.

21. The application has been supported by a suite of drawings including a site location plan, site plan, floor plans, elevations and boundary treatments. The following documents are submitted in support of the application:

- Planning Statement
- Noise and Vibration Assessment
- NI Water Initial Findings
- TSL Proposed Accommodation Schedule

Relevant Planning History

22. The following planning history is relevant to the site:

Reference Number	Site Address	Proposal	Decision
S/2001/0416/F	Lands to the rear of 36 -40 inc. Bachelors Walk, Lisburn.	Proposed replacement of existing workshop & Retail Units with new Apartment Development.	Application withdrawn 30 th July 2002
S/2002/0912/F	36,38 & 40 Bachelors Walk, Lisburn.	Proposed replacement of existing old workshop, offices and retail units with new office block	Permission Granted 18 th November 2002
S/2003/1774/F	38a Bachelors Walk, Lisburn, Lands to the rear of Nos 36, 38 & 40 Bachelors' Walk, Lisnagarvy, Lisburn, Northern Ireland, BT28 1XN	Replacement of existing old workshop, offices and retail units with new 3 storey office block (Retrospective)	Planning Permission 12 th May 2004

Consultations

23. The following consultations were carried out:

Consultee	Response
Dfl Roads	No objection
Dfl Rivers	No objection
Housing Executive	No objection
LCCC Environmental Health	No objection
NI Water	No objection
NIEA Water Management Unit	No objection

Representations

24. Two representations have been submitted in relation to the proposal. The main issue raised in this correspondence relates to overlooking. The substance of these objections will be dealt with later in the report.

Local Development Plan

25. 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

26. 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.

27. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan 2001 (LAP). Within LAP the land is located within Lisburn City Centre. No other designation applies.
28. Draft BMAP remains a material consideration and in addition the site remaining within the City Centre boundary it also within an area of townscape character and an area of parking restraint.
29. The proposal is for new residential development in the City Centre using previously developed land last used for a B1 business use. 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.

30. 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.

31. 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.

32. 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.

33. The proposed housing is being developed as affordable housing. 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.*

34. 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.*

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

Housing in Settlements

36. As this application is for residential development policy HOU1 - New Residential Development states that:

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

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

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

37. 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.

38. 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) *dwelling 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.*

39. 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.

40. 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.

41. Policy HOU9 - The Conversion or Change of Use of Existing Buildings to Flats or Apartments states that planning permission will be granted for the conversion or change of use of existing buildings to flats or apartments (including those for multiple occupancy) where the criteria set out in Policies HOU3 and HOU4, and all the following criteria are met:

- a) there is no adverse effect on the local character, environmental quality or residential amenity of the surrounding area
- b) the proposal maintains or enhances the form, character and architectural features, design and setting of the existing building
- c) the original property is greater than 150 square metres gross internal floor space
- d) all flats or apartments are self-contained (i.e. having separate bathroom, WC and kitchen available for use only by the occupiers)
- e) the development does not contain any flat or apartment which is wholly in the rear of the property and without access to the public street.

42. As more than five residential units 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.

43. 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.

44. 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.

45. The site is located in an Aea of Townscape Character in draft BMAP which was not objected to and is considered to have significant material weight in the assessment of this proposal. It is stated in policy HE10 New Development in a Conservation Area or Area of Townscape Character/Area of Village Character that:

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

- *maintain or enhance the overall character of the area.*

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

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

Access and Transport

46. The application form indicates that access arrangements for this development involve the use of an existing unaltered access to a public 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.

47. The traffic movements associated with this development will change and consideration needs to be given to whether the access will be used more intensively. Policy TRA 2 – Access to Public Roads states:

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

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

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

48. The justification and amplification states that:

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

49. Car parking is required to service the proposed development. Policy TRA7 Car Parking and Servicing Arrangements in New Developments states that:

Development proposals will provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to published standards³³ or any reduction provided for in an area of parking restraint designated in the Local Development Plan. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.

50. A full parking standard is not proposed but the site is located within an area of parking constraint. 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.

Renewable Energy

51. The proposal requires integration of renewable energy technologies. 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.

Waste Management.

52. A connection is proposed to mains sewer. 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

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

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

54. 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.

55. 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

56. 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.

57. 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 interests of acknowledged importance.

58. 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.

59. 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.

60. The site is proposed to be developed for housing development. It is stated at paragraph 6.136 that:

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

Retained Regional Guidance

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

Creating Places

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

63. 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.

64. 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.

65. 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

66. Paragraph 4.10 states that:

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

Assessment

Housing in Settlements

Policy HOU 1 – New Residential Development

67. This application is for nine residential units within the settlement limit of Lisburn and within Lisburn City Centre. The application relates to the change of use from a vacant commercial premises to apartments, and would therefore relate to the use of brownfield land.
68. The application therefore complies with two of the criteria in Policy HOU1, namely criterion (b) and (c) and as such, the policy tests associated with Policy HOU1 are considered to be met.

Policy HOU3 - Site Context and Characteristics of New Residential Development

69. The application site is occupied by an existing vacant three -storey commercial building previously approved as an office block to the rear of buildings fronting onto Bachelors Walk and to the south of an existing train line. There is also hard standing in the site, generally in the form of parking areas and hard landscaping including walls and fences marking the boundaries of the site.
70. The surrounding area is characterised with a mix of uses including mainly commercial with some residential units on the upper floors. The existing residential development in the area, including apartment blocks along Graham Gardens and Wardsborough Road to the south east, is quite high density in parts. More lower and medium density housing is seen further to the north, on the other side of the railway line along North Circular Road, which is outside of the designated City Centre.
71. On either side of the building subject to the change of use there is a number of examples of backland development, including a vacant commercial unit at No 52A Bachelors Walk, as well as a replacement store to the rear of No 28

Bachelors Walk. Approximately 150 metres to the north east of the site there is Lisburn Railway Station which contains a number of B+ and B2 listed structures within its grounds, and a parking area and drop-off point to the front.

72. The form and general arrangement of the existing building is relatively similar to some of the others contained within the backland areas of adjacent properties, however is more modern in design and materials than some of the other buildings, as well as the buildings fronting onto Bachelors Walk, including the use of red uPVC window frames and rainwater goods and glass canopies to main entrances.
73. The general layout proposed utilises the existing building, with parking to the front (western boundary) and an area of communal amenity space to the northern portion of the site and is consistent with and comparable to other built development in the general vicinity of the site. In this context I am satisfied that the proposed development will not appear incongruous within its surroundings but is instead reflective of the development within the immediate context of the site
74. 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 change of use of the existing building to 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.
75. The layout of the rooms in each of the units, the position of the windows relative to existing development, the treatment of the windows and separation distance also ensure that there is limited overlooking into neighbouring properties.
76. The existing building is three storey and given the separation distances between the existing and proposed development, which includes minimum external changes and no changes to height/size of the existing structures, there would be no dominant or overbearing impact and no loss of light to any adjacent property.
77. Having regard to this detail and the relationship between existing and proposed buildings and having considered the guidance recommended in the Creating Places document, criterion (a) of policy HOU3 is met.
78. With regard to criterion (b), there are no archaeological or historic features to integrate into the overall design and layout of the development.
79. In relation to landscape characteristics, most of the site consists of buildings and hard standing. 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

80. The layout of the apartments on proposed Drawing 10A published to the Planning Portal on the 5th December 2025 demonstrates that the apartments are to be contained within one building, which as noted already exists on site. This layout is to retain the parking and circulation to the west of the building, existing boundaries to site and maintenance access down the eastern side of the building.
81. The building is largely of linear form and is orientated in a north-west to south-east axis through the site, with the gable end facing the rear of buildings along Bachelors Walk.
82. The building to be developed is three-storey. Fenestration is currently present on all of elevations, however there is no windows along the ground floor of the eastern (rear) elevation. The building has a pitched roof with an existing ridge height of 10.9 metres.
83. There are three apartments proposed on each floor with a total of nine overall. Each apartment includes a kitchen/living/dining area, a bathroom and two bedrooms, one of which has an ensuite.
84. The apartment block has two main entrances, reflecting the entrances currently at the building, both of which access onto the western side of the building to the car park area.
85. These entrances lead to the respective lobby areas which provide internal access to each ground floor apartment. In this part of the building there is also a stairwell and a lift providing access to the first and second floors leading to corridors where the apartments on each floor can be accessed.
86. The vehicular access to the site is via a covered entrance off Bachelors Walk. The access leads to an area of hardstanding to initially the southern part of the site and then to the west for the parking and circulation of vehicles. There are eleven parking spaces provided, three of which are for disabled users. There is one area of communal amenity space located to the northern part of the site (101square metres), adjacent to the northern boundary and adjacent to the train track.
87. There are two bin stores located to the south east and south west corners of the site. Regarding this the Supporting Statement at Paragraph 3.33 notes that additional designated refuse has been allocated and is located close to the entrance to facilitate collection.
88. Provision has been made close to the entrance for cycle parking for a total of four bicycles adjacent to the bin store.

89. No new boundaries are proposed within or along the site, with the northern and north western boundaries to be landscaped with hedging to soften its impact. The remaining boundaries are to remain in-situ.
90. Within the context of the site, there appears to be a small number of residential properties adjacent to the site, particularly directly to the south on upper floors within buildings along Bachelors Walk. This includes properties above No 40, 38 and 36, with possible also further along at Nos. 34 and 42.
91. The closest point between the gable end of the proposed apartment building and the residential units above No 38 and 36 would be approximately 9.5 metres. While this separation distance is limited, the applicant has proposed that the first and second floor windows in the southern gable would be made obscure, therefore significantly reducing the potential for overlooking between these properties. This separation distance expands significantly further to the east or west. From the closest eastern elevation upper floor window to the rear windows at No 30, 32 and 34 Bachelors Walk would be a separation distance of approximately 11.6, 15.2 and 18 metres respectively.
92. To the west, the rear boundary to No. 40 is a blank wall with no windows, and while there are windows to the rear of No. 42, these are partially blocked by the rear return of No. 40, with the separation distance between the closest western elevation upper window and No. 42 approximately sixteen metres. While some of these separation distances are at the lower level of what would be considered acceptable, these are taken in the context that the orientation of the two buildings is at an oblique angle to one another and would not be considered as 'opposing rear floor windows' as noted in Paragraph 7.15 of Creating Places.
93. Further away to the east and west of the site, while there are potential opportunities of overlooking to be considered, this prospect reduces in severity moving away from the site and should be considered within their own specific context. For instance, there is a building with windows facing the site at No. 52A to the south-west but this is a vacant commercial building at the time of site visit.
94. It is also noted that this site is subject to a current residential application (LA05/2023/0734/F) including two apartment blocks however at this time no application has been approved and therefore overlooking or other amenity impacts could not be given significant material weight.
95. In addition, to the north east of the site sits a building to the rear of No 28. This building has been constructed under Planning Approval LA05/2022/0316/F which gave permission for a replacement store, therefore this building would not be occupied or include any habitable rooms. It is also noted there are no windows in this building to the gable closest to the proposed development (south west), with the front windows being at an oblique angle to the proposed residential block.

96. As detailed above, there are no concerns the development would create an unacceptable adverse impact with regards to overlooking of existing properties. It is noted that the previous approval for an office block did include a condition that a number of windows on the eastern gable are fitted with opaque glazing:

The windows on the side of the building which face towards the adjoining properties to the east of the site, as indicated in pink, on the approved plan S/2003/1774/03 date stamped 22 October 2003, shall be fitted with opaque glazing.

Reason: In order to preserve the amenity of the adjoining properties.

97. The current building on site continues to have this opaque glass fitted to these window openings. This is a material planning consideration in this case however it should also be noted that this decision was made by the Department of Environment almost 22 years ago under Application S/2003/1774/F and proposes a different use under this application.
98. Paragraph 7.17 of Creating Places states that great care will be needed in designs where new residential schemes, such as apartments, include living rooms (as in this case) or balconies on upper floors as this can cause a significant loss of amenity to adjoining dwellings where they are close to the boundaries of existing properties. It states that on greenfield sites or lower density areas, good practice indicates that a separation distance of around 30 metres should be observed. Paragraph 7.18, however, goes on to state that greater flexibility will generally be appropriate in assessing the separation distance for apartments in inner urban locations or other higher density locations.
99. Following re-assessment of this issue under this proposal, it is accepted that some element of overlooking in a built-up location such as Lisburn City Centre is unavoidable. It appears on the ground that due to the windows on the western and eastern elevations of the proposed building sitting at an oblique angle to the windows along the rear of properties at Bachelors Walk, there would be limited opportunities for overlooking. Notwithstanding this, the most recent elevation plans submitted shows the first two windows on the first and second floors of the eastern elevation are to retain the obscure glazing currently in place, with opening sashes to be fitted with restrictors. The next set of windows along this elevation are bathroom windows and will also be obscure, with the closest non-obscure window on the upper floors at apartments 5 and 8 approximately twenty-five metres from the rear of No. 34 Bachelors Walk.
100. In light of the above, I am satisfied that there will be no overlooking concerns from the respective apartments in the current proposal towards the adjacent buildings.
101. The building subject to this change of use proposes minimal elevational changes, including some new bathroom openings to the eastern elevation,

which will be obscure glazing, and additional windows to the ground floor. There are no elevational changes to the northern, southern or front elevations. The use of this existing building, together with no increase in the bulk, scale and mass of the block or change in the amount of floorspace, will ensure that no significant additional loss of light occurs in any adjacent property.

102. In consideration of the above, I am satisfied that the scale and massing of the proposal within the site context and also the streetscape is acceptable, and it will not cause adverse effects towards adjacent buildings in terms of overshadowing or overdominance.
103. In relation to noise, it is recognised that the development is located close to a busy road to the south along Bachelors Walk and the Belfast to Dublin rail line to the north. In their initial response Environmental Health noted the close proximity to the railway line and commercial premises and requested that the applicant submit an acoustic report on the impact of existing noise sources on the proposed development, and this should provide details on any proposed mitigation measures deemed necessary.
104. A Noise and Vibration Impact Assessment was submitted in support of the application and detailed internal and external noise limits. Specific emphasis was placed on rail traffic noise from the railway line to the north of the site and provided sound exposure levels. While the number of train passes per day varied, the report noted that:
- 'In order to assess the worst-case scenario, the operating period of Monday – Friday was adopted, as this period experiences the greatest number of train passes per day (a maximum of 122 trains day-time, 7 trains night-time)'*
105. Based on guidance it is noted that noise events should not normally exceed 45dB more than 10 times a night, and that *'mitigation design should be based on the next highest value after the first 10 exceedances*. In this case, the report states that *'there are only a maximum of 7No. train passes occurring during any given night-time period (Monday – Friday, 23:00 – 07:00hrs)'*.
106. In relation to road traffic, a baseline noise survey was carried out *'at first floor level along the rear façade closest to the railway line'* and *'at first floor level on the façade closest to the Bachelors Walk'*. Based on the survey, report states that:
- 'the adopted LAMax,F level for the northern portion of the site (M1) is 70.7dB, with the adopted LAMax,F level for the southern portion of the site (M2) being 72.5dB'*.
107. In relation to internal noise impacts, the most significant exceedances in noise criteria *'was calculated to be 28dBA for the façade closest to Bachelors Walk, and 26dBA for the façade positions closest to the railway line'*.

108. Noise mitigation has been broken down into railway and road traffic. From a railway traffic perspective, the report notes that:

'all window systems facing towards the railway line would need to achieve a suitable level of noise mitigation. In this case, the required sound reduction values were calculated to be 16.7dB Rw for daytime periods, and 12.2dB Rw for night time periods. Therefore, all windows facing onto the railway line should achieve these sound reduction values as a minimum, in addition to the sound reduction values required to address road traffic noise (whichever provides the greatest level of sound reduction).'

109. In terms of ventilation, it has been recommended to install an alternative means of primary ventilation which would negate the necessity to open windows.

110. In relation to the communal amenity space, in accordance with the standards it is noted that *'it is desirable that the external noise level does not exceed an upper guideline value of 55dB LAeq,16hr for noisier environments'*. The recorded values were found to exceed the recommended levels for external amenity by up to 6dB at the location of the proposed communal area, however states that *'given the close proximity of the site to a busy road network and railway corridor, then it is typical for external amenity noise levels to be higher than the guideline values'*. Due to the level of the site comparative to the railway line there is limited options for mitigation in this regard. The consultant has therefore cited Section 7.7.3.2 of BS8233:2014 where it states:

"it is also recognized that 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... development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited".

111. The report has also included a section on vibration, which is relevant due to the proximity of the rail line to the north. A survey undertaken on this considered the potential for vibration on the proposed residential block based on the published weekday and weekend train timetable. Based on the results gathered, the survey has noted that:

'the comparison against guideline values indicates that the calculated VDV values are anticipated to be below the guideline values for low probability of adverse comment, and as such, no further mitigation has been recommended'.

112. Environmental Health were consulted on the proposals and reviewed the Noise and Vibration survey submitted. This response has noted the guidance

referred to regarding sound insulation and noise reduction for building and the World Health Organisation's document entitled 'Community Guidelines for Noise' state the upper guideline value for noise is 55dB within outdoor amenity areas.

113. In this regard, it has also noted that this guidance refers to circumstances where an increase to this limit may be acceptable. Environmental Health have therefore advised that the Council should decide if the development is desirable and therefore accept the higher noise levels within the amenity space, and if this is accepted have recommended conditions to be attached which detail noise mitigation to protect internal amenity.
114. With regard to the acceptance of a higher level of noise for the amenity space it is noted in Strategic Policy 08 Housing in Settlements within the LCCC Plan Strategy that:
- 'strategic policy for housing in settlements has been informed by regional and local policy which aims to increase housing density without town cramming, encourage sustainable forms of development, promote good design and deliver balanced communities'*.
115. The justification and amplification further recognises the need to consolidate and encourage higher density development in the city centre, with mixed use schemes on brownfield land to help promote regeneration. In this case, it is considered that more weight should be given in the assessment to the need for housing in Lisburn City Centre and its proximity to public transport hubs which would assist in reducing dependency on private car use.
116. Overall, it is considered that Criterion (i) is met.
117. The finishes are per the existing building and therefore deemed acceptable with a red/brown brick to the western (front) and south (gable), with the east and northern elevations encompassing smooth rendered finish. The design and finishes of the building are to remain as existing and these are considered to draw upon the materials and detailing exhibited within the surrounding area.
118. The detail associated with this layout show that primary vehicle and pedestrian access is taken from the existing access onto Bachelors Walk. Eleven parking spaces are provided, with the ratio of just over one space per unit. The current building has a lift to upper floors and that is being retained under proposed plans
119. The applicant has, within their planning statement, detailed how the proposal would aim to mitigate and adapt to climate change, including re-use of existing building stock and minimal material taken off site, utilisation of passive sunlight within the proposed internal layout, upgrading of existing building to be

thermally upgraded, and the introduction of PV panels to roof pitch, which has been shown on amended plans.

120. For the reasons outlined above, criteria (a), (e) and (f) are considered to be met.
121. With regard to criteria (b) detail submitted with the application demonstrates that amenity space is provided through communal space to the northern part of the parking area within the site.
122. Open space in residential developments can be provided in the form of communal and private spaces. In this case only a communal space has been provided. Creating Places states at Paragraph 5.18 that:

At higher densities private open space for apartments, maisonettes or small groups of houses may be provided in the form of privately maintained communal gardens. These can create focal points in the layout and provide effective space to contrast with the high-density buildings.

123. In terms of the level of private open space required, Creating Places notes at Paragraph 5.20 that:

In the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sq m per unit to around 30 sq m per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally developments in inner urban locations and other high-density areas will tend towards the lower figure.

124. In the case of the proposal is for nine apartments within an existing building previously used for commercial purposes. The plans submitted indicate a communal amenity space of approximately 100 square metres, resulting in just over 11square metres per apartment. It is also noted that Wallace Park is located approximately 260 metres to the northeast of the site providing further open space. As such I am satisfied that there is adequate amenity provision for the occupants of the nine apartments associated with this proposal.
125. There is no requirement for public open space due to the scale of the development. Likewise, there is no requirement for the provision of a local community or neighbourhood facility as detailed in Criterion (c).
126. With regard to criterion (d) the proposed density is not significantly higher 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.

127. The internal road layout is as existing and provides for safe and convenient access around the site and will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for parking which meets the required parking standards. Criteria (g) and (h) are considered to be met.
128. The design integrates informal surveillance of the parking areas with strategic locations for reception rooms located along three elevations and circulation spaces to the front of the apartment block to ensure pedestrian movement and maintenance within the same parcel of land. Criteria (l) is considered to be met.
129. Criterion (j) states that the design and layout where possible should include the use of permeable paving and sustainable drainage. The proposal relates to a site that has already developed and does not include permeable paving, however the communal amenity space and proposed planting would assist to a degree in sustainably managing water run-off.
130. A bin collection compound is provided at two locations within the site (A and B) adjacent to the southern boundary wall, so safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles, criteria (k) is met.
131. For the reasons outlined above, it is accepted that the development complies with the policy tests associated with Policy HOU4 of the Plan Strategy.

Policy HOU9 - The Conversion or Change of Use of Existing Buildings to Flats or Apartments

132. The application proposes a change of use from an existing commercial building to apartments.
133. In relation to Criteria a) and b) the proposal involves minimal external changes to the existing building, which would result in limited change to the local character, and architectural composition to the existing building envelope.
134. Regarding environmental quality and residential amenity, given the position of the building relative to existing buildings adjacent, as well as the position of the windows and proposed levels of opacity, it is considered that the development would not create adverse residential amenity. The site is located close to a railway line however as detailed in paragraph 116 it is contended that the development would not lead to an adverse effect on future residents.
135. In relation to Criterion c) the development is greater than 150 square metres of gross internal floor space over its three levels and would therefore meet this criterion.

136. On criterion d) all apartments are self contained and include their own bathroom/kitchen areas to be used by individual occupiers and would therefore compliant with this criterion.
137. The proposed apartment building does not contain any residential unit wholly in the rear of the property. Each of the units are connected to the internal staircases and front entrances and have an aspect facing out towards the car park area. The development would therefore meet criterion e).

Policy HOU10 – Affordable housing in settlement

138. Policy HOU10 requires a 20% affordable housing provision. This scheme proposes a change of use to nine apartments. The details submitted in support of the application indicates the provision of two apartments to be made available for affordable housing in line with policy – one on the ground floor (apartment one) and one on the first floor (apartment four).
139. Policy HOU10 states in the justification and amplification that affordable housing should be delivered through mixed tenure developments. In this case the remainder of the units would be available to the private housing market.
140. It is noted that this proposal offers mixed tenure in accordance with the broad thrust of policy HOU4 and is supported by the Northern Ireland Housing Executive. A supporting statement was provided on behalf of the applicant which stated that:

Policy HOU10 states that where the need for affordable housing is identified through the housing means assessment and for proposals over 5 residential units, provision must be made for a minimum of 20% of all units to be affordable. 2 No. of the proposed units (over 20%) can be designated for affordable housing should the need be identified by NIHE. With the accommodation schedule, accessibility and facilities provided, this can be easily achieved.

141. In light of this, it is considered that the development would meet the policy requirements of Policy HOU10.
142. Notwithstanding this, a Section 76 Agreement is still required to ensure delivery of these units as per the planning approval. It is recommended that no apartment is occupied until all the units are constructed and available for occupation as affordable housing.
143. 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.

Historic Environment and Archaeology

144. As stated in Paragraph 45 of this report the site is within an Area of Townscape Character (Zoning LC31) within draft BMAP.
145. Policy HE10 relates to new development in an Area of Townscape Character (ATC) and requires that new development within an ATC maintain or enhance the overall character of the area. In this case the application relates to a change of use of an existing building with minimal changes to the external structure/fabric. In addition the northern part of the existing car park is to become a communal area which will include a planted area and this along with planted along boundary walls would assist in softening the built form. It is therefore considered that the development would result in an enhancement the overall character of the area.
146. In addition, Policy HE10 states that the Council will permit development proposals for changes of use in, or which impact on the setting of, an ATC where further criteria are met.
147. In relation to Criteria a), b) and d), as noted the proposal relates to an existing building and involves a change of use with minimal external changes, therefore these criteria would be met.
148. Criterion c) requires that the development would not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the particular character of the area. As has been demonstrated earlier in this report under consideration of Policy HOU4, the development is close to a railway line and local road network however subject to mitigation occupants of the building would be protected from adverse noise impacts.
149. Noise levels at the communal amenity area would exceed the upper guideline value for such areas however it has been determined that in considering the urban context, where residential development is common in the immediate area, determining weight is given to the fact that the proposal complies will all the relevant policies in all other regards.
150. Criterion e) requires that trees, archaeological or other landscape features contributing to the character or appearance of the area are protected. The application site currently contains little vegetation and there is no archeological sites that would be impacted upon as this relates to a change of use and would not involve significant earthworks.
151. Finally, it is considered that the development would conform with guidance set out in Supplementary Planning Guidance, Part E.

Access and Transport

TRA1 – Creating an Accessible Environment

152. Details within the application form indicate that the development involves the use of an existing unaltered access to a public road for both vehicular and pedestrian use. The existing access point on Bachelors Walk will provide vehicular access. It is noted that Bachelors Walk is not a Protected Route. No new vehicle access points are being created.
153. Based on a review of the detail submitted with the application and advice from DfI Roads it is considered that the proposed complies with the SPPS and Policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible and safe environment can be achieved.

TRA2 – Access to Public Roads

154. It is also considered that the development complies with Policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the access for nine apartments will not prejudice road safety or significantly inconvenience the flow of traffic as a result of an intensification of the use of the access.
155. A Transport Assessment Form (TAF) has not been submitted however the Planning Supporting Statement notes that existing visibility splays of 2.4m x 60m have been provided '*which are satisfactory for a speed limit of 30mph serving 5 dwellings or more*'.
156. In this case account should be taken of the existing approved development on site, which would itself have attracted significant car trips, the nature and scale of the proposed use and its location within Lisburn City Centre close to alternative public transport hubs/routes.
157. Advice received from DfI Roads confirms that they have no objection and have endorsed the site layout drawings.

TRA7 – Carparking and servicing arrangements in new developments

158. The proposal is required to provide 14 parking spaces to fully comply with parking standards. The proposed site layout will include 11 parking spaces (including 3 disabled spaces) and this has been deemed acceptable for the reasons outlined below.
159. Policy TRA7 does permit a reduction in parking provision where certain circumstances arise. It states that reduced parking may be acceptable in locations which are highly accessible and well served by public transport. It also includes situations where it forms part of a package of measures to promote alternative transport modes. The applicant in their supporting

statement advise that the site is located within Lisburn City Centre in an area of parkin restraint and approximately 200 metres from Lisburn Train Station, with the site also adjacent to the local bus network.

160. The reduced parking standard of 1.25 spaces per unit is acceptable to the planning authority for the reasons outline above and this ratio is consistent with other applications for apartment development within the Lisburn City Centre including Graham Gardens and Wardsborough.
161. The site layout also shows bicycle storage sufficient to supply the apartments or those visiting with four secure cycle parking spaces provided adjacent to the site entrance.
162. The internal design has allowed adequate turning space for those using the site so as ensure safe use of the site and access to it.
163. Based on a review of the information and the advice received it is considered that the proposal satisfies the policy tests associated with policies TRA1, TRA2, and TRA7 of the Plan Strategy.

Renewable Energy

164. The applicant has confirmed that the existing building will be thermally upgraded to meet current building regulations and thermal standards. In addition, PV panels have been added to the roof pitch and the building would make use of passive solar gain given its orientation.
165. The statement also advises that the proposals location close to transport links would promote a reduction in private transport, resulting in less emissions, and the use of existing building stock.
166. 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

167. The application form has stated that surface water and foul sewage will be disposed through the mains sewer.
168. In their initial response NI Water recommended refusal due to network capacity issues, which has the potential for significant risks of detrimental effect to the environment and on existing properties, and that a Waste Water Impact Assessment was required.
169. This information was shared with the applicant and an application for a Wastewater Impact Assessment was submitted to NI Water for consideration.

In correspondence, NI Water advise that the assessment of the application has considered foul only flows from the development, with surface runoff from the proposal having to go to a dedicated storm outfall, however on this latter point it is noted that the building is in-situ. On this basis NI Water have calculated the existing and proposed foul drainage, with discharge rate being calculated at 0.19l/s for existing use, and 0.09 l/s for the proposed use. This would represent a reduction of foul sewage of 0.1 l/s and based on this assessment NIW would consent to a foul discharge connection at the rate stipulated to the existing connection manhole.

170. A further consultation with NI Water through this planning application has confirmed that they are content with the proposal and there is capacity available at the receiving waste water treatment works.
171. In relation to surface water the NI Water response has stated that there is a public surface water sewer within 20m of the proposed development boundary which can adequately service these proposals.
172. Water Management Unit were also consulted and, in their response, raised no specific issues with the proposal and referred to standing advice.
173. Based on the information submitted and the advice from NI Water and NIEA Water Management, it is considered that the proposal will not adversely affect the water environment and complies with policy WM2.

Consideration of Representations

174. Two representations were received in respect of this application. The main issue raised was as follows:

- Potential for overlooking

Due to the angle of the building relative to the existing buildings on surrounding sites, particularly to those to the south along Bachelors Walk, and the provision of obscure glass to a number of the upper floor windows along the southern and eastern elevations, it is considered that there will be limited levels of overlooking to occupied neighbouring properties.

Recommendations

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

Conditions

176. The following conditions are recommended:

- 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.

- The development hereby permitted shall not be occupied until hard surfaced areas have been provided in accordance proposed Site layout Drawing No.10B published to the Planning Register on the 28th April 2026, to provide for parking and manoeuvring of cars 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 of vehicles within the site.

- Appropriate secure and covered cycle parking facilities should be provided on the site in accordance with current design guide 'Creating Places' and Parking Standards. These facilities shall be permanently retained on the site.

Reason: To ensure acceptable cycle parking on the site to encourage and promote alternative modes of transport.

- Prior to occupation of the proposed residential units, a window system (glazing and frame) capable of providing a sound reduction index, when the windows are closed, of at least 30dB(A) $R_w + C_{tr}$, shall be installed to all habitable rooms.

Reason: To achieve internal noise level in line with BS8233

- Prior to occupation of the proposed residential units, passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction of at least 30dB(A) $R_w + C_{tr}$ 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.

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

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

- The windows as highlighted yellow on the rear and existing flank elevations of the building, as indicated on Drawing 15A published to the Planning Register on the 28th April 2026, shall be fitted with obscure glazing prior to occupation and shall be permanently retained as such thereafter.

Reason: In the interest of privacy and amenity.

- All hard and soft landscape works shall be carried out in accordance with the approved details as shown in Drawing No. 10B which was published on the Planning Register on the 28th April 2026 and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out no later than the first available planting season after the occupation of the first apartment.

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, dies or is seriously damaged, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place.

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

- No residential units shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council. The plan shall set out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

Site location Plan – LA05/2024/0566/F



Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	11 May 2026
Committee Interest	Local Application
Application Reference	LA05/2022/0725/F
Date of Application	02 August 2022
District Electoral Area	Lisburn & Castlereagh
Proposal Description	Construction of a dwelling to the rear of the site, with landscaping and all associated site works
Location	17-19 Main Street, Hillsborough, BT26 6AE
Representations	18 objections and one letter of support
Case Officer	Sinead McCloskey
Recommendation	Refusal

Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Planning Committee in that it has been called in.
2. The application is recommended for refusal as the proposal is contrary to criteria a) of Policy HOU3 of the Lisburn and Castlereagh Plan Strategy in that it does not respect the surrounding context of the Royal Hillsborough conservation area and is not appropriate to the character and topography of the site in terms of the layout and appearance of buildings.
3. The proposal is also contrary to criteria b) of Policy HOU3 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the proposal protects the historic environment in the overall design and layout of the development, with particular reference to the boundary walls within the curtilage of Hillsborough Castle.

4. The proposal is contrary to criteria a) of Policy HOU4 of the Lisburn and Castlereagh Plan Strategy in that the design of the development does not draw upon the best local architectural form and detailing as the area is characterised by traditional Georgian style buildings and the proposal is of a modern design, dissimilar to that seen in this part of the Conservation Area.
5. The proposal is contrary to Policy HE5 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the development would not lead to the loss of or cause harm to the overall character and principal components of the Demesne of special historic interest, referring to the boundary walls within the curtilage of the listed Hillsborough Castle.
6. The proposal is contrary to Policy HE6 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that there would be no negative impacts on the walls of the Hillsborough Castle and Demesne which are listed as they are within the curtilage of this building. It has not been demonstrated that these walls will remain intact and unimpaired.
7. The proposal is contrary to Policy HE9 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the proposal would not adversely affect the setting of Hillsborough Castle and Demesne.
8. The proposal is contrary to Policy HE10 of the Lisburn and Castlereagh Plan Strategy in that the proposed development if permitted, would not enhance the character or appearance of the conservation area where an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not arise. The proposal is also contrary to criteria a), b) d) and f) of this Policy in that the development if permitted will impact on the setting of the Conservation Area as the development is not in sympathy with the characteristic built form of the area and is sited in an area which has not been developed. The form and detailing of the proposal does not respect the characteristics of adjoining buildings in the area and important views within, into and out of the area are not protected.

Description of Site and Surroundings

9. The site comprises part of the curtilage of Nos. 17 and 19 Main Street, Royal Hillsborough. These are two storey traditional terraced properties located along the west side of Main Street. No.19 Main Street was a former bakery, with the former ancillary bakery buildings behind.
10. There is a large, overgrow, garden beyond these buildings on which the development is proposed. The levels in the site fall in a northerly direction. The northern boundary of the site consists of a two-metre closed board fence. The

southern boundary consists of a 1.5 metre wall and a 2.5 metre close board fence atop. The western boundary is shared with Hillsborough Castle and consists of a two-metre random stone wall and two to three metres of vegetation above.

11. The site is accessed through an archway from Main Street which is between the two properties.

Surrounding Context

12. The site is located along Main Street within the settlement limit of Royal Hillsborough. Main Street exhibits a broad mix of uses such as retail, commercial, healthcare and residential properties. The site also lies within the Hillsborough Conservation Area and an Area of Archaeological Potential adjacent to the Hillside, No. 21-23 Main Street, Hillsborough which is a grade B2 Listed Building – HB19/05/023. The site also lies adjacent to Hillsborough Historic Park, Gardens and Demesne.

Proposed Development

13. The application is for full planning permission for the construction of a dwelling to the rear of the site, with landscaping and all associated site works.
14. The following documents are submitted in support of the application:
 - Design and Access Statement
 - Planning Supporting Statement
 - Bat Survey Report
 - Biodiversity Checklist and Preliminary Ecological Assessment
 - Wastewater Impact Assessment
 - Response to Conservation

Relevant Planning History

15. The following planning history is relevant to the site:

Reference Number	Description	Location	Decision
LA05/2022/0716/DCA	Demolition of existing bakery buildings to rear of Nos 17-19 Main Street, Hillsborough. Internal demolition of works to Nos 17 and 19, including the widening of the archway by removal and repositioning of external wall to the entrance. Renovation and extension to the existing houses to provide 3 number guest apartments, 3 number guest houses and off-street parking, with all associated site works	17-19 Main Street Hillsborough	Consent Granted 8 th April 2025

LA05/2022/0715/F -	Demolition of existing bakery buildings to rear of nos. 17-19 Main Street, Hillsborough. Internal demolition works to nos. 17 and 19 including the widening of the archway by removal and repositioning of the external wall to the entrance. Renovation and extension to the existing houses to provide 3 number guest apartments, 3 no. guest houses and off-street parking with all associated site works	17-19 Main Street Hillsborough	8 th April 2025
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Consultations

16. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
Lisburn & Castlereagh Conservation Officer	Object
LCCC Environmental Health	No objection
NI Water	No objection

Consultee	Response
NIEA Natural Heritage	No objection
NIEA Water Management Unit	No objection
Historic Environment Division	Object

Representations

17. A total of nineteen representations were received of which eighteen are in objection and one is in support of the proposal.

18. The main issues raised in the objections include:

- Noise Pollution
- Light Pollution
- Loss of privacy
- Proposed orchard
- Too many people living on Main Street
- Destroy pattern of rear gardens
- Overlooking
- Building not in keeping with the architecture of a Georgian village/out of character
- Main Street is not allowed to alter the front of a building facing the street
- Domineering effect of proposed building
- Bird life effected
- Car pollution
- The back gardens are well established in tradition/maturity/historical ambience and connection to the castle.
- Dominant/commanding view over the other gardens.
- The new development would compromise the balance between commercialisation and residential needs.
- A fence is no compromise for a hedge
- The back gardens are a natural oasis for wildlife/biodiversity
- Inappropriate extension to a listed building
- Inappropriate development in the Conservation Area
- Unwelcome precedent for the Conservation Area
- Economic benefits do not outweigh the policy failures
- There is already a public house, Arthurs and a lot of Airbnb's.
- Another family home lost to a business
- Plans are out of character for the area

- All the other houses on this side of Main Street have maintained their original Coach Houses and gardens
- The development is positioned at the bottom of the garden and is totally at odds to the rest of the residential properties
- Materials should be sympathetic – nowhere is cedar cladding used
- Danger to pedestrians - with up to 11 cars travelling in and out
- Incorrect drawings
- Both proposals would change the nature of Hillsborough
- Sewerage issues
- Applications LA05/2020/0089/DCA and LA05/2020/0088/F need to be addressed first – the old wall needs to be re-erected
- Lower property prices
- Too many holiday lets in Hillsborough – we need more diversity
- Not needed nor welcome
- Dwelling houses being turned into accommodation for tourists
- No basis for having conservation status
- Additional traffic
- How long is the continual bombardment of applications going on for
- Imbalance of having additional commercial activity close to the palace grinds with the surrounding historic character of the village
- Wider opening at the entrance – out of proportion compared to similar entrances. Entrance built for domestic use – not commercial
- Disturbances in construction/back car park will disrupt connection with nature
- Overburdened infrastructure and over commercialisation of the village
- Historic Royal Palaces have not considered the underpinning of the boundary wall and no request to carry out the works have been received.
- Once they got the front planning they will go for the garden

19. The main issues raised in support include:

- Impressed with the sensitive and considered nature of the plans
- Works will be less intrusive
- Scale of the site allows for significant onsite parking

Local Development Plan

20. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on planning applications regard must be had to the requirements of the local development plan and that the determination of

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

Plan Strategy 2032

21. It is stated at Part 1 of the Plan Strategy that:

Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption the Development Plan will be the Plan Strategy and any old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 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.

22. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan 2001. Draft BMAP remains a material consideration.
23. In LAP, the application site is identified as being within the settlement limit of Royal Hillsborough, the Royal Hillsborough Conservation Area and an Area of Archaeological Potential.
24. All of these designations are carried through to the final revision of draft BMAP in 2014 and remain material considerations to be afforded significant weight in the assessment of this proposal.
25. The site is also adjacent to a Grade B2 Listed Building at 21-23 Main Street (Reference) and the Hillsborough Castle Historic Park, Gardens and Demesne (Reference).
26. As residential development is proposed within the settlement limit of Royal Hillsborough the following strategic policies from the Plan Strategy apply.
27. 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.

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

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

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

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

30. 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.*

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

The Plan will support development proposals that:

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

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

Housing in Settlements

33. As this application is for new residential development in a conservation area policy HOU1 - New Residential Development states that:

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

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

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

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

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

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

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

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

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

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

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

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

provide an appropriate standard of access for all. The design of dwellings should ensure they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired. A range of dwelling types and designs should be provided to prevent members of society from becoming socially excluded

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

36. The Justification and Amplification states that :

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

37. It also states that:

Accessible Accommodation

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

Historic Environment, Built Heritage & Archaeology

38. The site is within the Hillsborough Area of Archaeological Potential, and it shares a party wall with Hillsborough Castle and Demesne. Policy HE3 – Archaeological Assessment and Evaluation states that:

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

39. Policy HE5 – Historic Parks, Gardens and Demesnes of Special Historic Interest states that:

The Council will not permit development which would lead to the loss of, or cause harm to, the overall character, principal components or setting of historic parks, gardens and demesnes of special historic interest. Where exceptionally, planning permission is granted this will be conditional on the accurate recording of any features of interest which will be lost as a result of the development.

40. Policy HE6 – Change of Use and/or Extensions or Alterations to a Listed Building states that:

The Council may permit the change of use and/ or extension or alteration of a listed building where this will secure its upkeep and survival. Such development should respect the essential character, special architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired.

Proposals should protect, conserve and where possible enhance the listed building, based on a clear understanding of the importance of the building/place/heritage asset. This should support the best viable use that is compatible with the fabric, setting and character of the building. Applicants should justify their proposals, and show why alteration of a listed building is desirable or necessary.

41. The site is also adjacent to a listed building at No. 21-23 Main Street, Hillsborough HB19/05/023. Policy HE9 – Development affecting the Setting of a Listed Building states that:

Proposals which would adversely affect the setting of a listed building will not be permitted. Development proposals will normally only be considered

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

42. The site is also inside the Royal Hillsborough Conservation Area. Policy HE10 - New development in a Conservation Area or Area of Townscape Character/ Area of Village Character states that:

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

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

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

a) the development is in sympathy with the characteristic built form of the area

b) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area

c) the development does not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the particular character of the area

d) important views within, into and out of the area are protected

e) trees, archaeological or other landscape features contributing to the character or appearance of the area are protected

f) the development conforms with guidance set out in Supplementary Planning Guidance, Part E.

Natural Heritage

43. Given that the site contains mature vegetation and is adjacent to the Castle the impact of the natural environment is considered.
44. 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.

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

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

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

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

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

Access and Transport

46. The P1 form indicates that access arrangements for this development involve the construction of a new access to a public road. Policy TRA1 - Creating an Accessible Environment states that:

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

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

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

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

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

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

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

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

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

Renewable Energy

48. All new residential development must integrate renewable energy technologies. 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.

Waste Management.

49. The proposed dwelling requires a connection to a main sewer. 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

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

The provisions of the SPSS 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.

51. 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.

52. 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.

53. 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.

54. 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 interests of acknowledged importance.

55. 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.

56. Paragraph 6.12 of the SPPS Edition 2 states:

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

well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses.

57. Paragraph 6.13 of the SPPS Edition 2 states:

Development involving a change of use and/or works of extension/alteration may be permitted, particularly where this will secure the ongoing viability and upkeep of the building. It is important that such development respects the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired. Proposals should be based on a clear understanding of the importance of the building/place/heritage asset, and should support the best viable use that is compatible with the fabric, setting and character of the building. Applicants should justify their proposals, and show why alteration or demolition of a listed building is desirable or necessary.

58. Paragraph 6.16 of the SPPS Edition 2 states:

Planning permission should not be granted for development that would lead to the loss of, or cause harm to, the overall character, principal components or setting of historic parks, gardens and demesnes.

59. Paragraph 6.17 of the SPPS Edition 2 states:

In assessing applications for development in or adjacent to historic parks, gardens and demesnes, particular account should be taken of the impact of the proposal on the archaeological, historical or botanical interest of the site. The integrity and overall quality and setting of the site including its original design concept and other associated features, including contribution to local landscape character, should where possible be maintained. In cases where approval is to be granted, the planning authority should seek to ensure the accurate recording of distinctive features that will be lost as a result of the development, by way of planning conditions.

60. Paragraph 6.18 of the SPPS Edition 2 states:

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

61. Paragraph 6.19 of the SPPS Edition 2 states:

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

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

62. 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.

63. The site is proposed to be developed for one dwelling. 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.

64. Paragraph 6.179 of the SPPS Edition 2 states:

The presence or potential presence of a legally protected species is an important consideration in decision-making. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish whether it is present, the requirements of the species must be factored into the planning and design of

the development, and any likely impact on the species must be fully considered prior to any determination.

65. Paragraph 6.192 of the SPPS Edition 2 states:

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

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

66. Paragraph 6.193 of the SPPS Edition 2 states:

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.

67. Paragraph 6.309 of the SPPS Edition 2 states:

The decision-taking process is a key tool for delivering sustainable travel patterns and good integration between transportation and land use. In determining planning applications, it is important that due regard is given to the design and layout of the proposed development and the facilities provided to cater for the particular needs of people with disabilities. Relevant considerations will normally include user friendly pedestrian routes, easy access to car parking reserved for disabled people and public transport facilities, and public buildings designed to provide suitable access for customers, visitors and employees.

Retained Regional Guidance

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

Creating Places

69. The policy requires the guidance in the Creating Places – Achieving Quality in Residential Developments’ (May 2000) to also be considered.
70. 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.

71. 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.

72. 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

73. 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.

74. Hillsborough Conservation Area Booklet

Part I of this booklet sets out the general objectives of designating Conservation Areas and the principle of designation. Part II of this booklet describes and delineates the Conservation Area of Hillsborough and Part III contains a developers brief for the designated area.

Assessment

Housing in Settlements

Policy HOU 1 – New Residential Development

75. This application is for a new dwelling on land within the settlement limit of Royal Hillsborough and as such, the tests of Policy HOU1 are considered to be met.

Policy HOU3 - Site Context and Characteristics of New Residential Development

76. The site is located to the rear of two existing terrace houses that front onto Main Street, Royal Hillsborough which has a mix of residential, retail and other commercial uses.
77. The buildings along this side of the street are mostly two-storey and located in terraces fronting the street. They follow the slope of the land, with the levels falling in a northerly direction. The style of the properties are similar being mostly in the Georgian style.
78. It is noted that all the properties along the western side of Main Street have courtyard development to the rear extending into approximately the first third or half of the property with long gardens behind extending to the boundary wall with the Castle and Demesne.
79. The proposed dwelling will be set away and in isolation from the terraced properties along the road frontage. There is a distinctive historic plot on the western side of Main Street of terraced buildings fronting the street with ancillary outbuildings immediately to the rear in a courtyard style with long undeveloped linear gardens behind. The siting of a dwelling within the unspoilt linear gardens behind is a departure from the established pattern of development and does not respect the character of the immediate site and the wider setting of the conservation area. This is contrary to criteria a) of policy HOU3.

80. The proposed two- storey dwelling is also sited immediately adjacent to the Castle wall across two of these rear gardens, with the lower ground floor sunken into the ground level by 1.05 metres. Both these boundary walls are listed as part of the Hillsborough Castle's curtilage.
81. While the proposed dwelling does not touch the walls as can be seen in the floor plans, the ground floor plan has a larger footprint and extends further to the south and west, and is cantilevered above the lower ground floor so it will sit largely above the adjacent walls.
82. The resultant building creates an area of dead space between the lower ground floor and both boundary walls which is visual intrusive and could potentially harm the Castle wall which is an important feature of the historic environment. This is contrary to criteria b) of policy HOU3.

Policy HOU4 - Design in New Residential Development

83. The proposed dwelling is located in the south western corner of the site. It is a two storey building that has been designed in consideration of the site constraints. The site is long and narrow, and the levels fall quite steeply in a northerly direction.
84. The building is 'L' shaped with a lower ground level that is sunken into the natural ground level by 1.05m as a means of reducing the visual impact of the building.
85. The accommodation on this level comprises two bedrooms with en-suites, a snug and a home office. This level is accessed both internally and externally.
86. The ground floor has a larger floor space, with the primary living space located here, with a large kitchen/living/dining area, utility room and w.c. The master bedroom is also located on this floor with an accompanying wardrobe and en-suite. The primary access to the dwelling is via an entry hall on this floor.
87. That area of the lower ground floor where both bedrooms are located, has a flat roof with no ground floor accommodation above. A terraced area is seen here which is accessed from kitchen.
88. The site is nestled into the bottom corner of the garden, positioned alongside the southern and western boundaries. As stated above these boundary walls are listed and to ensure the dwelling does not touch these walls, the building is cantilevered, creating a void under the ground floor between the rear of the lower ground floor and the boundary walls.

89. Most windows in the proposed dwelling are front facing, with some also seen facing towards the east and the west from the lower ground bedrooms. There are high level windows along the entire length of the southern elevation, bar the area which is bricked up for the chimney.
90. A substantial part of the dwelling is of flat roof construction, approximately 300m above the existing southern boundary wall. Set back at an angle, the roof lifts to a mono-pitch.
91. It is stated that much of the stone material will be salvaged and reused from the previously demolished buildings on the site, which made way for the new tourist accommodation approved towards the east of the site.
92. Untreated Siberian larch cladding is also proposed to be used on the walls. Natural slate is proposed for the pitched roof and single ply membrane for the flat roof. There will be PPC windows and the doors will have aluminium frames. Rainwater goods are proposed to be mill finished aluminium box gutter and downpipes.
93. The site is accessed through an arch way at the front of the site, located on the Main Street which is to be modified under application LA05/2022/0715/F.
94. The amenity provision is entirely to the front of the dwelling, with a grassed area shown in that area between the front elevation and the northern boundary.
95. In terms of criteria a) of Policy HOU4, the design is not considered to draw upon the established architectural form in the conservation area which is characterised by traditional building design, with Georgian influence seen to reflect the existing style of dwellings. While modern designs is not discouraged, the proposed dwelling does not draw on the form, scale, shape, design or finishes of the adjacent ancillary building and competes with the style of the main terrace building fronting Main Street. Criterion a) is not met.
96. There is a large area of amenity space to the front and side of the dwelling. A new fence will be provided around the boundary line to the north and existing boundary walls retained. An apple orchard maintaining mature shrubbery is indicated in the amenity area. The levels in the site fall approximately 1.5m over a distance of 10m to the rear of the site, and falling less steep towards the middle/front of the site. I am satisfied that the open space provision is acceptable. Criterion b) is met.
97. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. That said, the proposal is within the settlement of Royal Hillsborough where there is a range of shops, services, food outlets and facilities. Criterion c) is met.

98. With regard to criteria d) the proposed density is similar to that found in the established residential area. The proposal is for one dwelling and as such it will not significantly alter the character of the area in term of the existing housing density. Criterion d) is met.
99. As the development proposal relates only to one dwelling, an extensive range of house types cannot be proposed as required by criterion (e).
100. The Design and Access Statement states, the design of the dwelling provides a viable environmental strategy, and it aims to minimise the impact of the proposal on the environment. It will use salvaged stone and the house will achieve airtightness with an intello air tightness barrier with taped joints, to give the building an air tightness in accordance with current Passivhaus building standards. Triple glazed windows are proposed. The dwelling will also have whole house ventilation and heat recovery system that will be Passivhaus accredited and it will be wired with an intelligent electrical system which will allow the end users to monitor their energy consumption. It is also stated that the design utilises all potential solar gain due to its orientation, layout and glazing. Criterion f) is met.
101. The proposal includes the modification of an existing access onto Main Street which leads to an area of hard standing for the parking and manoeuvring of three vehicles. No rights of way have been identified over these lands. Criteria g) and h) have been met in as far as it can in consideration of the development proposals as presented.
102. The dwelling has been positioned and designed on the site as such to reduce the potential for overlooking and overshadowing towards any adjoining properties. The area to the south of the site comprises the car park of the adjacent restaurant and public house at the Hillside. To the north, there is the rear garden of the dwelling at No. 13a. To the west of the site are the grounds of Hillsborough Castle, and to the east are the derelict dwelling houses at Nos. 15-17 Main Street, which has gained planning approval for the guest house.
103. The lower ground floor accommodation is located closer to this boundary with only a 5m separation, but as seen above this level is sunken into the natural ground level by 1.05m and is approximately 4m in height. This, along with the fact that there are no windows in the northern elevation, with all windows in this part of the dwelling facing east and west, results in no overlooking or overshadowing towards the rear garden of the adjacent dwelling at No. 13a. For this reason criterion i) is met
104. It is stated that the proposal will use permeable paving used in hard landscaping areas of the proposal and that economic flush cisterns in the WC's will further minimise potable water construction. Criterion j) is met.

105. The proposal provides a secure exterior refuse storage within easy access for both the proposed dwelling and the approved tourist accommodation. This is access privately from the northwest corner of the courtyard. It is also stated that the bin store is larger than currently required in anticipation of future recycling initiatives that may be developed. Safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles. Criteria k) is met.
106. The existing walled boundaries and the proposed new fencing will serve to deter crime and promote personal safety. Criteria (l) is met.

Historic Environment and Archaeology

107. As the site is in the Royal Hillsborough Conservation Area , the Hillsborough Area of Archaeological Potential and has a common boundary with Hillsborough Castle and Demesne and its proximity to Nos. 21-23 Main Street Hillsborough which are Grade B2 listed buildings, Historic Environment Division were consulted.
108. Further information was requested from HED Historic Monuments to ascertain how the proposal related to the Demesne wall which is protected under Policy HE5. Likewise, HED Historic Buildings stated they had incomplete information which did not allow a substantive response on the impact of the proposal on the listed buildings and that further information was required under Policy HE9.
109. Drawing No. 12 submitted with the application shows a section through the site (AA – AA) detailing the relationship between the dwelling and the southern boundary wall. It shows the existing boundary wall to be maintained but it is annotated on this drawing that the wall may require underpinning with concrete in places with the details to be agreed on site with a structural engineer.
110. A representation received from Hillsborough Castle, Historic Royal Palaces, on the 22 October 2024 stated that they note the application and would record that the boundary wall shown in the planning drawing and described as ‘may require underpinning’ is in Historic Royal Palaces actual possession. They continue by stating that Historic Royal Palaces have not considered this work and no request has been received to carry out such works. They also state that the wall forms the boundary to the Hillsborough Castle Gardens and the curtilage of the listed building and structures.
111. This comment is noted in the latest response from HED Historic Monuments on the 23 September 2025. They state that they would agree with this correspondence and reiterate that there was insufficient information to assess how the proposal relates to the protected Demesne wall.

112. Following this an email from the agent was received on the same day, outlining a previous email exchange between the agent an officer from HED. In the email received on the 23 September 2025, the agent stated that HED suggested removing the note from the drawing mentioning 'possible underpinning if required'. The agent stated he was happy to do so. He continued by stating that if the project gets to site and underpinning is required they will submit a Listed Building Consent application as advised by HED and assumed this could be dealt with via a condition to be attached if the application was to be approved.
113. Confirmation was sought from HED as to whether they would be content for the details regarding the underpinning to be removed as suggested. It was also relayed to HED that the Planning Authority could not attached a condition requesting the submission of a LBC application. HED responded stating that they would be content for the note to be removed from the drawing and they would provide a condition requesting a structural survey of the wall to ensure its stability.
114. Upon further consideration of the application, it was recommended that the application would be progressing as refusal. As such a condition could not be attached detailing the requirements sought from HED with regards to the wall. This was confirmed to HED and it was stated that as the details outlined in the last response from HED on the 23 September 2025 had not been addressed, a lack of information reason would be included as a refusal reason.
115. In light of the above advice and taking a precautionary approach, the proposal is considered to be contrary to Policy HE5 in that it there is insufficient information to assess how the proposal would impact on the Demesne wall.
116. HED Historic Buildings also responded within the same consultation on the 23 September 2025. They stated that the application impacts on the boundary wall of Hillsborough Castle (Grade B+) which is of special architectural and historic interest and is protected by Section 80 of the Planning Act. They considered the impact of the proposal on the building and on the basis of the information provided advise that they have incomplete information which does not allow a substantive response on the impact of the proposal on the listed building, stating that further information is requested.
117. In the explanatory note they stated that they note that the boundary wall forms part of the protected curtilage structures associated with Hillsborough Castle. As such, as the proposal does not include full details of any proposed works to this protected wall a precautionary approach is taken and the proposal is considered to be contrary to policy HE6 because the scope and nature of the alteration to the wall cannot be quantified. It is also contrary to policy HE9 as the proposed development given its proximity has an adverse impact on the setting of the listed wall.

Conservation

118. As the proposal is located within Royal Hillsborough Conservation Area, consultation was necessary with the Council Conservation Area officer. An initial response received stated that Conservation had no objection in principle to a new dwelling within the existing footprint of the court yard to the rear of Nos. 17 to 19 Main Street if sympathetic to the style of coach house/stable buildings which may have occupied the site and typical of those buildings which have been converted into dwellings at the rear of Nos. 9, 11 and 13 Main Street.
119. However, it continued by stating that the proposal for a new dwelling to the west of the site is set in isolation from the rear of the principle terrace properties, Nos. 17 to 19 which have a well-established character and appearance as part of a group of buildings forming a courtyard with associated stone rubble out buildings and stone boundary wall.
120. It is stated that there is a distinctive historic plot layout across all those properties on the west side of Main Street from Nos. 1 to No. 19 with a pattern of courtyard development to the rear of the principle terrace dwellings linking to mature linear gardens to the rear. The proposed new dwelling extends beyond the historic courtyard footprint as illustrated in early OS maps located at the western end of the historic linear garden plot. The proposed dwelling is therefore completely removed from the established built fabric within the immediate courtyard area to the rear of the principle terrace buildings.
121. The Conservation Area Officer highlights that development located within the unspoilt linear garden plots is detrimental to the character of the immediate site and wider conservation area. If such development was allowed, it would establish an unacceptable precedent within part of the conservation area. The existing garden has been preserved as amenity space since the development in the early 1800's of the principle buildings fronting onto Main Street. This is a pattern which exists to the rear of all properties from Nos. 1 to 19 Main Street and all those on The Square. They state that it is extremely important that this historical layout is maintained and will continue to preserve the established amenity value of these attractive garden areas. Concern is also raised by Conservation with regard to important views, stating that a new dwelling will impact significantly on views within, into and out of the Conservation Area.
122. It was concluded in this initial consultation response that the current proposal for a new dwelling within the linear garden plot to the rear of Nos. 17 to 19 Main Street does not reflect the design, scale, form, massing, layout and architectural rhythm of existing buildings on this side of Main Street and would be detrimental to views within, into and out of the Conservation Area.
123. These comments were sent to the agent for consideration. A response was received rebutting the comments made by Conservation suggesting that the historical plot forms have already eroded, the proposed dwelling will not be visible from any viewpoint into or out of the conservation area, the precedent

for development in backland and rear plots is well established in Royal Hillsborough, the need for proposals to be modest in scale or to reflect traditional buildings is not a policy requirement in any Policy in PPS6 (note the response predated the release of The Plan Strategy), amongst other points raised.

124. This was sent to the Conservation officer for comment. Most of the comments made in the previous consultation response were reiterated. It was once again stated that they consider the proposal, within the unspoilt linear gardens plots to be detrimental to the character and appearance of the immediate site and wider conservation area, continuing that such a proposal, if allowed would establish an unacceptable precedent within this **part** of the conservation area (their emphasis).
125. In particular, they have stated that Hillsborough Conservation Area Booklet (1976) is an important material consideration to which great weight should be attached in determination of this application. Noting that at Part 1, Section B of the booklet it states that new buildings will be expected to take account of the character of their neighbours... they should, in mass and outline, continue the rhythm of a street... Changes of use necessitating a planning application which are likely to have an adverse effect on land or buildings which contribute significantly to the character of the area will not normally be permitted. They also elaborated on points made with regard to scale, form, materials and detailing of the development and addressed other parts of the policies as before.
126. This was again sent onto the agent. A site meeting was requested by the agent and held on the 2 February 2023, where Conservation outlined their concerns as noted in their responses and the agent discussed how they thought the proposal complied with policy. Verification was sought as to the structural condition of the bakery to provide justification that it cannot be retained, repaired and incorporated into the proposal sought under LA05/2022/0715/F for the adjacent guest house. The details of this are not material to the assessment of this application. Following receipt of the building survey a further consultation was issued to Conservation for completeness.
127. A response was received on the 6 June 2023 noting that no amended plans had been submitted further to the previous response and therefore those comments remain unaltered.
128. An updated site layout was requested and provided, showing the extent of the adjacent approval LA05/2022/0715/F. Following internal discussions with Conservation it was ascertained that the updated site layout showed minimal change and no other amendments had been received since the Conservation Response of the 23 November 2023. On this basis Conservation were content to proceed on the basis of the existing response.
129. Further supporting information was received from the agent on the 16 September 2025 to demonstrate that the development of back land sites is a

key characteristic of the Hillsborough Conservation Area, and in particular Main Street, where the subject site is located, providing several examples of where they perceive there to be existing backland development. It was also highlighted that there will be no visible appreciation of the proposed building from any public vantage.

130. Once again this was sent to Conservation for comment. In a final consultation response of the 10 October 2025, it was stated that they remain of the opinion that the current proposal for a new dwelling to the rear of the site will neither preserve or enhance the character and appearance of the area where an opportunity to do so exists. They reiterate earlier comments they made where they stated that the existing plot layout to the west side of Main Street from No. 1-19 retains the historic character since when the Georgian town of Hillsborough was first planned. The relationship of the principle dwelling houses, to the courtyard area with outbuildings and linear garden areas contributes significantly to the character and appearance of this side of Main Street. They continue by stating that where development is sited beyond the existing/historic building footprint this would have a detrimental impact both individually and cumulatively on existing views, within, into and out of this part of the conservation area.
131. Having regard to the advice offered by the conservation area officer and having carefully weighed this against the representations from the applicant and the third parties it is considered on balance that the proposal does not meet the first bullet point of policy HE10 or guidance within the Hillsborough Conservation Area guide as a building which intrudes into an undeveloped part of the conservation area and does not follow the historic plot form or layout of buildings along Main street harms the character and appearance of the conservation area and is inconsistent with the duty to preserve and enhance the conservation area where an opportunity to do so exists.
132. In addition, the proposal is also contrary to parts a), b), d) and f) of Policy HE10.
133. With regard to part a) the development for the same reasons as described in detail above is not characteristic of the built form of the conservation area.
134. With regard to part b), the proposed dwelling is at odds with the characteristics of adjoining buildings in the area as the built form of the development in the area consists of buildings fronting onto the road, of uniform height and with pitched roofs.
135. With regard to part d) the proposal will have a detrimental impact both individually and cumulatively on existing views, within, into and out of this part of the conservation area, as the current views offer views of unspoilt linear garden plots across the rear of the dwellings along this side of Main Street and from the terrace properties on the north side of The Square.

136. For all of the reasons outlined in the above report, the proposal does not conform with the guidance set out in the Supplementary Planning Guidance Part E. The proposal is therefore contrary to part f) of Policy HE10.
137. In terms of criteria c) and e) the proposal would not result in adverse environmental impacts such as noise, nuisance, or disturbance, there are no trees or other landscape features within the site that contribute to the character or appearance of the area.

Natural Heritage

138. A Biodiversity checklist and Preliminary Ecological Assessment were submitted in conjunction with this application.
139. The Ecological Statement reveals that the application site is not located within proximity of areas designated for their natural conservation importance. There is a long established woodland adjacent to the site along the western perimeter of the site at Hillsborough Castle. It is stated that the derelict buildings, residential houses, mature trees, overgrown garden and proximal housing could provide shelter and foraging grounds for roosting bats and/or nesting birds and terrestrial mammals. Further surveys were therefore required to determine the potential impacts of the development on protected habitats and species.
140. Mature trees within the site were assessed as having negligible bat roost potential. The buildings within the site were assessed as having negligible, low and moderate bat roost potential. Further bat surveys were recommended.
141. No NI Priority habitats are within the site. No protected or priority flora were noted. The mature trees were assessed as having negligible habitat potential for nesting birds. Some buildings were observed to have birds nests. It is recommended that any necessary clearance of buildings should be undertaken outside of the bird nesting season.
142. A Bat Survey Report was submitted. It stated that bats were observed commuting over the building and in the surrounding area. No bat roost were observed within the site and as such no bat mitigation was recommended and no specific treatment of the buildings with regard to bat activity is required. No bat roosts were observed in the trees at the time of the survey, but bats were observed to forage around the trees within the site. No mitigation was recommended.
143. These documents were sent to NIEA Natural Heritage for comment. They confirmed that they are content that the proposed development is unlikely to significantly impact protected or priority species or habitats. It is noted that the

Bat Survey has indicated that no bats were recorded emerging or re-entering the building, although some evidence of bats foraging throughout the building was recorded. They state that they are therefore 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.

144. They add 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.
145. For the reasons set out above it is accepted that the requirements of policies NH2 and NH5 of the Plan Strategy can be met.

Water & Sewerage Infrastructure

146. NI Water (NIW) were consulted and an initial consultation response stated that a solution had yet to be agreed between the developer and NIW, and that only when this has been completed will NIW be in a position to change their response to a positive outcome.
147. A Wastewater Impact Statement was submitted and sent to NIW for review. They responded stating that the Wastewater Impact Assessment submitted had not been yet completed to a satisfactory standard to overcome capacity constraints within the associated foul sewer network catchment. As such they recommended refusal, continuing that subject to successful discussions and outcomes regarding issues highlighted in the response they may reconsider its recommendation.
148. A final consultation response was received on the 15 December 2025 where they recommended approval, stating that there is available capacity at the Wastewater Treatment Works to serve this proposal. They continued by stating that there is a public foul sewer, a public surface water sewer and a public water main within 20 metres of the proposal.
149. They also state that NI Water and the applicant have agreed a downstream engineering solution to mitigate the foul capacity issue and allow connection for this development proposal, adding this solution is to be fully funded and delivered by the applicant.

150. NIEA Water Management Unit have also considered the potential impacts of the proposal on the water environment and on the basis of the information, standing advice is provided.
151. Based on the advice received from consultees the requirements of Policy WM2 of the Plan Strategy are met in full.

Access and Transport

152. The P1 Form indicates that the proposal involves the construction of a new access to the public road for both vehicular and pedestrian use.
153. The detail associated with the application indicates that the dwelling will have in 3 incurtilage parking spaces.
154. DfI Roads have not identified any concerns in relation to the layout, access and arrangement of the parking. A consultation response has been issued with conditions to be attached to any decision notice.
155. Based on a review of the detail submitted with the application and advice from DfI Roads it is considered that the proposed complies with Policy TRA1 of the Plan Strategy as modified in that the detail demonstrates that an accessible environment will be created by the development proposals.
156. 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 new access 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.

Renewable Energy

157. The Design and Access Statement states the design of the dwelling provides a viable environmental strategy and it aims to minimise the impact of the proposal on the environment. It states that the proposed dwellings will achieve airtightness with an intello air tightness barrier with taped joints, to give the building an air tightness in accordance with current Passivhaus building standards. Triple glazed windows are proposed.
158. It is stated that the dwelling will also have whole house ventilation and heat recovery system that will be Passivhaus accredited and it will be wired with an

intelligent electrical system which will allow the end users to monitor their energy consumption. It is also stated that the design utilises all potential solar gain due to its orientation, layout and glazing.

159. It continues by stating that the building is very energy conscious, with heating requirements being minimal due to the design and construction of the dwelling. What heat is required will be generated by an air to water heat pump. The dwelling will require less electricity due to the installation of energy saving light bulbs and the abundant natural daylight available to all habitable rooms.
160. 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.

Consideration of Representations

161. 18 objections and 1 letter of support were received in respect of this application. The issues raised were as follows:

Protect my back garden against noise pollution of cars, dogs, outside lights – incurring extreme loss of privacy. Noise pollution in central Hillsborough is bad enough.

No concerns in regards to noise or lighting were raised by Environmental Health during the consultation process. Any undue noise or light pollution arising from the development should be reported to the Environmental Health Department of the Council who deal with such matters. Notwithstanding this the application is recommended for refusal for the reasons outlined in the above report.

Putting an orchard is not evergreen trees.

There is no policy requirement for planting to be evergreen trees. An orchard is deemed acceptable in this context.

Do not destroy our back gardens and privacy and hidden Hillsborough gardens. The proposed building is domineering.

The proposal is recommended for refusal as it does not respect the surrounding context and is not appropriate to the character of the site in terms of layout and appearance of buildings.

Inappropriate extension to a listed building – contrary to Policy BH8.

This application does not relate to the extension of a listed building as it is for a single dwelling.

Inappropriate new development in a Conservation Area – contrary to Policy BH12.

Policy BH12 has since been superseded by Policy HE10 of The Plan Strategy. As above, the proposal is contrary to Policy HE10 as it would not enhance the character or appearance of the Conservation Area, nor does it preserve its character or appearance.

If approved unwelcome precedent for the Hillsborough Conservation Area. This development does not adhere to any of the conservation guidelines.

The application is recommended for refusal for several reasons as listed above, including Policy HE10 which relates specifically to new development in a Conservation Area.

The economic benefits do not outweigh the policy failures of the proposal.

There are no economic benefits listed in support of this application.

There already is a public house next door to the site which creates a lot of noise. There is a new development Arthurs and a lot of Airbnb's on the street, so there needs to be a balance between commercialisation and residential needs. It is another family home in the community lost to a business. The imbalance of having additional commercial activity close to the Palace grinds with the surrounding historic character of the village.

The application is for a dwelling house, not a commercial use. It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street.

An imbalance between commercialisation and a well-established street life residential activity is at odds with the heritage of the centre of the village.

The application is for a dwelling house, not a commercial use. It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street.

The proposed 11 bedrooms would increase the noise levels and disturbance of the village.

It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street.

The plans, length, shape and design of the new dwelling are out of character for the area, and the proposed building site has a dominant/commanding view over gardens across the road comprising the residents' privacy and daylight. This proposed modern design will be near the top of the hill and will dominate the entire stepped terraced gardens below. It will also be at right angles to all other stone buildings and would look out of character from any angle.

The application is found to be contrary to part a) of Policy HOU3 in that the proposal is not appropriate to the character and topography of the site. It is also thought to be contrary to part a) of Policy HOU4 in that the design of the development does not draw upon the best local architectural form and detailing. The assessment also found the dwelling has been positioned and designed on the site to reduce the potential for overlooking and overshadowing towards any adjoining properties.

The back gardens to the right of Main Street are well established in tradition and maturity and have a degree of historical ambience and connection to the castle.

The proposal is recommended for refusal as it does not respect the surrounding context and is not appropriate to the character of the site in terms of layout and appearance of buildings. The proposal is also found to be contrary to Policy HE5 as it has not been demonstrated how the proposal relates to the protected Demesne Wall and that it would not cause harm to the overall character or setting of the demesne of special historic interest.

The back gardens are a natural oasis for wildlife between Main Street and the Royal Castle, with a high degree of Biodiversity, included bats, hedgehogs, foxes, jays, woodpeckers and a rookery. Swifts nest at the front and back of No. 11/13 on the Main Street.

A Preliminary Ecological Assessment and Bat Survey Report were submitted with the application and sent to NIEA Natural Environment Division for consultation. They responded stating that they had considered the impact of the proposal and had no concerns.

The proposal is at odds with Hillsborough's claim to be a Georgian village as they bring too many additional people to live on the Main Street and to destroy the pattern of the mature and maintained gardens at the rear. The building/design is neither in keeping with the architecture or feeling of a Georgian village. Something more in keeping could be planned, not a building that would be at home somewhere in Scandinavia. Nowhere in the conservation area is cedar cladding used. The development is

positioned at the bottom of the garden and is totally at odds to the rest of the residential properties. It will result in the loss of a substantial amount of garden.

Following consultation with the Council Conservation Officer the proposal is recommended for refusal as it does not respect the surrounding context and is not appropriate to the character of the site in terms of layout and appearance of buildings. It also thought that the design of the development does not draw upon the best local architectural form and detailing.

All the existing residential coach houses are set parallel to the main street these stone facades are in keeping in character with the old village architecture. The new proposed building would break this historical mould.

Following consultation with the Council Conservation officer the proposal is recommended for refusal as it does not respect the surrounding context and is not appropriate to the character of the site in terms of layout and appearance of buildings.

I note there is also a planning permission applied for in the two houses facing Main Street – is turning these into a guest house the best the planners can do?

The planning authority must accept valid applications and assess them, accordingly, having no control over what proposed developments are submitted. This adjacent application was assessed and found compliant with the appropriate policies and issued as an approval.

People looking down into our gardens, not neighbours but people who will come for a few days.

The assessment found the dwelling has been positioned and designed on the site to reduce the potential for overlooking towards any adjoining properties. The application is for a dwelling and not for tourism use.

I thought the Main Street is not allowed to alter the front of a building facing the street.

It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street as the application for the dwelling does not propose any alterations to buildings facing the street.

A proposed fence is no compromise for a natural nature friendly hedge as a boundary.

A fence is deemed an acceptable boundary treatment in an urban context. Notwithstanding this, the application is recommended for refusal.

I have no objection to the front of the building being developed, as long as the height follows the same height as the other houses but strongly object to the back development in breaking the traditional ambience and character of the historical town and the effect it would have on the present wildlife.

It is thought that the first part of this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street as the application for the dwelling does not propose any alterations to the buildings to the front. The dwelling to the rear is recommended for refusal as it is thought not to respect the surrounding context and is not appropriate to the character and topography of the site and the development is not in sympathy with the characteristic built form of the area.

The plans show parking for 3 cars, and the same applicant has a planning application in for eleven guest bedrooms and eight parking spaces on the same site.

DFI Roads have been consulted twice and offer no objection to the development, providing conditions to be attached to a decision. No concerns were raised by roads on the adjacent approved application.

The single width gate way on to the street was designed for the use of the houses either side with little domestic traffic. The fact that there could be up to eleven cars travelling in and out of the single width gateway to the parking spaces, crossing over the existing foot path would create an added danger to pedestrians. The main street traffic activity has increased greatly. Restricted visibility with parking both sides of the entrance increase the chances of an accident.

DFI Roads have been consulted twice and offer no objection to the development, providing conditions to be attached to a decision.

The narrow entrance, with a proposed wider opening would be out of proportion compared to the other similar entrances. This was designed and built for domestic use and not a commercial entrance.

It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street as the application is for a dwelling and not commercial use. The widening of the entrance was found to be acceptable in the approved application for the guest house.

The drawing six submitted showing the existing south elevation is incorrect. It in fact shows the proposed south elevation of another

planning application. It would lead one to believe that the further planning application had been approved when it has not.

Drawing No. 6 shows plans of the adjacent application for the guest house. At the time these plans were submitted (2nd August 2022) the guest house had not been approved (having since been approved on the 8th of April 2025). It is noted that the plans as shown on this drawing were superseded and the agent has been requested to submit amended plans with all details of the adjacent guest house removed.

The Water Order Article 236 of the Water & Sewage Service NI (2006) has concerns how the new dwellings would reach the sewers if a pumping station was erected and how the new building would be built over the sewer? The sewage works is right beside our cottage what would the impact be?

NI Water have been consulted three times during the processing of this application, having initially recommended refusal for connection as a solution was not agreed between the developer and NI Water. Following an agreement having been reached with the applicant, NI Water issued a final response recommending approval subject to conditions. As such, there are no concerns in terms of sewer provision. It has been stated that there is a public foul sewer within 20m of the proposed development boundary. A condition has been provided stating that development shall not be begun until the applicant provides evidence that NI Water has confirmed that the proposed works will not affect the existing sewer infrastructure. No impact on adjoining properties has been identified by NI Water.

LA05/2020/0089/DCA and /0088F needs to be addressed first before any other planning should be considered. The old wall needs to be re-erected with original stone.

Both applications referred to have been returned as invalid as the development extended beyond the red line. The application sites as identified did not contain all of the development proposed.

The eyeline on the outside patio would be 2.5m above the present temporary wooden fence and significantly overlooking all the properties going down the hill – very obtrusive and would lower the property prices of all the houses.

The assessment found the dwelling has been positioned and designed on the site to reduce the potential for overlooking towards any adjoining properties. While the consideration of property values is a material consideration in the assessment of an application, it is not given determining weight as property prices can be impacted by many factors outside the remit of planning.

Too many holiday lets in Hillsborough? This brings in noise, more traffic in central Hillsborough, pollution etc. If anything, we need more diversity in the village.

The application is for a dwelling house, not a commercial use. It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street.

There is no basis now for having 'conservation' status on the streets in Hillsborough. A hotel is not needed nor welcome.

The application was considered by the Council Conservation officer and found contrary to Policy HE10, New Development in a Conservation Area. The application is for a dwelling house, not a commercial use. It is thought this comment may relate to the now approved adjacent application for the guest house in the dwellings at Nos. 17-19 Main Street.

How long is this continual bombardment of applications going on for.

The Council cannot control the applications that are submitted for consideration. If they are deemed valid upon receipt they must be processed accordingly.

I did say once they get the front planning they will go for the garden. After 74 objections to the front our voice does not matter.

The Council cannot control the applications that are submitted for consideration. If they are deemed valid upon receipt they must be processed accordingly. Notwithstanding this, the application has been assessed and is recommended for refusal for the reasons outlined above. It is noted that 18 objections have been received in respect of this application.

Historic Royal Palaces record that the boundary wall shown is in Historic Royal Palaces actual possession... HRP have not considered this work, and no request has been received to carry out such works. The wall forms the boundary to the Hillsborough Castle Gardens and the curtilage of the listed building structures.

A consultation was issued to Historic Environment Division to comment on the objection raised by HRP. They subsequently responded stating that they would agree with the general conclusion proposed, continuing that they have incomplete information which does not allow a substantive response on the impact of the proposed listed buildings, requesting further information.

Supporting Representation

- **I am very impressed with the sensitive and considered nature of the plans.**

The proposal has been found contrary to policy and not in keeping with the character of the Conservation area.

- **The size of the site allows works to be less intrusive than other 'overdeveloped' sites that have recently been granted permission in the vicinity. The scale of the site allows for significant onsite parking which is essential for the modern tourist/visitor without making the main street more congested.**

It is thought that this comment refers to the approved adjacent guest accommodation. As above, the proposal is not in keeping with the character of the Conservation Area.

Conclusions and Recommendations

162. The application is presented with a recommendation to refuse as it does not respect the surrounding context and is not appropriate to the character and topography of the site in terms of layout and appearance of buildings, it has not been satisfactorily demonstrated that the proposal protects the historic environment, the design of the development does not draw upon the best local architectural form and detailing, it has not been satisfactorily demonstrated that the development would not lead to the loss of or cause harm to the overall character and principal components of the Demesne wall of special historic interest.
163. It has also not been satisfactorily demonstrated that there would be no negative impacts on the listed building and that the features of special interest remain intact and unimpaired, nor has it been satisfactorily demonstrated that the proposal would not adversely affect the setting of a listed building, it would not enhance the character or appearance of the conservation area, or preserve its character or appearance where an opportunity to enhance does not arise, and that the development if permitted would impact on the setting of the Conservation Area as the development is not in sympathy with the characteristic built form of the area as it introduces development into an area where there is none, the form and detailing do not respect the characteristics of adjoining buildings in the area as the existing buildings are of Georgian style and important views within, into and out of the area are not protected, contrary to Policies HOU3, HOU4, HE5, HE6, HE9 and HE10.

Refusal Reasons

164. The following refusals are recommended:

- The proposal is contrary to criteria a) of Policy HOU3 of the Lisburn and Castlereagh Plan Strategy in that it does not respect the surrounding context and is not appropriate to the character and topography of the site in terms of layout and appearance of buildings.
- The proposal is contrary to criteria b) of Policy HOU3 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the proposal protects the historic environment in the overall design and layout of the development.
- The proposal is contrary to criteria a) of Policy HOU4 of the Lisburn and Castlereagh Plan Strategy in that the design of the development does not draw upon the best local architectural form and detailing.
- The proposal is contrary to Policy HE5 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the development would not lead to the loss of or cause harm to the overall character and principal components of the Demesne of special historic interest.
- The proposal is contrary to Policy HE6 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that there would be no negative impacts on the listed building and that the features of special interest remain intact and unimpaired.
- The proposal is contrary to Policy HE9 of the Lisburn and Castlereagh Plan Strategy in that it has not been satisfactorily demonstrated that the proposal would not adversely affect the setting of a listed building.
- The proposal is contrary to Policy HE10 of the Lisburn and Castlereagh Plan Strategy in that the proposed development if permitted, would not enhance the character or appearance of the conservation area where an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not arise.
- The proposal is contrary to criteria a), b), d) and f) of Policy HE10 of the Lisburn and Castlereagh Plan Strategy in that the development if permitted will impact on the setting of the Conservation Area as the development is not in sympathy with the characteristic built form of the

area, the form and detailing do not respect the characteristics of adjoining buildings in the area and important views within, into and out of the area are not protected.

Site location Plan – LA05/2022/0725/F



site location plan 1:1250
main street hillsborough

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee	11 May 2026
Committee Interest	Local Application (Called In) - Addendum
Application Reference	LA05/2025/0819/F
Date of Application	13 November 2025
District Electoral Area	Castlereagh East
Proposal Description	Removal of existing single storey flat roof extension and garage. Addition of single storey pitched roof extension and office/ storage to replace existing garage.
Location	3 Ardara Avenue, Dundonald
Representations	One
Case Officer	Jordan Campbell
Recommendation	Approval

Summary of Recommendation

1. This application was included in the Schedule of Applications for consideration by the Committee on 13 April 2026. The recommendation was to approve planning permission.
2. After the application was presented and a representation was heard from an objector, Members agreed to defer consideration of the application to allow for a site visit to take place.
3. A site visit took place on Tuesday 28 April 2026. A separate note of this site visit is provided as part of the papers.

Further Consideration

4. Members were reminded that the site visit was arranged to provide them with an opportunity to observe the proposed development in its context.
5. The Head of Planning & Capital Development stated that the purpose of the site visit was for Members to appraise themselves of the proposed site in the

context of the neighbouring property as the owner of the neighbouring property had submitted an objection and was concerned about the loss of light resulting from the construction of a new outbuilding adjacent to a common boundary.

6. The Head of Planning & Capital Development with the aid of with the assistance of site location and associated plans, outlined the nature of the proposed development to Members highlighting the size of the proposed extension and with a particular focus on the proposed office/store which is higher and longer than the existing garage. He further explained the relationship between this building, the site boundary and the neighbouring property.
7. Members visited the rear garden of 3 Ardara Avenue to view the proposed office/store in the context of the height of the boundary hedgerow which would remain, and the tree which would be removed to facilitate the longer building.
8. Members then visited 1 Ardara Avenue to view the proposed office/store from the objector's perspective. The objector had erected a frame to contextualise the height of the office/store in relation to the level on this side of the boundary.
9. Members were advised that there were drawings including cross sections that would assist with their understanding of the relationship between the proposed and existing buildings on either side of the common boundary. They should not rely solely on the visual representation provided by the objector as this was not independently verified.
10. It was noted that five windows served an open plan kitchen/living and dining room on the gable elevation of the ground floor. The space was also served by a large picture window in the front elevation and a set of French doors in the rear elevation.
11. Of the five vertical windows in the gable each of which was of a differing height it was further noted that the window in the gable closest to the front elevation was in front of the proposed office/store. The two windows closest to the rear elevation were also behind the proposed office/store.
12. The members asked for clarification in respect of levels differences between the two sites, it was clarified that there was approximately 0.5 metres of difference between the height of the land on either side of the boundary with the applicant's side being the higher.

13. It was also confirmed that the officer had not identified any adverse impact on the garden at the rear of 1 Ardara Avenue and that the loss of light was primarily to the windows in the gable elevation.
14. No new issues were raised at the site visit that would require the original officer's report to be updated or amended. Given the open plan nature of the room and the numbers of windows and doors letting light into the space on three sides means that there is no significant loss of residential amenity due to the height of the proposed office/store or its proximity to the boundary.
15. It is further noted that ridge of the office/store is set back from the boundary by 2.3m metres and that there is a tall hedge which obscures the view entirely of the gable elevation closest to the boundary which mitigates any adverse impact. Consequently, the advice at paragraphs 47 to 75 of the main report remains unchanged.

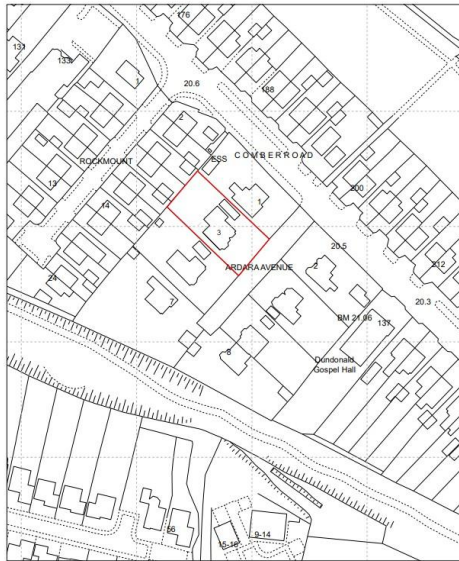
Conclusions and Recommendation

16. The purpose of the site visit was to afford Members an opportunity to visit the site and observe the proposed development in its context.
17. The recommendation remains to approve, and the information contained in this addendum should be read in conjunction with the main officer's report previously presented to Committee on 13 April 2026.

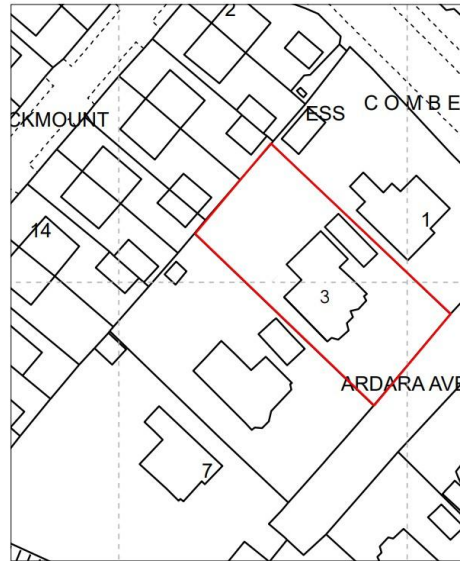
Conditions

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

Site location Plan LA05/2025/0819/F



Proposed Site Location Map
Scale 1:1250



Proposed Block Plan
Scale 1:500

Works to No. 3 Ardara Avenue, Dundonald, BT16 2BZ	1220/P	002	R0
Proposed Site Location and Block Plan	as noted	2025.10.27	
 robert gilmour architects 44 Millisle Avenue Dundonald Street Dundonald BT16 2BZ		028 9064 8000 077 955 79 624 www.rgarchitects.com info@rgarchitect.co.uk	

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LISBURN & CASTLEREAGH CITY COUNCIL**Report of a Planning Committee Site Visit held at 2.10 pm on Tuesday, 28 April 2026 at 3 Ardara Avenue, Dundonald**

<u>PRESENT:</u>	Alderman J Tinsley (Chair)
	Aldermen O Gawith and M Gregg
	Councillors P Catney, D J Craig and A Martin
<u>IN ATTENDANCE:</u>	Head of Planning & Capital Development (CH)
	Principal Planning Officer (PS)
	Member Services Officer (FA)

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

LA05/2025/0819/F – Removal of existing single storey flat roof extension and garage. Addition of single storey pitched roof extension and office/ storage to replace existing garage at 3 Ardara Avenue, Dundonald

Apologies for non-attendance were submitted by the Vice Chair, Councillor G Thompson and Councillor J Lavery.

Alderman Skillen attended the site at the request of the objector but subsequently withdrew when advised that the visit was an extension of the Planning Committee with the purpose of allowing the Members to observe the development in its context. She did not participate in the visit or make representations on behalf of the objector.

This application had been presented for determination at the meeting of the Planning Committee held on 13 April 2026. It was the officer's opinion that the proposed rear extension and office/store would not result in any unacceptable harm to the residential amenity of neighbouring properties due to loss of light, loss of privacy, or harm from overshadowing or overlooking.

The Head of Planning & Capital Development stated that the purpose of the site visit was for Members to appraise themselves of the proposed development in the context of the neighbouring property. The objector was concerned that the proximity of the office/store to the boundary would result in a loss of light and seriously harm the residential amenity of his property.

He advised Members that permission had been given from both the applicant and objector to view the proposed development from both sides of the boundary.

The Head of Planning & Capital Development, with the assistance of a site layout plan and floor plans and elevation, outlined the nature of the proposed development to Members highlighting the size of the proposed office/store in comparison to the existing garage, the site boundary and relationship to the neighbouring property.

Members entered the rear garden of 3 Ardara Avenue (the site) to view the proposed buildings taking into account the location and height of the boundary hedgerow, which is shown to be retained, and a tree which is being removed.

Members then entered the garden of 1 Ardara Avenue to view the proposed office/store from the objector's perspective. The Members observed the layout of the rooms closest to the boundary and were able to distinguish the number of windows and doors serving those rooms on the front, gable and rear elevations.

A frame was erected by the objector to allow the Members to visualise the position, height scale and mass of the office/store in relation to the windows on the gable elevations of the property. The Head of Planning and Capital Development advised that the frame was not erected at the request of the Council and the Members should, when considering the proposal, have regard to all the information supplied with the application.

The Principal Planning Officer took photographs of the hedgerow and trees from both sides of the boundary and of the windows at 1 Ardara Avenue which could potentially be affected by loss of light.

In response to Members' queries, the Head of Planning & Capital Development and the Principal Planning Officer advised:

- There was approximately 0.5 metres of difference between the height of the land on either side of the boundary with the applicant's property being located at the higher level
- There were 5 windows on the side of 1 Ardara Avenue which could be affected by potential loss of light that service the open plan kitchen/dining area and utility room
- Windows on the front of, and French doors on the back of, 1 Ardara Avenue should be taken into consideration, including which rooms they service, when measuring any loss of light
- That no adverse impact had been identified by the objector in respect of the rear garden or rear elevation of 1 Ardara Avenue

There being no further business, the site visit was terminated at 2.38 pm.

Lisburn & Castlereagh City Council

Committee Report	
Date of Committee	13 April 2026
Committee Interest	Local Application (Called In)
Application Reference	LA05/2025/0819/F
Date of Application	13 November 2025
District Electoral Area	Castlereagh East
Proposal Description	Removal of existing single storey flat roof extension and garage and addition of single storey pitched roof extension and office/store on the site of the former garage
Location	3 Ardara Avenue, Dundonald, BT16 2BZ
Representations	Two
Case Officer	Jordan Campbell
Recommendation	Approval

Summary of Recommendations

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee in that it has been Called In.
2. The application is recommended for to approval it complies with the requirements of policies HOU7 and RE2 of the Lisburn and Castlereagh City Council Plan Strategy (the Plan Strategy) for the following reasons.
3. The proposed rear extension and proposed office/store would not result in any unacceptable harm to the residential amenity of neighbouring properties due to loss of light, loss of privacy, or harm from overshadowing or overlooking.

Site and Surrounding Context

4. The application is comprised of the buildings and curtilage of a two-storey detached dwelling in a rectangular plot and the site and immediate surroundings slope steeply from northeast to southwest.
5. The property benefits from a well-proportioned front garden and driveway, as well as a large, enclosed private rear garden. The curtilage is defined on all sides by mature vegetation.
6. The dwelling is positioned and oriented with its principal elevation facing southeast. It features an open-gable pitched roof, and the external walls are finished in red facing brickwork. All existing windows appear to be white aluminum frames with single glazing.
7. The surrounding area is predominantly residential in character, comprising a mix of detached and semi-detached dwellings that vary in scale, architectural style, and external materials.

Proposed Development

8. The applicant seeks full planning permission to demolish the existing flat-roofed rear extension and detached garage to the side and construct a single-storey rear extension with a pitched-roof and a single-storey outbuilding on the site of the former garage. A mature tree to the rear of the existing garage is also proposed for removal as part of the proposed building works.
9. The proposed rear extension would be constructed broadly on the footprint of the existing rear element, albeit with an increased footprint. It would accommodate a kitchen and dining area, and the roof and external walls would be finished in materials to match the host dwelling.
10. The proposed outbuilding would occupy a similar position to the existing garage but would be larger in scale. It would accommodate an office, WC and store finished in dark smooth roof slates and facing brickwork matching the principal dwelling.
11. The original dwelling measures approximately 15.5m in depth, 11.2m in width, and 8m in height, with a ground-floor internal floor area of approximately 135m².
12. The existing rear element proposed for demolition projects 6.5m from the original rear elevation, measures 6.9m in width and 3m in height and has a total floor area of 45m².
13. The proposed rear extension would project 8.5m from the existing rear elevation, with a width of 8m and a ridge height of approximately 5m. It would provide an

additional 68 m² of internal floor space (23 m² more than the original single-storey rear projection).

14. The existing garage measures 4.8m in length, 2.8m in width, 3.1m in height, and has a total floor area of 13m².
15. The proposed outbuilding would measure 9.7m in length, 3.4m in width, and 3.6m in height, with a total floor area of 33 m² (20 m² more than the garage proposed for demolition).

Relevant Planning History

16. The following planning history associated with the application site is considered relevant to the assessment of this proposal:

Reference	Proposed Development	Decision Issued
Y/2001/0354/A41	Extension to a dwelling	Permitted Development – Application not required.

Consultations

17. No consultations were undertaken as part of this application. It was not considered necessary as no alterations were proposed to the access arrangements and the site already has a connection to the main sewer.

Representations

18. Following the statutory advertisement and neighbour notification (publicity) process, the following representations have been received:

Representations	Comments
Representation One	<ul style="list-style-type: none"> • Adverse impact on the residential amenity of No.1 Ardara Avenue, resulting in loss of daylight and overshadowing. Impacting on the amenity / degree of daylight from which x5 ground floor windows to the dwelling's side elevation and rear garden area currently benefit. • Decrease property value of No.1 Ardara Avenue.
Representation Two	<ul style="list-style-type: none"> • The proposed garage/outbuilding would be double in length and risen by another half a metre, restricting daylight of x5 ground floor windows to the side of No.1 Ardara Avenue. • The proposed rear extension would move closer to the common boundary shared with No.1 Ardara Avenue by 6 metres and the height of the old

	structure raised from 2 metres to 5 metres, resulting in the casting of huge shadow onto the dwelling and garden from mid-morning until sunset.
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Local Development Plan

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

Plan Strategy 2032

20. Lisburn and Castlereagh City Council adopted their Local Development Plan 2032 Plan Strategy in September 2023.
21. The Council's adopted Plan Strategy provides a 15-year framework to support the economic and social needs in line with regional strategies and policies, while providing for the delivery of sustainable development.
22. The Plan Strategy is divided into two parts over two documents.
23. 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.'

24. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Belfast Urban Area Plan 2001. Draft BMAP remains a material consideration.

25. The application site is located within the settlement limits of Dundonald (BUAP 2001). The location of the site is within the settlement of Dundonald in the last revision to draft BMAP in 2014.

Part 1: Plan Strategy 2032

26. This is a proposal for residential development in a settlement. The following Strategic Policies are considered relevant to this planning application:

Strategic Policy 01 Sustainable Development

27. 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.

Strategic Policy 05 Good Design and Positive Place-Making

28. 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.

Part 2: Plan Strategy 2032

29. The proposal seeks to extend an existing dwelling. Therefore, the following Operational Policies are considered relevant to this planning application.
30. It is stated in policy HOU7 – Residential Extensions and Alterations that:

Planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- a) The scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.*
- b) The proposal does not unduly affect the privacy or amenity of neighbouring residents*
- c) The proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality*

- d) *sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.*

The above policy applies to all residential extensions and alterations and for extensions and/or alterations to other residential uses as set out in Parts C2 and C3 of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended), such as guest houses, hostels and residential/nursing homes.

31. It is further advised that the Supplementary Planning Guidance, Part A: Guidance for Residential Extensions and Alterations, will be considered when assessing proposals against the above criteria
32. In relation to Context and Design, the Supplementary Planning Guidance, Page 4 states:

An extension or alteration to a residential property should be designed to become an integral part of the property both functionally and visually. Such works should not be designed in isolation solely to fit in the required amount of accommodation. Proposals that are badly sited or designed, or that are incompatible with their surroundings, can lead to an undesirable change in the character of the existing property and the area in which they are located. Success depends on striking the right balance between adaptation and sensitivity to the original design.

33. It also states that:

An extension or alteration should not be so large or so prominent as to dominate the host property or its wider surroundings, rather development proposals should be in scale with existing and adjoining buildings. All such work should have proportion and balance, fitting in with the shape of the existing property. The height, width and general size of an extension should generally be smaller than the existing house and subordinate or integrated so as not to dominate the character of the existing property.

34. On page 5, the Supplementary Guidance also states:

Alterations or an extension to a dwelling should not infringe upon a neighbour's property. For example, it is an infringement of a neighbour's property rights should foundations or guttering encroach onto their land or if an extension overhangs or attached to their property.

35. In relation to external finishes, the Supplementary Planning Guidance states:

The external finish of a proposal should aim to complement the type of materials, colour and finish of both the existing building and those of neighbouring properties, particularly where certain materials strongly predominate. Using similar or complementary materials to those of the existing property is more likely to produce a successful extension or alteration.

36. In relation to residential amenities, the Guidance states that:

It is important that the amenity of all residents is protected from 'unneighbourly' extensions as these can cause problems through overshadowing/ loss of light, dominance and loss of privacy. The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass and location of an extension and window positions. Single-storey extensions to the rear of a semidetached or terraced dwelling will generally be acceptable where the depth does not exceed 3.5 metres from the back wall of the original building, at the boundary with an adjoining dwelling. Larger extensions will be assessed in

light of the following guidance, although it is acknowledged that flexibility may be needed in respect of older properties with small plot areas or where the proposal seeks to meet the specific needs of a person with a disability.

37. In relation to overshadowing/ loss of light, it states:

In terms of daylighting, the effect on all rooms apart from halls, landings, bathrooms and utility rooms will be considered. Where an extension would be likely to reduce the amount of light entering the window of a room, other than those indicated above, to an unreasonable degree, planning permission is likely to be refused.

Significant problems of sunlight or daylight loss are most likely to occur in terraced or semi-detached housing situations, and it is here that most care needs to be taken. An extension should be kept as far as possible from neighbouring windows and boundaries to minimise impact.

To help assess the loss of light as a result of a proposed development to the front or rear of residential property, the 60 degree and 45 degree lines, for single storey and two storey extensions respectively, will be employed. These lines will be taken from the centre of the closest neighbouring window.

38. In relation to access and parking:

Proposed work that would result in the significant loss of parking spaces or a turning area, with no reasonable alternative being available, will not be acceptable.

39. It is stated in policy RE2 Integrated Renewable Energy that:

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

40. The SPSS 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. The Department intends to undertake a review of the SPPS within 5 years”.

41. 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”.

42. The SPPS Edition 2 remains a material consideration of significant weight irrespective of what stage the Local Development Plan making process is at. The policies in the Plan Strategy have been drafted to be consistent with the SPPS Edition 2.

43. Paragraph 4.12 of the SPPS Edition 2 states:

“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. Adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. However, the above-mentioned considerations are not exhaustive and planning authorities will be best placed to identify and consider, in consultation with stakeholders, all relevant environment and amenity considerations for their areas”.

44. Paragraph 4.26 of the SPPS Edition 2 states that:

“Design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Particular weight should be given to the impact of development on existing buildings, especially listed buildings, monuments in state care and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as areas of outstanding natural beauty, conservation areas, areas of townscape character and areas of special archaeological interest. Appropriate and adequate amenity space, especially in residential developments (including unconventional solutions), is an important element of good design”.

45. Paragraph 6.232 of the SPPS Edition 2 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.

Assessment

Design, Built Form, and Visual Amenity

47. The proposed single-storey rear extension would project 8.5 m from the rear elevation of the host dwelling and would be constructed broadly over the footprint of the existing flat-roofed rear extension, which is to be demolished as part of the proposed works.
48. Owing to its siting, the proposed extension would be fully screened behind the host dwelling and would not be visible from the public domain. It is therefore considered that the proposal would not give rise to any notable adverse impact on the character or appearance of the surrounding area.
49. Proposed material finish to be smooth roof tiles to match existing with brick walls to match existing and aluminium and PVC windows.
50. The design and materials of the proposed extension are considered sympathetic to the architectural character of the host dwelling. As such, the extension would integrate visually with the existing built form and would not detract from the visual amenity of the site.
51. The proposed extension would be clearly subservient to the host dwelling by virtue of its height and scale. Its massing is also considered acceptable, providing approximately 68m² of additional floorspace relative to the existing original dwelling's ground-floor area of 135m². The scale and proportions of the proposed extension are therefore considered to be within acceptable parameters and do not compete with the established form of the original dwelling.
52. It must be noted that a precedent for similar development exists within the immediate locality. No.7 Ardara Avenue has been extended to the rear with a single-storey addition of comparable scale. Furthermore, single-storey rear extensions are a common feature within the street scene, with Nos. 1, 5, and 7 all having constructed such additions. These examples provide a relevant and directly comparable context that supports the acceptability of the proposed extension in principle.

53. The proposed single-storey outbuilding would be erected on a similar footprint to the existing garage proposed for demolition. While the proposed outbuilding would be visible from certain viewpoints within Ardara Avenue, it would not be prominent within the wider locality. Any potential visual impact would be appropriately mitigated through the use of matching materials and a design that harmonises with the principal dwelling, thereby ensuring a coherent relationship with the established character of the site.
54. The proposed outbuilding would remain subservient to the two-storey principal dwelling by virtue of its size, scale and orientation to the street. Its total floor area of 33m², compared with the original dwelling's 135m² ground-floor area, ensures that it would appear clearly secondary and ancillary in nature.
55. Overall, the proposed development is considered acceptable in terms of design quality and visual amenity. The works would integrate harmoniously with the character of the original dwelling and would not result in any adverse effects on the character or appearance of the wider locality.

Impact on Residential Amenity

56. The application site shares common boundaries with four neighbouring properties, namely:
 - No.1 Ardara Avenue – Adjacent property to the northeast side boundary;
 - No.5 Ardara Avenue – Adjacent property to the southwest side boundary;
 - No.6 Rockmount – To the rear boundary;
 - No.8 Rockmount – To the rear boundary.
57. Given the nature of the proposed development, it must be assessed in terms of its potential impact on neighbouring residential amenity, specifically regarding loss of privacy, overlooking, loss of daylight, and overshadowing.
58. Regarding potential loss of privacy and overlooking, the proposed rear extension is single storey in height. As a result, any views towards the rear common boundary shared with Nos. 6 and 8 Rockmount would terminate at that boundary, with sightlines interrupted by the existing intervening boundary treatment, mature vegetation along the rear common boundary. Similarly, any new views arising from the introduction of the glazed sliding doors on the southwest side elevation, facing No. 5 Ardara Avenue, would be screened by the existing boundary treatment and established vegetation. Consequently, the proposal would not give rise to any unacceptable overlooking or loss of privacy for neighbouring properties.
59. With regard to potential loss of daylight and overshadowing, the existing spatial relationship between Nos. 1 and 3 Ardara Avenue already results in a degree of overshadowing and reduced daylight to No. 1. The dwelling at No. 3 occupies an elevated plot relative to No. 1, and this height difference, combined with the

orientation of the dwellings and their established proximity, currently gives rise to overshadowing affecting five ground-floor windows on No. 1's southwest side elevation. The three forward-most windows serve an open-plan dining and kitchen area, while the two rearward windows serve a ground-floor WC and utility room.

60. The proposed removal of the mature tree located to the rear of the existing garage to accommodate a longer building would significantly reduce any existing overshadowing and daylight loss currently experienced by No. 1 Ardara Avenue. This intervention would therefore improve, rather than diminish, the amenity of the neighbouring property.
61. Whilst the proposal includes demolition of the existing garage, currently positioned close to the shared boundary with No. 1 Ardara Avenue, and its replacement with an outbuilding of increased depth and height, the resulting change in overshadowing is considered limited. While the new outbuilding may marginally increase overshadowing, the degree of change would not be so substantial as to justify refusal. It must be noted that the proposed outbuilding would align with the front elevation of the existing garage, with the additional depth extending rearwards.
62. As such, having regard to the concerns raised by the objector any impact on the three habitable-room windows serving the dining and kitchen area of No.01 would be minor and primarily attributable to the modest 0.5m increase in height. Overall, the proposal would not materially alter the established relationship between the two properties, and the overall impact on daylight and overshadowing would remain broadly comparable to existing context at this location.
63. When assessed in relation to the other adjoining neighbouring properties, the proposal would not result in any material loss of daylight or unacceptable overshadowing, owing to topography, the orientation of the dwellings, and the spatial separation between plots.
64. Therefore, it is considered that the proposed development would not give rise to any material overshadowing or unacceptable loss of daylight for neighbouring occupiers.

Landscape and Arboricultural Features

65. The proposal would necessitate the removal of an existing mature tree located to the rear of the garage. While its loss is acknowledged, it is not considered to result in any significant adverse impact on local environmental quality. The reduction in mature vegetation arising from the works is assessed as minor and not of a scale that would warrant refusal of the application. No replacement planting is necessary given the existing mature landscape setting.

Parking Provision

66. The proposed development would not result in any notable reduction of available on-site car parking spaces, nor would it alter current access arrangements. Thus, the proposal would not result in any adverse impacts on parking or highway safety.

Open Space and Private Amenity

67. Whilst the proposed works would result in a reduction in the overall area of private rear garden space, it is considered that post development an adequate and functional area of private outdoor amenity space would remain available to occupants.
68. In summary having visited the site and reviewed the detail of the submitted plans the proposed single storey rear extension and new outbuilding to the side meets the requirements of criteria a) to d) of policy HOU7 for the reasons set out in the preceding paragraphs.

Renewable Energy Integration

69. The proposed development involves the removal of an old energy-inefficient rear extension and detached garage and their replacement with a new extension incorporating high-performance roofing, walls, floors, and glazing systems. In addition, the proposed works include upgrading the existing dwelling's single glazing and improving insulation within the roof space. Collectively, these measures would enhance the overall energy efficiency of the building envelope by improving U-values, reducing heat loss, and increasing airtightness.
70. Taking the above into account, the proposed development, through its energy-efficient design, enhanced building fabric, and sustainable construction approach is considered consistent with the objectives of policy RE2.

Evaluation of Representations

71. All representations received during the consultation period have been fully considered. The issues raised primarily relate to loss of daylight and overshadowing. These matters are recognised as material planning considerations and have been assessed in detail below.

Loss of Daylight & Overshadowing

72. As outlined within the assessment section, although the proposal includes demolition of the existing garage, currently positioned close to the shared boundary with No. 1 Ardara Avenue, and its replacement with an outbuilding of increased depth and height, the resulting change in overshadowing is considered limited. While the proposed outbuilding may marginally increase overshadowing, the degree of change would not be so substantial as to justify refusal. It must be noted that the proposed outbuilding would align with the front elevation of the

existing garage, with the additional depth extending rearwards. As such, any impact on the three habitable-room windows serving No. 1's dining and kitchen area would be minor and primarily attributable to the modest 0.5m height increase. Overall, the proposal would not materially alter the established relationship between the two properties, and the overall impact on daylight and overshadowing would remain broadly comparable to existing conditions.

73. When assessed in relation to the other adjoining neighbouring properties, the proposal would not result in any material loss of daylight or unacceptable overshadowing, owing to topography, the orientation of the dwellings, and the spatial separation between plots.
74. Further, the proposed removal of the mature tree located to the rear of the existing garage would significantly reduce any existing overshadowing and daylight loss currently experienced by No. 1 Ardara Avenue. This intervention would therefore improve, rather than diminish, the amenity of the neighbouring property.
75. Thus, it is considered that the proposed development would not give rise to any material overshadowing or unacceptable loss of daylight for neighbouring occupiers.

Conclusions

76. The proposed rear extension and office/store would not result in any unacceptable harm to the residential amenity of neighbouring properties due to loss of light, loss of privacy, or harm from overshadowing or overlooking and as a consequence all the criteria of policy HOU 7 are met.
77. The proposal will also be built to current building standards improving the thermal efficiency of the building. There is also scope in the future to integrate Solar PV. For these reasons the requirements of policy RE2 are also met.

Recommendation

78. Recommendation to approve planning permission subject the following conditions.

Conditions

79. 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.

80. The building hereby permitted shall be used solely for domestic purposes ancillary to the existing dwelling at 3 Ardara Avenue, and for no other purposes. In particular at no time shall the building be used for ; industrial, trade or business activity.

Reason : in the interest of protecting rural character and residential amenity.

Site Location Plan:

Proposed Site Location Map
Scale 1:1,250

Proposed Block Plan
Scale 1:500

Table:

Project Title Works to No. 3 Ardara Avenue, Dundonald, BT16 2BZ	Project Number 1220/P	Plot Number 002	Scheme R0
Project Title Proposed Site Location and Block Plan	Date as noted	Completion Date 2025.10.27	Scale as noted
Client	robert gilmour architects 14 Rockmount Avenue, Dundonald, BT16 2BZ Telephone: 01753 855 25, 424 Email: info@robertgilmour.co.uk Website: www.robertgilmour.co.uk		

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Lisburn & Castlereagh City Council

Committee Report – Addendum Report	
Date of Committee Meeting	11 May 2026
Committee Interest	Local Application – Called In
Application Reference	LA05/2024/0639/O
Date of Application	03/09/2024
District Electoral Area	Downshire East
Proposal Description	Replacement dwelling and retention of existing dwelling (with alterations) as farm building
Location	Approx 180m north of 19 Ballycrune Road Hillsborough
Representations	0
Case Officer	Joseph Billham
Recommendation	Refusal

Summary of Recommendation

1. This application was included in the Schedule of Applications for consideration by the Committee on 13 April 2026. The officer's recommendation was to refuse planning permission.
2. After the application was presented and a representation was heard from the planning agent, Members agreed to defer consideration of the application to allow for a site visit to take place.
3. A site visit took place on Tuesday 28 April 2026. A separate note of this site visit is provided as part of the papers.

Further Consideration

4. Members were reminded that the site visit was arranged to provide them with an opportunity to observe the proposed development in its context.
5. The Head of Planning & Capital Development stated that that the purpose of the site visit was for Members to appraise themselves of the characteristics of

the existing building and whether it could be considered a dwelling, and the proposed site in the context of the surrounding buildings and landscape features.

6. The Head of Planning & Capital Development with the aid of with the assistance of site location and associated plans, outlined the nature of the proposed development to Members highlighting the site boundary, location of the proposed new dwelling and relationship to adjacent properties and agricultural buildings.
7. Members observed the existing building and noted a pedestrian gate, chimney pot, chimney breast which had been blocked up, brick work, plaster, doorways and windows (a number of which had been blocked up).
8. In response to members queries the Head of Planning & Capital Development advised that in line with the appeal decisions appended to the report the Members should only take account of the features that exist now. Characteristics such the blocked-up windows should not be considered. He also confirmed that there were historical records of a dwelling on the site, but the building appeared to be altered to an agricultural store and this was exhibited in the large opening and the absence of any features that would be normal in a domestic dwelling. Members should however carefully weigh the competing opinions and additional photographs of the inside and outside of the building would be made available for the purpose of comparison. The reason given for locating the proposed replacement dwelling off site was discussed and it was noted that this was primarily due to noise and smell from the neighbouring farm, however, at the time of the site visit the Head of Planning and capital development observed that even with animals in the buildings and machinery operating the levels of noise and odour did not appear significant and queried why the dwellings was located so far outside the curtilage of the existing building.
9. In addition, to the foregoing points on whether the building exhibited the characteristics of a dwelling the Head of Planning and Capital Development confirmed that officers would give further consideration to the retention of the existing building on site and this is considered in paragraphs 19-26 of this report. Consequently, the advice at paragraph 61 of the main report is withdrawn.

Planning Policy Context

10. The proposal is for a replacement dwelling. To assist Members and remind them of the policy context in part two of the Plan Strategy Policy COU 1 – Development in the Countryside states:

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

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

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

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

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

11. This is an application for a farm dwelling and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU3, COU15 and COU16 of the Plan Strategy.

Replacement Dwellings

12. Policy COU3 – Replacement Dwellings states:

Planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. For the purposes of this policy all references to ‘dwellings’ includes buildings previously used as dwellings.

In cases where a dwelling has recently been destroyed, for example, through an accident or a fire, planning permission may be granted for a replacement dwelling. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Non-Listed Vernacular Buildings

The retention and sympathetic refurbishment, with adaptation if necessary, of non-listed vernacular dwellings in the countryside will be encouraged in preference to their replacement in accordance with policies COU4 and HE13.

In all cases where the original dwelling is retained, it will not be eligible for replacement again. Equally, this policy will not apply where planning permission has previously been granted for a replacement dwelling and a condition has been imposed restricting the future use of the original dwelling, or where the original dwelling is immune from enforcement action as a result of non-compliance with a condition to demolish it.

Replacement of Non-Residential Buildings

Favourable consideration will be given to the replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality. Non-residential buildings such as domestic ancillary buildings, steel framed buildings designed for agricultural purposes, buildings of a temporary construction and a building formerly used for industry or business will not be eligible for replacement under this policy.

In addition to the above, proposals for a replacement dwelling will only be permitted where all of the following criteria are met: a) the proposed replacement dwelling must be sited within the established curtilage of the existing building, unless either (i) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or (ii) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits; b) the overall size of the new dwelling must not have a visual impact significantly greater than the existing building; c) the design of the replacement dwelling should be of a high quality appropriate to its rural setting.

COU12 Agricultural and Forestry Development

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

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

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

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

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

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

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

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

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

Assessment

14. Within the context of the planning policy tests outlined above, the following assessment is made relative to this particular application.

Replacement Dwellings

15. In relation to criteria a) ii) of Policy COU3 the agent has provided a supporting statement stating:

While there is no defined curtilage to locate the proposed replacement dwelling locating it where the existing dwelling is would result in an adverse impact on the residential amenity by way of noise and odour from the existing farmyard.

Environmental Health would require the proposed replacement to be located a minimum of 75m from the existing farmyard to avoid this adverse impact on residential amenity therefore the site of the proposed replacement dwelling is located at a sufficient distance from the existing farmyard allowing a 75m separation distance from the farm buildings.

16. EHO have been consulted and replied 04/10/24 stating:

Part 7 of The Planning (General Permitted Development) Order (Northern Ireland) 2015 sets out where permitted development rights may be used for the development of new agricultural buildings (<500m²). Such 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. Accordingly, it may be inferred that if a new dwelling were to be sited at least 75m away from an existing agricultural building which has the potential to cause amenity impacts (of a typical size and without any specific issues which would exacerbate the impact), then the risk of adverse effects is minimised.

Environmental Health have reviewed the Planning Supporting Statement published to the Consultee Hub on 30 September 2024, which states that the site of the proposed replacement dwelling is located to allow for at least a 75m separation distance from the farm buildings outside of the control of the applicant.

Environmental Health have no objection in principle to the above proposed development.

17. Taking into consideration recent PAC Decision 2025/A0069 provides useful direction and context surrounding the 75m distance from farm buildings. Within planning 2025/A0069 paragraph 21 it states:

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.

18. The Commissioner above has advised that any new development or agricultural activity within 75m of a dwelling would not create an unacceptable negative effect on amenity and the Councils reference and reliance on the separation distance is misplaced. Taking into consideration all the above information and the PAC Commissioners comments, it is considered the proposal has not demonstrated that an alternative position of the site would result in amenity benefits. It is considered the siting of the proposal can be located closer to the agricultural buildings south of the appellant site.

19. As a result, the proposal is considered to be contrary to policy COU3 criteria A) ii) of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that an alternative position nearby would result in amenity benefits.

COU12 - Agricultural and Forestry Development

20. The proposal description on the application form is '*Replacement dwelling and retention of existing dwelling (with alterations) as farm building*' and as a result Policy COU12 is applicable.
21. The proposal includes retaining the building as a farm building and the agent has provided a floorplan and elevations demonstrating how the building will be converted and used as a farm store.
22. Based on the information provided it is not clear the farm holding the site is part of. The agent has not provided farm maps or a farm business ID number to indicate the site is within an active and established farm business. Therefore, it has not been demonstrated the proposal is on an agricultural holding that is currently active and established. Criteria a) is not met.
23. As the proposal is seeking to retain the building as a farm dwelling no information has been provided to demonstrate how retaining the building is necessary for the efficient use of the agricultural holding. Therefore, the proposal does not comply with criteria b).
- 24.. In relation to criteria c) the proposal is for a single dwelling and retention of building as a farm building. The proposal is siting is set back 80m and has a backdrop of mature trees along the north east boundary. The proposal is seeking outline permission, and no design detail have been provided at this stage. It is considered the proposal in regards to character and scale is appropriate to it location.
25. In regards to criteria d) the topography of the site is relatively flat land overall and has existing mature boundary trees along the north boundary that provide a backdrop. The proposal is seen to visually integrate into the local landscape. Criteria d) is met here.
26. The proposal shall not have an adverse impact on the natural or historic environment. There are no features of natural or historic within the vicinity of the site. Criteria e) is met.
27. The building is being retained and as the proposal is for outline permission it is not possible to determine what the building is being used for and therefore criteria f) is not applicable.

Conclusions

28. For the reasons outlined above it is considered the application does not comply with the relevant policy context and refusal is recommended.

Recommendations

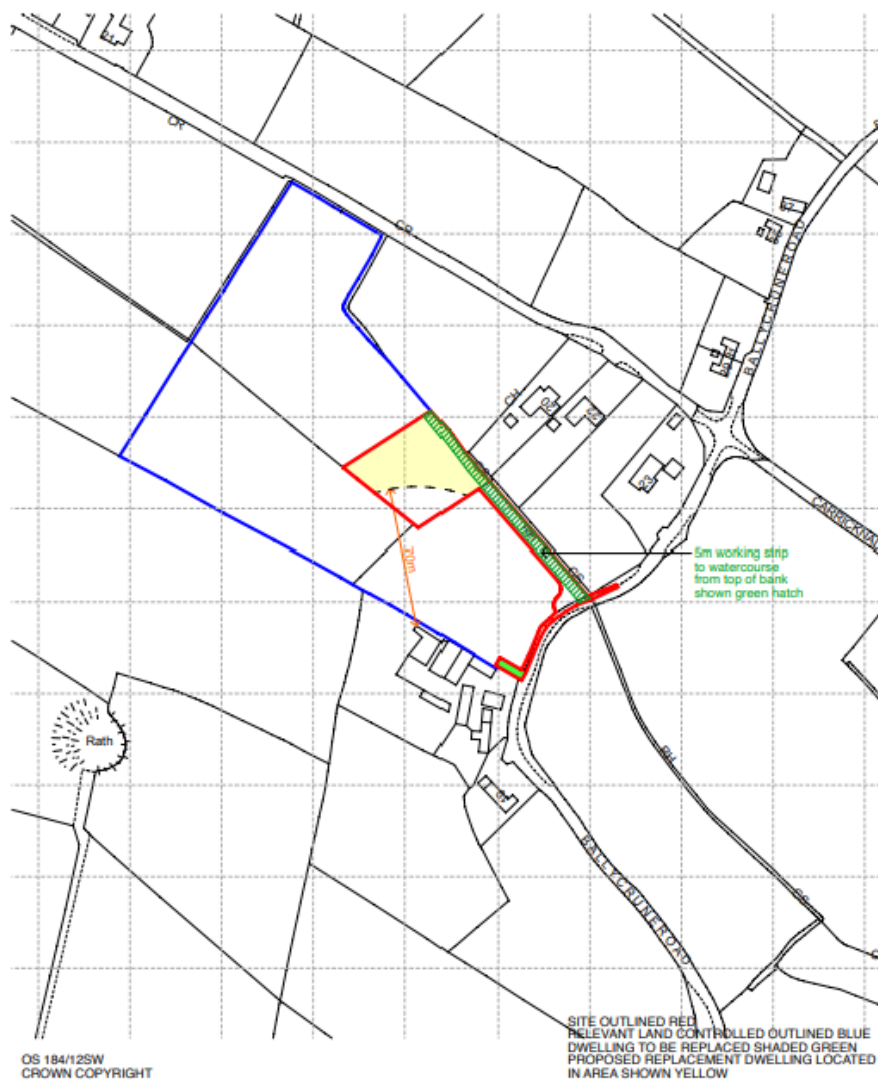
29. On review of the application in the interim and in light of recent PAC decisions the Council have included three further refusal reasons.
30. The application is presented to the Planning Committee with a recommendation to refuse in that the proposal is contrary to Policy COU3 Criteria A) ii) of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.
31. In addition, proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal is within an agricultural holding that is currently active and established for a minimum of 6 years.
32. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.

Refusal Reasons

33. The following refusal reasons are recommended:
1. The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
 2. The proposal is contrary to policy COU3 of the Lisburn and Castlereagh City Council Plan Strategy in that there is no building within the site that exhibits the essential characteristics of a dwelling.
 3. The proposal is contrary to Policy COU3 Criteria A) ii) of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that an alternative position nearby would result in amenity benefits.
 4. The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal is within an agricultural holding that is currently active and established for a minimum of 6 years.

5. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.

Site Location Plan – LA05/2024/0639/O



LISBURN & CASTLEREAGH CITY COUNCIL**Report of a Planning Committee Site Visit held at 3.20 pm on Tuesday, 28 April, 2026 on lands Approx 180m north of 19 Ballycrune Road, Hillsborough**

PRESENT: Alderman J Tinsley (Chair)
Alderman O Gawith
Councillors P Catney and D J Craig

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

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

LA05/2024/0639/O – Replacement dwelling and retention of existing dwelling (with alterations) as farm building on lands Approx 180m north of 19 Ballycrune Road, Hillsborough.

Apologies for non-attendance were submitted by the Vice Chair, Councillor G Thompson and Councillors J Lavery and A Martin.

This application had been presented for determination at the meeting of the Planning Committee held on 13 April 2026. The officer's recommendation had been to refuse planning permission given there was no building within the site that exhibits the essential characteristics of a dwelling and would be eligible for replacement.

The Head of Planning & Capital Development stated that the purpose of the visit was for Members to appraise themselves of the existing building to determine whether it exhibited the essential characteristics of a dwelling.

The Head of Planning & Capital Development, with the assistance of a site location plan, outlined proposed development in its context, highlighting to the Members the site boundary, location of the existing building and proposed dwelling and the relationship to adjacent properties.

Members observed the existing building and noted a pedestrian gate, chimney pot on the gable closest to the road, two door openings, window and large opening in front elevation, blocked up windows in rear elevation, internal wall with opening, blocked up chimney breast, chipped plaster on internal walls and timber lintels and door heads. The Principal Planning Officer took photographs of these features.

In response to Members' queries, the Head of Planning & Capital Development and the Principal Planning Officer advised:

- The existing building should exhibit the characteristics of a dwelling and as such the blocked-up features could not be considered as characteristics if the building has been adapted over time for a different use
- There were historical records of a dwelling at the site but the building appeared to have been adapted as an agricultural store and the Members should carefully weigh all the evidence where two opposing views are expressed
- The reason given for locating the proposed replacement dwelling off-site was principally due to noise and smell from the neighbouring farm, however, at the time of the site visit machinery was being operated and animals were housed in the neighbouring sheds. It was not obvious that there was a significant impact from noise and odour to justify the building being replaced off-site. The Head of Planning and Capital Development committed to review the case and to bring additional reports on the issue of the building being replaced off-site.

There being no further business, the site visit was terminated at 3.38 pm.

Lisburn & Castlereagh City Council

Committee Report	
Date of Committee Meeting	13 April 2026
Committee Interest	Local Application – Called In
Application Reference	LA05/2024/0639/O
Date of Application	03 September 2024
District Electoral Area	Downshire East
Proposal Description	Replacement dwelling and retention of existing dwelling (with alterations) as farm building
Location	Approx 180 metres north of 19 Ballycrune Road Hillsborough
Representations	0
Case Officer	Joseph Billham
Recommendation	Refusal

Summary of Recommendation

1. This application is categorised as a local planning application and is presented to the Committee in accordance with the Protocol for the Operation of the Planning Committee in that it has been called in.
2. it is recommended for refusal in that the proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not an acceptable form of development in the countryside.
3. In addition, the proposal is contrary to policy COU3 of the Lisburn and Castlereagh City Council Plan Strategy in that there is no building within the site that exhibits the essential characteristics of a dwelling and would be eligible for replacement.

Description of Site and Surroundings

Site

4. This 0.25 hectare site located on the northern side of the Ballycrune Road and is a square shaped plot cut out of a larger agricultural field. Within the site is a small rectangle building that fronts the road
5. The building is single storey with a tradition pitched roof and has a number of openings on both front and rear elevations. The openings include a single doorway, large opening, partial blocked up doorway and windows. The finishes include stone walls, red brick, block walls and corrugated iron sheeting roof. Some of the windows opening have wooden surrounds.
6. The topography of the land is relatively flat land overall.
7. The site is bounded along the Ballycrune Road with partial stone random stone rubble wall, entrance pillars and native hedgerow. The building subject of the application is bounded by an existing farmyard and buildings to the south. The siting of the site is set back from the roadside and is bounded by mature hedgerow to the north, south and east. The northwest boundary remains undefined and is part of a larger agricultural field.

Surroundings

8. The site is located within a rural area. North, west and south of the site comprise of open agricultural fields. East of the site lies a number of detached dwellings that include Nos. 20 and 22 Carricknadarrieff Road which are both detached rural bungalows.

Proposed Development

9. The proposal is for a 'replacement dwelling and retention of existing dwelling (with alterations) as farm building'.

Relevant Planning History

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

Reference Number	Description	Location	Decision
LA05/2017/1137/O	Proposed Replacement Dwelling	70m north of 19 Ballycrune Road Hillsborough	Permission Refused
LA05/2019/1301/O	Erection of replacement dwelling house and garage and conversion of existing dwelling house to stable to loose box.	70m north of 19 Ballycrune Road Hillsborough	Permission Refused

Consultations

11. The following consultations were carried out:

Consultee	Response
DFI Roads	No objections
LCCC Environmental Health	No objections
NI Water	No objections
NIEA	No objections
DFI Rivers	No objections

Representations

12. There have been no letters of objection received during the processing of the planning application.

Local Development Plan

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

Plan Strategy 2032

14. It is stated at 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.

15. In accordance with the transitional arrangements the existing Local Development Plan is the Plan Strategy and the Lisburn Area Plan 2001 (LAP). Draft BMAP remains a material consideration.
16. The site is located in the countryside in LAP and at page 49 it states:
- that the Departments regional development control policies for the countryside which will apply in the Plan area are currently set out in the various Planning Policy Statements published to date.*
17. In the last revision to draft BMAP in 2014 this site is also identified was located in the open countryside.

18. 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.

19. 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.

20. This application is for new housing in the open countryside. The strategic policy for new housing in the countryside [Strategic Policy 09] states:

The Plan will support development proposals that:

- (a) provide appropriate, sustainable, high quality rural dwellings, whilst protecting rural character and the environment*
- (b) resist urban sprawl in the open countryside which mars the distinction between the rural area and urban settlements*
- (c) protect the established rural settlement pattern and allow for vibrant sustainable communities.*

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

22. The proposal is for new residential development in the open countryside. Policy COU 1 – Development in the Countryside states:

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

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

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

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

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

23. This is an application for a replacement dwelling and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU3, COU15 and COU16 of the Plan Strategy.

Replacement Dwellings

24. Policy COU3 – Replacement Dwellings states:

Planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. For the purposes of this policy all references to ‘dwellings’ includes buildings previously used as dwellings.

In cases where a dwelling has recently been destroyed, for example, through an accident or a fire, planning permission may be granted for a replacement dwelling. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Non-Listed Vernacular Buildings

The retention and sympathetic refurbishment, with adaptation, if necessary, of non-listed vernacular dwellings in the countryside will be encouraged in preference to their replacement in accordance with policies COU4 and HE13.

In all cases where the original dwelling is retained, it will not be eligible for replacement again. Equally, this policy will not apply where planning permission has previously been granted for a replacement dwelling and a condition has been imposed restricting the future use of the original dwelling, or where the original dwelling is immune from enforcement action as a result of non-compliance with a condition to demolish it.

Replacement of Non-Residential Buildings

Favourable consideration will be given to the replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality. Non-residential buildings such as domestic ancillary buildings, steel framed buildings designed for agricultural purposes, buildings of a temporary construction and a building formerly used for industry or business will not be eligible for replacement under this policy.

In addition to the above, proposals for a replacement dwelling will only be permitted where all of the following criteria are met: a) the proposed replacement dwelling must be sited within the established curtilage of the existing building, unless either (i) the curtilage is so restricted that it could not

reasonably accommodate a modest sized dwelling, or (ii) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits; b) the overall size of the new dwelling must not have a visual impact significantly greater than the existing building; c) the design of the replacement dwelling should be of a high quality appropriate to its rural setting.

Integration and Design of Buildings in the Countryside

25. 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

26. Policy COU16 – Rural Character and other Criteria states:

In all circumstances proposals for development in the countryside must be in accordance with and must not cause a detrimental change to, or further erode the rural character of an area.

A new development proposal will be unacceptable where:

- a) *it is unduly prominent in the landscape*
- b) *it is not sited to cluster with an established group of buildings*
- c) *it does not respect the traditional pattern of settlement exhibited in that area*
- d) *it mars the distinction between a settlement and the surrounding countryside, or otherwise results in urban sprawl*
- e) *it has an adverse impact on the rural character of the area*
- f) *it would adversely impact on residential amenity*
- g) *all necessary services, including the provision of non mains sewerage, are not available or cannot be provided without significant adverse impact on the environment or character of the locality*
- h) *the impact of ancillary works (with the exception of necessary visibility splays) would have an adverse impact on rural character*

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

Habitats, Species or Features of Natural Heritage Importance

27. While the existing building is being retained it has bat roost potential. It is stated at policy NH5 Habitats, Species or Features of Natural Heritage Importance that:

Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known: a) priority habitats b) priority species c) active peatland d) ancient and long-established woodland e) features of earth science conservation importance f) features of the landscape which are of major importance for wild flora and fauna g) rare or threatened native species h) wetlands (includes river corridors) i) other natural heritage features worthy of protection.

A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.

Waste Management

28. A septic tank is proposed to deal with the effluent from the proposed dwelling. Policy WM 2 - Treatment of Wastewater states:

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

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

Access and Transport

29. The proposal involves the construction of a new access to the public road. Policy TRA2 – Access to Public Roads states:

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

- a) *it will not prejudice road safety or significantly inconvenience the flow of*

- vehicles; and,
 b) *it does not conflict with Policy TRA3 Access to Protected Routes.*

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

30. The justification and amplification states:

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

Flooding

31. An undesignated watercourse is located along one boundary of the site. 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.

RE2 Integrated Renewable Energy

32. New residential development proposals should integrate renewable energy technology into the 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.

Justification and Amplification

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

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

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

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

Regional Policy and Guidance

Regional Policy

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

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

34. It is stated a paragraph 1.8 and 1.9 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.

35. 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.

36. 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.

37. It is further stated at paragraph 6.78 of the SPPS that:

supplementary planning guidance contained within Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside must be taken into account in assessing all development proposals in the countryside.

38. It is stated at paragraph 6.232:

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

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

Retained Regional Guidance

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

Building on Tradition

41. Paragraph 5.1.3 of Building on Tradition states that:

Replacement projects can help to reinvigorate our rural landscape through the sensitive redevelopment of the historic footprints of long-established buildings. Sites for replacement projects can prove an attractive option for building in the countryside as they will generally have key services in place in terms of access, water and power etc. but will also have well established mature boundaries that will already have achieved a strong visual linkage with the landscape. Renewing development on these sites reinforces the historic rural settlement pattern.

42. At paragraph 5.2, it provides basic rules for replacement dwellings as follows:

The replacement dwelling should generally be placed as close as possible to the footprint of the original house, unless significant benefits are apparent in terms of visual and functional integration.

The replacement dwelling should be of a form and scale that integrates well with the characteristics of the site. Replacement dwellings should not be of an excessive size in comparison to the original building or be located a significant distance away from the original footprint unless there are clear and evident benefits.

The proposal takes full advantage of the retention of established and mature landscape and boundary features and retains the discreet character of existing access points.

Use is made of recycled building materials in the new proposal.

43. It also notes with regards to visual integration that the following points be considered:
- Work with the contours (not against them)
 - Look for sheltered locations beside woodland
 - Make use of natural hollows
 - void full-frontal locations where bad weather can damage buildings
 - Avoid north facing sloping sites (difficult to achieve good passive solar gains)
 - Look for sites with at least two boundaries in situ and preferably three
 - Look for sites that face south (easy to achieve good passive solar gains).
44. It also includes design principles that have been considered as part of the assessment:
- Get the size and scale right relative to what is existing.
 - Understand and reflect the character and layout of the group in terms of the relationship between buildings and landscape.
 - Avoid the use of typical suburban features such as dormer and bay windows, porticos and pediments on the building and concrete kerbs, tarmac, blockwork walls, pre-cast concrete fencing and ornate gates and lampposts around the site.
 - Retain existing hedgerows, boundaries and mature vegetation.
 - Acknowledge building lines and informal setbacks.
 - Maximise rural landscape treatments such as gravelled lanes and driveways, grass verges and local native species for new planting.
45. With regards to wastewater treatment, Building on Tradition [page 131] states that

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

The site for the proposed apparatus should be located on land within the application site or otherwise within the applicant's control and therefore subject to any planning conditions relating to the development of the site.

Assessment

Replacement Dwellings

46. The first step of the policy test is to demonstrate that the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external walls are substantially intact.
47. The agent has submitted supporting information that includes a Griffith valuation, site photographs and table of characteristics analysis. The supporting information submitted by the agent indicates the characteristics of a dwelling includes the domestic door and window openings, individual rooms and a chimney.
48. The Griffiths valuation ledger and map submitted in support of the application details the history of the occupation of the building.
49. The record details that the proposal site is within the Parish of Annahilt in the Townland of Ballyrcune and itemised as site 1 with John McCherry as occupier and the tenement described as a house office and land.
50. Whilst it is acknowledged that the policy does state that building formerly used as dwelling will be eligible for replacement and the evidence from the Griffiths Valuation is not disputed the policy still requires an assessment of whether the building exhibits the essential characteristics of a dwelling.
51. Having visited the site and carried out an external and internal visual inspection the building does not exhibit the essential characteristics of a dwelling for the following reasons. The building does not have residential features including chimney, internal evidence of a chimney or fireplace. There is no chimney on the ridge of the building. The building does comprise of two rooms with no internal access between both rooms as internal doorway has been blocked up.
52. The floor of the building comprises of hardstanding and appears to be used for housing of livestock. There are a number of openings presents on site and windows on the front and rear elevation has been altered and blocked up with cement blocks which are not characteristic of a dwelling. On the front elevation facing the north there is a large open void doorway that appears agricultural in nature allowing access for housing animals.
53. In planning appeal 2019/A0254 the Commissioner stated

“The essential characteristics of a dwelling are not prescribed by the policy; however, it would not be unreasonable to expect to see a chimney, domestic scaled window and door openings, a chimney breast and some internal room divisions all of which would give a building the appearance of a dwelling.”

54. The agent within their supporting statement and supporting information have provided reference to two applications PAC Ref: 2023/A0028 and LA05/2021/0738/O.
55. Having reviewed the reports associated with the submitted evidence there is no reason to accept that appeal decision 2023/A0028 and planning permission LA05/2021/0728 sit on all fours with this proposal. The evidence of whether this building exhibits the essential characteristics of a dwelling has been considered on its own merits. The other decisions had buildings with a different form, character and appearance and are of limited assistance in determining this application.
56. A recent PAC decision 2024/A0075 provides useful direction on the characteristics of a dwelling. Paragraph 15 – 16 states that:

I acknowledge the Appellant's testimony at the hearing that the policy only requires that the fundamental tests, including the presence of substantially intact walls, and proof that the building had been a dwelling, have been met. However, contrary to his view, the Policy also requires that the building to be replaced exhibits the essential characteristics of a dwelling.

If there were internal walls or a chimney, they have now been removed, and the building's openings have been altered. What is evident from my site inspection is that the building has been adapted over the years for agricultural purposes. Having considered the evidence and from my on-site observations, even if I were to set aside the recent alterations to the openings along the front façade, taking the building as a whole, I judge that the appeal building does not exhibit the essential characteristics of a dwelling. Thus, I find that no replacement opportunity is present, and the proposal is contrary to Policy COU3. Thus, the Council's second reason for refusal is sustained.

57. The Council would hold the opinion that while the Griffiths valuation indicates the building on site has the tenements valuation of that of a house. On review of the historical and ortho maps there appears to be two buildings on site that includes the building subject of this application and another building at right angle to it. There is only one building in situ on site. It is not clear within the Griffith report which building it refers to. The building on site is considered to be used for agricultural purposes with a number of openings altered including a large open void doorway and a number of windows and doorway blocked up. The building therefore does not represent a replacement opportunity.
58. Taking all the above in consideration the use of the subject building for residential purposes has long been abandoned is considered the building is that of an agricultural building and has been altered with windows and internal door blocked up and large opening now present over the course of the time.

The building at present appears to be used as an agricultural building and is not considered to exhibit the essential characteristics of a dwelling.

59. There is also consistent with the previous history on the site for refusal of permission for a replacement dwelling under applications LA05/2017/1137/O and LA05/2019/1301/O (see history table above).
60. Without prejudice to the advice already offered and for completeness the other policy tests are considered.
61. Within the context of the additional criteria, upon site inspection it is evident that no curtilage exists. The site location plan is positioned north in the adjacent field. The agent within the supporting statement has indicated the siting is required to be 70m away from the existing farm complex due to EHO requirements to avoid adverse impact on residential amenity. The location of the site is considered to meet criteria a) ii) by way of an alternative position nearby would result in amenity benefits. Criteria a) is met.
62. The application is seeking outline permission, and the size of the dwelling will be assessed at reserved matters stage. However, given the sites location set back from the roadside and the existing mature boundaries in place the proposal shall not result in a visual impact significantly greater than the existing building. Criteria b) is not met.

The proposal is for outline permission, and a condition will be placed on any decision notice for the dwelling to be designed in accordance with the Design Guide Building on Tradition – A sustainable Design Guide for the Northern Ireland Countryside. No design details have been provided.

Integration and Design of Buildings in the Countryside

63. Turning then to policy COU 15 in terms of criteria (a), it is considered that the proposal would not be a prominent feature in the landscape. The site is set back 80m from the Ballycrune Road. A dwelling here shall have a backdrop of mature trees and would not be considered prominent in the landscape.
64. In terms of criteria (b) the siting of the dwelling is considered to cluster dwellings No 20 and 22 Carricknadarrieff that are sited north of the site. Criteria b) is considered to be met.
65. In regard to criteria c) the topography of the site is relatively flat land overall and does not consist of a top of slope location. The site is considered to blend with the landform and the existing boundary trees along the north boundary that provide a backdrop. Criteria c) is met here.
66. The northeast boundary comprises of mature trees and the west and southwest comprise of native hedgerow. The site does not lack long established natural boundaries as the north boundary comprises of mature trees. This will provide

a suitable degree of enclosure for the new building to integrate into the landscape.

67. In terms of criteria (e), the proposal would not rely primarily on the use of new landscaping for integration.
68. In terms of criteria (f), the appropriate condition will be applied to ensure the design of the building is appropriate for the site and its locality and designed in accordance with the Design Guide Building on Tradition. Further details relating to design are to be submitted at reserved matters.
69. In terms of criteria (g), any ancillary works such as the access and land around the development should integrate into the surroundings. The site location plan shows a new access that shall run unobtrusively alongside existing hedgerows along the north boundary. The application is at outline stage therefore full design details have not been provided for consideration. The proposal is seeking to use an existing access and DFI Roads have been consulted and offered no objections.

Rural Character and other Criteria

70. In terms of policy COU16, in terms of criteria (a), it is considered that the proposal would not be unduly prominent in the landscape.
71. Criteria (b) has been explained in paragraph 66 above the proposal shall cluster with an established group of buildings.
72. In terms of criteria (c), the proposal would respect the traditional pattern of settlement exhibited within the area. In the event of approval, the curtilage size will be restricted to the red line boundary.
73. It is considered that a dwelling at this site is capable of being developed so as to respect the pattern of development. Within the surrounding area there are several long-detached dwelling plot sites that include No 21 Ballyrcune Road and No 20 and 22 Carricknadarriff Road. Criteria c) is capable of being met.
74. In terms of criteria (d), the proposal does not mar distinction between a settlement and surrounding countryside. The site is sufficiently removed from any surrounding settlement limit. Criteria d) is met.
75. The proposal shall not have an adverse impact on the rural character of the area. Criteria e) is met.
76. As the proposal is for outline permission no details have been provided. The closest dwelling is No 20 Carricknadarriff Road and has a separation from the site boundary to the rear elevation of 37.5m. Taking into consideration the mature boundary treatments along the northeast and west boundary that shall be conditioned to be retained shall mitigate any overlooking concerns in event

of approval. The proposal shall not have an adverse have an adverse impact on residential amenity. Criteria f) is met.

77. The application form states that the proposed method of sewerage disposal is by treatment plant.
78. Water Management Unit and EHO have both been consulted on the proposal and have raised no objections to the proposal. Further details of this shall be provided at reserved matters stage.
79. In terms of criteria (h), it is considered that the impact of any ancillary works would not damage rural character.
80. A new access laneway is being proposed here. DfI Roads have been consulted and offered no objections. Criteria (i) is met here.

Natural Heritage

81. Policy NH5 makes provision for ensuring that development does not harm or have a negative impact on any natural heritage or conservation.
82. The existing building is proposed to be retained as farm building. Further details are required at reserved matters stage showing the existing building being retained. The agent has provided a Biodiversity Checklist and Bat Roost Potential Survey and a Bat Activity Survey. NIEA have been consulted and replied stating:

NED is content that the proposed development is unlikely to significantly impact protected or priority species or habitats. NED notes that the Bat Survey has indicated that no bats were recorded emerging or re-entering the building, 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 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.

83. It is accepted that the proposal would not result in demonstrable harm being caused to any features of natural heritage importance and as such, the policy requirements of policy NH 5 of Plan Strategy is met.

Access, Movement and Parking

84. The detail provided within the application form and drawings illustrates that the scheme proposes to use a new access and laneway to public road.
85. It is noted that the Ballycrune Road is not a Protected Route. As such Policy TRA 2 is engaged. DfI Roads have been consulted and offer no objections to this development, subject to standard conditions. It is therefore contented that Policy TRA 2 and section a) is complied with. No issues of concern shall arise with respect to road safety or the flow of traffic.

Policy WM2 - Waste Management

86. Detail submitted with the application indicates that source of water supply will be from mains and surface water disposed of existing watercourse. DFI Rivers have been consulted and offered no objections. Foul sewage is being handled through package treatment plant.
87. Advice from Water Management Unit refers to standing advice and explains that the onus is on the applicant to ensure that all other regulatory consents are in place. NIW raised no objections to the proposal.
88. Consideration of flood risk is included as a criteria for assessment in policy WM 2. The site is not located with an area of flood risk on the rivers agency mapping system. The river agency maps indicate flood area is not within the red line of the site. DFI Rivers have been consulted and offered no objections
89. Based on a review of the information and advice received from consultees, the requirements of Policy WM2 of the Plan Strategy are complied with.

Planning and Flood Risk

90. River's agency offered no objection to the proposal for a replacement dwelling.
91. It is highlighted for the undesignated watercourse running along the boundary with the access and lane that a working strip can be provided in accordance with the requirements of policy FLD2.
92. It should be noted that NI Water, EHO and NIEA Water Management Unit have no objection to the proposal.
93. It is considered that the proposal complies with policy for the reason outlined above.

RE2 Integrated Renewable Energy

94. The application is for outline permission, and no design details have been provided at this stage. It is considered further detail shall be provided at reserved matters stage. The proposal shall be able to provide renewable

energy technology that shall be submitted at building control stage relating to energy efficient materials and techniques.

95. Should other renewal energy proposals come forward once the dwelling is built, the applicant has an opportunity to use the permitted development to integrate renewable energy and low carbon technologies. For these reasons it is considered that the proposal is capable of meeting the requirements of policy RE2.
96. The requirements of paragraph 6.232 of the SPPS Edition 2 have been considered against the requirements of policy RE2 of the Plan Strategy. No additional requirements apply.
97. It is considered the development proposal would integrate renewable energy technology within the design and materials that shall be confirmed at reserved matters stage. The proposal shall not have an adverse impact on any visual or amenity elements. Further details shall be provided at reserved matters stage. The proposal is considered to comply with Policy RE2.

Conclusions

98. As the building does not exhibit the essential characteristics of a dwelling it is not eligible for replacement, and this is consistent with a previous history of refusal for a replacement dwelling.

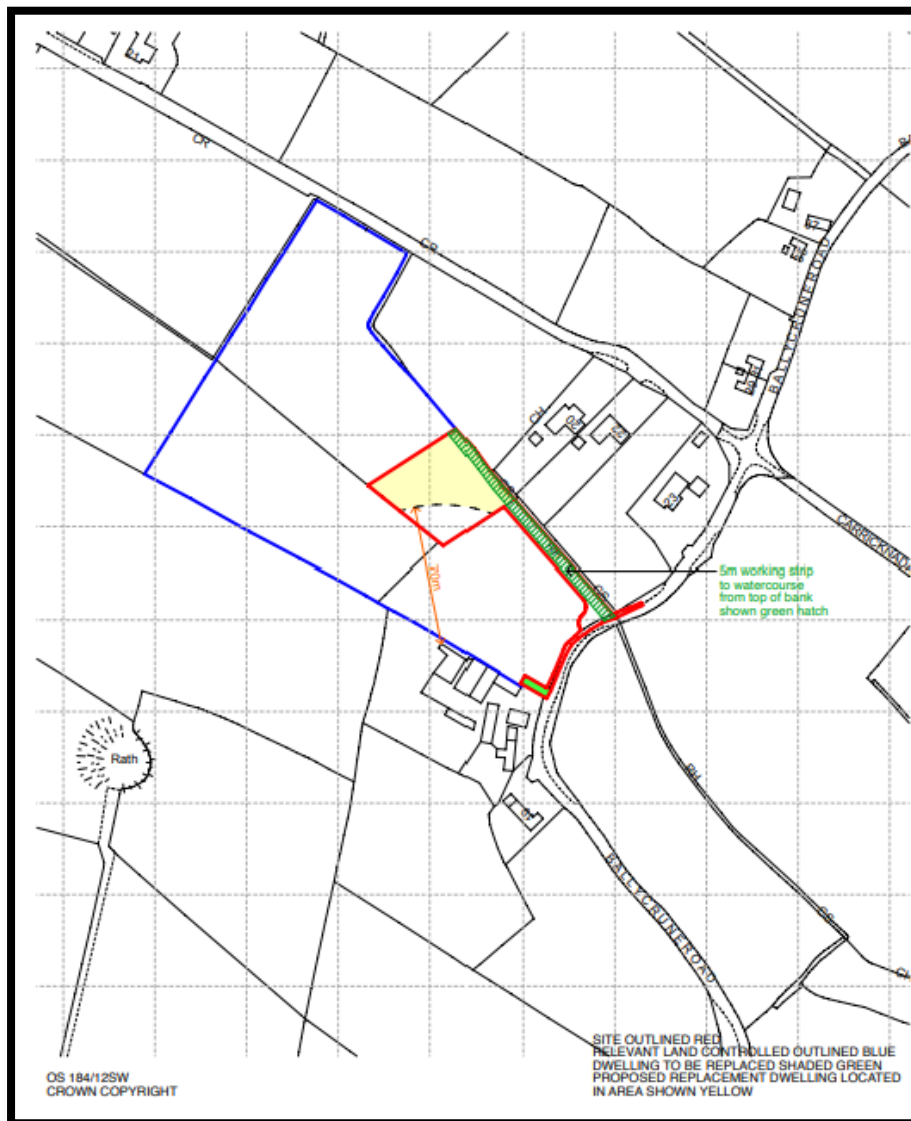
Recommendations

99. It is recommended that planning permission is refused.

Refusal Reasons

100. The following refusal reasons are recommended:
 1. The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
 2. The proposal is contrary to policy COU3 of the Lisburn and Castlereagh City Council Plan Strategy in that there is no building within the site that exhibits the essential characteristics of a dwelling.

Site Location Plan – LA05/2024/0639/O





Appeal Decision

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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 th January 2026
Decision by:	Commissioner Gareth McCallion, 2 nd February 2026

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 11th 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 490m², compared to approximately 468m² 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/m³ 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/m³, 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/m³ 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 29th 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 5th 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 5th November 2024 and the Nutrient Management Plan (Nitrates Programme Support), stamped dated by the planning authority 12th 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 11th 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 8th 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 14th 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:

Drawing/Report Ref:	Appellant's Title:	Stamped Date of Decision:
01	Location Plan	28 th July 2025
02C	Proposed Site Plan	28 th July 2025
03A	Proposed Floor Plans and Elevations	28 th July 2025
PAC 1	Odour Impact Assessment	11 th December 2025
PAC 2	Noise Impact Assessment	8 th December 2025
PAC 3	Pest Management Plan	14 th 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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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 490m², and aerial photography of the existing sheds in March 2025 with a total area of approximately 468m². 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)¹ 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 Act¹. 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)² sets out how planning policies should be applied.

Annex A of the SPPS² 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 SPPS² 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.*”

¹ 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>

² 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

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 Planning³.

³ 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 98th 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 document⁴ for Local authorities around odour investigation and control. Page 8 of the DEFRA Odour guidance⁴ 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_E) and the emission rate can be determined as European odour units per cubic metre of air (ou_E/m³) or in ou_E/m²/s depending on the source of emission.

⁴ 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

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 FIDOL⁵ 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 IAQM³, “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

Frequency	How often an individual is exposed to odour
Intensity	The individual’s perception of the strength of the odour
Duration	The overall duration that individuals are exposed to an odour over time
Offensiveness	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.
Location	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 IAQM³ 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 IAQM³ 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.

⁵ 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 IAQM³ 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

High Sensitivity Receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • Users can reasonably expect enjoyment of a high level of amenity; and • 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.
<p>Examples may include residential dwellings, hospitals, schools / education and tourist / cultural.</p>	
Medium Sensitivity Receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • 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 • 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.
<p>Examples may include places of work, commercial / retail premises, and playing / recreation fields.</p>	
Low Sensitivity Receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • The enjoyment of amenity would not reasonably be expected; or • 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.
<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 planning³.

3.2.5 ASSESSMENT CRITERIA

According to the IAQM odour guidance³, 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 guidance³ 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 guidance³ 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 98th 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 IAQM³ 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 ³)	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 guidance³ 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"> • Processes involving decaying animals or fish • Processes involving septic effluent or sludge • Biological landfill odours 	1.5
Moderately Offensive Odours <ul style="list-style-type: none"> • Intensive livestock rearing • Fat frying (food processing) • Sugar beet processing • Well aerated green waste composting 	3.0
Less offensive odours; <ul style="list-style-type: none"> • Brewery • Confectionery • Coffee roasting • Bakery 	6.0

For the purposes of assessing odorous emissions from the cattle shed, the odour target value of C_{98} , 1-Hour ≤ 3 ou/m³ will be adopted at the nearest sensitive receptor.

To put these guidelines into context, an odour threshold of 1ou/m³ 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/m³. Furthermore, odour concentration of between 5 and 10 ou/m³ above background will give rise to a faint odour and concentrations greater than 10ou/m³ constitute a distinct odour and are likely to give rise to nuisance complaints.

Odour assessments are commonly compared to the 98th percentile of hourly averages. For a typical meteorological year, the dispersion model predicts 8,760 hourly concentrations for each receptor location. The 98th 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 ²
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/m²/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 al⁶, was deemed as providing appropriate odour emissions from cattle slurry in ou/m²/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_E/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_E/s/m² 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 ²)	Assumed Slatted Area (m ²)	Odour Emission Rate (ou/(m ² /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.

⁶ 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 Reports⁷ 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.

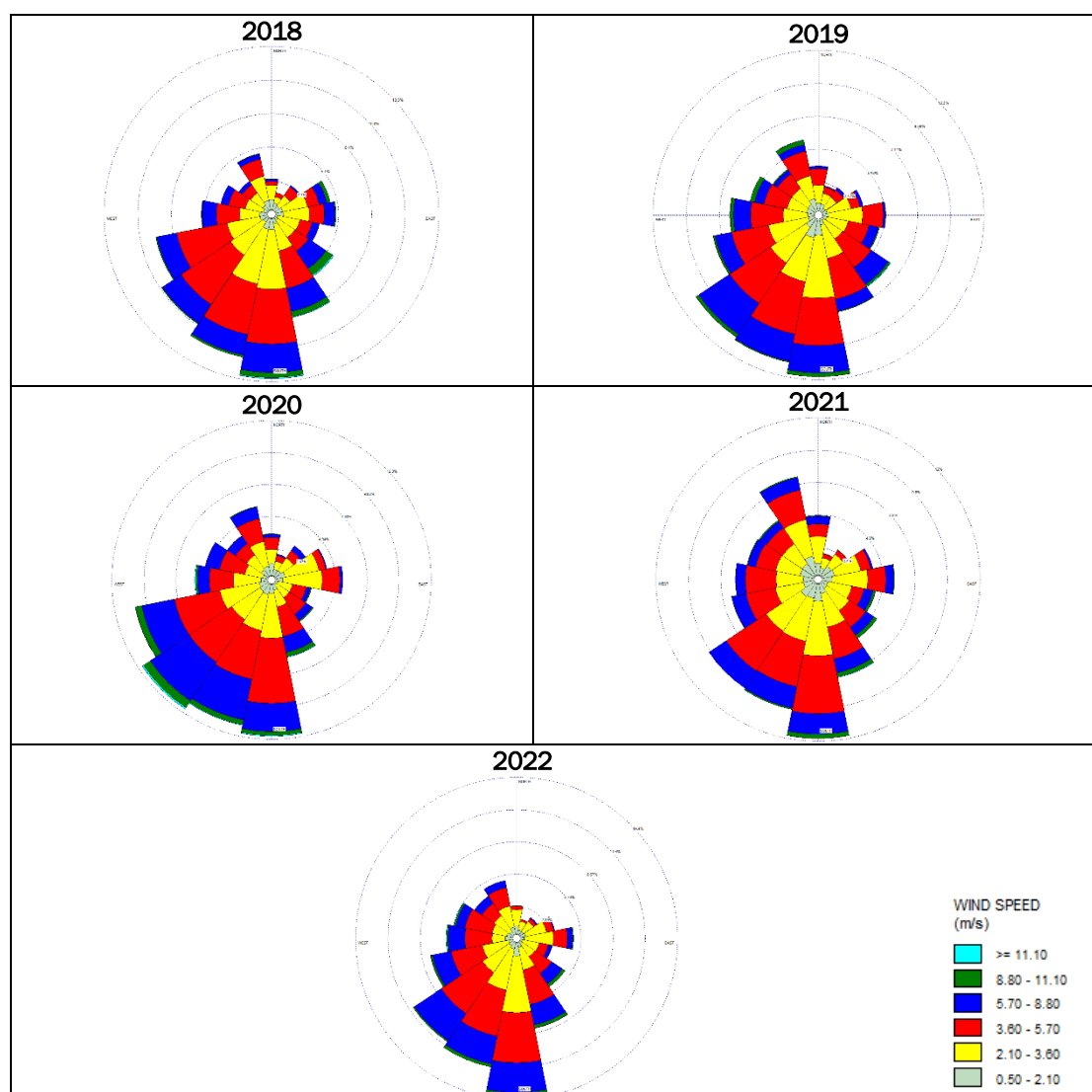
The corresponding meteorological datasets for the assessment have been acquired from Lakes Environmental who utilise the Weather Research and Forecasting (WRF) model, a mesoscale numerical weather prediction system designed for both atmospheric research and operational forecasting applications to generate 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.

⁷ 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 (ou_E/m^3).

Table 9: 98th 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 98th 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 th Percentile Hourly Mean Concentration (ou _E /m ³)		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.

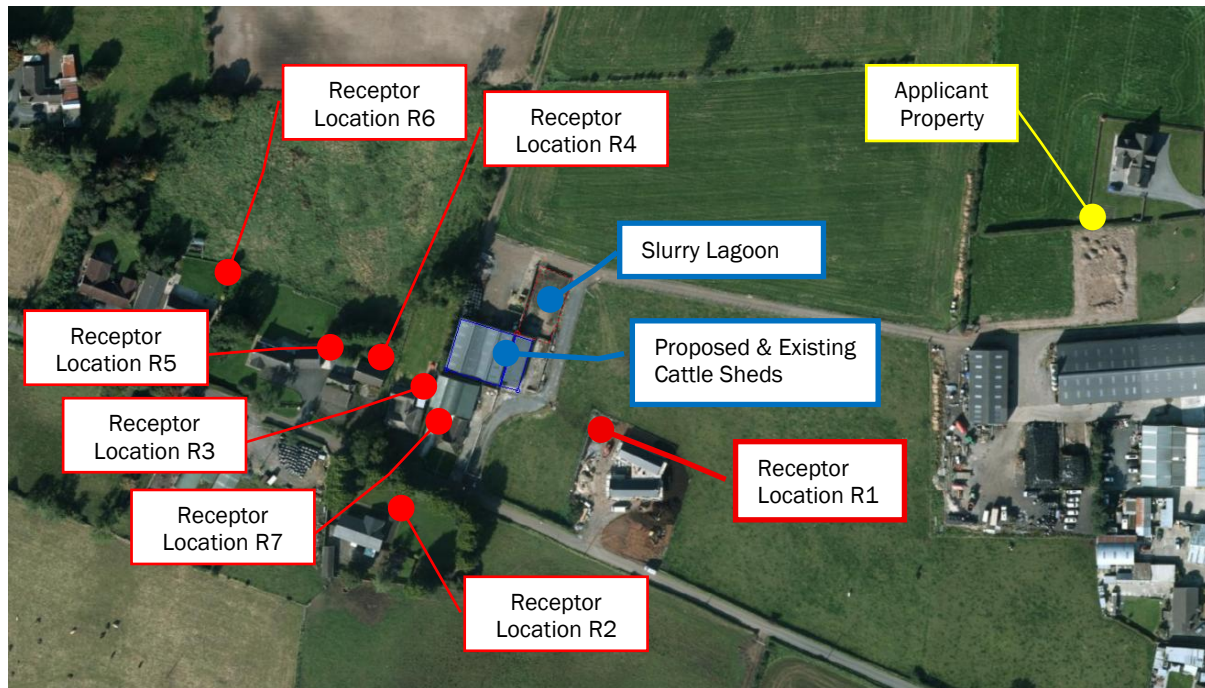
The maximum ground level odour concentration is predicted to be primarily confined to the immediate environs of the proposed shed, where calves will only be housed.

The maximum 98th 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 ²	149.8m ²	401m ²
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 ²)	Assumed Slatted Area (m ²)	Odour Emission Rate (ou/(m ² /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 Document⁸ 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 Agency⁹, 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/m²/s.

⁸ 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)

⁹ 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 ²)	Assumed Slatted Area (m ²)	Odour Emission Rate (ou/(m ² /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_E/m³).

Table 14: 98th 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_E/m³ when considered as individual years and as a 5-year average of the 98th 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 th Percentile Hourly Mean Concentration (ou _E /m ³)		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: # Receptors: Actions ▾

Grid Settings | **Generated Receptors**

Bounding Box

Origin (SW Corner) (X, Y): [m]

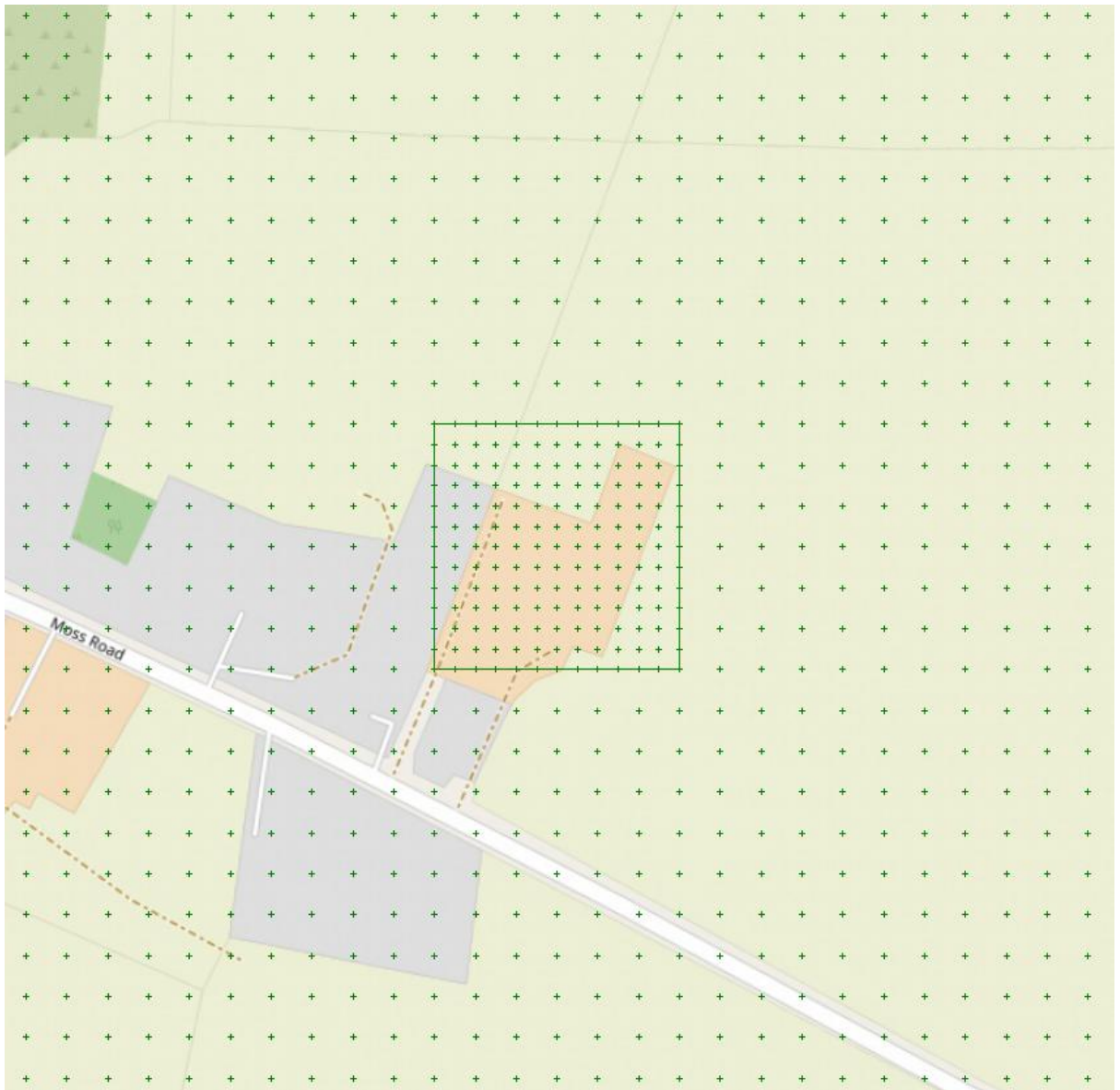
Size (Width, Height): [m]

Receptor Spacing: [m]

Nested Grids

#	Distance from Bounding Box [m]	Receptor Spacing [m]
1	100.00	10.00

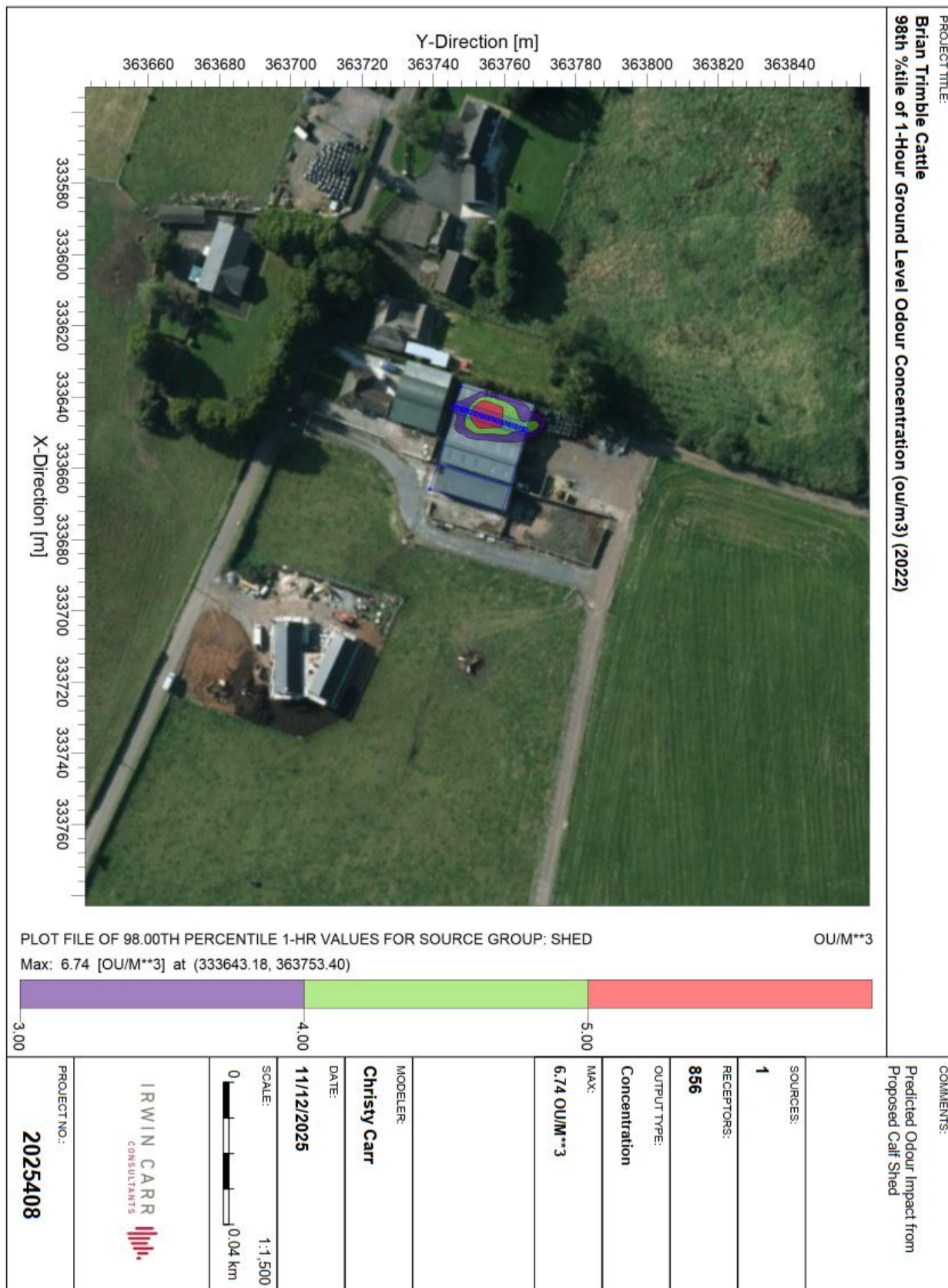
Figure 3: Graphical Representation of Nested Grid Receptors

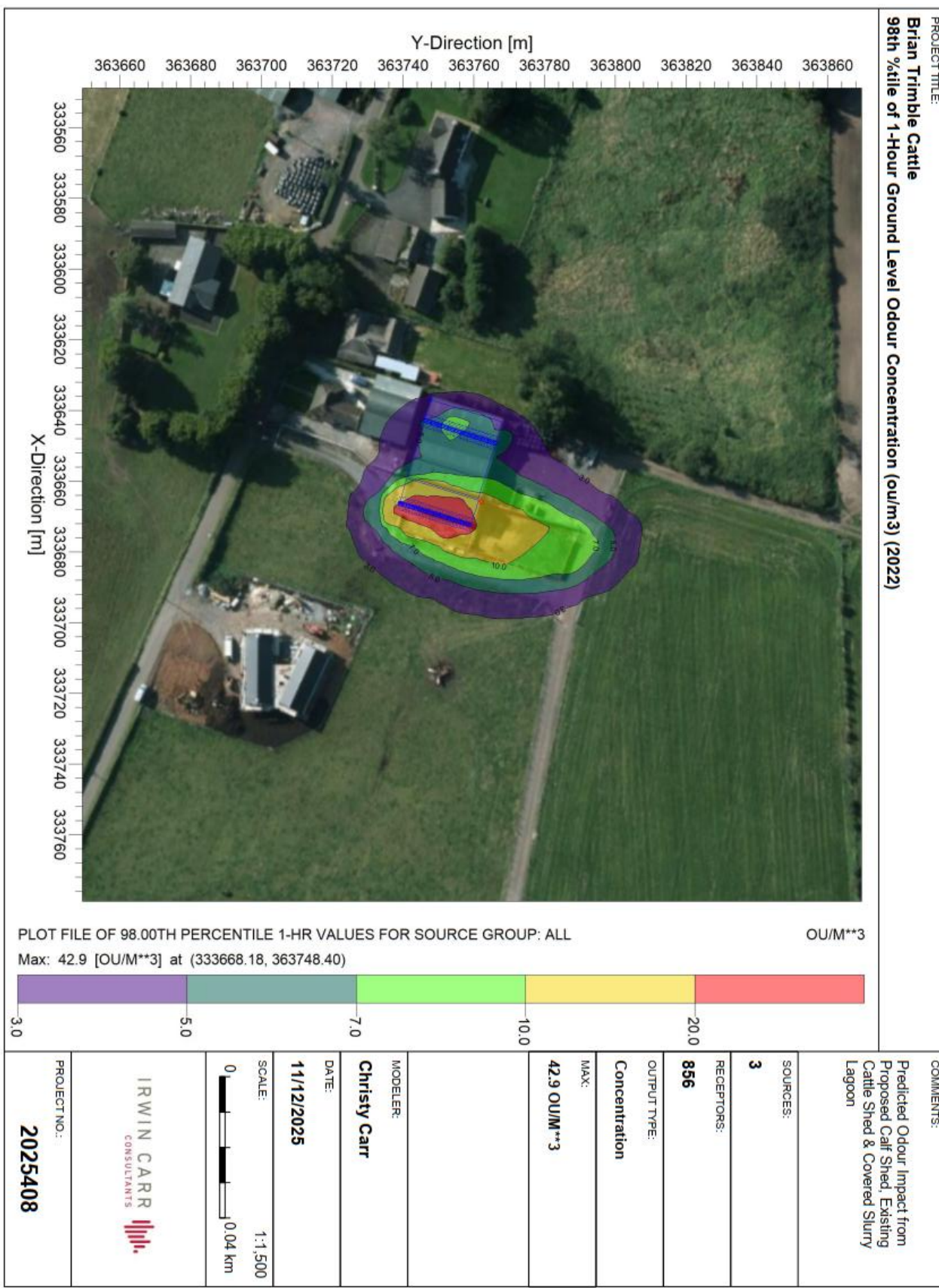


The Figures above provide the inputs of the Nested Grid Receptor that was used to produce the odour contour/ plumes in the vicinity of the site, as provided in Appendix D.

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

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 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

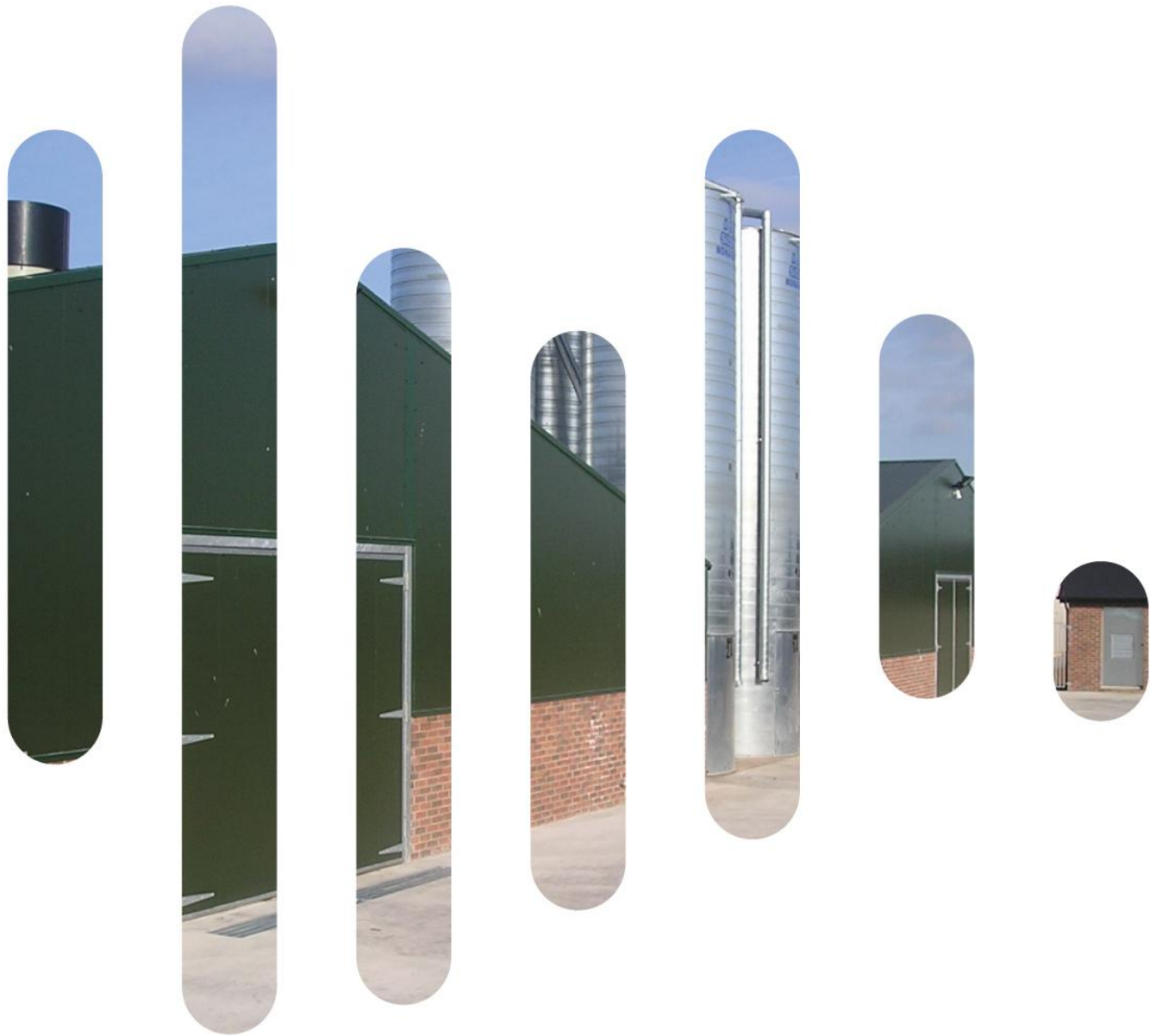
APPENDIX F COMPARISON WITH PREVIOUS LIVESTOCK SHEDS

Figure A1: Previous Livestock Sheds – April 2020



Figure A2: Existing Livestock Sheds – March 2025





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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BT36 5JP

ATTENTION: THOMAS BELL

REPORT NO.: RP001N 2025408

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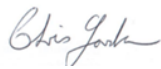

Status:	Rev:	Comments	Date:	Author:	Reviewer:
Final	1.4		8 December 2025	Dr Chris Jordan 	Shane Carr 

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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 490m², and aerial photography of the existing sheds in March 2025 with a total area of approximately 468m², of which approximately 102m² 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

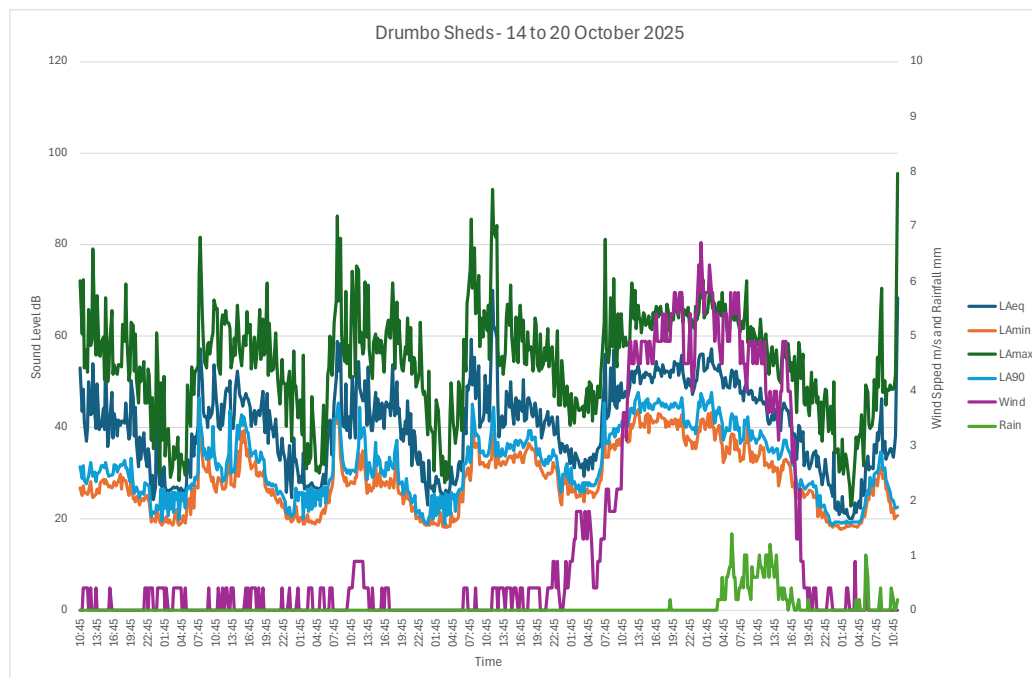
Location (Irish Co-ordinate System)	
Noise Monitoring Location	333835 363680

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

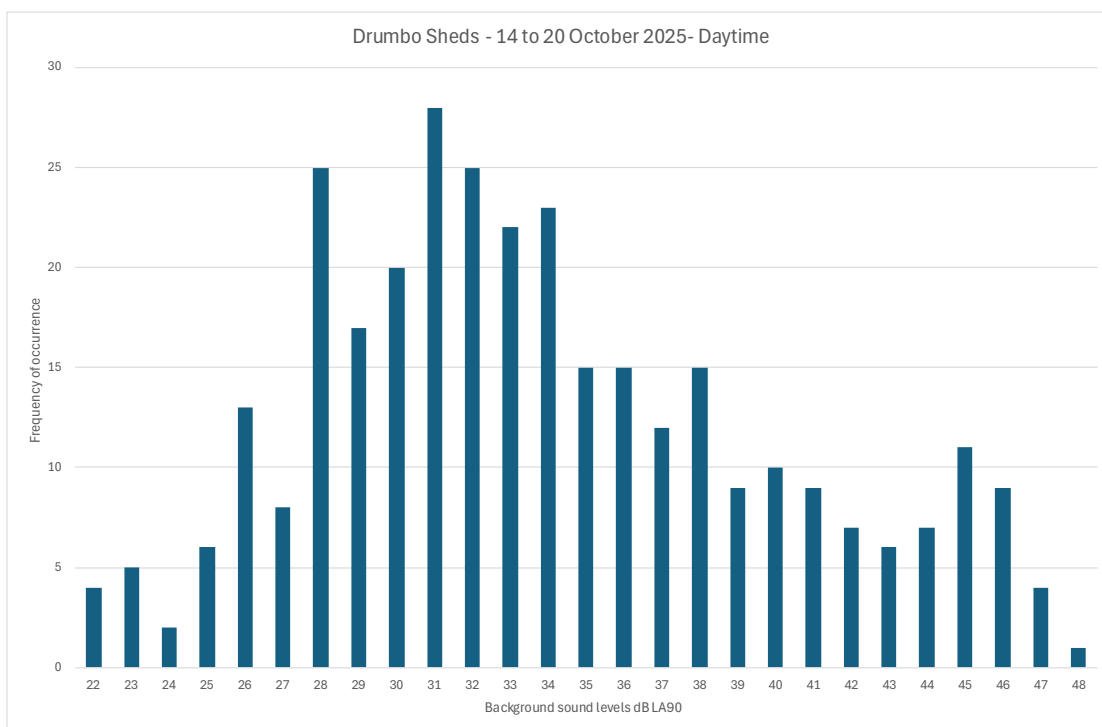


4.2 Background Sound Level

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.

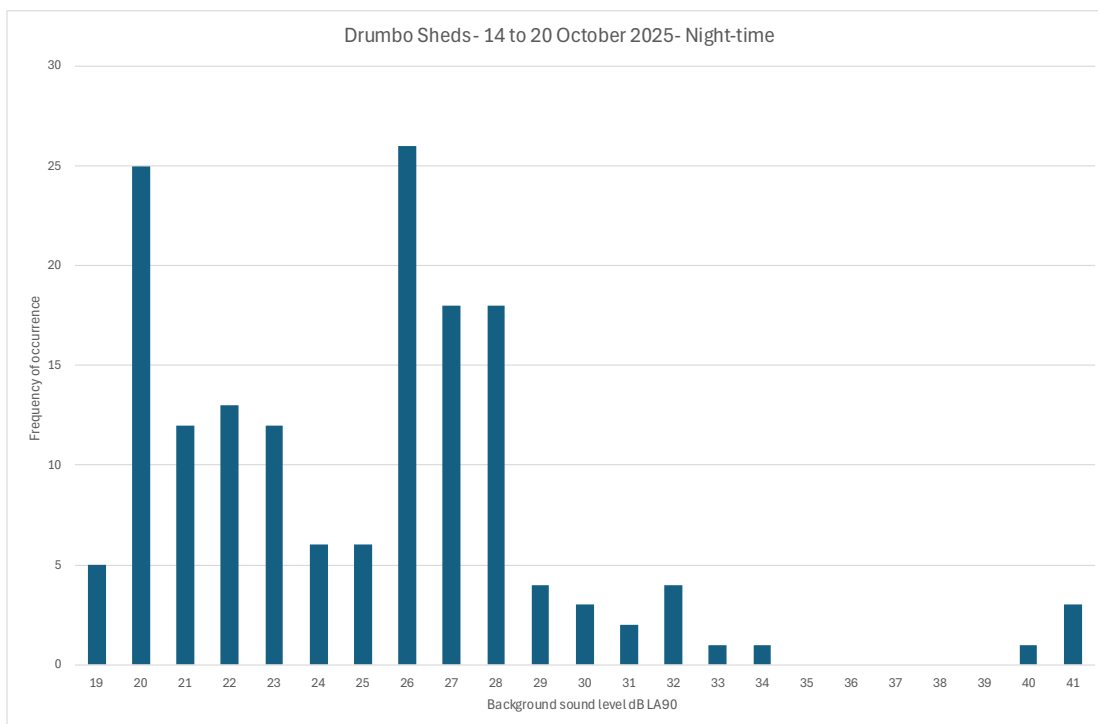
The results are shown below, where the measured background levels are shown as per the frequency of each occurrence. The results are presented for daytime and night-time in Figures 2 and 3 respectively.

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



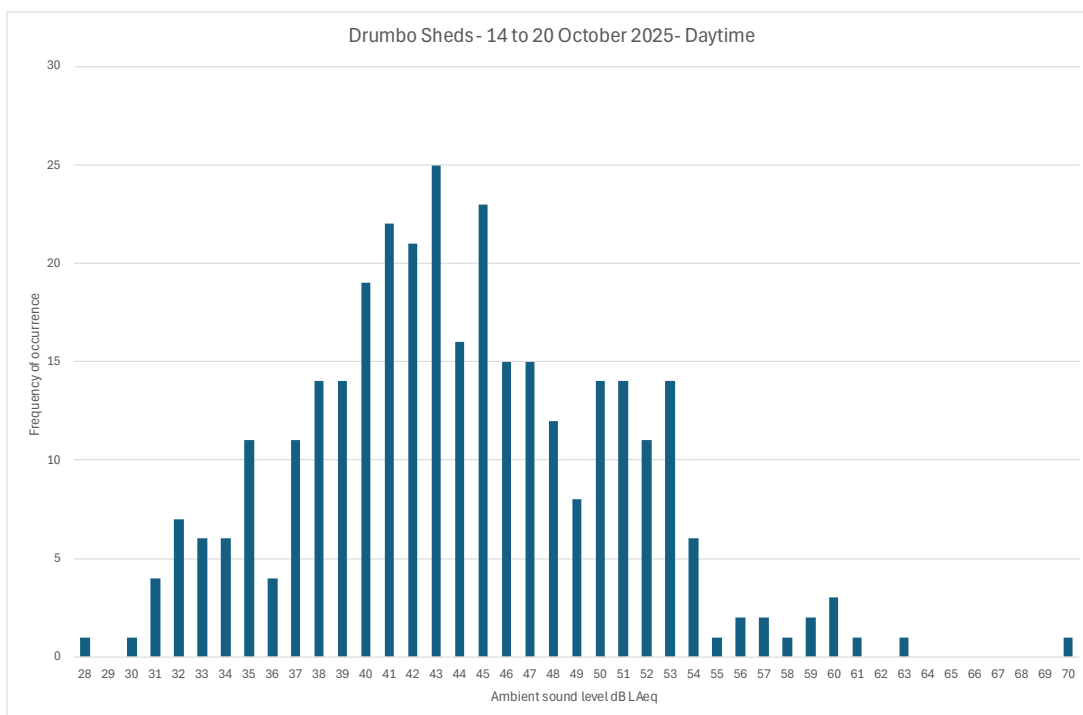
The night-time mean was 24.5 dB LA90, the mode 26 dB LA90 and median 25.2 dB LA90. Based on analysis of the data presented in Figure 3 and guidance from BS 4142:2014, **26 dB LA90** has been chosen as robust and representative background noise levels for the night-time period as it lies centrally within 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.

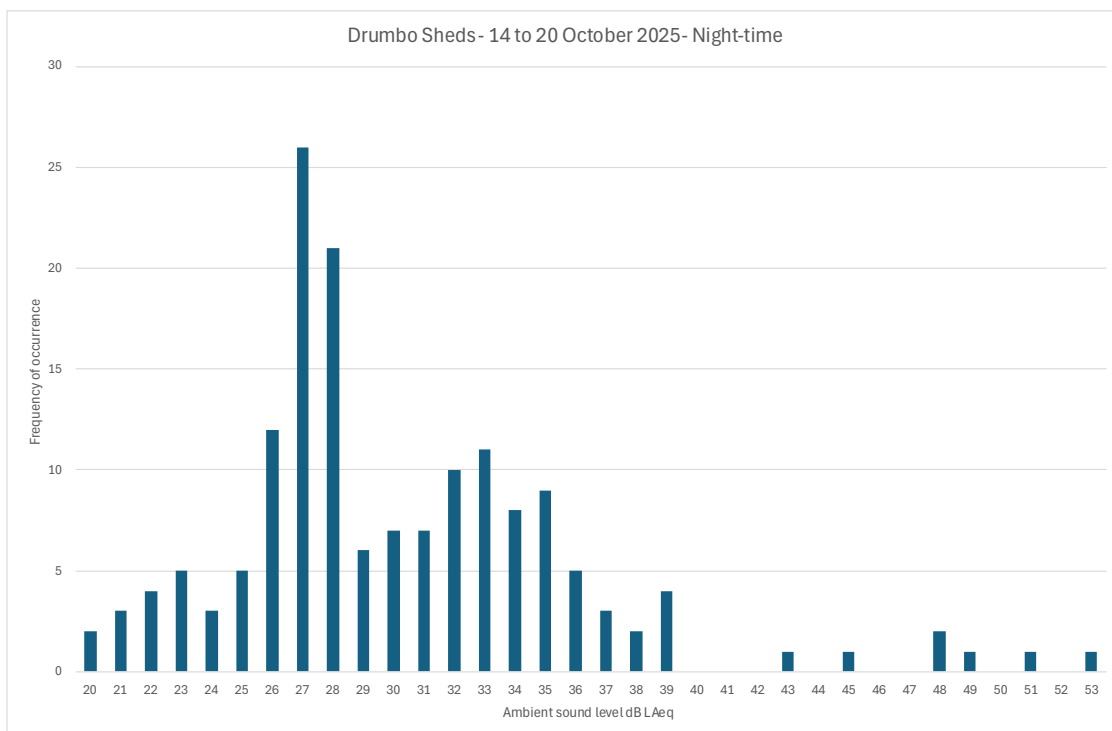
The results are shown below, where the measured ambient levels are shown as per the frequency of each occurrence. The results are presented for daytime and night-time in Figures 4 and 5 respectively.

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 _{Aeq} , 1hr/15min	
	Daytime L _{Aeq} , 1hr	Night-time L _{Aeq} , 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.

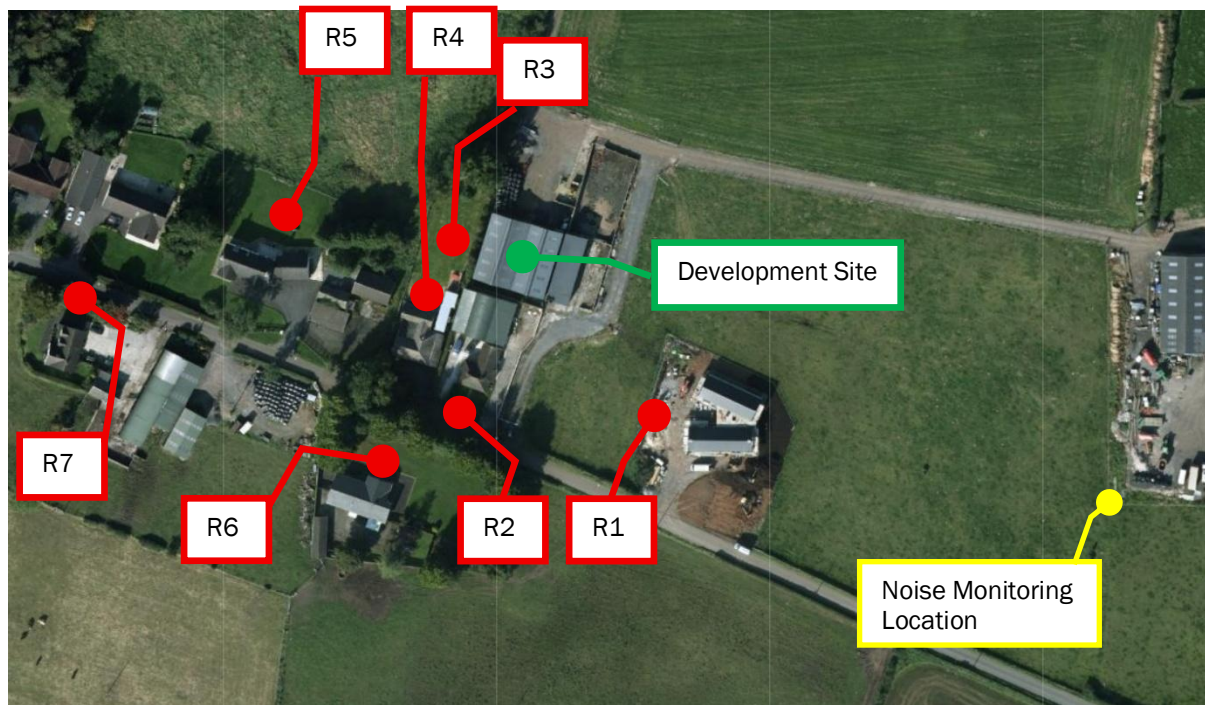
The predicted noise levels at each of the nearest sensitive receptors were assessed against BS 4142:2014 limits and WHO/BS8233 recommended noise levels.

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.”*

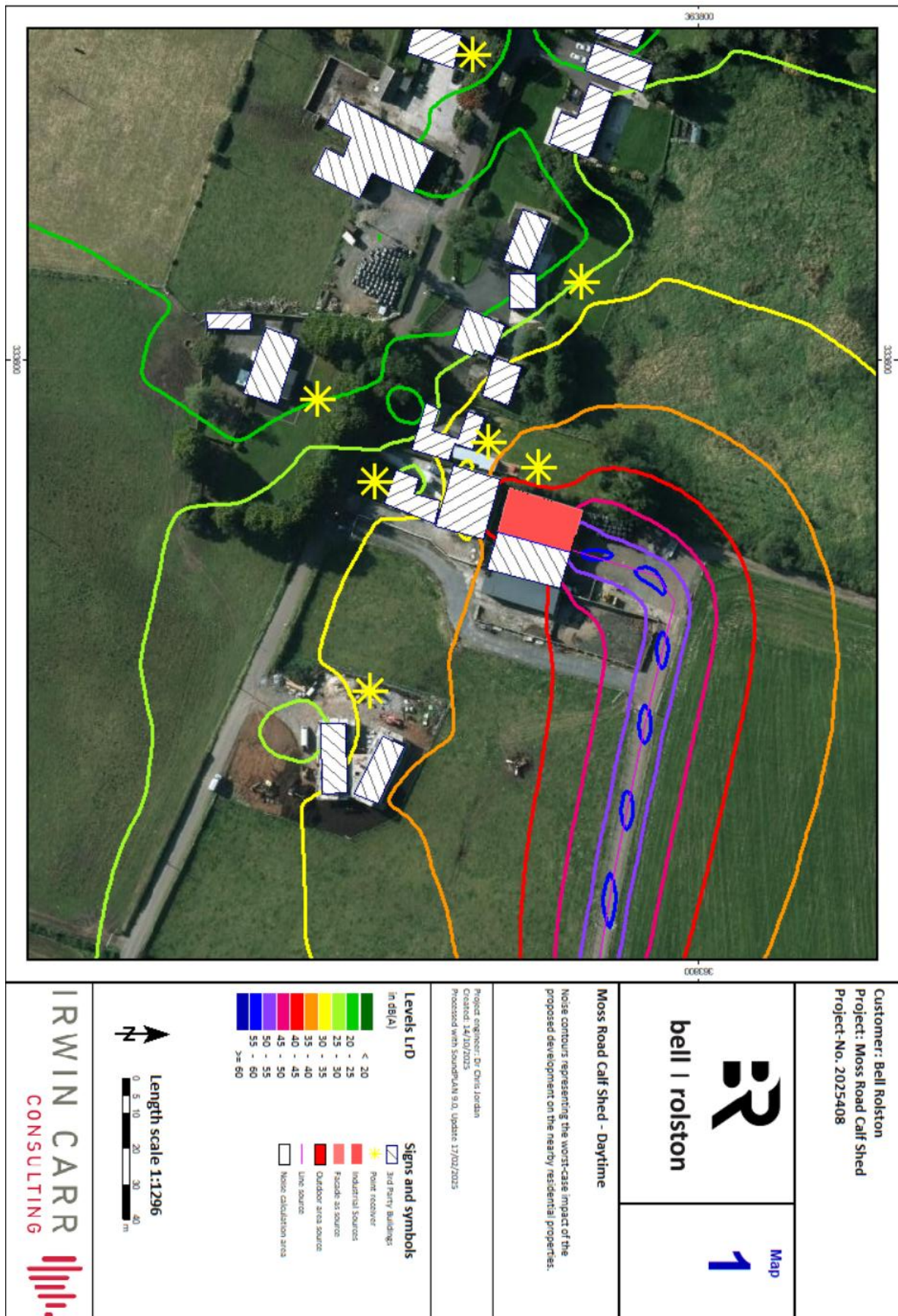
On this basis, and taking into account the context, baseline conditions, and operational design of the proposal, it is the professional opinion of Irwin Carr Consulting that noise associated with the proposed development will not give rise to adverse impacts at nearby third-party properties. As such, noise should not be considered a negative determining factor in the planning assessment of this appeal.

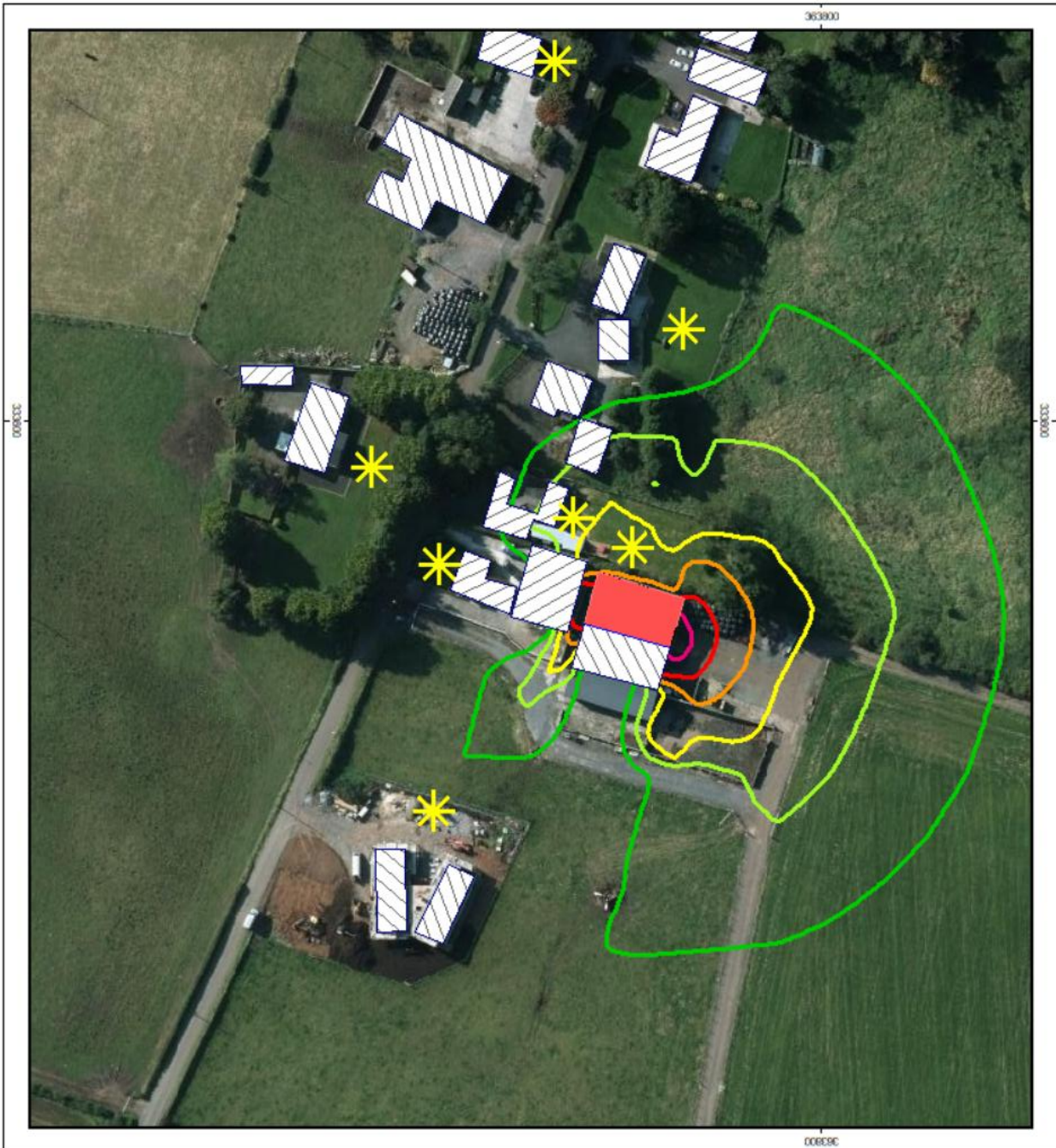
APPENDIX A SITE, RECEPTORS AND NOISE MONITORING LOCATION



***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

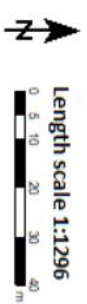
2

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>Levels Lrd (in dB(A))</p> <table border="0"> <tr><td style="width: 15px; height: 10px; background-color: #008000;"></td><td>< 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>>= 60</td></tr> </table>		< 20		20 - 25		25 - 30		30 - 35		35 - 40		40 - 45		45 - 50		50 - 55		55 - 60		>= 60	<p>Signs and symbols</p> <table border="0"> <tr><td></td><td>3rd Party Buildings</td></tr> <tr><td></td><td>Point 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		Point receiver		Industrial Sources		Facade as source		Outdoor area source		Line source		Noise calculation area
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	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:

Initials: Chris Jordan

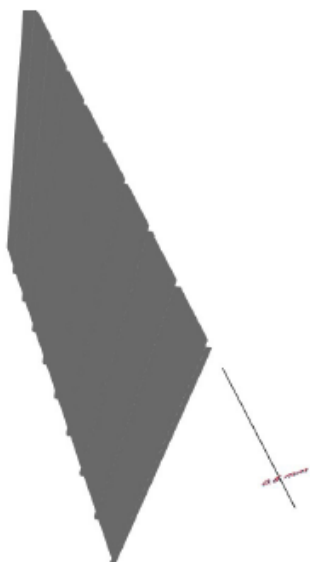
Job No.:

Date: 14/10/2025

File Name: insul



Notes:



R_w 20 dB
 C -1 dB
 Ctr -1 dB

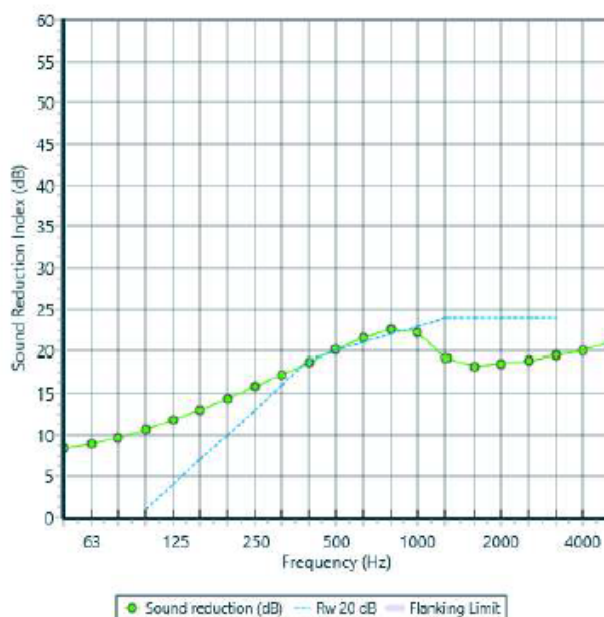
Panel Size = 2.7 m x 4.0 m

Partition surface mass = 5.11 kg/m²

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	



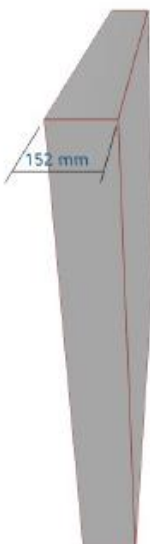
Sound Insulation Prediction (v9.0.24)

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:



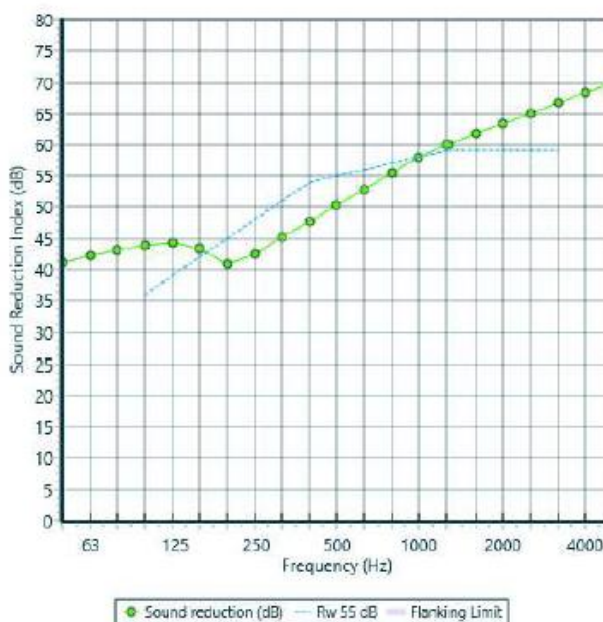
R_w 55 dB
 C -1 dB
 Ctr -5 dB

Panel Size = 2.7 m x 4.0 m
 Partition surface mass = 367 kg/m²

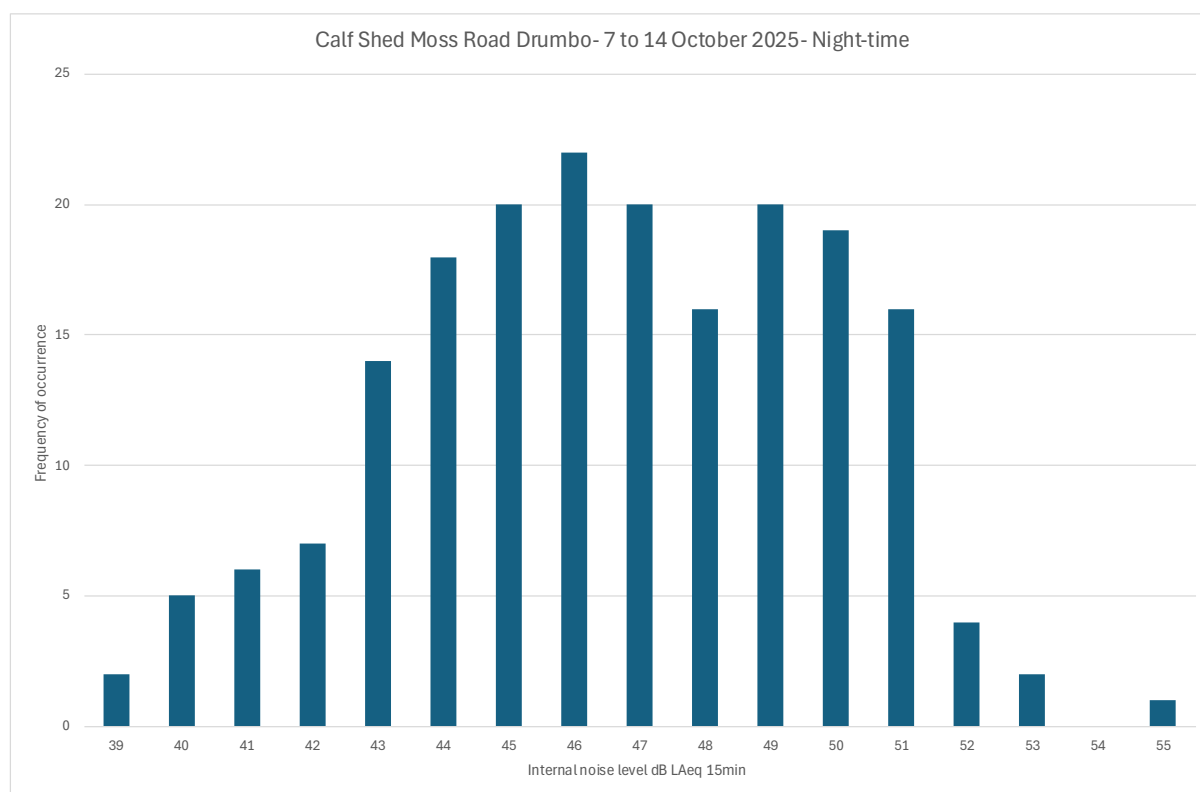
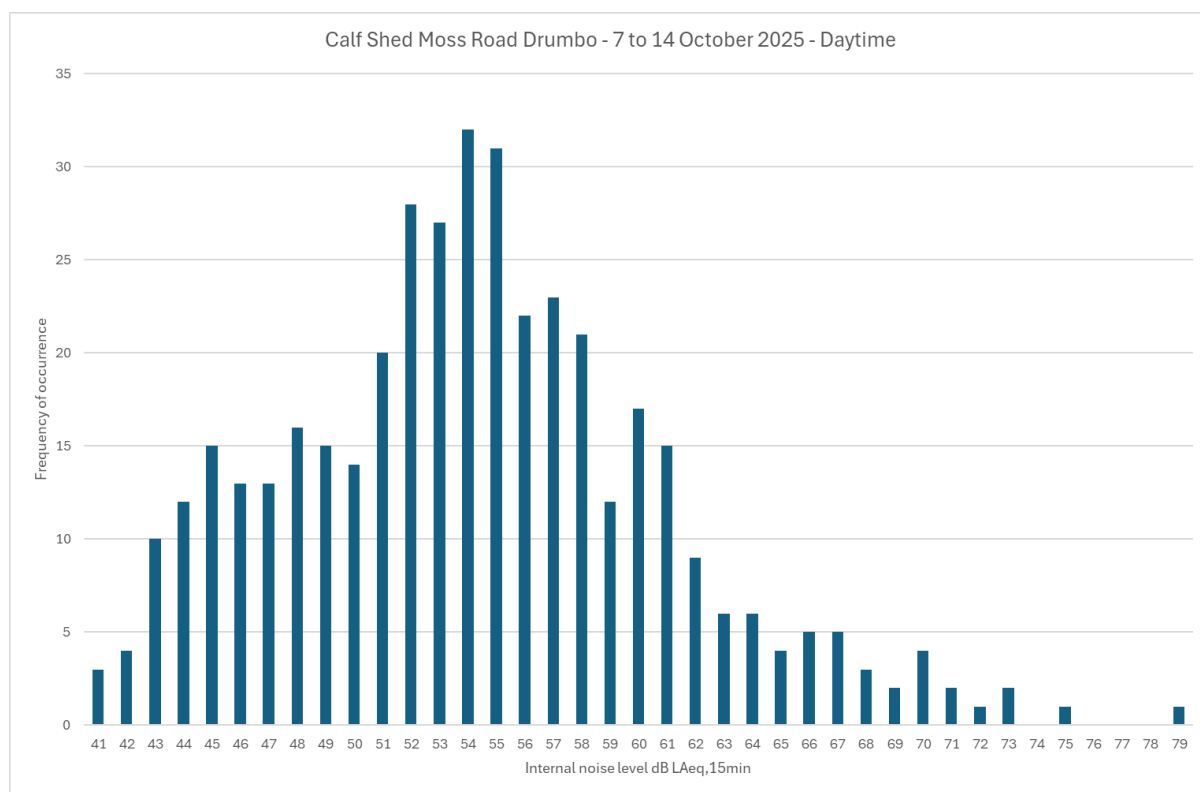
System description

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

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 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	
Follow-up	
Date and time caller contacted	
Action taken	
Amendment required to the pest management plan	Yes / No
Form completed by	
Signed	



Appeal Decision

4th Floor
92 Ann Street
BELFAST
BT1 3HH
T: 028 9024 4710

219

E: info@pacni.gov.uk

Appeal Reference:	2022/A0138
Appeal by:	William Jess
Appeal against:	The refusal of outline planning permission
Proposed Development:	Site for infill dwelling and garage
Location:	Adjacent to and west of 21 Wests Road, Loughbrickland, Banbridge
Planning Authority:	Armagh City, Banbridge, & Craigavon Borough Council
Application Reference:	LA08/2021/0860/O
Procedure:	Written representations and Commissioner's site visit on 23 rd September 2024.
Decision by:	Commissioner Cathy McKeary, dated 4 th October 2024

Decision

1. The appeal is allowed and outline planning permission is granted, subject to the conditions set out below.

Preliminary Matter

2. Initially the Council considered that the proposal would be contrary to Planning Policy Statement 2: Natural Heritage, Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance in that it had not been demonstrated that the proposal will not likely result in the unacceptable adverse impact on, or damage to known wetlands (includes river corridors) or priority species. The appellant then provided a Biodiversity Checklist and Statement as part of their statement of case to this appeal. In their rebuttal, the Council accepted its findings and withdrew their second refusal reason. Therefore, only the first reason for refusal remains outstanding for consideration.

Reasons

3. The main issue in this appeal is whether the proposal would cause unacceptable adverse impact on residential amenity due to noise, odour and pests.
4. Section 45(1) of the Planning Act (NI) 2011 (the Act) requires the Commission, in dealing with an appeal, to have regard to the local development plan, so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the Local Development Plan (LDP), the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

5. The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) operates as the relevant LDP. In that plan, the site is located within undesignated countryside. There are no policies within the plan that are pertinent to the appeal proposal.
6. The Strategic Planning Policy Statement (SPPS) sets out transitional arrangements that will operate until a Plan Strategy for a Council area is adopted. In this Council area, no Plan Strategy has been adopted yet. As such, during the intervening transitional period, the SPPS retains certain Planning Policy Statements (PPSs) including PPS21 – ‘Sustainable Development in the Countryside’ (PPS21). The SPPS sets out the transitional arrangements to be followed in the event of a conflict between it and retained policy. Any conflict arising between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the SPPS. As no such conflict arises in this instance, the retained policy contained in PPS21 applies.
7. The appeal site lies on Wests Road, Loughbrickland, a dead end road which accesses onto the Annaghbane Road, approximately 9km southwest of Banbridge. Wests Road is bounded on the other side by, but without access onto, the A1 Dublin Road dual carriageway. The site comprises a portion of the side garden of no. 21 Wests Road, a 1.5 storey red brick dwelling. The site is relatively flat and laid out in lawn with some mature trees within it. The southwestern boundary of the appeal site is defined by hedgerow, mature trees with some wood panel fencing. The northern, roadside boundary comprises of ranch fencing approximately 1m high. The eastern boundary is undefined.
8. There are three dwellings to the east of the appeal site, nos. 21, 23 and 25 Wests Road. There is also an agricultural building and yard immediately abutting the western boundary of the appeal site, but which is separated by a group of intervening mature vegetation. The building contains some farm implements and stalls with the largest bay of the shed being used to store silage under black plastic held in place by tyres. There is another silage heap stored against the northeastern elevation of the shed near the appeal site. The wider area is rural in character with some residential development along the road.
9. Policy CTY1 of PPS21 identifies a range of types of development which, in principle, are considered acceptable in the countryside. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage as laid out in Policy CTY8 – Ribbon Development. Policy CTY8 requires that the gap site is within a substantial and continuously built-up frontage. The Council considered that the proposed dwelling was acceptable in principle in respect to Policy CTY8 in that there is a substantial and built-up frontage with the required number of buildings. It, however, raised other concerns which I address later.
10. On my site inspection, I noted that dwellings at nos. 21, 23 and 25, to the east of the appeal site, all have frontage onto Wests Road. The farm building to the west of the appeal site also has frontage onto the road. Consequently all these buildings constitute an otherwise substantial and continuously built up frontage in accordance with Policy CTY8. Given the disposition of the buildings along the frontage and the relatively modest size of the gap, it is not an important visual break in the countryside. I concur that a dwelling on the appeal site constitutes a

small gap site sufficient only to accommodate a maximum of two houses and that it would also respect the development pattern along the frontage in terms of size, scale, siting and plot size in accordance with Policy CTY8.

11. The exception under Policy CTY8 also requires that the proposal meets other planning and environmental requirements. The Council's objections fall under this element of the policy and relate to potential amenity impacts on the proposed dwelling arising from a nearby agricultural building. The SPPS in paragraph 4.11 'Safeguarding Residential and Work Environs' 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. Paragraph 4.12 goes on to say 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.
12. The Council has concerns that the proposal's residential amenity would be unacceptably adversely impacted by virtue of noise, odour, and pests caused by the adjacent agricultural building and that permission should be refused on that basis alone. This is in conflict with the Council's Environmental Health Officer (EHO) who stated in their consultation response that they had no objection in principle to the proposed development. EHO also stated that noise, odour and pests would exist but considered that the appellant would be aware of them, and unable to make complaint unless the adverse impact increased or intensified.
13. The Council's EHO, also in their consultation response, has confirmed that there have been no statutory nuisance service requests even though there are six dwellings along the road relatively near the agricultural shed. Notwithstanding this, I acknowledge that the threshold for unacceptable adverse impact on residential amenity may not be as high as to constitute a statutory nuisance.
14. The appeal site lies within 175m of the A1 dual carriageway and on the day of my site visit I could clearly hear the traffic noise while standing at the site. As the agricultural shed was only being used for storage of silage there was no noise emanating from it at all. Due to the dual carriageway the area already experiences near constant background noise levels over and above those which would be ordinarily experienced in more general rural locations. Notwithstanding this, I am not persuaded that the noise from the use of the shed would exceed the background noise environment to any extent that would give rise to any unacceptable adverse impact on the amenity of prospective occupants of the appeal development. Furthermore, there is no substantive evidence from the Council to justify their position in relation to noise nuisance or in respect of the nature and type of noise likely to emanate from within the building.
15. The Council has not indicated what type and from where any odour would emanate. It would not be unusual for a degree of odour to occur from agricultural activities in the countryside. The appellant states that the shed is used for silage (which has an odour) but only for a limited time within the year. This was not disputed by the Council. On the day of my site visit I noted some odour from the silage stored in the shed while standing immediately in front of it and at the entrance to it. However, I did not note any such odour when standing on the

appeal site. Overall, there is no substantive evidence from the Council to justify their position on odour.

16. In terms of pests, the Council has not indicated what type or number of pests may be present. On the day of the site visit, I did not see or hear any pests, nor any evidence of pests. I have received no substantive evidence that would persuade me that there would be an adverse impact arising from pests beyond that normally experienced in a rural setting, nor which would warrant the withholding of planning permission on that basis.
17. The appeal site is formed from part of the garden of no. 21 Wests Road. Approval of the appeal development would result in a dwelling situated closer to the agricultural building, within its own separate curtilage. A garden, though not likely to be used all the time, still forms part of the domestic setting of the existing dwelling. The appellant states his dwelling and garden have not been unacceptably impacted by the use of the adjacent agricultural shed. Although that statement is somewhat self-serving, the Council did not dispute this. Notwithstanding the closer proximity of the proposed dwelling to the agricultural building compared to no. 21, for the reasons given above I am not persuaded that the prospective occupants of the proposed dwelling would experience any unacceptable adverse impact on their amenity.
18. The Council refers to “Miller v Jackson 1977” and “Fearn v Tate Gallery (2019)” in that if planning permission were approved it is possible that the residents of the dwelling could bring a claim in nuisance against the owners of the adjacent agricultural building. Further, that if it was held that a nuisance existed, the owners of the agricultural building could not rely upon the defence that the ‘claimant came to the nuisance’. The case law was not provided in evidence, and the Council did not provide adequate explanation to allow comparative analysis, therefore the context could be quite different to that before me. Also as referenced above, there is limited evidence of any nuisance at this appeal site. The caselaw is of limited assistance. This appeal falls to be considered within its own evidential and site specific context.
19. The Council EHO notes that the appeal site is within 75m of the agricultural building, but there is no explanation as to the relevance of this measurement or from which legislation, policy or guidance it came. The agricultural building’s current state does not look ideal for holding livestock or to undertake more intensive agricultural activities in the long term. I acknowledge, however, that the building could be repaired or upgraded to facilitate this without the need for planning permission. Notwithstanding this, there is no persuasive evidence of an adverse impact that would be caused by the existing use of the building upon the amenity of future occupants of the appeal development that would warrant refusal of the appeal.
20. Appeal decision 2021/A0047 related to an off site replacement dwelling where a Certificate of Lawfulness of Existing Use or Development (CLEUD) had been issued for a proposed agricultural building for holding livestock and associated slurry tank near the appeal site. This is not directly comparable to this appeal where the shed is existing, does not hold livestock, and there is no stated intent

through a CLEUD to do so. It does not assist the Council's case and would not in itself or in combination with other matters justify the refusal of this appeal.

21. Overall, I am not persuaded that there would be an unacceptable adverse impact on the proposed dwelling arising from noise, odour and pests, thus I am satisfied that the appeal development also meets the other planning and environmental tests element of Policy CTY8 of PPS21. Thus, the appeal development complies with Policy CTY8 read as a whole and consequently also Policy CTY1 of PPS21 and the related provisions of the SPPS. As the Council's sole remaining reason for refusal has not been sustained, the appeal shall succeed. The matter of conditions remains before me.
22. The dwellings adjacent to the site and along the eastern stretch of Wests Road are no more than storey and a half in height, with the appeal site being flat and consequently a new dwelling unlikely to require significant under-build. A ridge height of no more than 7.5m from the lowest point within the proposed footprint would be necessary in order to respect the local built character. Notwithstanding the nature of the site, I consider that levels be provided to properly assess the development. A condition requiring provision of the visibility splays prior to any other development and their permanent retention thereafter would be necessary to ensure road safety.
23. There is also a mature vegetation boundary between the appeal site and the agricultural shed which should be retained to maintain privacy for the proposed dwelling and to ensure adequate integration into the site. Further planting is also required along the roadside boundary behind the required visibility splays to ensure integration of the site into the countryside, as well as replacement of any dying or damaged vegetation within the first five years of planting to ensure that satisfactory integration is maintained. The Council's suggested condition requiring, prior to any development taking place, that details of the proposed sewerage treatment shall be agreed in writing with the Council, is unnecessary, as it is commonplace to ascertain a suitable means of sewage disposal prior to implementing development and the process itself is administered under a separate legislative regime.

Conditions

- (1) Except as expressly provided for by Conditions 2, 3, 4, and 5, the following reserved matters shall be as approved by the planning authority – the siting, design and external appearance of the dwelling and garage, the means of access thereto and the landscaping of the site.
- (2) The ridge height of the dwelling and garage shall not exceed 7.5 metres above existing ground level at the lowest point within its footprint.
- (3) Any application for approval of reserved matters shall incorporate plans and sections indicating existing and proposed ground levels and proposed finished floor levels, all in relation to a known datum point.

- (4) Visibility splays of 2 metres by 33 metres shall be laid out in both directions onto Wests Road prior to the commencement of any building works and shall be permanently retained thereafter.
- (5) No development shall take place until there has been submitted to and approved by the planning authority a landscaping scheme showing:
- trees and hedgerows to be retained along the southwestern boundary of the site; and
 - planting of a new indigenous species hedgerow to the rear of the visibility splays.
- The landscaping scheme shall detail the location, numbers, species and sizes of trees and shrubs to be planted within the site. The scheme of planting as finally approved shall be carried out during the first planting season after the dwelling is occupied. 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 planning authority gives written consent to any variation.
- (6) Application for approval of the reserved matters shall be made to the planning authority before the expiration of three years from the date of this decision.
- (7) The development shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Drawing No.	Title	Scale	Date
WJ/01/2021	Location Plan	1:1250 @A4	Stamped received by Armagh City, Banbridge and Craigavon Council on 2 nd June 2021

COMMISSIONER CATHY MCKEARY

List of Documents

- Planning Authority:-
Statement of case by Armagh, Banbridge, & Craigavon Borough Council

Rebuttal by Armagh, Banbridge, & Craigavon Borough Council
- Appellant:-
Statement of case on behalf of William Jess

Rebuttal on behalf of William Jess



Appeal Decision

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Appeal Reference:	2021/A0047.
Appeal by:	Mr Joe Colvin.
Appeal against:	The refusal of outline planning permission.
Proposed Development:	Site for replacement dwelling.
Location:	Land adjoining and to the north of 32 Knockamuckley Lane, Portadown.
Planning Authority:	Armagh City, Banbridge and Craigavon Borough Council.
Application Reference:	LA08/2017/0203/O.
Procedure:	Hearing on 22 April 2024.
Decision by:	Commissioner Mark Watson, dated 13 December 2024.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Commission issued a decision on this appeal on 17 February 2023. Following an application for a judicial review to the High Court, the decision was quashed and remitted to the Commission for redetermination. Parties were afforded an opportunity to submit supplementary statements of case in respect of the appeal development and a hearing also took place. I have considered this appeal afresh, taking into account the background papers, the written evidence previously submitted, the supplementary evidence and the oral evidence at the hearing.
3. At the second hearing the Council queried whether a third party who, it was indicated, had an interest in the land on which the existing building to be replaced was sited, was aware of the appeal, but in light of post-hearing documentation from the Appellant, the Council ultimately accepted that the relevant third party would have been aware. The purpose of section 42 of the Planning Act (NI) 2011 (the Act) is to ensure all parties with an interest in the land are aware of an application or appeal. Although the party in question was not referred to in the P2 certificate that accompanied the appeal, I am satisfied that the party is aware of the appeal and the purpose of section 42 of the Act fulfilled. The appeal is a valid one.
4. In its supplementary statement of case, the Council stated that its objection to the appeal development was predicated on the proximity of the proposed off-site replacement dwelling to the farm buildings at No. 28 Knockamuckley Lane. Regardless of the terminology employed, this is a change in position in regard to their original objection and that stated on the decision notice that refused planning permission, which referred to “the close proximity of the application site to an

agricultural building” (singular). The evidence submitted for the first hearing was also clear that it related to a single building, partly under construction and one for which a Certificate of Lawfulness of Existing Use or Development (CLEUD) had been granted. The Council explained that this change in the scope of their objection was due to the CLEUD building being the subject of ongoing enforcement action.

5. The Appellant considered this amended position to be contrary to section 59 of the Act as it was a new matter. Section 59 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 planning appeals commission that the matter could not have been raised before that time, or that its not being raised before that time was a consequence of exceptional circumstances. Notwithstanding that the Appellant’s representatives had sought to have the Council take enforcement action on the CLEUD building at an earlier point in time, and whilst the Council’s amended position in respect to its sole reason for refusal has shifted the scope of the objection, I am not persuaded that it is a new matter, as the premise of the objection, namely residential amenity, remains. For this reason, I am not persuaded that the amended position runs contrary to the provisions at section 59 of the Act. The Council’s amended position, although unhelpful at such a late stage in the process, is admissible.
6. On a without prejudice basis, post-hearing submissions from the Appellant and Objector were agreed at the hearing to take account of the aforementioned change in stance of the Council in relation to the residential amenity issue, as well as a third-party submission presented at the hearing on heritage matters. These were accepted as they were material to the consideration of the appeal and as all parties were afforded an opportunity to respond, no prejudice arises.

Claim for Costs

7. A Costs Claim by the Appellant was submitted against the Council. That claim is the subject of a separate decision. Whilst the first appeal decision was quashed, the costs decision, as previously determined, still stands.
8. The Appellant submitted two further Costs Claims against the Council and an Objector after the hearing that took place on 22 April 2024. These are addressed in separate decisions.

Reasons

9. The main issues in this appeal are whether the proposed development would:
 - be acceptable in principle;
 - be adversely affected by activities on a neighbouring farm;
 - adversely impact on existing neighbouring residential amenity;
 - harm rural character; and
 - prejudice road safety.

Policy Context

10. The Craigavon Area Plan 2010 (CAP) operates as the Local Development Plan for the area where the appeal site is located. Within it, the appeal site is located within the countryside and shown as being within the Green Belt. Rural policies within the

CAP are now outdated and have been overtaken by a succession of regional policies. There are no other policies or proposals therein relevant to the appeal development.

11. The Strategic Planning Policy Statement for Northern Ireland - Planning for Sustainable Development (SPPS) sets out the transitional arrangements that will operate until a Plan Strategy (PS) for a Council area is adopted. No PS has been adopted for this council area. The SPPS retains certain existing Planning Policy Statements (PPSs) including Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS21) and Planning Policy Statement 3 – Access, Movement and Parking (PPS3). No conflict arises between the policy provisions of the SPPS and the retained policy held in PPS21 and PPS3 in so far as they relate to the appeal proposal. The matter of residential amenity falls under the SPPS and will be addressed in due course. Nevertheless, in accordance with the transitional arrangements, the other issues raised will be determined in line with the retained policies of PPS21 and PPS3.

The appeal site and proposed development

12. The appeal development relates to an off-site replacement dwelling. The site for the new dwelling comprises a portion of a larger grassed agricultural field on the north-eastern side of Knockamuckley Lane, accessed via a private lane serving a dwelling and old farm buildings. The site is relatively flat and overgrown in grass and weeds. The north-western site boundary is defined by a line of mature hedge interspersed with trees, whilst the south-western boundary is defined by a mature hedge. The north-eastern boundary is a semi-mature hedge, whilst that to the south-east is largely open to the existing laneway that serves the dwelling and farm buildings.
13. The building to be replaced lies along the roadside approximately 20m from the nearest part of the appeal site where the new dwelling is proposed. The building lies within the existing curtilage of No. 32 Knockamuckley Lane, a more recently built 1.5 storey dwelling with detached garage. The subject building is constructed from a mix of stonework, some bricks and more modern concrete block additions within. The pitched roof is finished in corrugated metal sheeting. There are three doorways on the eastern façade of varying design and size, each with doors of differing design. The interior has been subdivided into several sections, with a half-height, concrete block wall separating two sections to create stalls, as well as a roof support in part. A further internal division is provided by wood panelling. The two most northerly internal sections have relatively modern cement floors with a floor drainage channel. Piping for a water supply has also been installed at some point in the past and there are old troughs along part of one internal wall. Another section of the building has an older concrete floor and no modifications in terms of drainage. The building has been previously wired for electricity and was in use for domestic storage at the time of my site visit. A window on the mid-section of the eastern façade has been blocked using concrete blocks. Wooden ridge beams and wallplates are observable from the interior.
14. The exterior has some evidence of repair over the years. A structural join is also evident in the "rear", roadside elevation of the building. Some quoin detailing is also apparent. The northern gable is comprised mostly of stone, though there is some brickwork evident, arranged in a broadly vertical manner, mid-gable. Several sections of the building have vegetation growing over them, including the

southern gable. The building lies adjacent to the Knockamuckley Lane roadside with a relatively mature hedge with wooden fence separating it from the public domain.

15. There is a farm complex located adjacent and to the west and north-west of the appeal site for the new dwelling. No. 30, a detached dwelling, lies adjacent and south-west of the appeal site. There are a number of other residential properties along the Knockamuckley Lane nearby.

The principle of development

16. Policy CTY1 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 goes on that planning permission will be granted for an individual dwelling house in the countryside in one of several cases, including a replacement dwelling in accordance with Policy CTY3.
17. Policy CTY3 of PPS 21 states that planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. This is a conjunctive test with two limbs. The policy then goes on to say that for the purposes of this policy, all references to 'dwellings' will include buildings previously used as dwellings.
18. The Council considered that the appeal building constituted a replacement opportunity, however, the Objectors did not. Thus, although not a reason for refusal from the Council, the issue remains before me for consideration.
19. Turning first to the condition of the building, notwithstanding Objectors' arguments as to orientation, character and potential modification of the floorplan / footprint over the years, all external structural walls of the in-situ building are substantially intact, thus this limb of the conjunctive test is met.
20. The issue of contention lies as to whether the building exhibits the essential characteristics of a dwelling. Whilst the building has been converted in the past to accommodate livestock and more recently for domestic storage, the Appellant is correct that the policy does not exclude buildings previously used as dwellings, even those with a degree of internal alteration. Thus, the more recent floor modifications and sub-divisions to the interior do not in themselves demonstrate that the building was never a dwelling in the first instance. Nevertheless, in order to meet this fundamental part of the policy test, it would be expected that the essential characteristics of a dwelling would be apparent. The Appellant considered that such assessment should be based on evaluative judgment, wherein greater weight should be afforded to professional witness testimony and evidence rather than the third-party assertions. I must have regard to all of the evidence provided, including my onsite observations, before making my own evaluative judgement.
21. The Appellant's heritage expert witness considered that the overall fabric and character of the building and thematic cues indicated that it had been a dwelling, despite more recent alterations for animal accommodation and more latterly storage. She considered that the type of building the appeal building represents can be easily misunderstood. In her professional opinion, the building began life

- as a single or two cell dwelling with the south-eastern section erected first, with a large traditional hearth in the north-western wall of the original structure. It was then extended to the north-west to add a bedroom or parlour, with a further fireplace on the gable of that addition. She stated that the joint evident in the building is consistent with how a dwelling would have been extended over time and did not accept the idea that the building was the remains of a previously larger structure. She considered the presence of a brick chimney in the north-west gable was demonstrative of the building having been a dwelling.
22. The Objectors submitted material pointing to the building having been used for agricultural purposes. This included reference to old maps and census records, including rent accounts. They also submitted local witness testimony asserting that the building had always been an agricultural building and not a dwelling.
 23. It is unclear whether the building shown on the 1864 Griffith Valuation is the appeal building given the limited level of detail therein. There is reference to a house, office and land, but historical maps show that within the relevant Plot 26, there was an L-shaped building, which I accept was a dwelling, present at the time of the valuation, but it changed some time after that, with subsequent historic maps then showing a smaller rectangular building. I cannot determine whether the previous building on the site had been demolished in whole or not, but clearly if not, physical works were undertaken to the original building to account for the change in footprint. The historic census extracts (1901 and 1911) provided are of limited assistance given there appears to have been renumbering of properties along Knockamuckley Lane at a point in the past.
 24. I accept that the rectangular footprint of the building shown on the 1905 – 1957 4th Edition Map does correspond to that of the appeal building but because of the change in footprint, I am not persuaded that the in-situ building is the same one present in 1864. Thus, the historic evidence is of limited assistance. Likewise, the testimony from the Objectors as to the previous use for an agricultural building is largely anecdotal and of limited assistance. Whilst the Objectors provided heritage material related to the design and orientation of agricultural buildings and dwellings, which they considered demonstrated that the appeal building was an agricultural one, they are generalised in nature, thus are of limited assistance.
 25. Turning to the physicality of the appeal building, Annex 2 of PPS21 lists primary and secondary characteristics for vernacular buildings. Whilst it is the case that the appeal building corresponds to a number of these, as was discussed at the hearing, equally, those same characteristics can be observed in vernacular agricultural buildings. Thus, this Annex also provides limited assistance in terms of the policy test.
 26. The Appellant's heritage witness considered that the south-eastern most door was the original entry to the building, with the other doors having likely been later insertions or windows that were later changed to doorways. She considered this to be consistent with the thematic studies she referenced, where vernacular dwellings had a door and three windows on the front façade. However, even if accepting that some of these openings and their disposition within the façade represent later modifications to accommodate livestock, despite the presence of both an older door jamb and more modern jamb evident in the south-eastern most doorway, it does not necessarily follow that the other doorways had previously

- been windows. Whilst the absence of windows and often doorways in the rear wall of a building can be characteristic of old dwellings, that can often be the case in respect of old agricultural buildings also. The suggestion that not all dwellings would have faced out onto the road or laneway they were adjacent to is a reasonable enough proposition, but again does not greatly assist me one way or the other with determining if the building was a dwelling or exhibits the essential characteristics of one.
27. The disposition of the brickwork within the north-western gable is suggestive of there having been some form of chimney breast attached in the past. This is reinforced by the Appellant's evidence that there is a section of chimney flue constructed with lime mortar remaining. This was previously observed by a Council inspection and shown in photographs provided by the Appellant. I have no reason to doubt this evidence. There are, however, no remnants of any hearth evident at the gable and in any event, the possibility that some agricultural buildings may have had a chimney based upon the prevailing circumstances of the time, including the function of the building, cannot be ruled out entirely. I do not accept the Appellant's assertion that no agricultural building would ever have had a chimney given that the Objectors provided extracts with examples, albeit high status examples, of agricultural buildings with chimneys and my own general knowledge.
 28. From my assessment of the building, setting aside more recent unsympathetic alterations such as the modified floors and internal block built partition, despite the presence of the chimney flue remnant and some corresponding vertical brickwork, there are no other essential characteristics of a dwelling evident. The only window, currently blocked up, has no windowsill. There is no defined kitchen / hearth area within the building. Whilst the Appellant's evidence referred to a bulky central hearth having been removed and replaced with modern blockwork, this is speculation, even if accepting that the modern block built insertion replaced a substantial element in order to need to extend up to the roof. There is no evidence one way or the other as to what occupied that space within the building beforehand. Even if accepting that the two other doorways were later additions or alterations, I cannot be certain they began life as windows before being enlarged into doorways, regardless of their position on the facade.
 29. Brickwork evident elsewhere in the building does not demonstrate it was a dwelling, as brick could have been used to effect repairs if available at that given point in time, notwithstanding that some agricultural buildings themselves could have included brick from the outset. The seam in the roadside façade does suggest a change to the form and overall footprint of the building at some point in time, whilst possibly also orientation. However, regardless of these alterations or whether the building was a distinct structure rather than part of a larger one, again, the policy test remains as to whether the essential characteristics of a dwelling are exhibited in the in-situ building.
 30. Taking the building as a whole and considering the evidence provided by the Appellant and his witness, I am not persuaded that the building exhibits the essential characteristics of a dwelling, a fundamental element of the policy test. The presence of a flue remnant and brickwork in the corresponding gable does not persuade me otherwise. Notwithstanding the more recent unsympathetic alterations to the building, what is on the ground presents not as a former dwelling,

but an agricultural building. Whilst part of the building may have been in use as a dwelling given the location of the flue remnant, that would not satisfy the policy test, which relates to assessment of “the building to be replaced”, meaning the in-situ building as a whole.

31. The Appellant drew my attention to appeal decision 2015/A0080 for a replacement dwelling 120 metres west of 41 Artabrackagh Road, Portadown, which he considered was comparable to the appeal building. Whilst in that case the Commissioner noted a chimney flue remnant, that was only one of a number of features characteristic of a dwelling still evident in that building, namely: an internal chimney stack, two boarded up windows with sills, two other smaller boarded up openings, remnants of a tongue and groove ceiling within one of the rooms and acceptance that the other blocked up openings evident internally had the dimension of windows. Those when taken together with persuasive witness testimony as to the use of the building as a dwelling, led her to accept that part of that building had been used as a dwelling previously and that it still exhibited the essential characteristics of a dwelling. That case is not directly comparable to the appeal before me. In an event, each application must be assessed on its own evidential context and merits.
32. Although the appeal development would meet the other elements of Policy CTY3 pertaining to “all replacement cases”, including those additional requirements for an off-site replacement, including provision of all necessary services to the new dwelling without significant adverse impact on the environment or character of the locality, which is addressed in more detail later in this decision, for the above reasoning I find that Policy CTY3 is not met read as a whole, as the appeal building is not eligible for replacement.

Residential amenity

33. There are farm buildings in use in proximity to the party boundary between the appeal site and neighbouring farm to the north-west of the site where the new dwelling is to be placed. They are associated with No. 28 Knockamuckley Lane, operated by some of the Objectors. The Council and Objectors considered that the appeal development would be adversely impacted by nearby farm buildings both in terms of associated noise and odour.
34. The SPPS at paragraph 4.11 says there are a wide range of environment and amenity considerations, including noise and air quality, which should be considered by planning authorities when proposing policies or managing development. For example, 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. Paragraph 4.12 goes on to state 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.
35. The Council's original objection had related to the partially erected shed at the north-eastern extent of the existing farm complex and its potential future accommodation of intensive livestock, including pigs. As referenced earlier, a CLEUD had been granted for a “livestock shed with slurry tank” in respect of that shed. Arguments pertaining to whether the scope of the CLEUD would allow for

the keeping of pigs within the building were presented. The Appellant considered that the potential environmental consequences on nearby protected and designated sites from arising ammonia impacts, would preclude the intensive rearing of pigs in the building, as had been suggested by the Objectors. Irrespective of these arguments and the rationale for the alterations to the building (to maintain a 75m separation distance from third party off-farm properties), I accept the Appellant's position that what has been built on the ground does not accord with the building shown in the plans that accompanied the CLEUD.

36. At the hearing one of the Objectors categorically stated that they would not be dismantling the in-situ structure in order to erect the building as shown on the CLEUD plans. On this evidential basis, I conclude that the CLEUD does not represent a viable fallback given there is no realistic proposition of the building subject of that Certificate being erected. Furthermore, the in-situ structure is subject to ongoing enforcement action, the outcome of which cannot be known at this time. The Appellant in their evidence had made arguments that given the status of the partially constructed shed and its non-compliance with the CLEUD, the existing farm must form the basis for my consideration of potential amenity impacts. This position accords with the Council's amended objection regarding residential amenity, which, again, was altered due to the ongoing enforcement action against the CLEUD building. The Council stated that it was unable to comment on the potential effects from the operation of that building, instead amending its objection to cover operations on the farm as a whole as potentially impacting on the amenity of prospective residents of the proposed new dwelling.
37. In respect to the wider farm, the buildings along the common boundary accommodate a mix of livestock, farm equipment and supplies, with the nearest building to the appeal site accommodating equipment and hay. The Council had concerns that as there would be no planning control over future agricultural activities within those existing buildings, their functions within the farm could alter over time and give rise to amenity issues as the new dwelling would lie within 75m of the farm boundary. The Objectors considered that the appeal development, being so close to their farm, would impinge on their future operations and ability to grow and develop the farm.
38. It is the case that there is at least one other third party dwelling, No. 32, located in close proximity to the farm and there are no records of statutory nuisance complaints having been made. The Appellant also drew my attention to the nature of the EHD consultation responses to the planning application, which, for some time, raised no concerns regarding the proximity of the farm as a whole, even after the first objections on that basis from third parties were raised, the only concerns raised being related to the potential impacts of the CLEUD shed. It was not until 2018 onwards that a change in stance occurred, including from the Council planners themselves, who in the first instance had not identified any issue pertaining to residential amenity based upon the wider farm holding.
39. The Appellant provided an Odour Impact Assessment (OIA) and Noise impact Assessment (NIA) as a response to the Council's concerns regarding the wider farm operations. The OIA acknowledged the potential for odour nuisance from the neighbouring farm but that at most a slight adverse effect would occur. The NIA concluded that subject to certain mitigation measures, including use of standard double glazing windows employing background trickle ventilation and a 1.5m high

acoustic barrier along the north-western site boundary, no unacceptable adverse impact from noise would occur. Whilst the Council accepted the findings to an extent, it pointed to the limited snapshot both assessments comprised of farm operations. The Objectors echoed this, though provided greater detail as to why they considered the assessments to be unsatisfactory.

40. During my site visit, which included an inspection of the Objectors' farm, I observed what appeared to be an ordered and well-managed farm. It was clean and had little to no odours arising, but my site visit took place during clement weather conditions. I acknowledge that seasonal variations, weather fluctuations and different agricultural activities all can bring with them differing levels of potential disturbance to nearby properties. I also acknowledge that the statutory nuisance threshold is a higher bar than what might ordinarily be considered an unacceptable adverse impact on residential amenity in normal land use planning terms.
41. Turning to odour first, the assessment was carried out on three separate days across a working week period in April 2024. I accept that the Appellant only had a limited period of time to undertake the survey, including sniff tests, in preparation for the appeal hearing. This factual constraint, nor that they were undertaken during a period of the year when there may be less odorous activity on a farm, does not undermine their credibility in the first instance. There was discussion at the hearing about current livestock numbers on the farm, but I have been presented with no substantive evidence that what I observed was not typically representative of standard operations, even if at times of birthing there could be more livestock present. Whilst it may be the case that there was less silage being stored than at the beginning of and through the winter months, some silage was still present. Whilst activities such as slurry mixing would give rise to some increase in odours, these would be confined to short, limited periods of time and not an unexpected occurrence within a rural environment.
42. The noise assessment was carried out over a 5 day period in April 2024. The noise assessment's conclusion that road noise was the dominant source of noise likely to impact nearby receptors does not in itself invalidate the conclusions relating to the assessment of the noise from the farm. The use of average sound levels is in accordance with an industry standard for measurement of ongoing agricultural noise sources, even with obvious fluctuations at times in that noise. The Appellant drew my attention to BS 8233:2014 where it indicates that it is appropriate to employ an upper guideline of 55db LA_{eq, T} in noisier environments, such as where a dwelling would be in proximity to an active farm. In respect to night noise levels, whilst the Objector considered that the internal noise levels at the new dwelling would breach the maximum level set by the World Health Organisation, I accept that proposed mitigation via use of double glazing would adequately address this. The same is the case in respect to the worst case night time individual noise events, where glazing and ventilation mitigation would ensure no unacceptable impacts breaching the night-time period.
43. Whilst it is the case that the assessments only provide a snapshot over a limited period of time, the methodology employed is sound and based on industry standards. They were also carried out by qualified personnel in these matters. For the reasons given above I have no compelling reason not to accept their findings and note that the Council did not dispute their conclusions per se. Whilst

the Objectors did not accept the conclusions of the two assessments, I note that their own critique did not fully address the Appellant's stated potential mitigation measures in any detail.

44. It is for the Council to sustain its reasons for refusal by providing substantive evidence in respect to their objections. It does not follow that any new development within 75m of a farm holding would automatically experience unacceptable adverse impacts on amenity. Whilst it has raised general, hypothetical concerns pertaining to potential adverse amenity impacts, they, along with those, albeit more detailed, concerns raised by the Objectors, are just that. Whilst I do not discount that farming does generate a degree of activity with noise and odour arising, often at differing times of the year and even within any given time within a 24 hour period, I am not persuaded that the disposition of the proposed dwelling relative to the edge of the farm would be one that, with suitable mitigation, would be likely to give rise to unacceptable adverse impacts on the amenity of future occupants. Furthermore, prospective occupants of the appeal dwelling would be cognisant of the nearby farm and the potential for there being some degree of noise and odour arising from a working countryside environment. For the same reasoning, I am not persuaded that the appeal dwelling would necessarily preclude future development on the wider farm holding. I am satisfied that a suitably designed dwelling employing the suggested mitigation measures of a noise attenuation barrier, double glazing and suitable ventilation, would allow for a dwelling wherein the prospective occupants would not suffer any unacceptable adverse impact on their amenity. These measures could be secured via planning condition in the event of permission being granted.
45. Objectors also raised concerns that a dwelling on the appeal site would adversely impact on the amenity of No. 30 Knockamuckley Lane. That property lies adjacent and south-west, being separated from the appeal site by a line of mature vegetation. The indicative drawing that accompanied the appeal showed a dwelling orientated to face south-east, thus not directly facing into the rear of No. 30. Despite the relative proximity of the proposed dwelling to No. 30 I am satisfied that a dwelling could be designed and sited as to avoid any direct overlooking into the rear of No. 30. In the event of a dwelling of 1.5 storey height was to be built on the site, it could be designed to have no first-floor windows on the south-western gable, thus precluding any potential for overlooking. I find that the appeal development would not adversely impact on any neighbouring dwellings. This matter would not warrant the withholding of planning permission.
46. For the reasons given above I am satisfied that the relevant provisions of the SPPS are met and the Council's objection, as amended, along with the Objectors' related concerns are not sustained.

Rural character

47. The Objectors raised impacts on rural character arising from the appeal development. Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. Whilst it is the case that the locality has experienced a notable degree of development, particularly along parts of the frontage of the Lane itself, the appeal dwelling would be set back within part of a field and it would utilise an existing laneway. There would be no critical views of it from the public viewpoints, though no specific ones were advanced to me.

Although there would likely be some awareness of a dwelling on the site, via glimpsed views of part of a gable / rooftop, I am not persuaded that a suitably designed dwelling of single or 1.5 storey height would appreciably impact to the extent that it would further erode the rural character of the area. The appeal development would satisfy Policy CTY14 of PPS21 and the related provisions of the SPPS. The Objectors concerns on these matters would not warrant the withholding of planning permission.

Road safety

48. Policy AMP2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic, and the proposal does not conflict with Policy AMP 3 Access to Protected Routes. The Knockamuckley Lane is not a protected route, thus the second criterion is not engaged.
49. Objectors pointed to increased traffic arising from the appeal proposal and a need to assess cumulative impacts, not just this development. Knockamuckley Lane is relatively narrow and at points two vehicles can have difficulty passing. However, traffic I met along the Lane was relatively slow with drivers exercising due care. From the submitted evidence and my own on-site assessment, a satisfactory means of access can be achieved from use of the existing private laneway onto Knockamuckley Lane. Whilst there is a fair degree of development along this road, with the vehicle use that comes with it, I am satisfied that the addition of a single dwelling and the associated vehicle trips would not appreciably worsen the existing road conditions at Knockamuckley Lane to an extent that would warrant the withholding of planning permission. The same is the case in terms of cumulative impact with existing vehicle movements on the local road network. I also note that DfI Roads raised no objections to the appeal development on road safety grounds. For these reasons I am satisfied that the appeal development would not prejudice road safety or significantly inconvenience the flow of traffic, satisfying Policy AMP2 of PPS3 and the related provisions of the SPPS.

Other matters

50. Concerns over the lack of a public sewer connection was also raised by Objectors. The P1 form that accompanied the planning application indicated that a septic tank would accommodate the disposal of foul sewage, whilst storm drains to a soakaway could dispose of surface water. The proposed site has sufficient space within it to accommodate such a tank and soakaway and I have been given no persuasive evidence that this could be not achieved. This matter would not warrant the withholding of planning permission. The Appellant's concerns regarding administrative fairness on the part of the Council are not a matter for this appeal, nor are the Objectors' concerns regarding future planning applications that might be submitted by the Appellant.

Conclusions

51. For the reasons given above the Council's sole objection as amended and several of the Objectors' concerns are not sustained. However, the Objectors' concerns pertaining to the principle of development under Policy CTY3 of PPS21 are sustained. The appeal proposal does not constitute one of the exceptions listed at Policy CTY1 and there are no overriding reasons why it is essential. It does not

satisfy Policy CTY1 of PPS21. The sustained third party objection is determining and the appeal must fail.

This decision relates to the 1:2500 scale Location Plan drawing numbered 01, stamped received by the Council on 8 February 2017.

COMMISSIONER MARK WATSON

List of Appearances

Planning Authority:-

Mrs R Hamill (AC, B & C BC)
 Mrs N Creaney (AC, B & C BC)
 Ms D Craven (AC, B & C BC)
 Mr P McCullough (AC, B & C BC Env. Health Dept)

Appellant:-

Mr C Fegan BL
 Ms S Curtin (2Plan NI)
 Ms G Stoten (Pegasus Group)
 Mr S Carr (Irwin Carr Consulting)
 Mr B Martin
 Mr J Colvin (Appellant)
 Mr J Colvin (Appellant's son)

Third Parties:-

Mrs J Telford (Objector)
 Mr J McEvoy (Objector)

List of Documents

Planning Authority:-

'A1' Statement of Case & Appendices (AC, B & C BC)
 'A2' Post-hearing comments on conditions (AC, B & C BC)
 'A3' Supplementary Statement of Case & Appendix (AC, B & C BC)
 'A4' Comments on Appellant's post-2nd hearing submissions (AC, B & C BC)

Appellant:-

'B1' Statement of Case & Appendices (B Martin)
 'B2' Post-hearing comments on conditions (B Martin)
 'B3' Response to Council comments on conditions (B Martin)
 'B4' Supplementary Statement of Case & Appendices (2Plan NI)
 'B5' Post-2nd hearing Letter & Copy of Memorandum of Sale (2Plan NI)
 'B6' Odour Impact Assessment (Irwin Carr Consulting) (post-2nd hearing submission)
 'B7' Noise Impact Assessment (Irwin Carr Consulting) (post-2nd hearing submission)
 'B8' Post-2nd hearing Letter (2Plan NI) & Heritage Rebuttal Statement (Pegasus Group)
 'B9' Post-2nd hearing Letter and Responses to other Parties (2Plan NI & Irwin Carr Consulting)

Third Parties:-

'C1' Statement of Case (J Telford)
 'C2' Statement of Case (J McEvoy)
 'C3' Statement of Case (A & H Fletcher)
 'C4' Supplementary Statement of Case & Appendices (J Telford)
 'C5' Supplementary Statement of Case (J McEvoy)
 'C6' Post-2nd hearing Heritage Rebuttal (J Telford)
 'C7' Post-2nd hearing Rebuttal to Noise Odour Impact Assessments (J Telford)

Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	11 May 2026
Committee Interest	Local Application
Application Reference	LA05/2025/0828/F
Date of Application	12 November 2025
District Electoral Area	Downshire West
Proposal Description	Proposed coffee kiosk and associated canopy
Location	Navigation House, 148 Hillsborough Road, Lisburn, BT27 5QY
Representations	One
Case Officer	Emma Forde
Recommendation	Approval

Summary of Recommendation

1. As this is an application submitted by The Council it is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee as a mandatory application.
2. The application is recommended for approval as it complies with the requirements of policies TC1 and HE9 of the Lisburn and Castlereagh City Council Plan Strategy (the Plan Strategy) in that it has been demonstrated that the proposed coffee kiosk and associated canopy would be acceptable retail use accessible to the towpath and would not result in any unacceptable harm to the listed building or its setting.

Description of Site and Surroundings

3. The application site is located within the curtilage of Navigation House, a grade B1 listed building (HB19/08/011), along the western side of Hillsborough Road currently used as a community and social enterprise facility.
4. The site is bordered by the Hillsborough Road to the west, Blaris Road to the south, and the Lagan Valley towpath to the east. The site can be accessed

from the towpath via a sloped path. To the north of the site is a dwelling at No.148 Hillsborough Road.

Proposed Development

5. The application seeks permission for a permanent coffee kiosk on the site in lieu of an existing mobile coffee dock which is operated at the site from Tuesday to Sunday.
6. The coffee kiosk would measure approximately 3.6 x 3.4 metres, with a height of approximately 2.8 metres. It would be finished in a dark green vertical timber cladding, with mid grey smooth metal flashing, PPC aluminum canopy and windows, and light grey slatted timber doors.
7. The proposal also includes new paving (both brick and resin) adjacent to and surrounding the building and connecting to the existing towpath path, and a powder coated aluminum pergola to provide shelter. The pergola measures approximately 6 x 3 metres, with a height of approximately 2.5 metres.
8. In relation to the application, the Design and Access states the following:

“Stepping Stones NI, a local charity and social enterprise, currently lease Navigation House from Lisburn & Castlereagh City Council.

Stepping Stones NI acquired the lease to the site in 2021 to develop a horticulture and well being hub for people with learning disabilities and barriers to learning and employment. The historic site boasts a tranquil and unique setting and has been tastefully renovated to offer a versatile event and meeting space. They have a garden shop and workshops that are open to the public. They also have a coffee dock on site operated by Rare Grazing NI. The public can visit the existing coffee dock Tuesday - Sunday and access the Lagan Canal via the Union Lock at Blaris Road. The site is owned by Lisburn & Castlereagh City Council and the building is Grade B1 listed building.

The current coffee dock is a mobile unit on wheels situated outside the main entrance of the building to the rear of the site. The new permanent coffee kiosk will be permanent opposite the main entrance in the grassed area. The new permanent coffee kiosk will be manned by 1-2 staff.”

Relevant Planning History

9. The recent, relevant planning history on the site is as below.

Reference	Description	Decision
LA05/2024/0110/A	3 Other - Interpretation & Direction Signage	Granted

LA05/2023/0345/F	Proposed new public access path from Lagan Towpath to Navigation House adjacent to Blaris Road, Lisburn	Granted
LA05/2018/1209/LBC	The partial restoration of Navigation House, restoration and extension to the stable block and construction of a single	Granted
LA05/2018/0507/F	The refurbishment and extension of the stable block to Navigation House to provide educational workshop & classroom space as well as the proposed construction of a new structure to cover the existing courtyard to provide lobby / flexible working space. The planning permission also included a proposed change of use to Navigation House to provide office accommodation with the provision of disabled parking.	Granted

Consultations

10. The following consultations were carried out:

Consultee	Response
Historic Environment Division (HED)	No objection
Environmental Health	No objection
NI Water	No objection
Lagan Valley Regional Park Office	No objection

Representations

11. One representation has been received in respect to the proposed development. Whilst the person has no objection in principle to the proposed development they request restrictions to be placed on the opening hours and how the building is lit to prevent vandalism and protect the residential amenity of neighbouring residents. The points raised in the representation are summarised below:

- Noise and lighting should be considered in relation to neighbouring amenity with restrictions placed on the opening hours; and
- The gate should be supervised by those operating the kiosk or Navigation House to ensure there is no vandalism.

Planning Policy Context

Local Development Plan Context

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

Plan Strategy 2032

13. It is stated at page 16 of 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.

14. In accordance with the transitional arrangements the existing Local Development Plan is the LAP 2001 and the Plan Strategy. Draft BMAP remains a material consideration.
15. The LAP and draft BMAP identify the application site as being located within the development limit of Lisburn City and a node within the Lagan Valley Regional Park. The Old Hillsborough Road is a protected route.
16. This is ancillary retail development linked to the operation of Navigation House as a community and social enterprise facility. It is accessible to users on the Lagan Valley towpath which is a leisure and tourism asset.

Strategic Policy 01 Sustainable Development

17. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

The Plan will support development proposals which further sustainable development including facilitating sustainable housing growth; promoting

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

Strategic Policy 04 Supporting Sustainable Economic Growth

18. The plan will support development proposals which support sustainable economic growth without compromising on environmental standards. Economic growth can contribute to an enhanced society and improve health and well-being through the creation of job opportunities.

Strategic Policy 05 Good Design and Positive Place-Making

19. 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 main area, respect environmental and heritage assets and promote local distinctiveness. Positive place-making should acknowledge the need for quality, place specific contextual design which promotes accessibility and inclusivity, creating safe, vibrant and adaptable places.
20. The following operational policies in Part 2 of the Plan Strategy also apply.

TC1 Town Centres, Retailing and Other Uses

21. The proposal is for a coffee kiosk within the Lisburn settlement boundary limit. Policy TC1 states the following:
- A Sequential Approach will be adopted for planning applications for retail and other city/ town centre uses¹⁹ 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*

Listed Buildings

22. The site is within the curtilage of Navigation House, a Grade B1 listed building (Historic Buildings Reference: HB19/08/011). Policy HE9 Development affecting the Settling of a Listed Building states the following:

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

- a) the detailed design respects the listed building in terms of scale, height, massing and alignment*

- b) the works and architectural details should use quality materials and techniques (traditional and/or sympathetic) in keeping with the listed building*
- c) the nature of the use proposed respects the character of the setting of the building.*

Access and Transport

23. The proposal involves the use of an existing unaltered access to a public road. This will provide access for pedestrians and vehicles. 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.

24. The justification and amplification states that:

Development proposals involving a new access, or the use of an existing access must be in compliance with the requirements of the Department's Development Control Advice Note 15, Vehicle Access Standards (2nd Edition, published in August 1999).

The proximity of the proposed access to junctions, other existing accesses and the total number of accesses onto a given stretch of road are relevant matters in the assessment of traffic hazards. The combining of individual access points along a road will be encouraged as this can help to improve road safety.

Control over the land required to provide the requisite visibility splays will be required to ensure that they are retained free of any obstruction. This may be subject to a planning condition requiring that no development shall take place until the works required to provide access, including visibility splays, have been carried out.

Where an existing access is available the Council will generally expect this to be used, unless there is an opportunity to provide a more acceptable access arrangement. Where an existing access is to be used, but is sub-standard, a condition requiring its improvement prior to the commencement of the development will be imposed. In cases where a new access is considered acceptable in preference to the intensified use of an existing access a condition requiring the existing access to be closed may be imposed.

25. Whilst new parking is not proposed Policy TRA7 - Car Parking and Servicing Arrangements in New Developments notes that:

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.

The approach to the statutory Development Plan and Regional Policy

26. 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.

27. Paragraph 3.8 of the SPPS Edition 2 states:

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.

28. Paragraph 4.12 of the SPPS Edition 2 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.

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

30. Paragraph 4.26 of the SPPS Edition 2 that:

Design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Particular weight should be given to the impact of development on existing buildings, especially listed buildings, monuments in state care and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as Areas of Outstanding Natural Beauty, Conservation Areas, Areas of Townscape Character and Areas of Special Archaeological Interest. Appropriate and adequate amenity space, especially in residential developments (including unconventional solutions), is an important element of good design.

31. Paragraph 6.232 of the SPPS Edition 2 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.

Development Control Advice Note 15 – Vehicular Access Standards

32. 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.

Parking Standards.

33. The Parking Standards document sets out the parking standards that the Council will have with regards to in assessing proposals for new development.

34. The documents states that:

In assessing the parking provision in association with development the Department 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.

Assessment

Town Centres, Retailing and Other Uses

35. The application site is located within the settlement boundary of Lisburn City, in an area that is considered an 'edge of city or town centre' location.

36. A Sequential Test has been submitted to address Policy TC1. Regarding the location for the kiosk, the document states the following:

"The kiosk is ancillary to the established use of Navigation House, which since 2021 has been operated by Stepping Stones NI as a horticulture and wellbeing hub supporting people with learning difficulties, disabilities and barriers to employment. It provides a small-scale hospitality offer for staff, trainees, facility users and attendees at community events hosted on site, with income reinvested to support training and employment opportunities. The kiosk is also location dependent, as it directly adjoins the Lagan Towpath and is accessed by towpath users. On this basis, the proposal is appropriately sited on the application site and cannot reasonably be relocated without undermining its ancillary function and towpath relationship. As such, a location in the primary retail core and retail frontage, or in the city/town centre would not, in this case, be appropriate for the proposal."

37. The above highlights that the proposal is ancillary to and dependent on the current use at Navigation House as it provides for the users of Navigation House as well as being tied to Stepping Stone which is based in Navigation House. As such, this highlights the need for the proposal to be located within the application site, and why this location is preferable over the primary retail core, the city centre, and the edge of the city centre.
38. The site is located along the Lagan Tow Path, from which there is a gate into the site. This provides a place for stopping and congregating for users of the towpath which is leisure and tourism asset.
39. Given the site specific and ancillary nature of the proposal it is considered that this is a sequentially preferable location for the proposed retail use. It will add to the sustainability of the established community and social enterprise facility.

Development affecting the Setting of a Listed Building

40. The proposed development is located within the curtilage of Navigation House which is a Grade B1 listed building.
41. As stated previously, It would be finished in a dark green vertical timber cladding, with mid grey smooth metal flashing, ppc aluminium canopy and windows, and light grey slatted timber doors.
42. The proposal also includes new paving (both brick and resin) around the site, and a canopy to provide shelter. The canopy would measure approximately 6 x 3 metres, with a height of approximately 2.5 metres. It would be constructed of ppc aluminium flashing.
43. There would be a significant separation gap between the proposed development and the main building on the site, with the proposed development being sited to the northwest of the main building.
44. The proposal is minor in scale and would comprise a flat roof, with a height of approximately 2.7 metres. It would be simple in design and form as it is a simple rectangular shape with minimal detail.
45. The scale, height, massing, and alignment are respectful of the listed building as they the proposed development would be simple and minor in scale and therefore, would not detract or dominate the existing listed building. As such, the proposal is considered to comply with criterion a).
46. The Design and Access Statement states that a pre-consultation meeting with HED was carried out, in which it was provisionally agreed that the new building should be sited opposite the existing main entrance on the grassed area, and we are using materials that will complement the surrounding environment, consisting of:-vertical painted timber cladding, traditional slatted light grey doors (item 2) the same as the listed building, and smooth metal cladding to the bay

window and canopy, mid-grey (item 1), the same as the windows and flashings to the flat roof of the main building.

47. The building is small in scale and a simple rectangular shape. The colour will be a dark green that is sympathetic to the existing site and visually blend in with the backdrop of the hedges and trees. The proposal is considered to comply with criterion b).
48. As stated above, the proposed development has been designed to complement the surrounding environment. The Historic Environment Division (HED) have considered the impacts of the proposal on the listed building, including its setting, and having regard to the information provided, and the advice offered by HED the proposal is considered to comply with criterion c).

Noise, odour water and waste water use

49. The proposal does not include the preparation or cooking of food on the premises. Environmental Health and NI water were consulted on the application and have no objections to the proposal. No adverse amenity impacts are identified as a result of noise, odour or other nuisance.

Access and Transport

50. The application form indicates that the existing access arrangements for the site will not change. The proposal would not result in a change in the number of parking spaces on the site.
51. The proposal is to replace an existing structure of the same use on the site to a permeant structure. As such, it would not result in an intensification of use of the site, and there would be no alterations to the existing access and parking provision. Therefore, DfI Roads were not consulted on this application.
52. Given the above, the proposal would not prejudice road safety or significantly inconvenient the flow of vehicles.
53. As such, the proposal is considered to comply with the requirements of policies TRA2 and TRA7.

Consideration of Representations

54. One representations has been received in respect to the proposed development.
55. The proposal is located over 20 metres from any residential properties and would replace an existing mobile coffee kiosk on the site. If approved, a condition has been recommended for the opening times of the proposal to be limited to 0800 – 1700 Monday to Sunday in order to protect the amenity of neighbouring dwellings with respect to noise.

56. There is no external lighting proposed as part of the application, and given the nature of the kiosk, all lighting will be blocked from view when the kiosk is closed. As a result of this, the scale of the proposal, the restriction on opening times via condition, and the boundary vegetation, any lighting from the proposal is not considered to have a significant impact on residential amenity.
57. The comments make reference to the gate to the rear of navigation house. This gate does not form part of the application and so this point is not considered relevant to the application.

Conclusions

58. The assessment above demonstrates that all relevant planning policies have been fully considered in the assessment of this application, and the proposal complies with the above policy.

Recommendations

59. It is recommended that planning permission is approved.

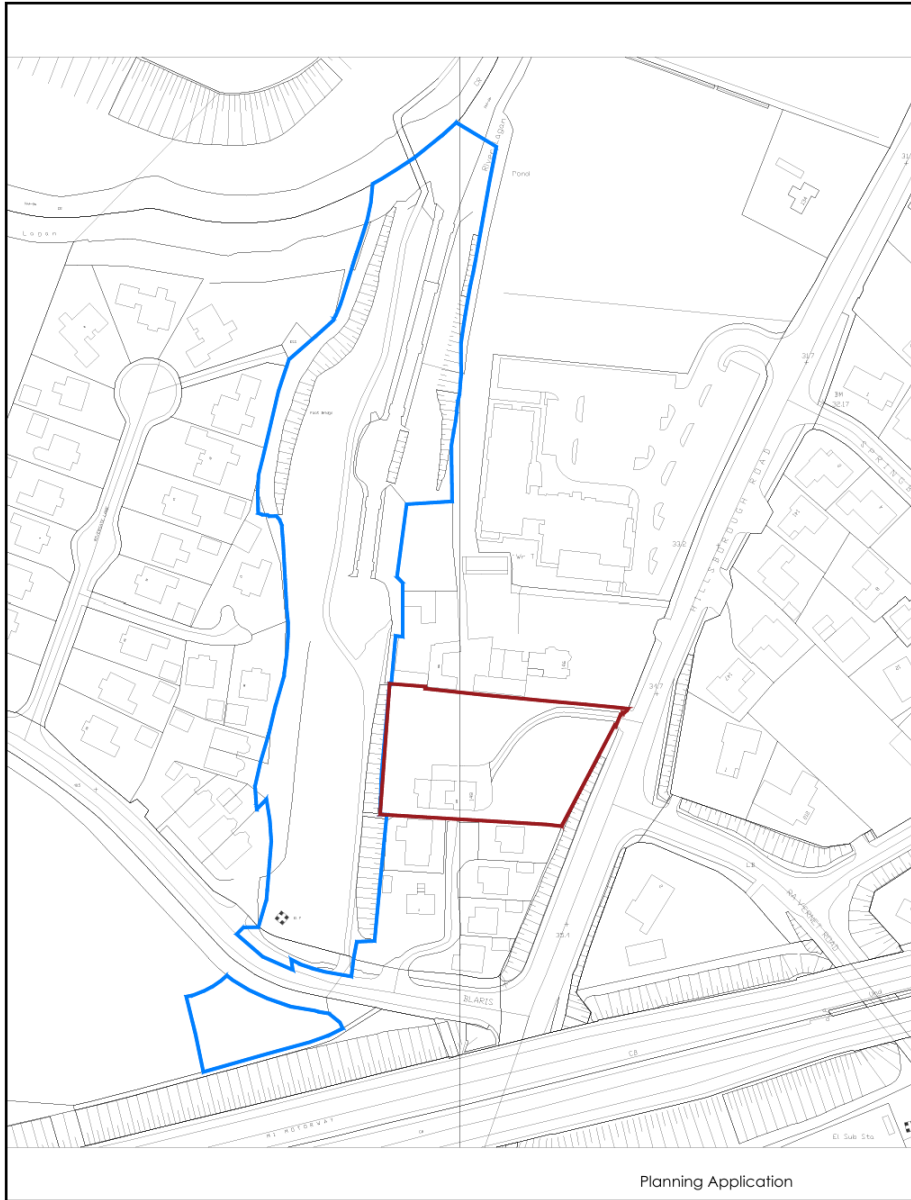
Conditions

60. The following conditions are recommended:
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
 2. The hours of operation at the site shall not exceed 0800 – 1700 Monday to Sunday.

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

Site Location Plan LA05/2025/0828/F



Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 2 – Quarter 3 Statistical Bulletin – October to December 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 development management function, including enforcement.
3. 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 to meet their own reporting obligations under the Local Government Act (Northern Ireland) 2014.

Key Issues

1. The DfI Northern Ireland Planning Statistics covering the second quarter of 2025/26 were published on 1 April 2026.
2. The Bulletin provides an overview of planning activity across Northern Ireland. It provides summary statistical information on Council progress across the three statutory targets for major development applications, local development applications and enforcement cases as laid out in the Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015.
3. A copy of the documents can be accessed via the link:

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-october-december-2025>
4. It is reported in the bulletin that:
 - There were 2,489 planning applications received in Northern Ireland (NI) during the third quarter of 2025/26 which is an increase of six percent from the previous quarter and nearly six percent on the same period a year earlier.
 - The average processing time for local applications brought to a decision or withdrawal during the first nine months of 2025/26 was 19.6 weeks across all Councils. This exceeds the 15-week target but represents an increase from the average processing time reported for the same period a year earlier (19.2

weeks). Three of the eleven Councils were within the 15-week target after the first nine months of 2025/26.

- The average processing time for major applications brought to a decision or withdrawal during the first nine months of 2025/26 was 38.6 weeks across all Councils. This exceeds the 30-week target but represents a decrease of one week from the average processing time reported for the same period a year earlier (39.6 weeks). Three of the eleven Councils were within the 30-week target after the first nine months of 2025/26.
- Across Councils 75.2% of enforcement cases were concluded within 39 weeks during the first nine months of 2025/26, meeting the 70% target. This represents an increase from the rate recorded for the same period in 2025/26 (70.1%). Individually, five of the eleven Councils were meeting the 70% target after the first nine months of 2025/26.

5. It is reported in the bulletin for the Lisburn and Castlereagh Council Area that:

- Lisburn and Castlereagh City Council Area had a slight increase 1.2% in applications received from the same quarter last year. This represented a 5.8% recovery in the number of applications received when compared to Q2.
- The largest decrease in the number of applications decided in Q3 2025/26 compared with the previous quarter was in Lisburn and Castlereagh City Council at (-18.7%). This was primarily due to the Christmas festive holiday period which decreases the available working weeks.
- There remains a focus on reducing the number of older local applications in the system. This is reflected in the number of weeks it is taking to process local planning applications which is recorded at 22.4 for Q3 and consistent with the downward trend on the previous quarter. At the same quarter last year the average processing time for a local application was 44.6 weeks.
- This Council continues to demonstrate good performance in processing major applications when compared with other Councils across Northern Ireland. The numbers of applications falling into this category remain small but their importance as a barometer of economic activity is recognised and there remains value in reporting performance against the statutory target.
- Performance in this Council Area is average for enforcement cases when compared with other Council areas and down on last year. The changes made to the team are embedding which should see an overall improvement in performance by year end.

Recommendation

It is recommended that the Committee notes the information in relation to the Quarter 3 Statistical Bulletin.

3.0 **Finance and Resource Implications**

There are no finance or resource implications.

4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out</p> <p>This is a report about Planning Statistics covering the third quarter of 2025/26 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 or rationale why the screening was not carried out.</p> <p>This is a report about Planning Statistics covering the third quarter of 2025/26 and RNIA is not required.</p>	

Appendices:

Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 3 – Statutory Performance Indicators – March 2026

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 March 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 March 2026 was 18.9 weeks. This is another month that the processing times for local applications was significantly 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.
4. A total of 774 applications has been decided which is 146 more than received. Our performance in year to date is 29.4 weeks. At the end of the last financial year the average processing time for local applications was 38.8 weeks.
5. Members will note that the performance against the statutory target for Major applications for March 2026 is 52.6 week. Our performance in year to date remains 62.4 weeks.
6. A total of 9 major applications were decided which is two more than were received this year. At the end of the last financial year the average processing time for local

	<p>applications was 59.2 weeks. Our performance has generally remained constant with only a slight increase in the number of weeks taken to process a major application.</p> <p>7. Enforcement is reported separately on a quarterly basis but for completeness Members are advised that the Council remains on target to achieve the statutory target of processing 70% of cases within 39 weeks. In March 92.3% of cases were decided in 39 weeks which demonstrates a return to good performance.</p>		
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee notes the information in relation to the March 2026 Statutory Performance Indicators.</p>		
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance or resource implications.</p>		
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>		
4.1	<table border="1"> <tr> <td>Has an equality and good relations screening been carried out?</td> <td>No</td> </tr> </table>	Has an equality and good relations screening been carried out?	No
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 or 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	<table border="1"> <tr> <td>Has a Rural Needs Impact Assessment (RNIA) been completed?</td> <td>No</td> </tr> </table>	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
Has a Rural Needs Impact Assessment (RNIA) been completed?	No		
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions or 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>		

Appendices:

Appendix 3 – Statutory Performance Indicators – March 2026

Statutory targets monthly update - March 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 ¹	Average processing time ²	% of cases processed within 30 weeks	Number received	Number decided/withdrawn ¹	Average processing time ²	% of cases processed within 15 weeks	Number opened	Number brought to conclusion ³	"70%" conclusion time ³	% of cases concluded within 39 weeks
April	1	1	27.4	100.0%	50	81	47.6	17.3%	29	13	96.2	38.5%
May	3	2	119.2	50.0%	40	59	56.6	20.3%	20	17	86.0	52.9%
June	1	2	76.6	50.0%	58	85	42.2	24.7%	25	21	20.2	81.0%
July	0	0	-	-	50	69	25.6	23.2%	13	21	27.4	76.2%
August	0	1	62.4	0.0%	61	52	27.5	23.1%	15	13	45.4	69.2%
September	0	0	-	-	43	69	25.6	34.8%	18	27	73.0	55.6%
October	1	0	-	-	49	70	19.4	31.4%	18	30	51.4	60.0%
November	0	0	-	-	59	69	33.8	23.2%	20	15	41.6	66.7%
December	1	0	-	-	55	26	16.0	46.2%	17	24	54.5	58.3%
January	0	1	84.2	0.0%	54	63	22.0	42.9%	33	28	35.3	78.6%
February	0	0	-	-	58	67	25.2	35.8%	29	16	30.5	87.5%
March	0	2	52.6	0.0%	51	64	18.9	34.4%	15	13	13.1	92.3%
Year to date	7	9	62.4	33.3%	628	774	29.4	28.7%	252	238	45.0	67.6%

Source: NI Planning Portal

Notes:

1. DCs, CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures

2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".

3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.

Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 4 – Appeal Decision – LA05/2024/0741/LBC

1.0 **Background**

1. An application for the demolition of listed Mill Buildings with part retention of buildings 2a and 2c adjacent to Mill Street at Hilden Mill, Bridge Street, Hilden was refused planning permission on 11 July 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 13 November 2025.
3. The procedure followed in this instance was the written representation procedure with an accompanied site visit taking place on 3 March 2026. Historic Environment Division provided evidence in support of the Council's reasons for refusal and attended the site visit.
4. The main issue in the appeal was whether the proposed demolition of the group of listed buildings was acceptable.
5. On 18 March 2026 the Commission confirmed that the appeal was dismissed.

Key Issues

1. The key issue identified in this appeal was whether the proposed demolition of the listed buildings is acceptable in principle in the absence of a planning application to redevelop the site.
2. The Commissioner concluded that the appellant had failed to provide clear or compelling evidence that the buildings were incapable of repair or improvement. The appellant's evidence was not considered to substantiate demolition and instead evidence identified the need for further specialist investigation into retention, feasibility, and cost.
3. Accordingly, the Commissioner agreed that, notwithstanding their structural condition, the buildings are of significant heritage value and that no exceptional justification or evidence of reasonable efforts had been provided to support demolition. In the absence of detailed firm redevelopment proposals, reliance on indicative concepts or future intentions were found insufficient to satisfy policy HE8 and the Commissioner sustained the first refusal reason.
4. The second refusal reason was also sustained by the Commissioner that a clear visual relationship exists between proposal buildings and neighbouring listed property, therefore in the absence of redevelopment proposals there was no

	<p>evidence to assess key architectural matters and it was regarded that subject demolition would harm the setting of listed properties.</p> <p>5. The appeal decision highlights the importance of Hilden Mill as part of the industrial heritage of Lisburn as a place. It further recognises the importance to any developer of bringing forward proposals for the redevelopment of the land that protects and integrates the listed buildings.</p>	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>No cost claim was lodged by any party in this instance.</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out</p> <p>This is a report 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 <u>or</u> 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>	

Appendices:	Appendix 4 – Appeal Decision – LA05/2024/0741/LBC
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Lisburn & Castlereagh City Council
Local Planning Office

By email

Our reference: **2025/A0092**
Authority
reference: **LA05/2024/0741/LBC**
19 March 2026

Dear Sir/Madam

The appeal has been dismissed. Please see decision attached.

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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Appeal Reference:	2025/A0092
Appeal by:	Mr James McBride on behalf of PKJ Developments (Hilden Mill) Limited
Appeal against:	Refusal of listed building consent
Proposed Development:	Demolition of listed Mill Buildings with part retention of Buildings 2a and 2c adjacent to Mill Street
Location:	Hilden Mill, Bridge Street, Hilden, Lisburn, BT27 4RZ
Planning Authority:	Lisburn and Castlereagh City Council
Application Reference:	LA05/2024/0741/LBC
Procedure:	Accompanied Site Visit dated 3 rd March 2026
Decision by:	Commissioner Gareth McCallion, 18 th March 2026

Decision

1. The appeal is dismissed.

Reasons

2. The main issue is whether the proposed demolition of the listed buildings is acceptable.
3. Section 80 of the Planning Act (Northern Ireland) 2011 (the Act) provides for the statutory protection of buildings of special architectural or historic interest. Pursuant to Section 85(2) of the Act, the demolition, alteration, or extension of a listed building is lawful only where written consent has been granted by the Council or the Department, and where any authorised works are executed strictly in accordance with the terms of that consent.
4. Section 91(2) of the Act requires that in considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, there must be special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
5. 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.

6. The DDP comprises the Lisburn Area Plan 2001 (LAP), which identifies the appeal site as being within the Lisburn Urban Area. Although the site adjoins the Lagan Valley Regional Park and an Area of High Scenic Value, no issues arise from these designations. In accordance with legislation, any conflict between the DDP and the PS must be resolved in favour of the latter. As the DDP contains no policies relevant to this proposal, no such conflict arises.
7. The Court of Appeal declared the adoption of the Belfast Metropolitan Area Plan (BMAP) unlawful in May 2017; its provisions therefore carry no weight. While draft BMAP 2004 (dBMAP) is not a DDP, it may be a material consideration in some circumstances. Under dBMAP, the site falls within the Settlement Development Limit for Lisburn and Hilden Area of Townscape Character (Map 2/30).
8. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is also material to all decisions at appeal stage. On 11th December 2025, the Department for Infrastructure published the SPPS, Edition 2, which included new policy provisions on Renewable and Low Carbon Energy.
9. 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.
10. Paragraph 6.13 of the SPPS restates the requirements of Section 91(2) of the Act, confirming that works to a listed building are acceptable only where they support its continued viability and preserved its character, architectural or historic interest, and setting. It also advises that proposals must be informed by the building's significance and provide clear justification for any alteration or demolition.
11. The appeal site forms part of the former Hilden Mill complex on the eastern edge of Lisburn, along the western bank of the River Lagan. The Grade B+ listed buildings (HB19/17/013A), associated with thread production from the 1820s until operations ceased around 2006, comprise two distinct building groups to the north and south of the site. Constructed primarily of basalt stone and red brick, they are now derelict following prolonged vacancy. Access is restricted, and the site is secured by palisade fencing.
12. The surrounding environs largely comprises of newly constructed red brick terraced housing located off both Mill Street and Bridge Street. There are two other listed buildings in the vicinity of the appeal site. The former Hilden Primary School (HB19/17/030) located to the northwest and an Iron Lattice Bridge (HB10/09/019), to the southwest of the appeal site.

13. Within the PS, Policy HE8 'Demolition or Partial Demolition of a Listed Building' states that "there will be a presumption in favour of retaining listed buildings". It continues that, "proposals for the total or partial demolition of listed building will not be permitted unless there are exceptional reasons why the building cannot be retained [sic]". It concludes that "where, exceptionally, listed building consent is granted for the demolition, this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition".
14. The justification and amplification (J&A) of Policy HE8 advises that "the demolition of any listed building should be wholly exceptional and will require the strongest justification through the provision of evidence of the building's condition that demonstrates it is not reasonably capable of being made structurally sound or otherwise improved. Consent will not be granted for the total or partial demolition of any listed building without clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses". It continues that "proposals for the demolition of a listed building will not be considered in isolation from proposals for subsequent redevelopment. The Council will require developers to submit detailed drawings illustrating the proposed redevelopment of the site to accompany a listed building consent application for demolition".
15. It was confirmed by both parties at the accompanied site visit (ASV) that the appeal proposal was not supported by detailed drawings illustrating the proposed redevelopment of the site. Some clarification was provided on site regarding the proposed retention of Buildings 2a and 2c; however, no plans were submitted to demonstrate this. At the ASV, the Appellant confirmed that, although preliminary redevelopment options have been considered and initial discussions held with RPP Architects, he maintains that the principle of demolition must first be established before further investment is made. His evidence indicates that conceptual redevelopment options and various assessments have been undertaken despite the buildings' condition. He further stated that future engagement is proposed with Richard Murphy Architects and Consarc Design Group.
16. Both parties referred to planning permission S/2007/1482/F, which approved a mixed-use development involving the refurbishment and conversion of the former mill. However, aside from the decision notice, the full details of that permission were not provided, preventing any meaningful comparison with the current appeal. The Council confirmed that the permission was never commenced and has now lapsed. The Appellant indicated that they may seek a Lawful Development Certificate to establish its validity but have not done so to date. The Appellant also acknowledged that the listed buildings, subject to the current appeal, were to be retained under that permission. Accordingly, the circumstances of S/2007/1482/F differ materially from the proposal before me and, as the Appellant affirmed on site, are not relevant to this determination.
17. At present, no redevelopment plans or drawings have been submitted. While the Appellant asked that the appeal proposal be considered on structural, economic, and safety grounds, Policy HE8 clearly requires demolition proposals to be

accompanied by detailed redevelopment proposals. Indicative concepts, preliminary discussions, or proposed future engagement do not satisfy this requirement. In the absence of such information, the Appellant's position on future expenditure, is fundamentally inconsistent with the obligations of the policy. However, prior to concluding on this matter, I will now turn to consider the remaining issues advanced by the parties.

18. The Council maintain that, despite its ruinous state, the appeal buildings are of considerable architectural and historic interest. The Council's case directs that no exceptional reason has been provided that would justify the demolition of the buildings. They contend that no clear or compelling evidence has been provided to demonstrate that all reasonable efforts have been made to sustain the existing building or to identify a viable means of its retention as an important industrial heritage asset. The Council asserts that, in line with Policy HE8, consent to demolish cannot be given simply because redevelopment is economically more attractive to the developer than repair and re-use. There were no third-party representations at appeal stage, though earlier submissions at the planning application stage, including those from SAVE Britain's Heritage found within the appeal papers, largely reflect the Council's concerns.
19. There is no dispute that the buildings are in a dilapidated condition. While I observed that elements of the original construction remain evident, including early-19th-century basalt, later 19th-century red brick, and subsequent concrete additions, the structures are in generally poor repair. Some decorative features persist, such as yellow-brick detailing on quoins and eaves and carved stone heads. Nevertheless, Policy HE8 establishes a clear presumption in favour of the retention of listed buildings. Furthermore, the relevant policy test is not satisfied by reference to the building's outward or visual condition alone; rather, it requires the demonstration of an exceptional reason why the listed structure cannot reasonably be retained in its existing form, or in a form capable of appropriate adaptation. The Policy's associated J&A makes plain that demolition is to be regarded as "wholly exceptional", and that such an outcome must be supported by "the strongest justification through the provision of evidence" demonstrating that the building is not reasonably capable of being made structurally sound or otherwise improved.
20. The Appellant submits that a series of fires carried out at the site in June 2021 has compromised the structural stability of the buildings. With the roof completely lost, the remaining walls are said to be unstable and at risk of collapse. The Appellant relies on an RPS Inspection Report dated 23rd June 2021 (RPS Report), which identifies the need for reinstated structural support and highlights associated health and safety risks. Referring to the approval of application S/2007/1482/F, he argues that economic conditions have changed substantially since that time, citing the 2008–09 financial crisis, the Covid-19 pandemic, and ongoing global instability, all of which have significantly increased construction costs. The Appellant contends that demolition is the only viable option. In support of the proposed demolition, it is claimed that the remediation of presumed ground contamination would cost between one to two million pounds which together with escalating material costs, makes full restoration of the mill unachievable.

21. The RPS Report acknowledges that the loss of the roof has removed essential lateral support, leaving the upper sections of the external walls unstable and in need of consolidation. The report directs that reinstating temporary or permanent stability measures would involve significant health and safety risks due to fire damage. It notes that the upper perimeter walls are particularly susceptible to collapse, especially in high winds.
22. However, the RPS Report also advises that specialist contractors should assess the feasibility of installing a façade-retention system to provide temporary support. If such temporary works are found to be unfeasible, the report recommends that unstable walls be reduced, under specialist guidance, to a height at which the remaining floors can provide the required lateral support. Moreover, the assessment is based on a limited inspection confined to a walk-through of the uppermost storey of buildings 2c, 2d, 2e and 2f located in the northern part of the appeal site. It does not examine the listed buildings in the southern area. Therefore, it cannot be relied upon as a comprehensive appraisal of all structures subject to this appeal.
23. Conversely, the report, despite its limitations, also directs to the Appellant obtaining specialist input on potential salvage and calls for the preparation of feasibility assessments. Accordingly, I find that the RPS report does not support the Appellant's case for demolition. Neither does the Taylor & Boyd assessment of 13th October 2025, contained within the appeal papers which, while noting extensive vandalism and fire damage, confirms that parts of the listed buildings may still be capable of retention and refurbishment, subject to detailed structural assessments and economic viability analysis.
24. The J&A of Policy HE8 states that "consent will not be given simply because redevelopment is economically more attractive to the developer than repair and re-use of the building". It further advises that proposals involving total or substantial demolition be supported by an assessment of the building's condition, including the costs of repair and maintenance in relation to its importance and the value of its continued use, the adequacy of efforts made to retain the building in use, and the merits of alternative proposals for the site.
25. I have already determined that planning approval S/2007/1482/F is not relevant to this appeal. Furthermore, the Appellant has provided no cogent evidence demonstrating how the 2008-09 financial crisis or the Covid-19 pandemic has materially altered conditions within the development or construction industries. While the Appellant asserts that full restoration of the buildings is now financially impossible, this contention is unsupported by any feasibility study or cost analysis. Indeed, the two inspection reports, referred to earlier, call for such undertakings before any firm conclusions can be reached on the appropriateness of demolition.
26. Although I observed at the ASV that extensive repairs are necessary, policy requirements cannot be satisfied through observation alone. In line with the requirements of the policy, clear, robust, and itemised evidence of the repair and maintenance costs is essential. While the Appellant referred to an estimated £100 million expenditure, no corroborating evidence was provided to demonstrate how this figure was calculated. It has not been demonstrated, in the absence of

- redevelopment proposals and detailed costings, that reasonable efforts have been made to retain the listed buildings or to assess the merits of an alternative scheme, including the proposed partial demolition of buildings 2a and 2c.
27. Regarding ground-contamination, the Appellant has undertaken no empirical ground investigations, such as borehole testing or equivalent site investigations, to substantiate the asserted contamination and associated costs. Whilst the sites' historic industrial use may indicate a potential for ground contamination, no documentary evidence has been adduced to establish its nature, extent or severity. In the absence of verified site-specific data, the contention that the costs of any remedial works are exceptional reasons, as to why the buildings cannot be retained, carries minimal evidential weight and cannot be accorded determinative significance in this appeal.
 28. I am not satisfied that the Appellant has demonstrated, through clear or compelling evidence, that the listed buildings are incapable of being made structurally sound or otherwise improved. No substantive information has been provided to establish that all reasonable steps to sustain the existing buildings, or to explore viable alternative uses, have been undertaken. The structural reports, relied upon by the Appellant, fall short of supporting the proposed demolition. Rather, they point to the need for further specialist investigations concerning the potential for retention, salvage, and associated feasibility and cost analyses.
 29. Given the lack of supporting evidence, the Appellant has failed to make the case for demolition as required by Policy HE8 to demonstrate why the appeal proposal is wholly exceptional. Furthermore, he has accepted that, notwithstanding the asserted health and safety constraints, additional evidence could have been produced but was not. Moreover, in the absence of a contemporary redevelopment scheme, against which the proposed demolition and partial retention can be assessed, the proposal does not satisfy the requirements of Policy HE8. These requirements are consistent with Section 91(2) of the Act and paragraphs 6.13 of the SPPS. Thus, I find the Council's concerns to be well-founded, and its first reason for refusal is sustained.
 30. Turning to the setting of listed buildings. Policy HE9 'Development affecting the Setting of a Listed Building' of the PS states that "proposals which would adversely affect the setting of a listed building will not be permitted. Development proposals will normally only be considered appropriate where all the following criteria are met: a) the detailed design respects the listed building in terms of scale, height, massing and alignment; b) the works and architectural details should use quality materials and techniques (traditional and/or sympathetic) in keeping with the listed building; and c) the nature of the use proposed respects the character of the setting of the building.
 31. The Council confirmed that its concerns regarding the appeal development involved the setting of the Hilden Primary School (HB19/17/030) and an Iron Lattice Bridge (HB10/09/019), built for employees associated with the mill, as well as the group value of these structures and the appeal buildings. They state that in the absence of firm proposals and the submission of detailed and contextual drawings to examine what might be developed in place of the mill building, the

- proposed demolition would detract from the setting of the listed building. During the ASV, clarification was provided by the Council that the group value relates to the cultural, historic and architectural value of the Listed Buildings present in the environs of the appeal site when read as a whole.
32. According to a map extract provided by the Council, the Iron Lattice Bridge lies to the southwest of the appeal site. During the ASV, access to the bridge could not be established, and the Appellant confirmed that, contrary to his written evidence, he was unaware of its existence. Dense vegetation and mature trees along the southern and southwestern boundaries prevented any visual connection between the appeal buildings and the bridge. Following the ASV, I sought to locate the bridge but found no public access. The area indicated on the map was heavily overgrown, fenced off, and largely reclaimed by nature. Observations from this location, together from the towpath on the opposite bank of the River Lagan, also revealed no discernible visual relationship between the approximate location of the bridge and the appeal site.
 33. Given that no clear on-site evidence established the bridge's presence or any intervisibility with the appeal buildings, I was unable to ascertain the extent of its setting nor its spatial or visual relationship with the appeal site. No cogent evidence was provided by the Council regarding the character or scope of the bridge's setting. The dense vegetation along the southern and southwestern boundaries of the appeal site, further prevented any meaningful assessment of how the proposal and the bridge might be experienced in juxtaposition. Accordingly, and on the evidential basis before me, I am not persuaded that the proposed appeal development would give rise to an adverse effect on the setting of the listed bridge.
 34. The Hilden Primary School (the school) lies a short distance northwest of the appeal site, off Bridge Street. As I observed, it has recently been restored and now includes a tearoom/café. Although modern terraced housing sits opposite the school's vehicular entrance, elements of the listed buildings in the northern part of the appeal site remain visible from the school and its former front garden, now an outdoor seating area. The school's name, "Hilden National School", is prominently embossed on the central gable, and the appeal buildings form part of the historic skyline when viewed from it. Thus, there is an established clear visual relationship between the two listed structures despite their differing original purposes.
 35. Whilst I note the Appellant's reference to the modern development along Bridge Street, and his contention that it demonstrates how contemporary development may successfully integrate within historic settings, the absence of any redevelopment proposals prevents any consequential assessment of how new development at the appeal site would relate to the school in terms of design or setting. Accordingly, I concur with the Council that, even with the proposed partial retention of Buildings 2a and 2c, the demolition would have an adverse effect on the setting of the school, contrary to Policy HE9.
 36. I recognise that the bridge, the school, and the appeal buildings each form part of the historic context of the area surrounding the appeal site. However, Policy HE9 provides no specific tests or guidance on assessing the 'group value' of historic

- buildings. Although the Council referred to a heritage setting shown on a map extract, this relationship is only apparent in plan form; the concealed position of the listed bridge and the degree of separation between the listed buildings mean that their interrelationship cannot be readily understood on the ground. The Council offered limited explanation of this issue during the ASV, and I was not directed to any location where the asserted group value could be meaningfully interpreted.
37. While the J&A to Policy HE9 notes that development can affect the character of a group of buildings, its focus is on setting and potential impacts such as noise or disturbance. I have already assessed the setting of the two listed buildings identified by the Council, and none of the additional matters cited within the policy where raised. On the evidence before me, I am not persuaded that the proposal would adversely affect the group value of the listed buildings identified by the Council.
 38. The J&A to Policy HE9 confirm that the setting of a listed building is integral to its statutory significance. I have already found a clear visual relationship between the appeal buildings and the school. In the absence of any redevelopment proposals, no substantive evidence has been provided to assess key architectural considerations such as scale, height, massing, alignment, or proposed materials. Based on the submitted evidence, and for the reasons already outlined, I am satisfied that the Council's concerns regarding the school's setting are well-founded. The second reason for refusal is therefore upheld to the extent identified.
 39. I acknowledge the Appellant's concerns regarding ongoing difficulties in securing the site. Nevertheless, the condition of the buildings and any associated health and safety risks remain matters within the owner's responsibility, including the implementation of all necessary remedial and statutory measures. The requirement for continued, robust security to prevent unauthorised access is also emphasised in the RPS report submitted by the Appellant. I further note that there is no dispute between the parties regarding the wider housing needs within the LDP area, and that the site may offer potential for appropriate housing in the future. However, neither the challenges associated with site security, nor the prospect of future housing development, outweigh the relevant policy considerations already identified.
 40. Although the Appellant contends that he was not adequately consulted or afforded an opportunity to respond to the consultation issued by the Department for Communities (DfC) regarding the historic buildings and surrounding environs, any alleged procedural irregularity associated with the processing of the application is to be pursued with the Council in the first instance. In any event, by exercising his statutory right of appeal, the Appellant has been given a full and fair opportunity to address all issues raised by both DfC and the Council.
 41. Furthermore, I acknowledge the Appellant's submission that the site forms part of a mixed-use development zone identified as LC08: Barbour Threads Mill. That designation, however, does not arise from the statutory LDP but instead from the Council's 'Annual Employment and Industry Monitoring Report', prepared during

consultation preceding adoption of the PS. As this document carries no formal plan status, I afford it limited weight only. My determination is therefore informed by the statutory development plan framework and the operative designations already identified above.

- 42. I conclude that the proposal is contrary to Policies HE8 and HE9 of the PS. The Council's first and second reason for refusals are sustained, so far as stated, and are determining in this case. Accordingly, the appeal fails.

The decision is based on the following drawings and reports:

Title	Date	Scale
Site Location Plan	14 th October 2024	1:2500

COMMISSIONER GARETH McCALLION

List of Attendees

Planning Authority: - Ms Barbara Hanna (Lisburn and Castlereagh City Council)
Ms Lorna Magee (Department for Communities)

Appellant: - Mr James McBride (SMB Surveyors)
Mr Alan Johnston (SMB Surveyors) *
Mr Philip Stinson (Turley Associates) *

* Denotes those observing only

List of Documents

Planning Authority: - Statement of Case (Lisburn and Castlereagh City Council)
Rebuttal Comments (Lisburn and Castlereagh City Council)

Appellant: - Statement of Case (Mr James McBride - SMB Surveyors)
Rebuttal Comments (Mr James McBride - SMB Surveyors)

Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 5 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. The Council is notified by Cornerstone of their intention to utilise permitted development rights to install communications apparatus at two separate locations within the Council area. 2. The works consist of the installation of broadband and telecommunication apparatus, upgrades to existing radio base stations and alteration or replacement of a mast or antenna in accordance with Part 18 (Development by Electronic Communications Code Operators) F31 of the Planning (General Permitted Development) Order (Northern Ireland) 2015. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. The notification advises the Council of the location of the apparatus where they intend to utilise permitted development rights. Detail is also provided in relation to the nature and scale of the works proposed. 2. Only the schedule of locations where the works are proposed has been appended to the report (see Appendix). However, the content of notifications detailed above are provided separately on Decision Time to assist Members in understanding the scope and nature of the proposed works. 3. No comment is provided on the requirement for planning permission for the equipment listed. This letter is also referred to the enforcement section of the Unit. They will write separately to the operator should it be considered that the requirements of the Regulations cannot be met at any of the locations specified.
2.0	<p><u>Recommendation</u></p> <p>It is recommended that Members note the detail of the notifications specific to the sites identified.</p>
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance or resource implications.</p>

4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out</p> <p>This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. EQIA not required.</p>	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. RNIA not required.</p>	

Appendices:	Appendix 5 – Notification 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
May Planning Committee**

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Cornerstone	WHP Telecoms Ltd	New Grosvenor Stadium, New Grosvenor Park, Ballyskeagh Road, Drumbeg, Lisburn	Allocated 6no. antennas, 15no. RRU's, 2no. dishes, and ancillary upgrades thereto to the existing lattice mast.	23/03/2026
2.	Openreach	BT	Outside portacabin, 75 Cockhill Road, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	02/04/2026

Committee:	Planning Committee
Date:	11 May 2026
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 6 – Annual Planning Appeal Decision Update

1.0 **Background**

1. An action was agreed as part of the Planning Service Improvement Plan to report annually the outcome of Planning appeal decisions to the Planning Committee and disseminate learning for officers and Members.
2. A list of the appeal and enforcement appeal decisions are attached to this report.
3. From 01 April 2025 to 31 March 2026 a total of 15 Planning appeal decisions were received from Planning Appeals Commission (PAC). Of those, 12 appeals were dismissed and 3 appeals were allowed.
4. It is further noted that whilst the PAC agreed with 80% of the decisions made by the Council, Members should note that in the three appeals allowed new evidence was provided that either addressed or in part addressed the concerns of the Council.
5. A total of 9 appeals were decisions for applications processed under delegated authority. Of the decisions taken by the Planning Committee 67% were dismissed.
6. From 01 April 2025 to 31 March 2026 a total of 4 enforcement appeal decisions were received from PAC. Of those 3 notices were upheld and 1 notice was quashed. All enforcement matters are dealt with by officers under delegated authority.
7. As part of our learning and development and as good practice all the appeal and enforcement appeal decisions have been reported to the Planning Committee as they have been received.
8. Members should note that there are a further 20 appeals lodged and at various stages of process.

Key Issues

1. Members are advised that the PAC has supported good decision making by the Council with a high proportion of appeals being dismissed or enforcement notices upheld.

	<p>2. In their recent annual review, the PAC report that 243 appeals were decided this year including enforcement appeals. Of those 79 were allowed which is a success rate of 32.5% for all appeals.</p> <p>3. The equivalent success rate in this Council area is 21% which speaks to the high quality decision making in the past twelve months.</p>		
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Committee notes the report and the decisions from the Planning Appeals Commission during the previous financial year.</p>		
3.0	<p><u>Finance and Resource Implications</u></p> <p>No claims for costs associated with the appeal decisions.</p>		
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>		
4.1	<table border="1"> <tr> <td>Has an equality and good relations screening been carried out?</td> <td>No</td> </tr> </table>	Has an equality and good relations screening been carried out?	No
Has an equality and good relations screening been carried out?	No		
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out</p> <p>This is a report updating the committee on a decision by the PAC and EQIA is not required.</p>		
4.3	<table border="1"> <tr> <td>Has a Rural Needs Impact Assessment (RNIA) been completed?</td> <td>No</td> </tr> </table>	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
Has a Rural Needs Impact Assessment (RNIA) been completed?	No		
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>This is a report updating the committee on a decision by the PAC and RNIA is not required.</p>		

Appendices:

Appendix 6 – List of appeal decisions and enforcement appeal decisions

Appendix 1 to Item 6 – Annual Appeal Decision Update

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Appeal Decisions.

No	Date of Decision	Appeal Reference	Planning Reference	Appeal Decision
1	03 April 2025	2023/A0053	LA05/2022/1058/O	Appeal Dismissed
2	17 April 2025	2024/A0096	LA05/2021/1150/F	Appeal Dismissed
3	13 May 2025	2024/A0105	LA05/2022/0538/O	Appeal Allowed
4	21 May 2025	2024/A0084	LA05/2023/0438/O	Appeal Dismissed
5	17 June 2025	2023/A0069	LA05/2021/0974/O	Appeal Dismissed
6	30 June 2025	2025/A0010	LA05/2024/0075/A	Appeal Dismissed
7	30 June 2025	2024/A0121	LA05/2024/0106/O	Appeal Dismissed
8	29 July 2025	2024/A0136	LA05/2023/0632/F	Appeal Dismissed
9	31 July 2025	2023/A0064	LA05/2022/1173/O	Appeal Dismissed
10	29 August 2025	2024/A0007	LA05/2023/0134/A	Appeal Dismissed
11	29 September 2025	2025/A0018	LA05/2022/1135/F	Appeal Allowed
12	28 October 2025	2025/A0039	LA05/2023/0863/A	Appeal Dismissed
13	30 December 2025	2025/A0054	LA05/2020/0991/O	Appeal Dismissed
14	02 February 2026	2025/A0069	LA05/2021/1253/F	Appeal Allowed
15	18 March 2026	2025/A0092	LA05/2024/0741/LBC	Appeal Dismissed

Enforcement Appeal Decisions.

No	Date of Decision	Appeal Reference	Planning Reference	Appeal Decision
16	04 July 2025	2024/E0043	LA05/2024/0233/CA	Enforcement Notice Upheld
17	16 February 2026	2025/E0036	LA05/2023/1142/CA	Enforcement Notice Quashed
18	18 February 2026	2025/E0037	LA05/2024/0041/CA	Enforcement Notice Upheld
19	19 February 2026	2025/E0042	LA05/2025/0068/CA	Enforcement Notice Upheld