



September 3rd, 2025

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, 8th September 2025 at 10:00 am**, in the **Council Chamber** 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 4 August, 2025

For Approval

📄 *PC 04.08.2025 - Draft Minutes for Adoption.pdf*

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4.0 Report from the Head of Planning and Capital Development

4.1 Schedule of Applications to be Determined:

For Decision

📄 *Item 1 - Schedule of Applications (002).pdf*

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- (i) **LA05/2022/0033/F – Erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road on Lands between 58 and 66 Quarterlands Road, northeast of 54b-c & 56 Quarterlands Road, north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg Recommendation**

📄 *Appendix 1.1 - DM Officer Report - LA0520220033F - Third Addendum Quarterlands Final.pdf* Page 18

📄 *Appendix 1.1a(i) Appendix 1 to third addendum NI Water response 29.8.25 (1).pdf* Page 26

📄 *Appendix 1.1a(ii) Appendix 2 to third addendum EIA Determination.pdf* Page 27

📄 *Appendix 1.1b - DM Officer Report - LA0520220033F - Quarterlands - Second Addendum - FINAL (1).pdf* Page 39

📄 *Appendix 1.1b(i) - Note of Meeting with NI Water in relation to Quarterlands dated 23 September 2024 - FINAL.pdf* Page 49

📄 *Appendix 1.1b(ii) - Consultation response from NI Water dated 04 October 2024.pdf* Page 51

	<ul style="list-style-type: none"> Appendix 1.1b(iii) - Consultation Response from Lagan Valley Regional Park dated 31 March 2022.pdf Page 57
	<ul style="list-style-type: none"> Appendix 1.1c - DM Officer Report - LA0520220033F - Quarterlands - First Addendum - FINAL.pdf Page 59
	<ul style="list-style-type: none"> Appendix 1.1c(i) - Note of Site Meeting - 19.09.2023 - Quarterlands Road - FINAL.pdf Page 64
	<ul style="list-style-type: none"> Appendix 1.1d - DM Officer Report - LA0520220033F - Quarterlands - FINAL.pdf Page 66
(ii)	<p>LA05/2023/0946/F – Vehicle storage shed (retrospective) at approximately 70 metres south of 7 Ravarnet Road, Lisburn</p> <ul style="list-style-type: none"> Appendix 1.2 DM Officer Report -LA05.2023.0946.F 7 Ravarnet Road (checked).pdf Page 115
(iii)	<p>LA05/2022/0506/F – Retrospective application for temporary change of use of lands to car sales and car wash and temporary retention of and change of use of former school building as office at 44 Scroggy Road, Glenavy</p> <ul style="list-style-type: none"> Appendix 1.3 DM Officers Report LA05.2022.0506.F 44 Scroggy Road.pdf Page 133
(iv)	<p>LA05/2024/0717/F – Proposed replacement changing rooms at Derriaghy CCFC, 22 Seycon Park, Dunmurry</p> <ul style="list-style-type: none"> Appendix 1.4 2024-0717-F - Derriaghy CCFC Riverside 22 Seycon Park.pdf Page 150
4.2	<p>Statutory Performance Indicators - July 2025</p> <p><i>For Noting</i></p> <ul style="list-style-type: none"> Item 2 - Statutory Performance Indicators - July 2025.pdf Page 171
4.3	<p>Appeal Decision – LA05/2022/1173/O</p> <p><i>For Noting</i></p> <ul style="list-style-type: none"> Item 3 - Appeal Decision -LA05 2022 1173o.pdf Page 173 Appendix 3 Appeal Decision LA05 2022 1173 o.pdf Page 175
4.4	<p>Appeal Decision – LA05/2023/0632/F</p> <p><i>For Noting</i></p> <ul style="list-style-type: none"> Item 4 - Appeal Decision -LA05 2023 0632F.pdf Page 182 Appendix 4 Appeal decision LA05 2023 0632F.pdf Page 184

4.5	Pre-application Notice (PAN) for the construction of an engineered landfill site for Non-Hazardous wastes within the quarry void and associated infrastructure to include leachate treatment plant, landfill gas plant, weighbridge, offices, car park and wheel wash and other associated ancillary development at Budore Quarry, 15 Sycamore Road, Dundrod	
	<i>For Decision</i>	
	▢ <i>Item 5- LA05 2025 0469PAN.pdf</i>	<i>Page 192</i>
	▢ <i>Appendix 5a - Report in relation to LA05 2025 0469PAN.pdf</i>	<i>Page 194</i>
	▢ <i>Appendix 5b LA05 2025 0469PAN application form.pdf</i>	<i>Page 197</i>
	▢ <i>Appendix 5c LA05 2025 0469PAN Site Location Plan.pdf</i>	<i>Page 202</i>
 4.6	 Pre-application Notice (PAN) for the expansion to Maghaberry to provide neighbourhood community comprising of a health and wellbeing hub, a community hub, extension to The Shed restaurant / coffee shop, offices, affordable and private housing, affordable and private supported housing for over 55s in Categories 1 and 2, respite care, guesthouse and affiliated self-catering apartments, public open space including landscaping, gardens and play areas, and access from Hammonds Road and Maghaberry Road on Lands t	
	<i>For Decision</i>	
	▢ <i>Item 6- LA05 2025 0504PAN.pdf</i>	<i>Page 203</i>
	▢ <i>Appendix 6a - Report in relation to LA05 2025 0504PAN.pdf</i>	<i>Page 205</i>
	▢ <i>Appendix 6b LA05 2025 0504PAN Form amended.pdf</i>	<i>Page 209</i>
	▢ <i>Appendix 6c amended Site Location Plan.pdf</i>	<i>Page 216</i>
 4.7	 Letter to Heads of Planning in respect of the Planning Improvement Programme – Update of Development Plan Practice Notes	
	<i>For Noting</i>	
	▢ <i>Item 7 - Letter to Heads of Planning in respect of the Planning Improvement Programme.pdf</i>	<i>Page 217</i>
	▢ <i>Appendix 7 Draft DPPN programme - update letter and annex.pdf</i>	<i>Page 219</i>
 4.8	 Notification by telecommunication operator(s) of intention to utilise permitted development rights	
	<i>For Noting</i>	
	▢ <i>Item 8 - Notifications from an Operator in respect of intention.pdf</i>	<i>Page 222</i>
	▢ <i>Appendix 8- List of Notifications - September 2025.pdf</i>	<i>Page 224</i>

4.9 Local Development Plan 2032 Quarterly Update

For Noting

▢ *Item 9 Report for Noting LDP Quarterly Update Sept 2025 (003).pdf*

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4.10 Enforcement Quarterly Update

For Noting

▢ *Item 10 FINAL Planning Committee Enforcement Quarterly Update Sept 2025.pdf*

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▢ *Appendix 10 Enforcement Quarterly update Sept 2025.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, 4 August, 2025 at 10.02 am****PRESENT IN CHAMBER:**

Alderman J Tinsley (Chair)

Aldermen O Gawith and M Gregg

Councillors S Burns, D J Craig, U Mackin, A Martin and N Trimble

PRESENT IN REMOTE LOCATION:

Councillors D Bassett and P Catney

IN ATTENDANCE:

Director of Regeneration and Growth
 Head of Planning & Capital Development
 Senior Planning Officers (MB, PMcF and GM)
 Member Services Officers (CR and EW)

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

Commencement of Meeting

Councillor U Mackin arrived to the meeting at 10.03 am.

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

1. **Apologies**

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

2. **Declarations of Interest**

The following declarations of interest were made:

- Councillor U Mackin, in respect of application LA05/2024/0410/F as he was a member of the Board of Governors of Beechlawn School; and
- Councillor D J Craig, in respect of application LA05/2024/0410/F as he was a member of the Education Authority.

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3. Minutes of Meeting of Planning Committee held on 7 July, 2025

It was proposed by Councillor U Mackin, seconded by Councillor P Catney and agreed that the minutes of the meeting of Committee held on 7 July, 2025 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Chair, Alderman J Tinsley, advised that there were 2 major and 3 local applications on the schedule for consideration at the meeting.

Councillor S Burns arrived to the meeting at 10.07 am.

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) LA05/2024/0410/F – Extension to Beechlawn Special School to provide additional classroom accommodation together with demolition of existing buildings and removal of 5 mobiles. Minor alterations to the existing carpark at Beechlawn Special School, 3 Dromore Road, Hillsborough

Having declared an interest in this planning application, Councillors D J Craig and U Mackin left the meeting for its consideration (10.09 am).

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

No-one was registered to speak on this application.

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

Debate

During debate:

- Alderman M Gregg welcomed this application which would bring about much needed accommodation at this special school. He was in support of the recommendation of the Planning Officer to approve planning permission. However, in line with the Justification and Amplification in RE2, he stated that Officers should be encouraging the take-up of renewable energy, not just in relation to this application but across the board;
- the Chair, Alderman J Tinsley, welcomed this application. He stated that the teachers and pupils of Beechlawn School deserved this extension; and
- Councillor P Catney concurred with the previous speakers. He welcomed the application and was in support of the recommendation of the Planning Officer to approve planning permission.

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- (i) LA05/2024/0410/F – Extension to Beechlawn Special School to provide additional classroom accommodation together with demolition of existing buildings and removal of 5 mobiles. Minor alterations to the existing carpark at Beechlawn Special School, 3 Dromore Road, Hillsborough (Contd)

Vote

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

Councillors D J Craig and U Mackin returned to the meeting (10.30 am).

- (ii) LA05/2022/0821/F – Proposed mixed use development comprising housing (46 units) and 13 employment units (Classes B2 and B4) with associated public open space, new access to Rathfriland Road, parking, landscaping and ancillary site works at a site to the north of 60 Rathfriland Road and south and west of 52 Rathfriland Road, Dromara, Dromore

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

The Committee received:

- Ms J Doyle to speak in opposition to the application;
- Alderman A McIntyre to speak in opposition to the application; and
- Mr B Starkey, accompanied by Mr J Sergeant and Mr T Cousins, to speak in support of the application.

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

A number of Members' queries were responded to by Planning Officers, as well as Mr B Finlay, DfI Roads, who was in attendance at the meeting.

Debate

During debate:

- Councillor N Trimble stated that his concern regarding this application had been flooding and the flood risk. This matter had been explored quite thoroughly. He stated that the reality was that, if this site remained as a field, Dromara still had flooding issues and those needed resolved. Councillor Trimble was satisfied that, in light of the water attenuation proposed here of mitigating the flow off the site, there would be no exacerbation of ongoing flooding issues. He appreciated the frustration of people directly impacted by flooding; however, if the Rivers Agency was signing off on this and from what he had heard at this meeting, he was in support of the recommendation of the Planning Officer to approve planning permission;

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- (ii) LA05/2022/0821/F – Proposed mixed use development comprising housing (46 units) and 13 employment units (Classes B2 and B4) with associated public open space, new access to Rathfriland Road, parking, landscaping and ancillary site works at a site to the north of 60 Rathfriland Road and south and west of 52 Rathfriland Road, Dromara, Dromore (Contd)
- Councillor U Mackin appreciated the clarity received in respect of a number of issues which had removed some of his fears. However, he still had a major concern over the flooding issue. If relying on a 2017 Flood Alleviation Scheme, it was not working effectively today, so how could it work effectively in coming years when the proposed development was completed. Councillor Mackin was not convinced that there would not be increased flooding because of the proposed development. The River Lagan could only take so much water, no matter what measures were put in place landside. Councillor Mackin was not in support of the recommendation of the Planning Officer to approve planning permission;
 - Councillor D J Craig, as a qualified engineer, stated that he was intrigued by some of the engineering solutions proposed. This application was relying on a 2017 Flood Alleviation Scheme but he stated that that was not working. Unless something major was done by the Rivers Agency and Northern Ireland Water in the near future, flooding would continually happen on what looked like an annual basis. Councillor Craig was concerned that the engineering solution would guarantee a slower runoff of water, but a slower runoff would last for a much longer period, meaning relief of flooding for tenants would take a much longer period of time. There would be a continual flow out of oversized pipes on the site. Councillor Craig was not convinced that the Rivers Agency and Northern Ireland Water had got their acts together regarding the entire flooding issue in Dromara and he had serious concerns. He also queried the sensibility of linking two major developments from a road infrastructure point of view. He was convinced it would create a rat-run between the two and would have unforeseen consequences. Councillor Craig was not in support of the recommendation of the Planning Officer to approve planning permission;
 - Councillor P Catney welcomed the affordable housing units included in this application and was in support of the recommendation of the Planning Officer to approve planning permission;
 - Alderman O Gawith concurred with Councillors Mackin and Craig. He too had concerns regarding flooding and was not convinced with the response he had received regarding the wildlife issue. He had been told Officers had walked the land recently but he had not been told when. Lapwings nested at a particular time of the year. Alderman Gawith had not been given enough information to allay his concerns and he was not in support of the recommendation of the Planning Officer to approve planning permission;
 - Councillor A Martin concurred with Councillors Mackin and Craig and Alderman Gawith. He was not happy with traffic moving through a development maybe with children and young people and the option of HGVs using that route. He was also concerned regarding flooding. He did not consider the technology proposed would address the problem and he was not in support of the recommendation of the Planning Officer to approve planning permission; and

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- (ii) LA05/2022/0821/F – Proposed mixed use development comprising housing (46 units) and 13 employment units (Classes B2 and B4) with associated public open space, new access to Rathfriland Road, parking, landscaping and ancillary site works at a site to the north of 60 Rathfriland Road and south and west of 52 Rathfriland Road, Dromara, Dromore (Contd)

- Alderman M Gregg concurred with Councillor Trimble. The explanation received regarding the hydro-brake that would be put in place had alleviated any concerns he had. The response from DfI Rivers advised that it allowed for the current flood plain, as well as for climate change. He did not consider that this development would create a rat-run. He was disappointed that an additional speed ramp was not provided at the bottom end of road 3. He had heard what both DfI Roads and the developer had said in that it complied with DMRB, but he did expect that residents would have concerns that one was not provided. Alderman Gregg was in support of the recommendation of the Planning Officer to approve planning permission.

Vote

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

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman M Gregg, Councillor N Trimble and Chair, Alderman J Tinsley (6)

Against: Councillor D J Craig, Alderman O Gawith, Councillor U Mackin and Councillor A Martin (4)

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for a comfort break (12.16 pm).

Resumption of Meeting

The meeting was resumed at 12.25 pm.

- (iii) LA05/2024/0302/F – Replacement dwelling and garage and associated site works at 54 Creevytenant Road, Ballynahinch

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

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

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(iii) LA05/2024/0302/F – Replacement dwelling and garage and associated site works at 54 Creevytennant Road, Ballynahinch (Contd)

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

Debate

During debate:

- Councillor D J Craig stated that he was not in support of the recommendation of the Planning Officer to refuse planning permission. There was a planning history at the site and there had clearly been a building there. Councillor Craig considered that it had been demonstrated by the evidence provided to the Committee that there was a health and safety issue with regard to the building staying where it was. For the developer to have demolished it but not started building work in a timely manner was something that only the developer could explain. Councillor Craig considered that the wording in COU3 was not that restrictive that it did not allow for interpretation of this application in the way previous applications had been interpreted under other legislation. He understood that this was a judgement call by Officers; however, he disagreed with their judgement call;
- Councillor N Trimble concurred with Councillor Craig and he too was not in support of the recommendation of the Planning Officer to refuse planning permission. There was a planning history on the site and the planning permission was extant on the site when the building had been demolished. Within a month, or possibly even weeks, of demolition of the building, an application had been submitted to renew permission but that had taken 2 years to decide on and refuse. Councillor Trimble could not understand how that had taken such a period time. He considered the wording in COU3 was not as restrictive as was being portrayed. He quoted "in cases where a dwelling has recently been destroyed, for example, by an accident or a fire, planning permission may be granted for a replacement dwelling". It did not state that the building must have been destroyed by an accident or a fire, rather those were just examples. Councillor Trimble considered that the building previously on the site had exhibited the essential characteristics of a dwelling and there was no question that was replaceable under COU3. He felt that the applicant here had been the victim of very poor timing in terms of when he had gone ahead with the demolition and when permission had lapsed. He also stated that there were no objectors to the application;
- Alderman M Gregg concurred with the previous speakers; this was a judgement call and he deemed the judgement call of Planning Officers to be flawed on this occasion. There was no debate as to whether there had been a dwelling on this site previously and whether it was eligible for replacement. If more weight was given to the planning history where this had been approved and, through the evidence provided, it was deemed to comply with COU3, then the other reasons for refusal would fall away. Alderman Gregg considered that approval could be granted for this application;

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(iii) LA05/2024/0302/F – Replacement dwelling and garage and associated site works at 54 Creevytennant Road, Ballynahinch (Contd)

- Alderman O Gawith stated that he too was not in support of the recommendation of the Planning Officer to refuse planning permission. Given that the site had changed hands, he considered that using too much of the original history to affect a decision for the current applicant would be wrong. This was a balanced judgement and, in his view, Officers had made the wrong judgement; and
- Councillor U Mackin understood how finely balanced this decision was. He referred to the report from the health and safety company recommending that the previous building be made safe as soon as possible, with total demolition being the most practical solution given the nature of the building and its relationship with the road. Councillor Mackin could see no harm in replacing a building that had clearly been there. Whilst he understood the arguments offered by Officers and their interpretation, he was not in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

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

In favour: Councillor S Burns, Councillor A Martin and Chair, Alderman J Tinsley (3)

Against: Councillor P Catney, Councillor D J Craig, Alderman A Gawith, Alderman M Gregg, Councillor U Mackin, and Councillor N Trimble (6)

Abstain: Councillor D Bassett (1)

Given that the Officer recommendation to refuse planning permission had fallen, the Chair, Alderman J Tinsley, stated that a new proposal was required. It was proposed by Alderman M Gregg, seconded by Councillor D J Craig and, on a vote being taken, agreed that planning application LA05/2024/0302/F be approved, the voting being as follows:

In favour: Councillor D Bassett, P Catney, Councillor D J Craig, Alderman A Gawith, Alderman M Gregg, Councillor U Mackin, Councillor N Trimble and Chair, Alderman J Tinsley (8)

Against: None (0)

Abstain: Councillor S Burns and Councillor A Martin (2)

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

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- (iii) LA05/2024/0302/F – Replacement dwelling and garage and associated site works at 54 Creevytennant Road, Ballynahinch (Contd)
- COU3 was fulfilled with this application. The building that had since been demolished had exhibited the essential characteristics of a dwelling and had been demolished on health and safety advice. If COU3 was accepted, then COU15, COU16 and COU1 reasons fell away. That, coupled with previous planning history of approvals on the site, allowed the Committee to approve planning permission; and
 - The engineer's report provided to the Committee indicated that, during some preparatory works relating to sightlines, the building had been made unsafe and was extremely high risk to those that worked or travelled adjacent to it. It had been recommended in that report that the building be made safe and that the most practical solution was total demolition, given the nature of the building and its relationship with the road. The applicant had acted in accordance with that professional advice and within the confines of a live application that was valid and had been passed. Giving significant weight to that evidence provided by the applicant gave the Committee weighting behind that evidence to approve the application.

It was proposed by Alderman M Gregg, seconded by Councillor D J Craig and agreed that authority be delegated to the Head of Planning & Capital Development to formulate the precise wording of conditions.

Adjournment of Meeting

The Chair, Alderman J Tinsley, declared the meeting adjourned at this point for lunch (1.23 pm).

Resumption of Meeting

The meeting was resumed at 2.02 pm.

- (iv) LA05/2023/0823/F – Retention of approved building (with alterations) for purposes incidental to the enjoyment of the occupants of No 86A Beechill Road, with associated increase in residential curtilage at 86A Beechill Road, Belfast

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

The Committee received Mr D Donaldson, accompanied by Mr D Dummigan, to speak in support of the application and a number of Members' queries were addressed.

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

Debate

There were no comments made during debate.

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- (iv) LA05/2023/0823/F – Retention of approved building (with alterations) for purposes incidental to the enjoyment of the occupants of No 86A Beechill Road, with associated increase in residential curtilage at 86A Beechill Road, Belfast (Contd)

Vote

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

Alderman O Gawith and Councillor P Catney left the meeting (2.31 pm).

- (v) LA05/2023/0900/F – Proposal comprises 6 detached and 2 semidetached properties in lieu of 3 apartment blocks formerly approved under existing permission LA05/2020/0593/F on lands directly adjacent to 1-60 Moira Gate, Moira

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

No-one was registered to speak on this application.

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

Debate

During debate:

- Alderman M Gregg stated that he was unsure whether a 4 bedroomed house in Moira would meet the affordable housing threshold. This would be a difficult question for Council when the Section 76 Agreement was presented. Alderman Gregg referred to the reduction of 14 housing units within the settlement limits in Moira, which were 14 units that would require to be found elsewhere. However, there was no other location in Moira for this. That being said, Alderman Gregg remembered when this application had originally been presented to the Planning Committee and he had objected to it as he had not considered the apartment blocks were in keeping with the local surroundings. Had this current application been presented then, he would have approved it as the dwellings now proposed were more in keeping with the surroundings, but with considerably less density. On balance, Alderman Gregg was in support of the recommendation of the Planning Officer to approve planning permission.

Vote

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

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4.2 Statutory Performance Indicators – June 2025

Councillor D Bassett left the meeting at 2.52 pm.

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed that information relating to Statutory Performance Indicators for June 2025 be noted.

4.3 Northern Ireland Annual Statistics – Annual Statistical Bulletin (April 2024 – March 2025)

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed that analysis of the 2024/25 Bulletin relating to this Council area, as well as the Northern Ireland Statistics Annual Statistical Bulletin (April 2024 – March 2025), be noted.

4.4 Appeal Decision – LA05/2024/0075/A

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

4.5 Appeal Decision – LA05/2021/0974/O

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

4.6 Appeal Decision – LA05/2024/0106/O

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

4.7 Enforcement Appeal Decision – 2024/E0043

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

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

Members noted from the report, information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at a number of locations in the Council area.

4.9 Letter to Chief Executive in Respect of an Update on the Review of the Development Management Regulations

Members noted information regarding changes to the Development Management Regulations and that further changes were anticipated in a second phase of the project.

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5. Any Other Business

5.1 Requirement to Enter into a Section 76 Planning Agreement for Planning Application LA05/2022/0033/F Chair, Alderman J Tinsley

The Chair, Alderman J Tinsley, having sought an update in respect of the above, the Head of Planning & Capital Development advised that this application had not been presented today as, shortly after the last meeting of the Committee, a pre-action protocol letter had been received and it took time to prepare a response to that. The letter had been issued by the applicant and indicated that there was no reason for the application to return to the Planning Committee. The Council had instructed Counsel and a response was in preparation. A slight extension to the time limit for responding had been sought in light of the letter having been received around the time of the Twelfth of July holidays. A response was due to issue soon and a decision could then be taken about the application coming back to the earliest available Committee meeting.

5.2 Date of Next Meeting Head of Planning & Capital Development

It was agreed that, in order to honour leave commitments of the Head of Planning & Capital Development, the meeting of the Planning Committee scheduled to take place on Monday, 1 September, 2025 be rearranged to be held on Monday, 8 September.

5.3 Change of Membership Chair, Alderman J Tinsley

The Chair, Alderman J Tinsley, advised that this was Councillor U Mackin's last Planning Committee meeting as he was being replaced by Councillor J Laverty. Alderman M Gregg and Councillor A Martin paid tribute to Councillor Mackin's contribution to the Planning Committee over the years.

5.4 Planning Application at Back Road, Drumbo Alderman M Gregg

Alderman M Gregg sought an update on a planning application at Back Road, Drumbo that was to have been brought back to Committee. The Senior Planning Officer (PMcF) advised that outstanding information had been received last week and it was anticipated that the application would be presented to Committee as soon as possible, potentially at the September meeting.

Conclusion of the Meeting

At the conclusion of the meeting, the Chair, Alderman J Tinsley, thanked those present for their attendance.

PC 04.08.2025

There being no further business, the meeting was terminated at 3.09 pm.

Chair/Mayor

DRAFT

Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Schedule of Planning Applications to be Determined

1.0 **Background**

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

Key Issues

1. The applications are presented in accordance with the current scheme of delegation. There are four local applications. Two have been Called In and one mandatory, and one whereby exceptions apply.
 - a) LA05/2022/0033/F – Erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road on Lands between 58 and 66 Quarterlands Road, northeast of 54b-c & 56 Quarterlands Road, north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg
Recommendation – Approval
 - b) LA05/2023/0946/F – Vehicle storage shed (retrospective) at approximately 70 metres south of 7 Ravarnet Road, Lisburn
Recommendation – Refusal
 - c) LA05/2022/0506/F – Retrospective application for temporary change of use of lands to car sales and car wash and temporary retention of and change of use of former school building as office at 44 Scroggy Road, Glenavy
Recommendation – Refusal
 - d) LA05/2024/0717/F – Proposed replacement changing rooms at Derriagh CCFC, 22 Seycon Park, Dunmurry
Recommendation – Approval

	<p>2. The above referenced applications will be decided having regard to paragraphs 42 to 53 of the Protocol of the Operation of the Planning Committee.</p>	
2.0	<p><u>Recommendation</u></p> <p>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.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>Decisions may be subject to:</p> <ul style="list-style-type: none"> (a) Planning Appeal (where the recommendation is to refuse) (b) Judicial Review <p>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.</p> <p>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.</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>	
4.1	<p>Has an equality and good relations screening been carried out?</p>	<p>No</p>
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.</p>	
4.3	<p>Has a Rural Needs Impact Assessment (RNIA) been completed?</p>	<p>No</p>
4.4	<p>Summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.</p> <p>The policies against which each planning application is considered have been subject to a separate screening and/or assessment for each application. There is no requirement to repeat this for the advice that comes forward in each of the appended reports.</p>	

<p>Appendices:</p>	<p>Appendix 1.1 – LA05/2022/0033/F Appendix 1.1a-d LA05/2022/0033/F accompanying appendices Appendix 1.2 – LA05/2023/0946/F Appendix 1.3 – LA05/2022/0506/F</p>
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	Appendix 1.4 - LA05/2024/0717/F
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Planning Committee	
Date of Committee Meeting	08 September 2025
Committee Interest	Local Application (Exceptions Apply) – Third Addendum
Application Reference	LA05/2022/0033/F
Date of Application	06 January 2022
District Electoral Area	Castlereaugh East
Proposal Description	Erection of 17 dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road.
Location	Lands between 58 and 66 Quarterlands Road northeast of 54b-c & 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg.
Representations	More than 360
Recommendation	APPROVAL

Background

1. A composite report presented to the Committee on 02 September 2024 brings together the chronology of assessments as outlined in the reports presented to Committee on that date.
2. The main report has been amended to correct paragraph numbers only. No other changes have been to the substance and content of the planning advice contained in that report.
3. The application was deferred at the 02 September 2024 committee meeting to enable further legal advice to be obtained. An addendum report (Addendum 1) dated 18 September 2024 takes account of the advice.
4. It was previously advised in Addendum 1 that paragraphs 269 to 274 of the case officer report 02 September 2024 were withdrawn and replaced with updated advice on how objections in respect of the European Convention of Human Rights were addressed in the main report.
5. The application was deferred at a special meeting of the Committee on 18 September 2024 before officers had an opportunity to provide Members with clarification in relation to several matters that had been raised.

6. The reason the application was deferred was to enable officers to seek further information from NI Water in respect of the capacity of Drumbeg Wastewater Treatment Works to accommodate the proposed development.
7. Officers met with NI Water on 23 September 2024 to provide a broad overview of the reasons for the application being deferred, and to request that clarification be provided by way of a formal consultation response to matters raised at the committee meeting on 18 September 2024. A note of this meeting is provided as part of the papers – See Appendix 1.1(a)(i) to first addendum report.
8. A further consultation was issued to NI Water with a list of queries arising out of the committee meeting. A response received on the 04 October 2024 is provided as part of the papers – See Appendix 1.1(a)(ii) to first addendum report.
9. A second addendum presented to the planning committee on 14 October 2024 updated members on the advice from NI Water in relation to capacity concerns and any updates/changes to the main planning report arising out of the consultation.
10. Consideration was also given to issues raised in further third-party representations received from the Quarterlands Group in relation to the following matters:
 - Location of the development in the Lagan Valley Regional Park
 - Consultation response and representation from the Lagan Valley Regional Valley Park office
 - Advice in respect of the loss of hedgerow
 - Other matters related to the last planning committee meeting
11. The recommendation to grant planning permission was subject to the preparation of a Section 76 planning agreement which was in process between October 2024 to May 2025.
12. A draft Section 76 was presented to full Council in May 2025 for the purpose of being signed and sealed. It was deferred at the request of elected members so clarification could be sought on the application of planning policy HOU10 in the Plan Strategy.
13. The draft Section 76 was returned to a meeting of full Council on 26 June 2025 following receipt of the advice. The content of the draft agreement remained unchanged. Following representations from the elected members and on the recommendation of officers, the Council resolved to refer the matter back to allow the additional representations received in respect of this proposal to be considered.
14. Further representations have been received from the Quarterlands Group and three private individuals objecting to the proposed development on the following matters:

- Prematurity and the weight to be afforded to BMAP
- Location of the development in the Lagan Valley Regional Park
- The capacity of the Drumbeg wastewater treatment works, the sewer network and the potential of this to impact on important sites of nature conservation
- EIA Screening
- The financial position of the planning applicant
- The ability to deliver the affordable housing requirement through a Section 76 planning agreement
- Suitability of the four dwellings indicated as affordable housing
- Procedural fairness and process

Further Consideration

Prematurity and the weight to be afforded to BMAP

15. Recent objections raise the issue of prematurity as there is no adopted Local Policies Plan. The issue of prematurity was not raised previously and is considered as material to the assessment of this proposal.
16. It is stated at paragraph 5.73 of the SPSS that:

Where a new LDP is under preparation or review it may be justifiable, in some circumstances, to refuse planning permission on the grounds of prematurity. This may be appropriate in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant planning permission would prejudice the outcome of the plan process by predetermining decisions about the scale, location or phasing of new development which ought to be taken in the LDP context. A proposal for development that has an impact on only a small area would rarely come into this category, but refusal might be justifiable where a proposal would have a significant impact on an important settlement, or a substantial area, with an identifiable character. Where there is a phasing policy in the LDP, it may be necessary to refuse planning permission on grounds of prematurity if the policy is to have effect.
17. The Local Policies Plan is in preparation but in accordance with the published timetable it will be at least the end of Quarter 3 of 2026 before a draft Plan is published.
18. Transitional arrangements for the period between the adoption of the Plan Strategy are set out at page 12 of Part 1 of the Plan Strategy. These arrangements are set out at paragraph 45 of the main report of 02 September 2024.
19. Members are reminded that the transitional arrangements state:

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. Regulations state that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.

20. It is explicitly stated that the old development plans will only cease to have effect on the adoption of the new development plan which is the end of the plan making process for the Local Policies Plan and is not timetabled for adoption until Quarter 3/Quarter 4 of 2028.
21. Having regard to the requirements of paragraph 5.73 of the SPPS it is considered that this proposal will not result in prematurity as the development is not so substantial nor would it have a significant cumulative effect that to grant planning permission would prejudice the outcome of the plan process given the scale of the proposal is for 17 dwellings, on zoned housing land within a settlement limit which will only have a local impact. It is also considered that Drumbeg is not an important settlement or a substantial area, with an identifiable character given it is designated as a village in the settlement hierarchy in the Plan Strategy and there is no designated conservation area or Area of Townscape Character. For the reasons set out it is not accepted that it is premature to decide this application ahead of the adoption of the Local Policies Plan and a reason for refusal could not be sustained.
22. The weight to be afforded to BMAP was addressed in detail in the main report of 02 September 2024 at paragraphs 45 – 53. The most recent objections do not raise any new issues that requires the advice offered in that report to be changed or updated.

The location of the development in the Lagan Valley Regional Park

23. The location of the site in the Lagan Valley Park was addressed in detail in the second addendum report of 14 October 2024 at paragraphs 46 to 52.
24. The most recent objection does not raise any new issues that requires the advice offered in that report to be changed or updated.

The capacity of the Drumbeg wastewater treatment works, the sewer network and the impact of the proposed development on designated sites of nature conservation interest

25. The capacity of the wastewater treatment works, and sewer network is dealt within the second addendum report of 14 October 2024 at paragraphs 11 to 45. The most recent objections do not raise any new substantive issues that require the advice offered in that report to be changed or updated.
26. The connection to a combined sewer was identified in the drainage assessment submitted with the application at pages 8 and 11. The report highlights that NI Water did not raise any objection to the proposed development on the basis of an impact to a combined sewer overflow (CSO) on the network. No CSO is

- identified as being at or beyond capacity in the most recent objection to the proposed development.
27. A new issue is raised in respect of the operation of a combined sewer overflow (CSO) and the capacity of the sewage system that was not previously dealt with before and is considered as material to the assessment of this proposal.
 28. Clarification was sought from NI Water on the location of the CSOs and their advice is appended in full to this report at Appendix 1.
 29. NI Water advise that the Combined Sewer Overflow (CSO) referred to in the objections by a number of parties is located at the Drumbeg WWTW. They further advise that this works including the CSO continues to operate in accordance with its Water Order Consent issued by the Northern Ireland Environment Agency (NIEA). It is also confirmed that the additional foul flow from this current proposal will not impact the performance of the Drumbeg WWTW including the CSO.
 30. An objector further advised that there is a second CSO at Gowan Meadows impacted by the proposed development. NI Water advise that Gowan Meadows is a Wastewater Pumping Station (WWPS) serving a small sub-catchment of 17 domestic properties within Drumbeg WWTW catchment. As this pumping station does not receive any surface water flow it does not operate as a CSO. It operates with an Emergency Relief Overflow (ERO) in the event of a power failure, pump breakdown or blockage and this proposal will not discharge into the upstream sub-catchment served by this WWPS.
 31. Further advice was sought from Shared Environmental Service (SES) in respect of the recent objections and NI Water response. SES advise that 'having reviewed the recent objections and NI Water response, SES has no further comments to make.'
 32. SES previous advice was based on the site not being hydrologically linked to any designated site. They are not required to comment further on the flow of effluent to the Drumbeg WWTW as the works including the CSO are operating within the scope of its Water Order Consent.
 33. Based on the responses from NI Water and SES, the Council is content that the proposed development will not adversely impact the performance of the existing Drumbeg WWTW including the CSO as it continues to operate within its Water Order Consent issued by NIEA and the proposal is not likely to have a significant effect on the European and Ramsar sites in Belfast Lough and complies with policy NH1 of the Plan Strategy.
 34. The impact of the proposed development was screened for environmental impact. A Habitat Regulation Assessment was also carried out on behalf of the Council by Shared Environmental Services.

35. Ecology reports were provided and the evidence assessed by a range of consultees including DfI Rivers, DAERA Water Management Unit and Natural Heritage Division of NIEA. This advice was taken account of in the assessment of the application.
36. The impact of the proposed development on natural heritage was considered at paragraphs 164 to 198 of the main case officers report of 02 September 2024. Whilst the most recent objections raise new issues in relation to the capacity of the Drumbeg wastewater treatment works, the sewer network and the impact of the proposed development on designated sites of nature conservation interest following consideration of these issues in consultation with NI Water and SES the advice offered in the report of 02 September 2024 is not required to be changed or updated.

EIA Screening

37. The recent objections challenge the adequacy of the EIA Screening as the cumulative significant effects of sewage discharges reaching Belfast Lough from Drumbeg have not been considered. The Environmental Impact has been re-screened to take account of the objections and the advice provided from NI Water and SES above. For the reasons outlined in this re-determination report, it remains the view of officers that the environmental effects of the proposed development are not likely to be significant. A copy of the recent EIA Screening is provided at Appendix 2.

The financial position of the planning applicant

38. Further representations are received in respect of the draft Section 76 agreement that the planning applicant is a shell company with no assets and cannot be relied on to complete the development.
39. Any grant of planning permission arising from the current recommendation in both the main report and the related addendum reports subject to a Section 76 planning agreement, will be for the benefit of the lands the subject of the planning application and not be personal to the planning applicant. It is not for officers of the Council to speculate on whether the development will ultimately be carried out in the way suggested by the objectors or indeed at all.

The ability to deliver affordable housing through a Section 76 planning agreement

40. Again, it is not for officers of the Council to speculate on how the identified affordable housing units are delivered by the applicant. The sites being made available as affordable housing are identified in the draft agreement.
41. An objector raises a new issue that the agreement is not sufficient and that there was no reliance on planning conditions in the planning officer

recommendation to ensure the delivery of affordable housing and planning conditions need to be approved by vote of the Planning Committee.

42. The SPPS details at paragraph 5.66 that the council may consider the use of a planning agreement where what is required cannot be adequately addressed by the imposition of planning conditions.
43. Policy HOU10 of the Plan Strategy directs that the correct mechanism to secure affordable housing is through a Section 76 Planning Agreement and therefore planning conditions are not applicable in this case. Sufficient safeguards can be attached to the Section 76 planning agreement to allow it to be enforced should the covenants not be complied with.

Suitability of the four dwellings indicated as affordable housing

44. An objector raises a new issue that the affordable units specified in the draft Section 76 were not in front of the members and that the size and type of the units are a material consideration.
45. It is suggested by the objector that the dwelling at Site 14 is not an affordable housing unit as it is too large and able to accommodate four apartments which would leave sites 11-13 available for sale as full priced dwellings.
46. The four affordable housing units indicated by the developer including site 14 are considered acceptable as affordable units under Policy HOU 10 of the Plan Strategy as they are designed to integrate within the overall scheme with no significant distinguishable design differences as they will be the same height, finished in the same materials with comparable areas of parking and amenity space.
47. The four units are also considered acceptable under Policy HOU3 as the design, scale and layout of the development respects the surrounding context and character of Drumbeg as set out in the main report of 02 September 2024 at paragraphs 109-116 and the dwellings will meet the space standards in the Department for Communities Housing Association Guide 2009: Design Standards.
48. There is no application currently before the Council for the development of site 14 as anything else, for example, the development for apartments. In such circumstances the Council cannot speculate that site 14 may be changed in the future to apartments as this would require a separate planning application. Each application is assessed on its own merits and would be considered under Policy HOU10 and the need for affordable units to integrate within the overall scheme with no significant distinguishable design differences.
49. The developer offered the specified units as affordable which will be secured by the section 76 agreement. If this cannot be met, then it will not comply with the triggers within the section 76 agreement and can be enforced.

Procedural fairness and irregularities in the process

50. Generic issues are raised but the committee is the corporate decision maker and the proper procedures for consulting with the committee are followed.
51. There is no evidence that due process is not followed. The application was heard from the beginning to ensure that the proper procedures were followed. The advice in the reports is consistent throughout. New representations are received, and the proposal is heard in full to avoid the perception of bias.

Conclusions

52. The information contained in this addendum should be read in conjunction with the main case officer report and associated addendum reports last presented to Committee on 14 October 2024.
53. The issues raised in the additional representations are fully and properly considered. They do not change the substance of the previous advice offered.
54. It remains the recommendation of officers that this application should be approved [subject to section 76 agreement] for the same reasons set out in the main report of 02 September 2024 and associated addendum reports of 18 September 2024 and 14 October 2024.

Sharon Carville**Subject:** FW: LA05/2022/0033/F - Quarterlands**From:** Moore, Alan <Alan.Moore@niwater.com>**Sent:** 29 August 2025 09:03**To:** Gillian Milligan <Gillian.Milligan@lisburncastlereagh.gov.uk>**Cc:** Mooney, Roy <Roy.Mooney@niwater.com>; Crozier, Valerie <Valerie.Crozier@niwater.com>**Subject:** RE: LA05/2022/0033/F - Quarterlands

Hi Gillian

I hope you are well.

I have consulted with Operational colleagues regarding your query. Please note the following:

- The Drumbeg FFT CSO is located within the Drumbeg WWTW. The full name of this overflow is 'Flow to Full Treatment Combined Sewer Overflow'. When inlet flow exceeds Flow to Full Treatment, this overflow operates and diverts flow in excess of FFT to the storm holding tanks. The consent of this asset is included in the Water Order Consent for Drumbeg WWTW.
- Drumbeg WWTW continues to operate in accordance with its Water Order Consent issued by our Environmental Regulator the Northern Ireland Environment Agency (NIEA). Further to performance data stated at previous Planning Committee meeting in October 2024, I can confirm this WWTW was in compliance for 2024 and is projected to be in compliance for 2025. Operational colleagues have again confirmed that the additional foul flow from this proposal will not impact the performance of this WWTW.
- Gowan Meadows WWPS is a small pumping station serving a small sub-catchment of 17 domestic properties within Drumbeg WWTW catchment. It was constructed circa 2006 and its performance is monitored on the NI Water Telemetry system. It only receives foul flow as the upstream wastewater network is a fully separated system (i.e. separate foul and surface water sewers). As this pumping station does not receive any surface water flow it does not operate as a Combined Sewer Overflow. It operates with an Emergency Relief Overflow (ERO) which operates in the event of a power failure, pump breakdown or blockage. This proposal will not discharge into the upstream sub-catchment served by this pumping station and will therefore not impact the performance of this WWPS.

If you have any queries regarding any of the above please give me a call.

Regards
Alan

EIA DETERMINATION SHEET

Application No.
LA05/2022/0033/F

Date Received 06 January 2022

Case Officer:
Gillian Milligan

Proposal: Erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road.

Location: Lands between 58 and 66 Quarterlands Road northeast of 54b-c and 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg.

Deadline for Determination: N/A as this is a rescreening.

Extension of time requested: No as this rescreening is carried out in response to representations from third parties taking account of the latest guidance published by the Department for Infrastructure in December 2023.

Date Agreed: N/A

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017

Does the development fall within the scope of Schedule 1 of the above Regulations: -

No, the development is not of a type or scale that falls within the scope of Schedule 1 of the EIA Regulations.

Does the development fall within the scope of Schedule 2 of the above Regulations: -

Yes, the development is considered to fall within the scope of Schedule 2 of the above Regulations.

If 'Yes' which category: -

The application site lies within the Lagan Valley Area of Outstanding Natural Beauty a sensitive area and the development is also considered to fall within category 10(b) of Schedule 2 in that it is an urban development project.

The site area as indicated on the P1 Form is 1.1 hectares in size. The proposed development exceeds the 0.5 hectare threshold set out within category 10(b) of Schedule 2.

What are the likely environmental effects of the project-

Having regard to the nature and scale of the proposed development, the likely environmental effects are identified as follows:

- Potential Impacts to the Water Environment
- Potential Impacts to features of Natural Heritage Importance
- Potential Impact on Visual Amenity of Area of Outstanding Natural Beauty
- Potential Impact on Access and Transport
- Potential Impact on residential amenity with regard to noise, nuisance and disturbance
- Cumulative Impact

Were consultations necessary to complete the environmental assessment determination? If YES please specify.

Part 2(a) of the OM Practice Note 9(b) - Screening P notes that there is no statutory requirement under the EIA Regulations to undertake any consultation during screening.

The application when submitted was supported by the following documents many of which were updated as the application process evolved.

- Design and Access Statement
- Planning and Supporting Statement
- Rebuttal Statement
- NI Biodiversity Checklist
- Preliminary Ecological Assessment
- Ecological Appraisal Report
- Drainage Assessment
- Transport Assessment Form
- Service Management Plan
- Landscape Management Plan
- Tree Survey and Report

Consultations were not necessary to enable this re-determination to be completed as regard was had to the advice contained within the discrete reports supplied with the application and any advice that has been provided to date through the planning application consultation process.

Consultation with NI Water and Shared Environmental Service was required through the application consultation process to enable this re-determination to be completed.

Are the environmental effects likely to be significant:-

For the reasons outlined in this re-determination report, it remains the view of officers that the environmental effects of the proposed development are not likely to be significant.

Recommended Determination

Having regard to the nature and scale of the proposed changes an Environmental Statement is not required for the following reasons:

The application is for the erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road on land within the defined settlement limit of Drumbeg.

There is a planning history for residential development [S/2006/0690/F] associated with the application site and whilst there is some evidence that this earlier planning permission was commenced, no Certificate of Lawfulness is approved by the Council. This history is not a fall-back position to be taken account of in terms of environmental impacts.

This proposal is considered on its own merits having regard to the form of development proposed now and the environmental impacts that might arise as a consequence of the site being developed for housing.

Potential Impacts to Water Environment

A Drainage Assessment is submitted in support of the application. Paragraph 2.2 of this Assessment indicates that the site is not located within any of the Flood Directive flood maps. It is not affected by fluvial or pluvial flooding nor is there any evidence of historic records of flooding on the site.

Section 3 provides detail in relation to existing surface water run-off and post development surface water runoff. It indicates that the existing site is greenfield land and there is no evidence of storm drainage on the existing site. As such, surface water run-off in the form of overland flow is conveyed towards the northern and western boundaries of the site. The pre-development surface runoff from the site is 11.21/s which is the equivalent to greenfield run off rates of 10lis/ha. The surface water will be discharged to the existing storm drainage system and there is no risk of flooding as attenuation is provided in the form of oversized pipes and deeper manholes

NI Water has consistently advised that the Drumbeg WWTW has capacity available for the 17 dwellings proposed and that there is a public foul sewer within 20 metres of the site boundary which can adequately service the proposal. Whilst advice from NI Water notes that there is no public surface water sewer within 20 metres of the site it does acknowledge that access is available via extension of the existing public surface water network.

Information submitted by the Agent confirms that the applicant has secured Article 154/156 approval from NI Water for the requisition for a storm sewer to serve the development. NI Water in granting this approval accept that the proposed drainage solution is unlikely to unduly increase the level of run off from the site and cause downstream flooding.

NI Water has advised that Drumbeg WWTW continues to operate in accordance with its Water Order Consent issued by the Northern Ireland Environment Agency (NIEA). NI Water confirmed that this WWTW was in compliance for 2024 and is projected to be in compliance for 2025 and that the additional foul flow from this proposal will not impact the performance of this WWTW.

NI Water also advises that the Drumbeg FFT CSO (Flow to Full Treatment Combined Sewer Overflow) which is located within the Drumbeg WWTW is included in the Water Order Consent for Drumbeg WWTW.

The proposed development is not likely to result in significant environmental effects to the water environment.

Potential Impacts to features of Natural Heritage Importance

A Preliminary Ecological Appraisal [PEA] carried out in December 2021 is submitted in support of the application. The purpose of the PEA is to:

- Identify and categorise all habitats present within the site and any area immediately outside of the site where there may be potential or direct effects.
- Carry out an appraisal of the potential of the habitats recorded to support protected, notable or invasive species of flora and fauna.
- Provide advice on ecological constraints and opportunities including the identification of any requirements for additional habitat species surveys and/or requirements for mitigation.
- Provide a map showing the habitats identified on site and location of identified ecological constraints.

Section 4.1 explains that there are no sites with statutory designations for nature conservation within 2 km of the site nor is there any hydrological connection from the site to any site with a statutory designation.

Section 4.1.2 explains that there are six Site of Local Nature Conservation Interest [SLNCIs] within 1 km of the site and that these sites are designated for their diversity of habitats, species, landscapes and earth science features.

Extensive survey work has been undertaken by the applicant team to inform the ecological impacts associated with the proposed development and updated surveys in relation to protected species and habitats have been provided.

Landscape information acknowledges that internal hedgerows and grassland within the field will be lost to facilitate the development but that hedgerows around the perimeter of the site will be retained. The Landscape Management Plan includes provision of habitats which may be beneficial to wildlife. Existing boundary hedgerows will be enhanced with woodland planting of depth which will enhance biodiversity and provide for a variety of species.

No viable environmental pathways to any European Site or mobile features are identified from the site.

This was confirmed during the application process by Shared Environmental Services (SES) who carried out a separate Habitat Regulation Assessment Stage 1 Screening on behalf of the Council during the planning application process. This assessment also confirmed that the proposed development has no significant or insignificant effects which could contribute to cumulative effects on sites of ecological importance.

SES was further consulted during the application process regarding the operation of the combined sewer overflow at Drumbeg WWTW and the potential impact on designated sites of nature conservation interest in Belfast Lough.

Based on the response from NI Water that the CSO at Drumbeg WWTW continues to operate within its Water Order Consent issued by NIEA and the additional foul flow from this proposal will not impact the performance of this WWTW, SES replied that it had no further comments to make.

This will also ensure that there are no cumulative impacts with any other pumping stations that discharge into Belfast Lough and no likely significant impact on any

designated site of nature conservation interest.

Having regard to the nature and scale of the proposed development and the evidence submitted in support and advice from statutory consultees to date, it is considered that the proposed development will not result in significant environmental effects to features of natural heritage importance.

Potential Impact on Access and Transport

Detail submitted with the application indicates that there is an existing vehicular access into the site from Quarterlands Road which currently serves the dwelling at 66 Quarterland Road. It also explains that there are bus stops located within walking distance of the site on the Ballyskeagh Road which provide transport links to Lisburn and Belfast.

The site is also located approximately 800 metres from the Lagan Towpath which provides dedicated cycle and footpath linkages to Lisburn and Belfast. There are public footpath networks available on the opposite side of the Quarterlands Road, directly opposite the site.

The Transport Assessment Form (TAF) provides detail on the Travel Characteristics, Transport Impacts and measures to mitigate impacts/influence travel to the site. Vehicle trip generation data for the proposed development indicates that the proposed development of 17 residential units has the potential to generate 153 total person trips to the site per day.

This equates to approximately 13 person movements per hour.

Peak times are identified to be between 08:00- 09:00 and 17:00- 18:00

The TAF confirms that there will be a negligible increase in traffic movements associated with the development. It also confirms that 58 parking spaces in total will be provided within the site, 44 of which are in curtilage and 14 on street.

A Transport Assessment was not required to be submitted as part of this application as the nature and scale of the proposed development is such that it is not likely to have significant transport impacts.

Potential Impact on Visual Amenity of Area of Outstanding Natural Beauty

The site is located within Lagan Valley Regional Park- an area of Outstanding Natural Beauty.

The site has a boundary with the open countryside and is surrounded by other residential development and all other sides. There is no particular architectural style which defines the established character of this part of Drumbeg village. Dwellings in the local area range between one and two storeys in height, are of terraced, semi-detached and detached form and exhibit a range of materials and finishes.

Having regard to the nature and scale of the proposed development and its relationship to the surrounding built development, it is not considered that it will have a negative impact on the visual amenity of the Lagan Valley Regional Park. The buildings do not protrude into the open countryside and none of the key features of the AONB are adversely impacted.

Potential Impact on residential amenity with regard to noise, nuisance and

disturbance

The application is for residential development, and it is the experience of officers that whilst noise, nuisance and disturbance may arise in the construction phases of this type of development, these impacts are short in duration and not long term enduring impacts that require assessment. When the units are occupied and the outdoor amenity space used for enjoyment of property noise, nuisance and disturbance are not likely to result in significant environmental effects.

Noise and Air Quality Impacts

Having regard to the nature and scale of the proposed development and the detail provided in support of the application, it is accepted that there will be no significant impact on air quality or impact on residential amenity by virtue of noise and vibration.

Cumulative Impact

This is the last remaining piece of undeveloped land within the settlement limits of Drumbeg and it is zoned for housing in draft BMAP. The likelihood for significant environmental effects arising as a result of a development of the nature and scale proposed when added to the existing development in the settlement is considered within the context of the water and nature conservation environments, the road network, visual and residential amenity and described in the preceding sections of this report.

As the CSO at Drumbeg WWTW operates within its Water Order Consent issued by NIEA and the additional foul flow from this proposal will not impact the performance of this WWTW, the proposal is not likely to have a significant impact on designated sites within Belfast Lough and therefore there is no cumulative impact with any other pumping stations that discharge into Belfast Lough.

No significant effects are identified. These broad areas, when considered cumulatively are not considered to be of a nature or scale to have wide ranging environmental effects that require to be addressed through an Environmental Statement.

Signatures

Dated

- 1. G. Millon
- 2. [Signature]
- 3. [Signature]

- 1/9/25
- 2/9/25
- 2/8/25

REASONS WHY AN EA DETERMINATION IS NECESSARY

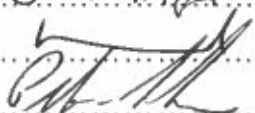

The application site lies within the Lagan Valley Area of Outstanding Natural Beauty. The development is considered to fall within category 10(b) of Schedule 2 as it is an urban development project. The site in a sensitive area (an AONB) and the size of the site would have triggered the requirement anyway.

For the reasons outlined above the environmental impacts of the proposal are not likely to be significant and as such, the application does not need to be accompanied by an environmental statement.

This form must not be detached from EA Determination Sheet

Signatures

Dated

- 1. G. Milligan
- 2. 
- 3. 

- 1/9/25
- 2/9/25
- 2/9/25

PROPOSAL: Erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road.

1. **Characteristics of development.**

The characteristics of development must be considered having regard, in particular, to: -

a) the size of the development

The application is for the erection of 17 dwellings with associated parking, landscaping site works and access arrangements from Quarterlands Road. The application site lies within the settlement limit of Drumbeg. The site area is 1.1 hectares.

It is residential development of a similar density to the development on neighbouring lands and is not considered to be of a scale that would result in significant environmental impacts for the reasons outlined earlier in this determination report.

b) the cumulation with other development

The cumulative impact of the proposed development has been considered having regard to the location of the site within the settlement limit and adjacent to existing residential development and it is not considered significant in terms of impacting on the visual amenity of the AONB or in relation to the water and natural heritage environments, road network, visual and residential amenity for the reasons detailed above.

As the CSO at Drumbeg WWTW operates within its Water Order Consent issued by NIEA and the additional foul flow from this proposal will not impact the performance of this WWTW, the proposal is not likely to have a significant impact on designated sites within Belfast Lough and therefore there are no cumulative impacts with any other pumping stations that discharge into Belfast Lough.

For this reason, the development when added to the existing development in the settlement cumulatively is not considered to be of a nature or scale to have environmental effects that require to be addressed through an Environmental Statement.

c) the use of natural resources in particular land, soil, water and biodiversity

The detail submitted with the application demonstrates that there is sufficient capacity within existing water and road networks to facilitate the development and the Landscape Management Plan demonstrate that existing hedgerows to boundaries will be retained and any impacts on the natural environment mitigated.

Having regard to the nature and scale of the proposed development it is considered that the use of natural resources would not result in a significant effect on the environment.

d) the production of waste

Construction works will typically produce waste in the form of overburden material from excavation, emissions from plant and machinery, cuttings from metal or woodwork and waste from concreting activities. This impact can be mitigated by requiring a CEMP.

That said, the production of waste associated with the erection of 17 residential units is not likely to result in a significant effect to the environment for the reasons described above.

e) pollution and nuisances

Emissions to air and noise pollution associated with the construction phase of any development is noted. Such impacts are not considered to be significant for the reasons outlined above.

f) the risk of accidents and/or disasters which are relevant to the development concerned, including those caused by climate change in accordance with scientific knowledge.

No risk of environmental damage has been identified as it is not considered that the proposed development will have significant effects on the environment.

g) risk to human health

No risks to human health are identified.

2. Location of development

The environmental sensitivity of geographical areas likely to be affected by development have been considered, having regard, in particular, to: -

a) the existing and approved land use

The lands to the north, west and south of the site are developed as low to medium density suburban residential housing and the lands to the east are primarily agricultural in use. The area beyond the immediate context of the site and settlement is primarily rural in character and the land is mainly in agricultural use.

A development of this nature and scale will not have a significant impact on existing land uses.

b) the relative abundance, quality and regenerative capacity of natural resources in the area (including soil, land, water and biodiversity) In the area and its underground.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which we have no record.

No viable pathways to any European Site or mobile feature are identified from the site.

There is available capacity at the Drumbeg Waste Water Treatment Facility to

service the development and the Combined Sewer Overflow operates within its Water Order Consent issued by NIEA, therefore having regard to the nature and scale of the proposed development it is accepted that it will not have a significant impact on the relative abundance, quality and regenerative capacity of natural resources in the area (including soil, land, water and biodiversity) in the area and its underground.

c) the absorption capacity of the natural environment, paying particular attention to the following areas: -

i) wetlands

The application site does not involve wetlands.

ii) coastal zones

The application site does not involve coastal zones.

iii) mountain and forest areas

The application site does not involve mountains or forest areas.

i) nature reserves and parks

It is acknowledged that the site is inside the Lagan Valley Regional Park which is an Area of Outstanding Natural Beauty.

ii) areas classified or protected under national legislation and areas designated pursuant to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (a) and Council Directive 2009/147/EC on the conservation of wild birds (b)

The site is not hydrologically connected to European sites and the Combined Sewer Overflow at the Drumbeg WWTW operates within its Water Order Consent issued by NIEA as such, there is not likely to be any significant impacts to areas or species protected under the above legislation.

iii) areas in which there has already been a failure to meet the environmental quality standards laid down in Union legislation and relevant to the development, or in which it is considered that there is such a failure.

The proposed site does not lie in an area in which there has already been a failure to meet the environmental quality standards.

iv) densely populated areas

The site is located within the settlement limit of Drumbeg approximately four miles from Lisburn City. The lands to the north, west and south of the site are developed as low to medium density suburban residential housing. The development is designed to integrate into the surrounding area and as such, there will be no significant environmental effect on densely populated areas.

v) landscapes of historical, cultural or archaeological significance

The site is not located within or adjacent to a Conservation Area or an Area of

Townscape Character. There are no listed buildings in or within the setting of the site. There are no scheduled monuments within the site context and there is no evidence that the land is in an area of significant archaeological potential.

2. Characteristics of the potential impact

The potential significant effects of development have been considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to: -

a) **the extent of the impact (geographical area and size of the affected population)**

The lands to the north, west and south of the site are developed as low to medium density suburban residential housing.

Potential impacts on nearby residential properties from emissions and noise during the construction phases of development are not likely to be significant for the reasons outlined above.

Impacts to biodiversity and designated sites are not likely to have a significant environmental effect for the reasons outlined earlier and the development of 17 houses will not have a significant impact on roads or water infrastructure.

b) **the nature of the impact**

For the reasons outlined, the nature of impacts identified earlier in the report are not likely to be significant.

c) **transboundary nature of the impact**

The site is within Lisburn and Castlereagh City Council boundary area and no transboundary impacts are identified.

d) **the intensity and complexity of the Impact**

This is residential development. No intense and complex significant environmental effects are identified.

e) **the probability of the impact**

For the reasons outlined earlier in the report, it is considered that the probability of any significant impact is low.

f) **the expected onset, duration, frequency and reversibility of the impact**

It is considered that this proposal will not have a significant environmental effect.

g) **the cumulation of the impact with the Impact of other existing and/or approved development**

The cumulative impact with other developments has been considered earlier in the report and for the reasons outlined, it is considered that the proposal will not have a significant environmental effect.

h) **the possibility of effectively reducing the impact**

The impacts are not likely to be significant. That said, any potential impact can effectively be addressed by way of mitigation measures outlined in respective technical reports.

Signature of Officer: *G. Milligan*

Date: *1/9/25*

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	14 October 2024
Committee Interest	Local Application [Exceptions Apply] – Second Addendum
Application Reference	LA05/2022/0033/F
Date of Application	06 January 2022
District Electoral Area	Downshire East
Proposal Description	Erection of 17 dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road.
Location	Lands between 58 and 66 Quarterlands Road northeast of 54b-c & 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg.
Representations	More than 380
Recommendation	APPROVAL

Background

1. A composite report presented to the Committee on 02 September 2024 brings together the chronology of assessments as outlined in the reports presented to Committee on that date.
2. The main report has been amended to correct paragraph numbers only. No other changes have been to the substance and content of the planning advice contained in that report.
3. The application was deferred at the 02 September 2024 committee meeting to enable further legal advice to be obtained. An addendum report (Addendum 1) dated 18 September 2024 takes account of the advice.
4. It was previously advised in Addendum 1 that paragraphs 269 to 274 of the case officer report 02 September 2024 were withdrawn and replaced with updated advice on how objections in respect of the European Convention of Human Rights were addressed in the main report.

5. The application was deferred at a special meeting of the Committee on 18 September 2024 before officers had an opportunity to provide Members with clarification in relation to several matters that had been raised.
6. The reason the application was deferred was to enable officers to seek further information from NI Water in respect of the capacity of Drumbeg Wastewater Treatment Works to accommodate the proposed development.
7. Officers met with NI Water on 23 September 2024 to provide a broad overview of the reasons for the application being deferred, and to request that clarification be provided by way of a formal consultation response to matters raised at the committee meeting on 18 September 2024. A note of this meeting is provided as part of the papers – **See Appendix 1.1(a)(i)**.
8. A further consultation was issued to NI Water with a list of queries arising out of the committee meeting. A response received on the 04 October 2024 is provided as part of the papers – **See Appendix 1.1(a)(ii)**.
9. This second addendum report updates members on the advice from NI Water in relation to capacity concerns and any updates/changes to the main planning report arising out of the consultation.
10. Consideration has also been given to issues raised in further third-party representations received from the Quarterlands Group in relation to the following matters:
 - Location of the development in the Lagan Valley Regional Park
 - Consultation response and representation from the Lagan Valley Regional Valley Park office
 - Advice in respect of the loss of hedgerow
 - Other matters related to the last planning committee meeting

Further Consideration

Consultation with NI Water

11. The Quarterlands Group have consistently raised concerns about the capacity of the Drumbeg WwTW to accommodate the scale of the proposed development. These concerns were addressed at paragraphs 231 to 234 of the main report.
12. At paragraph 232 in particular, it was advised that NI Water had consistently offered no objection to the proposed development of this site and that there was sufficient capacity at the Drumbeg WwTW to facilitate the proposed development of 17 residential units. It was further explained that the officer had no reason to disagree with the advice provided.

13. At the special committee meeting on 18 September 2024 as part of the speaking request, the Quarterland Group exhibited a letter sent to the Council on 30 July 2024 from NI Water titled 'NI Water Economic Constraints'. Attached to this letter was a table dated June 2024 which identified the Drumbeg WwTW with a status of 'red'.
14. The key associated with this table, explained that where a WwTW was categorised as red, new development would be refused as the works has no capacity. It further explained that in relation to the Local Development Plan making process that the works had insufficient capacity for future growth.
15. The advice contained in the table of June 2024 was at odds with consultation responses returned by NI Water to the Planning Authority in February 2022 and December 2023 both of which indicated that there was capacity at the Drumbeg WwTW.
16. The Quarterlands Group were concerned that the most up to date position in relation to the capacity of the works was not addressed and the purpose of the latest consultation was to establish whether there was capacity for the development proposed.
17. Having considered the most update to date consultation response provided on 04 October 2024 – See **Appendix 1.1(a)(i)**, advice is offered as set out in following paragraphs.
18. NI Water explain that on 01 February 2022, they responded to a statutory planning consultation confirming that the receiving Drumbeg WwTW had available capacity to serve this proposal for 17 domestic units. This response was valid for 18 months [until August 2023].
19. NI Water further explained that this response was in accordance with a Pre-Development Enquiry (PDE) they issued to the planning applicant dated 19 August 2021 which again was valid for 18 months [until February 2023].
20. The PDE application had proposed 24 domestic residential units but after assessing the headroom capacity at Drumbeg WwTW, NI Water (at that time) considered that there was only capacity for 17 domestic residential units.
21. It would appear that the applicant took account of the advice contained in the PDE before submitting a formal application to the Council on 06 January 2022.
22. NI Water also advised in their response dated 04 October 2024, that when they initially responded to the statutory planning consultation, the available treatment headroom was allocated against this proposed development and the WwTW was deemed closed to all new development except for proposals with
 - extant planning approval;
 - Like for like development; and

- Development in brownfield sites which would result in reduced flows compared to previous use to be confirmed by hydraulic flow calculations.
23. In a further consultation response dated 11 December 2023 (as the previous advice had time expired after 18 months) NI Water reaffirmed that they had no objection and that there was sufficient capacity at the works to accommodate the proposed development. This further indicated that this advice was valid for a period of 18 months from the date of the response [until June 2024].
24. Officers have always understood from the consultation responses that there was headroom for the proposed development at the Drumbeg WwTW and that this had been accounted for when the planning application was submitted. This is explained at paragraph 25 of the first Addendum Report dated 18 September 2024. This paragraph stated:
- The capacity issues referred to are known and understood by officers and NI Water has consistently advised that there is capacity in the network to facilitate the number of units proposed in this development notwithstanding the capacity issue would then arise at the completion of the proposed development.*
25. In the response received on 04 October 2024, NI Water confirmed again that the headroom status at the Drumbeg WwTW did take account of the site as land was within the settlement limit of Drumbeg and in accordance with the Plan Strategy and Lisburn Area Plan. They further explained that the status of Drumbeg WwTW was changed to red as a result of NI Water recommending approval of this application in February 2022 and again when they were reconsulted and responded on 11 December 2023 with no objection.
26. Further clarification is offered below, by way of supplementary information as to why NI Water had no objection to this proposed development.
27. NI Water has further explained that the Drumbeg WwTW is not currently operating above its Design Population Equivalent (1919) even when assessing it against the Actual Population Equivalent (1877) which was used to assess this proposal back in 2021 (PDE response) and early 2022 (first statutory planning response).
28. NI Water explained that when they responded to the first statutory planning consultation, the available treatment headroom was allocated against this development and the WwTW was deemed closed, subject to the exceptions outlined above at paragraph 22.
29. The response further noted that the residential units associated with the current application have not yet been constructed and that Drumbeg WwTW is still operating below its Design Population Equivalent.
30. The response explained that Drumbeg WwTW is a Public Register Works which discharges treated effluent into the River Lagan. In 2014 Drumbeg

WwTW was subject to a Capital Base Maintenance upgrade scheme (circa £800k).

31. NI Water explained that Drumbeg WwTW is subject to a Water Order Consent (WOC) issued by the Northern Ireland Environment Agency (NIEA) in accordance with the Water (Northern Ireland) Order 1999. WOC's are drawn up to ensure that the discharges from WWTWs can be absorbed by the receiving water without damaging the aquatic environment or breaching national or European Commission (EC) standards.
32. The current Drumbeg WwTW Water Order Consent parameters for treated effluent are as follows:
 - 30mg/l Biological Oxygen Demand
 - 50mg/l Suspended Solids
 - 20mg/l Ammonia
33. The average 2024 Audit Samples for Drumbeg WwTW are as follows:
 - 8mg/l Biological Oxygen Demand
 - 12mg/l Suspended Solids
 - 4mg/l Ammonia
34. NI Water confirm that this demonstrates that the works is operating satisfactorily and well within the WOC parameters for treated water effluent.
35. NI Water also explained that the Drumbeg WwTW catchment is not a fully combined sewerage network. It is a mixture of combined, partially separate, and fully separate sewerage networks.
36. They explained that there are no Unsatisfactory Intermittent Discharges (UIDs) or DG5 properties (properties that have suffered internal flooding) located within the catchment.
37. NI Water also advised that the catchment is also split in two and there are two respective inlet pipes to the receiving Drumbeg WwTW. The catchment within which this site is located is served by a sewer network which could be assessed as oversized for the area served.
38. The foul flow from this proposal will discharge to an existing 450mm diameter public foul sewer on the Quarterlands Road. Approximately 160 metres downstream this public sewer increases in diameter to 600mm and remains at 600mm for the remainder of its route (approximately 1.7Km) to the Drumbeg WwTW.
39. NI Water has advised that 450mm and 600mm diameter sewers would be considered large for the existing flows and they confirm that the NI Water flow screening tool assesses the existing network to be operating within capacity.

40. NI Water offered for comparison some other similar sized WwTW catchments within LCCC area. The Aghalee WwTW with a Design PE of 2000 has a single inlet pipe of 300mm diameter serving all of the catchment and Glenavy WwTW with a Design PE of 2500 has a single inlet pipe of 450mm diameter serving all of the catchment.
41. The consultation response highlights that further work is needed by NI Water to update and agree their approach in responding to future applications where the receiving works has an amber or red status. Those parts of the consultation that make reference to using up-to-date census data and that suggest there may be more capacity in the Drumbeg WwTW than what has been currently modelled are of limited significance and not given any weight in this assessment.
42. NI Water has not agreed corporately to provide a revised table updating the June 2024 version. As this table is published and circulated to the Council as advice it must be taken account of in the assessment of this proposed development.
43. It is still accepted that the proposed development was taken account of in preparing the June 2024 table and the advice that the Drumbeg WwTW will have no capacity once the development is completed and has no capacity for future growth of 10% despite this level of growth being allowed for in the Plan Strategy of the Lisburn and Castlereagh Local Development Plan. Although it is accepted that this position may change in the future.
44. Significant weight is also to be attached to the supplementary information that confirms the Drumbeg WwTW is operating within its design capacity and that the network catchment is capable of receiving wastewater and transmitting this to the works.
45. The advice previously offered at 212 to 214 and 231 to 234 of the main officer's report and paragraphs 23 to 26 of the Addendum 1 report is not changed but when read in conjunction with this report confirms that the advice of NI Water be given significant weight and that the requirements of policy FLD 3 are met for the same reasons set out in the main report.

Additional Representation from the Quarterlands Group

Location of the development in the Lagan Valley Regional Park

46. Information hand delivered to the Council Offices on 20 September 2024 sought to provide clarification as to the Lagan Valley Regional Park designation. The submission was in the form of maps, but no statement was provided to explain the purpose of the submission.

47. Further correspondence received from the Quarterlands Group on 26 September 2024 raised issues in respect of the accuracy of the officer's report in respect of the Lagan Valley Regional Park designation.
48. The case officer report dated 02 September 2024 explains at paragraph 50 that the site is not located within the Lagan Valley Regional Park as designated in the Lisburn Area Plan [LAP] but it does fall within the Lagan Valley Regional Park designation in both versions of draft BMAP.
49. It also explains at paragraph 52 that the last revision to draft BMAP in 2014 is a significant material consideration of determining weight given that the housing designation was unchallenged at the Public Inquiry. Furthermore, the extent of the settlement limit where the application site has a boundary with the open countryside had not changed from the LAP.
50. At paragraph 55 policy U2 of the Lagan Valley Regional Park Plan 2005 is referenced. It is stated:

'that new development may be considered acceptable provided it relates sympathetically to the design, scale and character of the existing village or hamlet.'
51. Policies HOU4 and NH6 of the Plan Strategy deal with the design and layout of new buildings in settlements and new development in the AONB (which has the boundaries as the LVRP) respectively. The transitional arrangements at page 12 of Part 1 of the Plan Strategy take priority in the event of a conflict with the policies in an extant plan. Both these policies take priority as they provide a more complete basis for an assessment of the impact on the site, the settlement, the LVRP and the AONB.
52. The assessment of the proposed development against the requirement of policy HOU4 can be found at paragraphs 118 to 140 of the main officer's report and policy NH6 at paragraphs 164 to 198. This advice is not changed as a consequence these representations being received.

Consultation response and subsequent representation from the Lagan Valley Regional Valley Park office

53. It is further stated that the consultation with LVRP is omitted from the table at paragraph 32 of the main report. This is correct and is now appended to this report for reference – See **Appendix 1.1(a)(iii)**. The advice received in March 2022 has been available to view on the Planning Portal and the impact of the proposed development on the LVRP has been taken account of for the reasons outlined above.
54. The view expressed in the March 2022 consultation response was that the 'proposal will intensify urbanisation of the river corridor and will significantly eat away at this valuable green corridor which provides refuge for wildlife in an

urban area'. There was no engagement with the correct policies in the LVRP Plan 2005.

55. The advice received as part of the consultation process provided a generic comment as opposed to anything site specific. There was no acknowledgement that the lands associated with the application fell within the settlement limit of Drumbeg as designated in the Lisburn Area Plan and outside the Lagan Valley Regional Park.
56. Furthermore, the weight to be afforded to the extended designation was made clear in the main officer's report as described above. The policies of draft BMAP are not material for the reasons set out at page 12 of Part One of the Plan Strategy. This consultation response from the LVRP office in 2022 predated the publication of the Plan Strategy and the officer had sufficient information to consider the impact of the proposed development without further consultation.
57. The subsequent objection from the planning sub-committee of the LVRP Board does not raise any new planning issues that require further assessment.
58. No case is advanced as to how the development fails to blend sympathetically with the LVRP and not detract from its character, landscape, or native conservation value. No weight is therefore attached to the objection registered by the Lagan Valley Regional Park planning sub-committee.
59. The case officer report dated 02 September 2024 demonstrates within the context of Policy NH6 considerations that the development is off an appropriate design, size and scale for the locality and the detail also demonstrates how it respects the character of the Lagan Valley Regional Park AONB. The advice provided in this regard is not changed.

Advice in respect of the loss of hedgerow

60. The Quarterlands Group make reference to a decision of the High Court in April 2024 – the Glassdrumman Case which officers and Members are familiar with and whereby no regard was had by officers to the loss of hedgerow.
61. The ecological report dated October 2023 provides a detailed appraisal of the hedgerows onsite with reference to the ecological significance at section 3.2.2. The evidence submitted with the application does indicate that there have been hedgerows on the site since at least the mid 19 century and it also acknowledges that native hedgerows on site are Priority Habitats. Photographs of the central hedgerow dominated by hawthorn is also included within the report along with more detailed assessments of their appearance, character, and condition at section 4.2.2.
62. The loss of hedgerows has been considered by Natural Environment Division and the advice received offers objection subject to additional mitigation planting and habitat creation (as per Landscape Management Plan) of native species to compensate for the loss of hedgerow and vegetation.

63. Officers having had regard to the advice provided in these reports by competent ecologist and the subsequent advice from the Natural Environment Division accept that the removal of the hedgerows as identified was not likely to harm any protected species or result in an unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance. This consideration and advice provided in the main report at paragraphs 164 to 198 is not changed and the requirements of Policy NH2 and NH5 are still met.

Other Matters related to the planning committee meeting

64. Several other matters of concern are raised in relation to the administration of the special Planning Committee that took place on 18 September 2024. The Quarterlands Group maintain that:
- the proper administrative processes were not followed at this meeting and the applicant should have requested an elected member to leave the meeting at a much earlier stage;
 - their Article 6 rights under the ECHR were breached as the meeting was procedurally unfair; and
 - they were not advised of the differences between a deferral and an adjournment and that the decision to defer was not fair or equitable. This gives rise in their opinion to concerns about how any future meeting will be conducted.
65. In response to the issues raised in respect of the special committee meeting the decision-making process was deferred to allow further information to be gathered. This is in accordance with the Protocol for the Operation of the Planning committee and procedurally correct.
66. The item is heard again from the beginning to ensure that any new information is taken account of and that all parties with an interest in the application process have the opportunity to make representations and be heard at the committee. The meeting will be properly conducted in accordance with standing orders and the protocol for the operation of the planning committee and this is fair and equitable.

Conclusions

67. The information contained in this second addendum should be read in conjunction with the case officer report previously presented to Committee on 02 September 2024 and the first addendum report dated 18 September 2024.
68. The issues raised in the additional representations from the Quarterlands Group are fully and properly considered. They do not change the substance of the previous advice offered.

69. It remains the recommendation of officers that this application should be approved [subject to section 76 agreement] as the proposal is considered to comply with the policies HOU1, HOU3, HOU4, HOU5, HOU6, HOU8, HOU10, NH 2, NH 5, NH6, TRA1, TRA2 TRA7 and FLD3 of the Plan Strategy for the reasons set out in the main report and the two addendum reports. .

Meeting via teams with NI Water Officials in relation to Quarterlands
23 September 2024

49

In attendance

Conor Hughes [CH] - LCCC
Rosaleen Heaney [RH] - LCCC
Roy Mooney [RM] - NIW
Alan Moore [AM] - NIW

RH confirmed the decision had been deferred at a meeting of the planning committee on Wednesday 18 September 2024 to enable officers to obtain further information from NI Water.

AM explained that he was in attendance remotely, heard all the presentations and listened to the Q&A following the presentations by the objectors and applicant.

CH provided a broad overview of the reasons for the Members seeking deferral before NI Water had the opportunity to answer any queries raised during the meeting.

CH explained that he understood the issues to include differences between the advice offered in final consultation response to the application and subsequent correspondence from NI Water to the Council highlighting there was no capacity in the Drumbeg WWTW; differences in approach between the consultation response in respect of an extension to Bob Stewarts bar and restaurant and this application; differences in understanding of how the capacity of the works to accommodate this proposal had been calculated and what committed development had been taken into account to conclude the works had capacity; and whether there was adequate network sewerage capacity to take the sewage from the site to the works.

AM having been in attendance remotely provided an overview of how NIW Water had concluded the works had capacity. He referred to the submission of a Pre-Development Enquiry and the factors considered in calculating the level of capacity.

He explained having listened to the representations that 2011 census figures had been used and the data calibrated to take account of current situation in producing the headroom report referred to by the objectors in their speaking note and responses to the questions that followed.

AM further indicated that having listened to the objectors comments he had checked the 2021 census data. He explained that headroom capacity is based on occupancy rates and that these rates have reduced between 2011 and 2021 and that there is increased headroom from the reported position if the latest census data is applied.

RM reaffirmed that there was capacity using the current census data and that advice provided to officers has consistently advised that there is capacity for this development.

AM also explained that the Drumbeg Wastewater Treatment Works, is not overloaded and that is performing satisfactorily. He confirmed that monitoring data was available to demonstrate this and detailed the targets that need to be met for discharges from this works.

AM explained there were two inlets to the Drumbeg works and that these are designed to a higher standard than equivalent sized works at Aghalee and Aghagallon. He also stated the network was not solely a combined network and there were a combined and separate network sewerage connections in Drumbeg.

Meeting via teams with NI Water Officials in relation to Quarterlands
23 September 2024

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AM confirmed that account has been taken of other developments in the assessment of this proposal. RM further mentioned that NI Water had received numerous requests for information in this regard to this issue and had provided responses.

AM confirmed that the consultation response in relation to Bob Stewarts Bar and restaurant returned to the Council recommended refusal but that there was on-going engagement with the applicant and that further information was pending and the consultation process is not concluded.

CH sought clarification in respect of the letter received from NI Water in July 2024 which included a table dated June 2024 that advised the works were at capacity.

AM outlined the purpose of this table and explained it is subject to periodic review. He was not able to confirm what the basis for the conclusion was. He would need to consult with colleagues.

Action – it was agreed that the Council would consult NI Water outlining the information required to address the issues raised at the committee meeting and gave rise to a request to defer the application to request further information.

Northern Ireland Water

Developers Services
 Ballykeel Office
 188 Larne Road
 Ballykeel
 Ballymena
 BT42 3HA
www.niwater.com
 Tel: 03458 770 003



Lisburn & Castlereagh City Council
 Planning Office

4 October 2024

Planning Reference: LA05/2022/0033/F**Site Location: Lands between 58 and 66 Quarterlands Road northeast of 54b-c & 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park Drumbeg**

Thank you for your re-consultation dated 27/09/2024 in respect of the above planning application.

Please see our responses in red text below to your 8 questions.

NI Water are requested to consider their last consultation and to address the following queries:

1. In respect of the letter of the 30 July 2024 and associated table dated June 2024, the Drumbeg Wastewater Treatment Works is categorised as red. The reason for this red categorisation is not explained in the consultation process to date.

Please explain why this table categorises the works to be at capacity when advice provided previously offers no objection? I would be further grateful if you could detail the differences between the two pieces of advice and confirm which is correct?

On 01/02/2022, NI Water responded to a statutory planning response (valid for 18 months) in respect of this proposal confirming that the receiving Drumbeg WWTW had available capacity to serve this proposal for 17 domestic units. This response was in accordance with a previous Pre-development Enquiry (PDE) response dated 19/08/2021 (valid for 18 months). The PDE application was for 24 domestic units but after assessing the headroom capacity at Drumbeg WWTW, NI Water confirmed that there was only capacity for 17 domestic units. The applicant took account of this advice and when the planning application was subsequently submitted, the proposal was for 17 domestic units. When NI Water responded to this statutory planning consultation, the available treatment headroom was allocated against this development and the WWTW was deemed closed to all new development except for:

- *Proposals with extant planning approval*
- *Like for like development*
- *Development in brownfield sites which would result in reduced flows compared to previous use to be confirmed by hydraulic flow calculations.*

In summary both pieces of advice are correct. There was headroom at Drumbeg WWTW when the planning application was submitted. This headroom was allocated to this proposal for 17 domestic units and Drumbeg WWTW was then closed as indicated in the table dated June 2024.

2. In respect of the same table, growth factors and estimation of capacity are applied. The Council has already published its Plan Strategy and growth is projected at 10%.

Can you please address whether growth within the Council area at 10% is accommodated within the table and/or any reasons why the projected growth of 10% agreed through the Local Development Plan Process is now categorised as red?

Drumbeg WWTW is categorised as Red in the table for the reasons stated above. It remains categorised as Red in the Table for the various growth factors. As applied growth factors will increase the PE over time, without any capital upgrade schemes the Design PE of the works will not increase.

3. In respect of the same table, the Asterix under the heading network current planning status confirms that the Drainage Area Plan Model does not exist for this small settlement and that the status is based on the following headings:

- a. the high-level screening tool.
- b. operator experience; and
- c. current performance data.

Under these three headings, can you please explain how the status was categorised as red [no capacity] when the consultation response offers no objection.

This asterisk refers to the wastewater network, not the WWTW. The network is not categorised as Red. As stated, there is no Drainage Area Plan Model for this existing network, and consequently it is not possible to give a definitive status of the catchment. NI Water therefore will base any decisions regarding the performance of such a catchment on the high-level screening tool, operator experience and current performance data.

4. In respect of the same table, there is a comment which refers the reader to [see network issue note 3 below]. The commentary at this note 3 states that the status is based on:

“an analysis of the existing area plan settlement boundaries”

Can you please confirm that the headroom capacity status of red took account of this site as land within the settlement limit of Drumbeg in accordance with the Plan Strategy and Lisburn Area Plan?

I can confirm the headroom status took account of this site as land within the settlement limit of Drumbeg in accordance with the Plan Strategy and Lisburn Area Plan.

Can you further advise whether the categorisation of Drumbeg Wastewater Treatment works as red in the table of June 2024 has been reassessed or could it be subject to change given the consultation response that was issued before recommending approval?

The status of Drumbeg WWTW was changed to Red as a result of NI Water recommending approval of this proposal in the statutory planning response dated 01/02/2022 (valid for 18 months) as confirmed above. This was re-confirmed in a re-consultation response dated 11/12/2023 (valid for 18 months). The Capacity Table issued with the NI Water correspondence dated July 2024 is a dynamic table which is issued on an annual basis. It was first issued at the

commencement of the LCCC Local Development Plan process. The Table is updated annually taking into account any additional relevant information that is issued in the intervening periods i.e. capital scheme upgrades, Drainage Area Plan Model outputs, operational performance data. The review of this Table would have been carried out by NI Water Strategic Investment Planning team early in 2024.

5. In respect of the same table, the Council was advised at a meeting on 23 September 2024 that the table was based on 2011 census data and not the latest census data from 2021, the entirety of which the Council understands was published in the public domain in December 2023 by the Northern Ireland Statistics and Research Agency.

The Council notes that the publication of the data from Census 2021 occurred up to six months before the table which is dated June 2024. Why is it then the case that the table is prepared on the basis of what would appear to be out of date information?

When a Population Equivalent (PE) study was carried out in late 2021/2022 the 2021 NI Census Population data had not been published and was not available. That is why 2011 NI Census population data projected to the relevant year was used. This methodology is in accordance with NI Water Wastewater Non-Infrastructure Asset Standard, Volume 2: Wastewater and Population Determination. NI Water has over 1000 WWTWs, 1300 Wastewater Pumping Stations and 16,000km of sewers. It takes time to update all our records with the 2021 NI Census Population data. Drumbeg WWTW PE information has now been updated using 2021 NI Census Population data – detailed in response to next question.

Can you please advise whether the red status would change if the 2021 data was applied? The Council must be assured that NI Water have not based their advice on out-of-date information. The reason for this is that the Asterix draws on a high-level network screening tool, and it is not explained what is taken account in the screening.

Using 2021 NI Census Population data, NI Water Developer Services has now carried out new PE calculations using the number of properties confirmed by the on-site check carried out in late 2021/early 2022, allocating each property to its respective settlement and applying the 2021 NI Census occupancy rates calculated from 2021 NI Census population data as per Table CT0046 – extract below. (Note: This 2021 NI Census population information is in the public domain and can be downloaded from NISRA website).

CT0046: Person and household estimates for settlements [notes]			
Table population: All usual residents and households			
Geographic level: Settlement			
Source: Census 2021			
Some cells refer to notes which can be found on the notes worksheet.			
This worksheet contains one table.			
Geography	Geography code	Usual residents	Households
BALLYAUGHLIS	N11000414	114	51
BALLYCARN	N11000415	105	39
BALLYLESSON	N11000416	121	41
BALLYNADOLLY	N11000417	98	37
BALLYSKEAGH	N11000418	192	98
BOARDMILLS	N11000419	95	30
CARR	N11000420	*	*
DROMARA	N11000421	1,118	444
DRUMBEG	N11000422	770	323
DRUMBO	N11000423	397	168

You will note the table lists the number of residents and number of households for each settlement. The applicable settlements for Drumbeg catchment are Ballyaughlis, Ballyskeagh, Drumbeg and Drumbo. By dividing the number of households into the number of residents for each settlement, the respective settlement occupancy rates were calculated. Based on using the 2021 NI Census population data, the Actual PE within Drumbeg WWTW catchment has been calculated to be 1693. As the Design PE is 1919, the theoretical headroom as determined by these updated PE calculations is 226. These calculations have been audited and signed-off by NI Water Wastewater Asset Performance Unit and are consistent with NI population trends over the past 100 years or more, where every NI Census has confirmed a trend of reducing NI household occupancy rates. The 2021 NI Census occupancy for all of NI is 2.44. These updated calculations would also confirm that there is available headroom within this receiving works. It is highly likely that as a result of the updated PE calculations for Drumbeg WWTW confirming a theoretical headroom of 226, the status of this WWTW will be changed to Green subject to sign off by senior NI Water management. The high-level screening tool gives an indication of any capacity issues within a wastewater network.

6. Officers were further advised at a meeting on 23 September 2024 that the current performance data indicates that the Drumbeg works is operating efficiently.

Can you confirm the performance data on which this assessment is based and how this is taken account off in the table appended to the NI Water letter of 30 July 2024. It should be clarified what parameters are measured and the significance of these in terms of understanding why your consultation response offers no objection and the network planning status for the works which indicates no capacity?

Drumbeg WWTW is not currently operating above its Design PE even when assessing it against the Actual PE (1877) which was used to assess this proposal back in 2021 (PDE response) and early 2022 (statutory planning response). When NI Water responded to the statutory planning consultation, the available treatment headroom was allocated against this development and the WWTW was deemed closed to all new development except for:

- Proposals with extant planning approval*
- Like for like development*
- Development in brownfield sites which would result in reduced flows compared to previous use to be confirmed by hydraulic flow calculations.*

As these domestic units have not been constructed Drumbeg WWTW is still operating below its Design PE. However, the Table appended to the NI Water letter dated 30/07/2024 is based on the inclusion of the 17 domestic units in respect of this proposal being allocated to Drumbeg WWTW.

Drumbeg WWTW is a Public Register Works which discharges treated effluent into the River Lagan. In 2014 Drumbeg WWTW was subject to a Capital Base Maintenance upgrade scheme (circa £800k) which included the following:

- Upgraded power supply with new Motor Control Centre*
- New aerators installed in Oxidation Ditch including new manual penstock*
- 2 new final settlement tanks*
- Replacement pump set for Flow to Full Treatment and new pumping station complete with new pump sets for Return Activated Sludge and Surplus Activated Sludge.*
- Replacement storm tank pump sets for returning storm flows for treatment and cleaning storm tanks.*
- Replacement grit removal plant*

- Replacement thickened sludge transfer pump set
- New final effluent chamber
- Associated Instrumentation, Control and Automation (ICA) equipment.

Drumbeg WWTW is subject to a Water Order Consent (WOC) issued by our Environmental Regulator the Northern Ireland Environment Agency (NIEA) in accordance with the Water (Northern Ireland) Order 1999. WOC's are drawn up to ensure that the discharges from WWTWs can be absorbed by the receiving water without damaging the aquatic environment or breaching national or European Commission (EC) standards.

The current Drumbeg WWTW Water Order Consent parameters for treated effluent are as follows:

- 30mg/l Biological Oxygen Demand
- 50mg/l Suspended Solids
- 20mg/l Ammonia

The average 2024 Audit Samples for Drumbeg WWTW are as follows:

- 8mg/l Biological Oxygen Demand
- 12mg/l Suspended Solids
- 4mg/l Ammonia

These results confirm the works is operating satisfactorily and well within the WOC parameters for treated water effluent. Based on these sample results, the works has been predicted to pass this year as it has done for the past 5 years. The Wastewater Treatment Works Public Register is available to view through arrangement with NIEA Water Management Unit.

7. Several queries were raised by Members following representations by third parties and the applicant which extend beyond the differences between the consultation response and the correspondence received on 30 July 2024 in relation to the network. You advised at our meeting of 23 September 2024 that the inlets are of a higher design standard than similar sized works elsewhere in the Council Area.

Can you advise of any other technical network considerations which may be relevance to the assessment of Drumbeg WWTW and thus this application such as the capacity of the network to accommodate the scale of development proposed?

Drumbeg WWTW catchment is not a fully combined sewerage network. It is a mixture of combined, partially separate and fully separate sewerage networks with an approximate split of 50% combined 50% separate. There are no Unsatisfactory Intermittent Discharges (UIDs) or DG5 properties (properties that have suffered internal flooding) located within the catchment. The catchment is split in 2 and there are 2 respective inlet pipes to the receiving Drumbeg WWTW. The catchment within which this site is located is served by a sewer network which could be assessed as oversized for the area served. The foul flow from this proposal will discharge to an existing 450mm diameter public foul sewer on the Quarterlands Road. Approximately 160 metres downstream this public sewer increases in diameter to 600mm and remains at 600mm for the remainder of its route approximately 1.7kM to the WWTW. Although this area is the larger of the 2 sub-catchments, 450mm and 600mm diameter sewers would be considered large for the existing flows. I can also confirm that the NI Water flow screening tool assesses the existing network to be operating within capacity.

As a comparison with some other similar sized WWTW catchments within LCCC area; Aghalee WWTW, Design PE 2000 has a single inlet pipe of 300mm diameter serving all of the catchment; Glenavy WWTW has a single inlet pipe of 450mm diameter serving all of the catchment.

Saintfield located in the neighbouring Newry City Mourne & Down area has an inlet pipe serving approximately 5000PE which is 375mm diameter, significantly less than the diameter of the relevant pipes serving this part of Drumbeg catchment.

8. At our meeting on 23 September 2024, you explained that a Pre-Development Enquiry [PDE] has been agreed for this site.

Can you explain how the PDE has informed your assessment of this proposal and how in response to the earlier questions that you have taken account of other proposed and/or permitted development within the catchment of the Drumbeg Wastewater Treatment works? You should also confirm that all the commitments (i.e. other proposed and/or permitted development) have been taken account of as part of this assessment?

The original PDE application was for 24 domestic units. Based on our existing data we could only confirm treatment capacity available for 17 units. The subsequent statutory planning consultation for this proposal confirmed a development of 17 domestic units which was in accordance with our PDE response. Since the date of the PDE response & original statutory planning consultation I have carried out a review of statutory planning consultations received which NI Water would have taken account of as follows.

- 4 for minor extensions to existing properties – no impact*
- 2 for replacement dwellings – no impact*
- 1 for a new dwelling with discharge to a private septic tank – no impact*
- 1 with extant planning approval – complies with criteria for approving within constrained catchment.*
- 1 with discharge assessed as like for like – no impact.*
- 1 for a Boutique Hotel with discharge to a private septic tank – no impact*
- 1 for an extension to a public bar/restaurant. This has been recommended for refusal and is subject to a Wastewater Impact Assessment which is currently being processed.*

Based on the above detailed evidence, NI Water is content to recommend approval of this proposal as per NI Water previously issued statutory planning consultation responses dated 01/02/2022 and 11/12/2023.

Yours faithfully

Alan Moore

Alan Moore

NI Water

North & East planning Team Lead



30th Mar 2022
ePIC Responses
The Planning Service

Ref : LA05/2022/0033/F

Location: Lands between 58 and 66 Quarterlands Road, northeast of 54b-c & 56 Quarterlands Road, north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg

Details: Erection of 17 detached dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road

The Regional Park has considered the above planning application and acknowledges that it lies within the boundary of the Regional Park. The proposed intensification of housing would mean a significant shift from the existing semi-rural setting to an urban setting. It would greatly impact the character of Lagan Valley Regional Park and Lagan Valley Area of Outstanding Natural Beauty in terms of increased traffic pressure and its associated problems, loss of open greenspace and biodiversity. Pressure for new build, redevelopment or infill housing poses a serious threat to the integrity of the buffer zone between urban and rural.

Both government and local councils have developed strategic objectives to protect and promote access to open greenspace for both mental and physical well-being and to alleviate the impacts anthropogenic climate change. We feel that this development would represent a serious reversal in these initiatives. The proposed development will further reduce the amount of greenspace along the river corridor and would therefore contravene policy COU 12.

Policy COU 12

Development Proposals in the Lagan Valley Regional Park within the Metropolitan Development Limit and Settlement Development Limits

Planning permission will only be granted for new development or intensification of urban development where it can be demonstrated that the proposal is appropriate to, and does not have a significant adverse effect on, the character of the Park, the settlement, the landscape quality and features or the visual amenity and meets the following criterion:



- where located adjacent to the River Lagan, proposals should integrate with, and take into account, the river and its associated features where appropriate.
- these urban locations require balance with their location within the Park and the need to protect and where possible enhance its character. All development must therefore be associated with and blend sympathetically with the Park and not detract from its character, landscape or native conservation value.

The proposed will intensify urbanisation of the river corridor and will significantly eat away at this valuable green corridor. This green corridor provides the only refuge for wildlife in an urban area and the river corridor forms vital access for the adjacent communities for both recreation and mental health benefits. It is important that this resource is protected for future generations and for the wellbeing of the City of Lisburn. We therefore object to this development.

Yours sincerely

Dr Andy Bridge

Manager, Lagan Valley Regional Park

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	18 September 2024
Committee Interest	Local Application [Exceptions Apply] - Addendum
Application Reference	LA05/2022/0033/F
Date of Application	6 January 2022
District Electoral Area	Downshire East
Proposal Description	Erection of 17 dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road.
Location	Lands between 58 and 66 Quarterlands Road northeast of 54b-c & 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg.
Representations	More than 380
Recommendation	APPROVAL

Background

1. A composite report presented to the Committee on 02 September 2024 brings together the chronology of assessments as outlined in the reports presented to Committee to date. This report has been amended to correct paragraph numbers only. No other changes have been to the substance and content of the report.
2. The application was deferred at the 02 September 2024 committee meeting to enable further legal advice to be obtained. This addendum report takes account of the advice.
3. Paragraphs 269 to 274 of the case officer report [02 September 2024] are withdrawn and replaced with those set below. For ease of reference the previous contents of the case officer report are struck through.
4. Furthermore, a subsequent representation from the Quarterlands Group received on 11 September 2024 which queries the capacity of the treatment works has also been considered.

Further Consideration

Human Rights

5. An issue of human rights is raised indicating that the rights of local residents are negatively impacted due to the proposed removal of green spaces, the potential future flooding risks, the intrusion into our privacy and our right to enjoy a quiet and safe residential environment, caused by the scale of the proposed building which is out of character with the surrounding areas and the increased noise, traffic, and light pollution which will change the character of the village. Reference is also made to *Britton v SOS* (1997) JPL 617.
6. Regard is had to this case within the context of the current application. It is noteworthy that the *Britton* case (from 1997) predates the introduction of the Human Rights Act 1998 ("HRA") (which itself was commenced in 2000).
7. Whilst the *Britton* case is a planning case which looks at the applicability and interpretation of the European Convention on Human Rights, it does so in a context where the legislation which is currently in place (as has been since 2000) was not in place at the time. There have been a number of cases which have come before both the English and Northern Irish courts since the introduction of the HRA which consider the revised legislative context as a result of its introduction. That body of case law indicates that the matters to be considered when assessing whether planning applications are HRA compliant, include the following:
 - to determine whether the human right in question is engaged, that is, whether it would potentially be interfered with, and if so then;
 - to decide whether it is actually interfered with by the approval of the application, and if so then;
 - to decide whether in any event the approval would be justified in the public interest represented by the development and proportionate to that interest.
8. The two Convention rights raised by objectors are Article 8 of the Convention itself and Article 1 of the First Protocol to the Convention. The grounds which are raised for proposed breaches of these Convention rights are set out as

the proposed removal of green spaces, the potential future flooding risks, the intrusion into....privacy and [the] right to enjoy a quiet and safe residential environment, caused by the scale of the proposed building which is out of character with the surrounding areas and the increased noise, traffic, and light pollution which will change the character of the village.
9. Article 6 of the Convention guarantees a right to a to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law

10. Article 8 of the Convention guarantees a right to respect for private and family life.
11. Article 1 of the First Protocol to the Convention secures the right to the peaceful enjoyment of one's possessions.
12. The primary concerns of objectors in relation to Article 6 of the Convention are dealt with in paragraphs 264 - 268 of the case officer report [02 September 2024]. Furthermore, it is considered that the Convention rights protected by Article 8 and Article 1 of the First Protocol to the Convention overlap and relate particularly to the issue of residential amenity in the assessment of this application. Therefore, in considering the matters raised in in relation to Human Rights and Equality Impact the following observations are made.
13. The design and layout of new development is assessed through policy HOU4 Design in New Residential Development. Criterion (i) specifically requires that new development must not create conflict with adjacent land uses, that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
14. Paragraph 56 of the case officer report [02 September 2024] confirms that this policy was considered during the assessment process.
15. Paragraphs 118 – 140 of the case officer report [02 September 2024] demonstrates how the policy has been met in this regard. In particular, at paragraphs 123 advice is provided that:

the layout also demonstrates that there are appropriate separation distances between the proposed dwellings and existing dwellings so as not to have an adverse impact on residential amenity.
16. Advice provided a paragraph 125 of the case officer report [02 September 2024] similarly states:

The layout of the rooms in each of the units, the position of the windows along with the separation distance also ensures that there is no overlooking into the 27 private amenity space of neighbouring properties. The buildings are not dominant or overbearing and no loss of light would be caused.
17. Having considered the development in its entirety, officers therefore conclude that the proposed development is acceptable and does not give rise to adverse impact on residential amenity.
18. The EIA screening associated with this application also considers residential amenity with regards to noise, nuisance and disturbance during the construction and post construction phases (including the impacts arising from traffic).

19. The EIA Report acknowledges that these impacts were considered within the respective technical reports submitted alongside the planning application and assessed by the statutory consultees. No significant effects were identified, and all statutory consultees are content with the proposed development.
20. Given that the proposal is considered by officers to comply with planning policies aimed at protecting the amenity of the existing residents, officers consider that the development will not give rise to impacts which are sufficiently extreme to constitute an interference with rights protected by Article 8 and Article 1 of the First Protocol to the Convention, such as to require justification.

Equality Impacts

21. Third parties raise concern in relation to the need for an Equality Impact Assessment to be carried out in relation to the shared street arrangement within the development.
22. The introduction of new planning policies since the commencement of the Northern Ireland Act 1998, including the LCCC Local Development Plan 2023 will have been assessed in accordance with Section 75 of the Northern Ireland Act 1998 thus officers conclude that individual scrutiny of this planning application is not justified as a result.

Additional Representation

23. In an email dated 11 September 2024, concern is again expressed in relation to the impact of the proposal on NI Water Infrastructure.
24. It is suggested that officers failed to have regard to the NI Water Constraints document associated with Item 9 of the agenda of the planning committee meeting of 02 September 2024. This document was appended as part of an update on progress of the Local Development Plan.
25. The capacity issues referred to are known and understood by officers and NI Water have consistently advised that there is capacity in the network to facilitate the number of units proposed in this development notwithstanding the capacity issue would then arise at the completion of the proposed development.
26. The advice provided at paragraphs 199 to 214 remain unchanged. This document referred to in the representation does not change this advice. No new substantive issues are raised.

Conclusions

27. The information contained in this addendum should be read in conjunction with the case officer report previously presented to Committee on 02 September 2024.

28. The issues set out in the additional representations received after the drafting of the main report are fully and properly considered. They do not change the substance of the previous advice offered.
29. It remains the recommendation of officers that this application should be approved [subject to section 76 agreement] as the proposal is considered to comply with the SPPS and policies HOU1, HOU3, HOU4, HOU5, HOU6, HOU8, HOU10, NH 2, NH 5, NH6, TRA1, TRA2 TRA7 and FLD3 of the Plan Strategy for the reasons set out in the case officer report [02 September 2024].

LISBURN & CASTLEREAGH CITY COUNCIL**Report of a Planning Committee Site Meeting held at 1.05 pm on Tuesday, 19 September, 2023 at Quarterlands Road, Drumbeg****PRESENT:**

Alderman M Gregg (Chairman)

Aldermen O Gawith and J Tinsley

Councillors P Catney, D J Craig, A Martin, G Thompson and N Trimble

IN ATTENDANCE:

Head of Planning & Capital Development (CH)

Principal Planning Officer (RH)

Member Services Officer (CR)

Apologies were received from Councillors D Bassett and S Burns.

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

- LA05/2022/0033/F – Erection of 17 dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road on lands between 58 and 66 Quarterlands Road, northeast of 54b-c & 56 Quarterlands Road, north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg, BT27 5TN

The application had been presented for determination at the meeting of the Planning Committee held on 4 September, 2023. In advance of the application being presented, the Committee agreed to defer consideration to allow for a site visit to take place. No specific reason had been offered in terms of context other than to acknowledge that a large number of objections had been raised by third parties, which had given rise to a number of Members' queries.

Members and Officers met at the site, outside 66 Quarterlands Road. The Head of Planning & Capital Development advised Members of planning history associated with the site. Consistent with advice provided in the officers report, it was explained that this permission had expired and whilst the dwelling at 66 had been constructed, the applicant was not seeking to rely on this permission and that no Certificate of Lawfulness had been submitted regarding the same. As such, the planning history was given no material weight in the assessment of this application.

In accordance with the Protocol for the Operation of the Planning Committee, Members were provided with background to the application and the Principal Planning Officer with the aid of the site location plan, outlined the extent of the application site and its boundaries relative to the adjacent residential areas.

The Principal Planning Officer explained that there were a number of constraints at the site and that these had influenced the layout in terms of buildings not being sited under overhead lines. The Head of Planning & Capital Development stated that the wires that

stretched across the site were from pylons as opposed to being 33kV lines. In response to a query raised, the Head of Planning & Capital Development advised that he was unsure as to whether the pylons at this location would form part of proposals to relocate this infrastructure underground.

In response to a query, the Head of Planning & Capital Development confirmed that access arrangements for number 66 Quarterlands Road would not be impacted by the proposed development.

Before moving into the site, Members had an opportunity to view the character of the area both sides of the site.

Members moved into the area to be developed and the Head of Planning & Capital Development indicated the boundaries and which hedgerow required to be removed to accommodate the development. Members were reminded that an ecology report had been provided by the applicant and an anecdotal report had been submitted by objectors. Consistent with advice provided in the officer's report, Members were reminded that the statutory consultee having reviewed the detail of the ecology report and representations received, raised no objection.

A drainage assessment had been provided as part of the application. The area was not subject to flooding but there could be a question of standing water and drainage issues that required to be addressed through the application process.

Members sought clarification as to whether the site was within the settlement limit. Consistent with advice provided in the officer's report, the Principal Planning Officer confirmed that the site was within the settlement limit of Drumbeg in both the Lisburn Area Plan and BMAP.

In response to a request that representatives from Northern Ireland Water be asked to attend the next Planning Committee meeting, the Head of Planning & Capital Development advised that they could be invited but could not be compelled to attend. The Principal Planning Officer stated that the applicant and agent had engaged with Northern Ireland Water by way of pre-development enquiry and that confirmation had been given that there was sufficient capacity in the network to facilitate the proposed development, but there would be no further capacity thereafter.

Members proceeded to Rural Cottages to observe the site from that location. The range of house types were noted. The Head of Planning & Capital Development agreed to clarify the position of the tree behind 8-9 Rural Cottages.

There being no further business, the site visit was terminated at 1.50 pm.

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	02 September 2024
Committee Interest	Local Application [Exceptions Apply]
Application Reference	LA05/2022/0033/F
Date of Application	6 January 2022
District Electoral Area	Downshire East
Proposal Description	Erection of 17 dwellings with associated parking, landscaping, open space, site works and access arrangements from Quarterlands Road.
Location	Lands between 58 and 66 Quarterlands Road northeast of 54b-c & 56 Quarterlands Road north of 7-12 Rural Cottages and southeast of 4-7 Zenda Park, Drumbeg.
Representations	More than 380
Recommendation	APPROVAL

Background

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 was previously presented to the Planning Committee on 4 September 2023 with a recommendation to approve. In advance of the application being presented to the Committee the Members agreed to defer consideration to allow for a site visit to take place.
3. A site visit took place on 19 September 2023 with members in attendance. A note of the site visit is included as part of the papers.
4. Before the application could be returned to the committee the applicant indicated their intention to submit an updated Ecological Report having regard to concerns expressed by third parties that the surveys provided in support of the proposed development were out of date. The agent was as part of that submission asked to have regard to concerns expressed by members at the

site visit in relation to the amount of standing water and the capacity for the habitat to support wildlife protected under the Wildlife Order.

5. The application was included on the Schedule of Applications to be determined by the Planning Committee on 05 February 2024. A further late representation from the Quarterland Group resulted in the application being removed from the Schedule.
6. Some additional 22 pieces of correspondence have been received from the Quarterlands Group in the intervening period. The main issues raised have been considered in the assessment of this application.
7. This composite report brings together the chronology of assessments as outlined in the reports presented to Committee to date.

Summary of Recommendation

8. The application is presented to Committee with a recommendation to approve as the site is within the settlement limit of Drumbeg in the Lisburn Area Plan and significant weight is attached to the zoning for housing in draft BMAP as a material consideration.
9. The detailed layout and design of the residential units as last amended and published to the Portal on 21 November 2023 creates a quality residential environment in accordance with the requirements of Policies HOU1, HOU3 and HOU4 of the Plan Strategy and when the buildings are constructed, they will not adversely impact on the character of the area nor will they have a detrimental impact on the amenity of existing residents in properties adjoining the site.
10. Having regard to the proximity of the site to existing areas of open space along the Lagan tow path, the open space provided around the edges of the countryside boundary which comprises natural/semi natural areas of in-depth planting that provide visual amenity, it is considered that the proposal complies with Policy HOU5 of the Plan Strategy.
11. The proposal complies with Policy HOU6 in that a Design and Access Statement is submitted with a contextual analysis of the site, surrounding land uses, Built Heritage and Landscape Character and that demonstrates with a design concept that a quality residential environment is created in accordance with the requirements of policies HOU3 and HOU 4.
12. The proposal also complies with Policy HOU8 in that the density of development 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 small settlement of Drumbeg with the units built to a size not less than those set out in supplementary planning guidance.

13. The minimum policy requirement of policy HOU10 for affordable housing is 4 units, for the reasons outlined later in the report and taking the NIHE consultation response into account, it is accepted that the affordable housing requirement can be met at this location.
14. The proposal complies with policies NH2 and NH5 of the Plan Strategy, in that it has been demonstrated that the development is not likely to harm any species protected by law nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance within or adjacent to the site.
15. It is also considered to comply with policy NH6 of the Plan Strategy in that the development is off an appropriate design, size and scale for the locality and the detail demonstrates how it respects the character of the Lagan Valley Regional Park which is an AONB.
16. The proposal complies with policy of TRA1 the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways and pedestrian crossing points linking the new development to the existing footpath network on the opposite side of Quarterlands Road.
17. 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.
18. 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.
19. The proposed development complies with Policy FLD3 of the Plan Strategy in that the site lies outside the 1 in 100-year fluvial flood plain and the detail submitted demonstrates that adequate drainage can be provided within the site to service the proposal and that there is sufficient capacity within the existing waste-water treatment works to services the development.

Description of Site and Surroundings

Site

20. This 1.1-hectare site is irregular in shape and comprised of overgrown undeveloped land adjacent to and to the rear of Zenda Park Drumbeg.

21. It is accessed along its frontage from the Quarterlands Road Drumbeg between two dwellings at 58 and 66 Quarterlands Road.
22. The site boundary to the west is defined by Quarterlands Road and the boundary to the north by the existing fence of 66 Quarterlands Road and fencing to two properties at Zenda Park.
23. The north-east and eastern boundaries are defined by existing hedgerow and the southern boundary abuts the properties at Rural Cottages and the rear of 56 and 58 Quarterlands Road.
24. The land within the site rises gradually by approximately two metres from west to east and north to south.

Surroundings

25. The site is in the small settlement of Drumbeg approximately four miles from Lisburn City.
26. The lands to the north, west and south of the site are developed as low to medium density suburban residential housing and the lands to the east are primarily agricultural in use.
27. The area beyond the immediate context of the site and settlement is primarily rural in character and the land is mainly in agricultural use.

Proposed Development

28. The application is for full planning permission for the erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road.
29. The application is supported with the following documents:
 - Design and Access Statement
 - Planning and Supporting Statement
 - Rebuttal Statement
 - NI Biodiversity Checklist
 - Preliminary Ecological Assessment
 - Ecological Appraisal Report
 - Drainage Assessment
 - Transport Assessment Form
 - Service Management Plan
 - Landscape Management Plan
 - Tree Survey and Report

Relevant Planning History

30. The following planning history is relevant to the site.

Application Reference	Site Address	Proposal	Decision
S/2006/0690/F	Lands to the rear of 58 Quarterlands Road, and adjacent to Zenda Park, Drumbeg, Dunmurry, BT17 9LN	15 dwellings comprising 8 semi-detached two-storey houses, 3 detached two-storey houses, and 4 semi-detached chalet style houses.	7 January 2008

31. There is some evidence that this earlier planning permission was commenced. The access to the site was formed and a dwelling was constructed but as no Certificate of Lawfulness is certified by the Council the planning history is given no material weight in the assessment of this application. This proposal is considered on its own merits in the context of prevailing planning policy.

Consultations

32. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
DFI Rivers	No objection
LCCC Environmental Health	No objection
NI Water	No objection
Natural Heritage	No objection
DAERA Water Management Unit	No objection
Northern Ireland Housing Executive (NIHE)	No objection

Representations

33. More than 380 representations have been submitted in opposition to the proposal. Of those 30 representations are submitted on behalf of the Quarterlands Group and 170 representations are submitted on pro-forma letters.
34. The following main issues are raised:
- Impact on Road Safety
 - Impact on Nature Conservation
 - Impact on NI Water Infrastructure
 - Increased risk of Flooding
 - No Housing Need
 - Impact on AONB and Lagan Valley Regional Park
 - Inappropriate design
 - Impact on residential amenity
 - Devalue Properties
 - Lack of Services
 - Concerns in relation to Landscape Management
 - Outstanding HRA
 - Procedural Issues
 - Neighbour Notification
 - Planning History
 - EIA
 - Fair and Equitable
 - Human Rights
 - Equality Issues
35. Five letters of support have been submitted. The following points of are raised:
- Proposal will create housing in a sought-after area.
 - High quality scheme is welcomed in area.
 - The local nursery will benefit from additional families in the area.
 - Affordable housing is welcomed as locals will be able to purchase dwellings and not have to move out of the area
 - The land proposed for development is inaccessible and not used by locals for any other purpose.
 - The lands to the front and overgrown and have not been maintained in years.
 - A new development will greatly improve the visual aspect of the area.

Environmental Impact Assessment (EIA)

36. An EIA determination was carried out in with regard had to the location of the site within an existing settlement and where there is a context of built development on two sides. There are no identified environmental constraints

or designations within or adjacent to the site and the scale and nature of the development is compatible with the established uses on the adjacent lands.

37. A further EIA determination was carried out on 11 January 2024 on receipt of an updated ecological assessment and further information received in support of the application in November 2023.
38. The Department for Infrastructure published a new Development Management Practice Note 9B - Screening projects for Environmental Impact Assessment (EIA) in December 2023. Whilst a number of EIA determinations have already been carried out, the application has been rescreened having regard to this practice note. The materials submitted with this application have been reviewed independently of the developer, its agents or any other third-party influence. The determination is updated again to take account of the latest guidance from the Department.
39. The application site lies within the Lagan Valley Area of Outstanding Natural Beauty a sensitive area. The development is also considered to fall within category 10(b) of Schedule 2 in that it is typical of an urban development projection. The proposed development also exceeds the thresholds set out within category 10(b) of Schedule 2 hence a determination is required.
40. The main environmental effects are identified as follows:
 - Potential Impacts to Water Environment
 - Potential Impacts to features of Natural Heritage Importance
 - Potential Impact on Visual Amenity of Area of Outstanding Natural Beauty
 - Potential Impact on Access and Transport
 - Potential Impact on residential amenity with regard to noise, nuisance and disturbance
 - Cumulative considerations
41. The application is for the erection of 17 dwellings in a mix of 15 detached and 2 semi-detached dwellings with associated parking, landscaping, site works and access arrangements from Quarterlands Road on land within the defined settlement limit of Drumbeg.
42. There is a planning history for residential development associated with the application site and whilst there is some evidence that this earlier planning permission was commenced, no Certificate of Lawfulness is approved by the Council and the proposed development the proposal is considered on its own merits in the context of prevailing policy.
43. For the reasons outlined in the determination report, it remains the view of officers that the development is not likely to be significant environmental impacts created by the proposed development that would merit this application being considered EIA development. As such, an Environmental Statement is not required to inform the assessment of the application.

Local Development Plan

44. 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

45. 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.

46. In accordance with the transitional arrangements the existing Local Development Plan and draft BMAP remain material considerations.
47. Within the Lisburn Area Plan (2001), the subject site is located within the settlement development limits of Drumbeg.
48. In draft BMAP, the site lies within an area zoned for housing under housing designation DG 03/01 – Housing Lands Use Policy Area Land, to southeast of Zenda Park, in draft BMAP. It comprises 1.23 hectares of land designated on Map No. 9/0001 - Drumbeg.
49. Within the adopted albeit quashed BMAP, the lands are designated for Housing within the context of designation DG 03/02. The key site requirements are withdrawn.
50. Whilst the site is not located within the Lagan Valley Regional Park as designated in the LAP, it does fall within the Lagan Valley Regional Park designation in both draft BMAP and pre-adoption BMAP.

51. Draft BMAP states that the Lagan Valley Regional Park is a unique asset for the population of the Belfast Metropolitan Area [albeit quashed].
52. The last revision to draft BMAP in 2014 is a significant material consideration of determining weight given that the housing designation was unchallenged at the Public Inquiry and the extent of the settlement limit where the application site has a boundary with the open countryside had not changed from LAP. An objection to draft BMAP requesting a single storey restriction be imposed on the site was not considered to be feasible or practicable by the PAC following the Public Inquiry as full planning permission had been granted in 2008 for 15 dwellings, 11 of which were two-storey.
53. The site was also brought within boundary of the LVRP in the last revision to draft BMAP in 2014 and is a significant material consideration that confirms the requirements of the Park Plan also still apply.

Lagan Valley Regional Park Local Plan 2005

54. The aims of the Lagan Valley Regional Park Local Plan 2005 are:
 - To protect and enhance the natural and man-made heritage of the park
 - To conserve the essential character of the park and to encourage its responsible public use.
 - To seek to ensure that the various land uses and activities within the park can co-exist without detriment to the environment.
55. Policy U2 states that:

Development limits are defined for Ballyaghlis, Ballylesson, Ballyskeagh, Drumbeg, Edenderry, Lambeg and Tullynacross. Within these limits new development may be considered to be acceptable provided that it relates sympathetically to the design, scale and character of the existing village or hamlet.

56. This is an application is for residential development inside a settlement and a number of strategic policies apply. The strategic policy for Housing in Settlements is set out in Part 1 of the Plan Strategy.
57. 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.
58. 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.

59. 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.

60. 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.

61. 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.*

62. As more than 5 residential units are proposed 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.*

63. There are also operational policies associated with Part 2 of the Plan Strategy that are relevant to the assessment.

Housing in Settlements

64. As residential development is proposed 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).

65. The design and layout of the new buildings are subject to policy HOU3 - Site Context and Characteristics of New Residential Development which 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.

66. The design and layout of the new buildings are also subject to policy HOU4 - Design in New Residential Development which 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.*

67. The Justification and Amplification states:

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

68. 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.

69. As the site area is more than one hectare in size public open space is required as part of the proposed development. Policy HOU5 - Public Open Space in New Residential Development states that:

Adequate provision must be made for green and blue infrastructure in public open space and for open space that links with green and blue infrastructure where possible and provides pedestrian and cycle linkages to nearby public amenity spaces. Proposals for new residential development of 25 or more units, or on sites of one

hectare or more, must provide public open space as an integral part of the development, subject to the following:

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

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

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

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

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

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

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

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

70. The following paragraph in the Justification and Amplification states:

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

open space are best located where they are overlooked by the fronts of nearby dwellings.

71. Policy HOU6 – Design Concept Statements, Concept Masterplans and Comprehensive Planning states that:

A Design Concept Statement, or where appropriate a Concept Masterplan, must accompany all planning applications for residential development. A Concept Masterplan will be required for major planning applications involving: a) 50 dwellings or more b) the development, in part or full, of sites of 2 hectares or more zoned for housing in development plans c) housing development on any other site of 2 hectares or more. For partial development of a site zoned for housing the Concept Masterplan will be expected to demonstrate how the comprehensive planning of the entire zoned area is to be undertaken. Any proposal for housing that would result in unsatisfactory piecemeal development will not be permitted, even on land zoned for housing.

72. Policy HOU8 - Protecting Local Character, Environmental Quality and Residential Amenity in Established Residential Areas states that:

Planning permission will be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where the criteria set out in Policies HOU3 and HOU4 (with the exception of Policy HOU4(d) – Density Bands), and all the additional criteria set out below are met: a) the proposed density is not significantly higher than that found in the established residential area b) the pattern of development is in keeping with the local character, environmental quality and existing residential amenity of the established residential area c) all dwelling units and apartments are built to a size not less than those set out in Supplementary Planning Guidance, Part A: Space Standards for Dwellings.

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.

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

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

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

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

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

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

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

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

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

74. The Justification and Amplification states:

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.

75. The Glossary associated with Part 2 of the Plan Strategy states that *Affordable Housing – affordable housing is:*

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

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

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

Natural Heritage

76. Given the size of the site and the scale of development proposed a biodiversity and detailed ecology report is submitted in support of this application.
77. 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.

78. 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.*

79. The policy also states that:

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.

80. The Lagan Valley Regional Park is an AONB. Policy NH6 – Areas of Outstanding Natural Beauty states that planning permission for new development within an AONB will only be granted where it is of an appropriate design, size and scale for the locality and that a number of criteria are met:
- (a) *The siting and scale of the proposal is sympathetic to the special character of the AONB in general and of the particular locality; and*
 - (b) *It respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and*
 - (c) *The proposal respects*
 - *Local architectural styles and patterns;*
 - *Traditional boundary details by retaining features such as hedges, walls and gates; and*
 - *Local materials, design and colour*

81. Areas of Outstanding Natural Beauty are designated by the Department primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage.

82. Policy directs that planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality.

Access and Transport

83. The P1 Form indicates that access arrangements for this development involve the construction of a new access to an existing public road for both pedestrian and vehicular use.

84. 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.

85. 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.

86. Car parking is proposed as an integral part of the development. Policy TRA 7 – Car Parking and Servicing Arrangements 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 standards or any reduction provided for in an area of parking restraint designated in the Local Development Plan.

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

- a) *where, through a Transport Assessment or accompanying Travel Plan, it*

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

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

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

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

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

Flooding

87. The application is beyond the threshold for submission of a Drainage Assessment. Policy - FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states that:

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

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

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

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

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

developer to mitigate the effects of flooding and drainage as a result of the development.

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

Regional Policy and Guidance

Regional Policy

88. Paragraph 3.8 of the SPPS states:

that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interest of acknowledged importance.

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

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

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

91. In respect of the proposed access arrangements, it is stated at paragraph 6.303 that:

In assessing development proposals planning authorities must apply the Department's published guidance. In determining a development proposal likely to generate a significant volume of traffic, planning authorities should require the developer to submit a Transport Assessment so as to facilitate assessment of the transport impacts; this should include mitigation measures where appropriate. The Transport Assessment may include a travel plan, agreed with DRD Transport NI, or the relevant transport authority, that sets out a package of complementary measures to secure the overall delivery of more sustainable travel patterns and which reduces the level of private car traffic generated.

92. It is further stated in relation to the parking arrangements at paragraph 6.304 that:

In assessing the appropriate amount of car parking, account should be taken of the specific characteristics of the development and its location, having regard to the Department's published standards and any reduction in standards provided for through a LDP or Transport Assessment.

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

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

94. Paragraph 6.182 of the SPPS further states that:

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

95. Paragraph 6.198 of the SPPS states that:

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

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

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

97. Paragraph 6.132 of the SPPS further states that:

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

Regional Guidance

[Living Places - An Urban Stewardship and Design Guide for Northern Ireland \(September 2014\)](#)

98. The aim of the design guide is to clearly establish the key principles behind good place making.
99. The focus of the guide is urban areas, and the guide recognises the wider economic, cultural and community benefits of achieving excellence in the stewardship and design of these important places.

Creating Places

100. Creating Places – Achieving Quality in Residential Developments’ (May 2000) is the principal guide for developers in the design of all new housing areas. 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.

101. 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.

102. The guidance recognises that an enhanced separation distance may also be necessary for development on sloping sites.
103. Paragraphs 5.19 – 5.20 provides guidance on the level of private open space provision. 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.

Housing in Existing Urban Areas

104. DCAN 8 - Housing in Existing Urban Areas provides advice which will help to ensure that urban and environmental quality is maintained, amenity preserved, and privacy respected when proposals are being considered for new housing development within existing urban areas.
105. Paragraph 5 of the advice note states:

that the following detailed design principles need to be considered

- *creating a safe environment;*

- *clearly defining public and private space;*
- *ensuring adequate privacy and daylight;*
- *providing appropriate garden and amenity open space;*
- *creating an attractive landscape setting;*
- *responding to opportunities created by corner sites;*
- *providing for enhanced public transport, walking and cycling facilities; and*
- *accommodating car parking and determining the appropriate level.*

106. Paragraph 6 states:

that proposes for housing in established residential areas need to illustrate that they have taken these design principles into account, clearly demonstrate an appreciation of context and reinforcing local character. This is particularly important in relation to:

- *Building lines;*
- *Boundary treatments*
- *Scale and built form; and*
- *Varied roof lines.*

Planning Supplementary Guidance

107. Supplementary Guidance in relation to Space Standards for Dwellings states that the following table must be used to calculate minimum dwelling sizes in new developments. The space standards represent the required area of internal floor space.

Space Standards			
Type	Single Storey/ Flat [m2]	Two Storey [m2]	Three Storey [m2]
1-Person/Bedsit	30/35	-	
1-Person/1-Bedroom	35/40		
2-Person/1-Bedroom	50/55		
3-Person/2-Bedroom	60/65	70/75	
4-Person/2-Bedroom	70/75	75/80	
4-Person/3-Bedroom	75/80	80/85	
5-Person/3-Bedroom	80/85	90/95	95/100
5- 6-Person/3-Bedroom	85/90	95/100	100/105
6-Person/4-Bedroom	90/95	100/105	105/110
7-Person/4-Bedroom	105/110	115/120	115/120

Assessment

Housing in Settlements

Policy HOU1 – New Residential Development

108. This application is for 17 residential units. The site is within the settlement limit of Drumbeg in the Lisburn Area Plan and determining weight is attached to the housing designation in the last revision draft BMAP in 2014 as a material consideration. New housing is an appropriate use on zoned residential land and the policy tests of Policy HOU1 are considered to be met for this reason.

Policy HOU3 - Site Context and Characteristics of New Residential Development

109. The Quarterlands Road is characterised by in-depth suburban housing development comprising a mixture of house types including two-storey detached, single storey bungalows and semi-detached chalet style one and half storey dwellings.
110. The properties in Hambleton Park to the east of the site are primarily single storey and at Zenda Park to the north are typically a storey and half in height. With the exception of the dwellings at 52B and 54C, the properties along Rural Cottages to the south are primarily single storey.
111. The dwelling at 66 Quarterlands Road to the immediate north of the application site is one and a half storey in height and finished in brick. The dwelling at 58 Quarterland Road is single storey in height with a garden area extending to the road.
112. Car parking is mainly provided in curtilage for the existing housing with private driveways evident to the front and side of most properties.
113. The Design and Access statement submitted in support of the application indicates that the density of development is 14.5 dwellings per hectare which is below the density of the adjacent Zenda Park which is 24 dwellings per hectare.
114. The height of the proposed dwellings were reduced to address concerns expressed by third parties. Amended drawings received in November 2023o indicated that the proposed dwellings are two-storey in height with ridge heights ranging from 7.5 metres – 8.2 metres. This is an overall reduction of 500 millimetres for each of the proposed units. Where garages are proposed they are single storey in height.
115. Taking into account the surrounding context is comprised of suburban residential development of different forms, age, style, scale and mass and where there is no predominant form of housing given the mixed nature of the residential character of this part of Drumbeg the proposed development will

reinforce the sense this is a suburban place but still with a village feel as the buildings will be of a scale and mass found locally and they are designed to have the appearance of vernacular buildings found in a small rural village setting.

116. The site is also located behind existing suburban housing and will be set back from the Quarterlands Road. Car parking is shown to be in curtilage with some provision made on street for visitor parking. The requirements of criteria (a) are met.
117. With regard to criteria (b), No archaeological, historic environment or landscape characteristics/features have been identified that require integration into the overall design and layout of the development.

Policy HOU4 - Design in New Residential Development

118. A sample description of some of these house types is detailed below.
119. Site 1 is a two-storey dwelling. It comprises a living room, kitchen/dining area, sitting room, utility, WC and lounge on the ground floor. The first floor comprises 4 bedrooms, one with en-suite, study and separate family bathroom.
120. Site 14 is a two-storey detached dwelling. A lounge, hall, WC, kitchen/dining area, snug and utility occupy the ground floor and the proposed first floor consists of four bedrooms, one with an en-suite and a family bathroom.
121. In terms of layout, the building line along Quarterlands Road is respected with house type 1 having a dual frontage to the road and the access road into the site.
122. The dwellings along the access road into the site [namely those at plots 2, 16 and 17] are orientated to face the access road within curtilage parking provided along with front and rear gardens proposed for each unit. The other dwellings are positioned and orientated within the site to face the internal road and match the typical suburban arrangement found elsewhere in Drumbeg.
123. The layout also demonstrates that there are appropriate separation distances between the proposed dwellings and existing dwellings so as not to have an adverse impact on residential amenity. The distances from rear elevation of the proposed dwellings to the common boundary varies from a minimum of 9 metres at site 11 to a maximum of 18 metres at site 3.
124. The separation distance from the gable end of the dwelling at plot 16 to the gable wall. The proposed gable of Site 1 is located 9.5 metres from the rear of the existing dwelling at 58 Quarterlands Road.
125. The layout of the rooms in each of the units, the position of the windows along with the separation distance also ensures that there is no overlooking into the

private amenity space of neighbouring properties. The buildings are not dominant or overbearing and no loss of light would be caused.

126. The proposed house types are considered to have a modern design which complements the surrounding built form, the variation in material finishes of brick and smooth render is a similar high quality to other residential properties inside the settlement.
127. For the reasons outlined above, criteria (a), (e) and (f) of the policy are considered to be met.
128. With regard to criteria (b) detail submitted with the application demonstrates that the provision of private amenity space varies from 100 square metres to a maximum of 478 square metres. As an average, 204 square metres is provided across the site which is far in excess of the standards contained with Creating Places for a medium density housing development comprised of three and four bedroom dwellings.
129. The amended landscape plan and schedule submitted in support of the application illustrates that woodland planting will extend along the northern and eastern boundaries of the site where they abut the open countryside. This buffer planting extends to a depth of approximately 5 metres and is acceptable at this location as the boundary is at the back of the site and not a critical view from the surrounding road network. This depth of planting will however consolidate and provide a firm edge to the settlement limit.
130. The landscape plan also demonstrates that the existing trees along the site boundaries are to be retained where possible and supplemented where necessary with native planting along with standard and heavy standard trees, and native species hedging.
131. The proposed site plan drawing includes details of other boundary treatments. These include two-metre high pillars at the entrances, 1.2 metre galvanised steel estate rail fence with planting to the rear [Fence Type A], 1.2 metre post and wire stock fence with planting as per landscape plan [Fence Type B] and 1.8 close boarded timber horizontal fence [Fence Type C] between properties.
132. A 1.6 metre screen wall wraps around the eastern boundary of plot 16. The wall is finished with clay facing brick to match dwelling. The site plan indicates that there will be planting to the front of the wall softening its appearance and aiding its integration into the surrounding area.
133. Section 6.0 of the Landscape Management Plan provides details on general maintenance activities with maintenance responsibility transferring to an appointed resident's management company.
134. With regard to public open space, the application site exceeds 1 hectare and as such, the proposed development is required to make provision for public open

space. This issue is considered later in the report within the context of policy HOU5. For the reasons outlined later criteria (b) is considered on to be met.

135. There is no requirement for the provision of a local community or neighbourhood facility for this scale of development. That said, the site is in close proximity to local facilities and services. The site is approximately 5 km from Lisburn, 4km from Finaghy and 3km from Lambeg all of which contain a range of shops, services, food outlets and facilities. Criteria (c) is considered to be met.
136. With regard to criteria (d) the proposed density is lower than that found in the established residential area and that the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area. The average unit size ranges from 139 metres squared to 235 metres squared which exceeds space standards set out in supplementary planning guidance for this type of residential development.
137. The internal road layout provides for safe and convenient access through the site and the provision of dropped kerbs and tactile paving will also serve to meet the needs of mobility impaired persons. Adequate and appropriate provision is also made for in curtilage parking with additional parking provided on street. Criteria (g) and (h) are considered to be met.
138. The careful delineation of plots with appropriate fencing will serve to deter crime and promote personal safety. Criteria (l) is considered to be met.
139. It is also considered that the buffer planting along the northern and eastern edges of the site will maximise the benefit to wildlife, add visual interest and that it contributes positively to the Lagan Valley Regional Park and Area of Outstanding Natural Beauty (AONB).
140. For the reasons outlined above, it is accepted that the development complies with the policy tests associated with Policy HOU4 of the Plan Strategy are met in that the detail submitted demonstrates how the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, design and finishes and that it does not create conflict with adjacent land uses or unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

Policy HOU5 – Public Open Space in New Residential Development

141. The scheme is for less than 25 dwellings, but the site is more than 1 hectare in size [1.1 hectares]. The policy requirement is considered on balance to be met for the reasons outlined below.
142. The landscape planting to this boundary comprises natural/semi natural areas of depth, provides valuable habitats for wildlife and promotes biodiversity

consistent with advice provided in the justification and amplification of this policy. This will also visual be a visual amenity for the proposed residents of the development.

143. Furthermore, larger than average back gardens are also provided as amenity for the proposed residents which counterbalances the absence of any formal open space within such a small scheme.
144. Regards is also had to the fact that the site is located within reasonable distance to areas of public open space associated with the Lagan towpath which enables users to make use of adjoining areas of public open space.

Policy HOU6 - Design Concept Statements, Concept Masterplans and Comprehensive Planning

145. A Design Concept is included within the Design and Access Statement. A contextual analysis of the site, surrounding land uses, Built Heritage and Landscape Character establishes the constraints and informs the layout and design of the buildings. The statement also demonstrates how the proposal has evolved to take account site context and surroundings and explain why buildings of the scale and massing proposed are appropriate to the location. The requirements of policy HOU6 are met for these reasons.

Policy HOU8 - Protecting Local Character, Environmental Quality and Residential Amenity in Established Residential Areas.

146. The proposal involves the development of a vacant lands within the settlement limit of Drumbeg.
147. As explained in the preceding paragraphs above (within the context of the assessment of policies HOU3 and HOU4), the proposed dwellings are two-storey with ridge heights ranging from 7.5 metres to 8.2 metres. There are buildings of a similar height, scale and mass elsewhere within the same settlement. The buildings are also set back from the public road behind other development which assists in integrating the buildings into the streetscape without impacting adversely on the local character, environmental quality and existing amenity of the established residential area. Criteria (a) is met.
148. The proposed density is lower than that found in the established residential area and that the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area. Criteria (b) is met.
149. The average unit size ranges from 139 metres squared to 235 metres squared which exceeds space standards set out in supplementary planning guidance for this type of residential development. Criteria (c) is met.

Policy HOU10 – Affordable Housing

150. The need for social and affordable housing is identified by the Northern Ireland Housing Executive as the statutory housing authority within the Lisburn and Castlereagh Council Area.
151. Advice received from the Northern Ireland Housing Executive (NIHE) on 05 January 2024 indicates that the proposed development is located within the Lisburn Dunmurry Urban Housing Needs Area which has an unmet need of 1329 units for the 2022-27 period.
152. As this proposal involves more than 5 units, provision is required to be made for a minimum of 20% of all units to be affordable. In this case, the applicant has committed to providing four affordable units and that these units will likely be and offered as social rented accommodation to Habinteg Housing Association who have expressed an interest in acquiring these units. The NIHE confirm in their consultation response that they are satisfied that the minimum affordable housing requirement for this site is met.
153. The units are designed to integrate with the overall scheme consistent with policy and their delivery will be secured by way of section 76 Agreement. No more than 12 of the dwellings are to be occupied until the four affordable dwellings are constructed and available for occupation.

Access and Transport

154. Detail associated with the P1 Form indicates that the development involves the construction of a new access to a public road for both vehicular and pedestrian use.
155. A Transport Assessment (TA) form prepared by Atkins was submitted on 25 October 2022 in support of the application. It provides detail on travel characteristics, transport impacts and measures to mitigate impacts/influence travel to the site. An updated form received in August 2023 has regard to the amended layout.
156. In terms of travel characteristics, the form indicates that the site will be accessed via a new access from Quarterlands Road with footways either side to facilitate pedestrians. It also explains that pedestrian crossing points in the form of tactile paving will also be provided on Quarterlands Road to facilitate onward connections to the existing footway network.
157. Using the TRICS database for a privately owned development, the Transport Assessment indicates that the proposed site use has the potential to generate 118 total vehicle movements per day which equates to an average of approximately 10 vehicles per hour. The peak period for trips is identified as 08:00 – 09:00 and 17:00 – 18:00.

158. In relation to, Transport Impacts, the Transport Assessment Form (TAF) notes that there will be negligible increase in traffic movements associated with the proposed development. It also notes that the development proposal proposes 56 car parking spaces in total [44 in curtilage spaces and 14 on street spaces]. The required parking standards are therefore met in full.
159. It is explained in the Design and Access statement that the vehicular access and internal carriageway are designed to an adoptable standard in accordance with the Private Streets Order.
160. The Design and Access statement also explains that the internal carriageway transitions into a shared surface arrangement. The detail in the TAF states that this shared surface arrangement creates the opportunity for additional planting to emphasis the domestic context and natural traffic calm the development whilst promoting a quality residential environment.
161. 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 Policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways and pedestrian crossing points.
162. 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. As described earlier in the report regard is also had to the nature and scale of the development, the character of the existing development, the location and number of existing accesses and the standard of the existing road network in terms of assessing the access arrangements.
163. The proposal is also considered to comply with 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.

Natural Heritage

164. A Preliminary Ecological Appraisal and Assessment (PEA) carried out by AECOM in December 2021 is submitted in support of the application.
165. The PEA was commissioned to identify whether there are known or potential ecological constraints that may constrain or influence the design and implementation of the proposed works.
166. The purpose of the PEA is to:
 - Identify and categorise all habitats present within the site and any area immediately outside of the site where there may be potential or direct effects.

- Carry out an appraisal of the potential of the habitats recorded to support protected, notable or invasive species of flora and fauna.
- Provide advice on ecological constraints and opportunities including the identification of any requirements for additional habitat species surveys and/or requirements for mitigation.
- Provide a map showing the habitats identified on site and location of identified ecological constraints.

167. Section 3 of the Assessment document explains that the following methods were used to identify sites with nature conservation value and protected habitats and species.

- Desktop Study
 - Designated
 - Data Requests
 - Historical Mapping
- Field Survey
 - Phase 1 Habitats
 - Invasive Species
 - Potential to support protected species
- Personal Experience
- Limitations

168. Section 4.1 explains that there are no sites with statutory designations for nature conservation within 2km of the site nor is there any hydrological connection from the site to any site with a statutory designation.

169. Section 4.1.2 explains that there are six SLNCIs within 1km of the site. These sites are designated for their diversity of habitats, species, landscapes and earth science features.

170. There are two parcels of long-established woodland within 1km of the site.

171. It is stated in the report that data obtained from the Northern Ireland Bat Group contained bat roost records and general observations of bat species. The assessment explains that many of the records are associated with Derriaghy to the northwest, Drumbeg to the east or the River Lagan to the north. No records were discovered directly related to the application site.

172. The report also explains that field survey results confirm that the site comprises two semi-improved fields delineated by hedgerows, located to the east of houses on Quarterland Road. An additional smaller area of grassland between the road and the fields is also present. The assessment notes that no protected or priority species of plants were noted during the survey.

173. The broad habitats noted with this site include the following:

- Scattered Scrub
- Semi Improved Neutral Grassland

- Poor Semi-improved Grassland
 - Standing Water
 - Species poor Intact Hedgerow
 - Hedgerow with Trees
 - Harding Standing
174. Section 4.2.2 of the report confirms that no invasive species listed in Schedule 9 Part II of the Wildlife Order were identified within the site.
175. It also confirms that trees on site were assessed for their suitability to host roosting bats and that no trees on site were identified as having suitability for roosting bats. The assessment did acknowledge that the site and habitats provided good habitat for a variety of commuting and foraging bat species, connecting to a wider rural landscape.
176. Whilst no systematic bird survey was carried out, the assessment does note that the site provides foraging and nesting habitat for a variety of terrestrial birds.
177. It also notes that the site contains some suitable habitat for foraging badger and habitat for sett creation such as hedgerows. That said, no evidence of badger was found on site or within 25 metres of the site.
178. With regard to Smooth Newts, the ditches on site were shallow and not likely to be suitable for smooth newt.
179. There was no other suitable habitat for other protected and notable species and no additional surveys were considered necessary.
180. Natural Environment Division (NED) considered the detail of the assessment including concerns expressed by way of third-party representation. Whilst having no objection in principle, made a number of comments in relation to the proposal and the reports that were submitted in support of the application.
181. In a response received on 06 January 2023, NED requested an amended Landscape Management Plan that retains maximum amount of existing hedgerow and other vegetation on the land to promote and encourage biodiversity as possible.
182. A subsequent response received on 12 June 2023 had regard to the amended landscape plan and planting schedule. The response confirmed that they were content with the proposal subject to the existing screen planting being retained as indicated.
183. Whilst the response also acknowledged that some vegetation will be removed and that vegetation on the site may support breeding birds the advice received indicated that NED had no objection to the proposed development subject to works being carried out outside the bird nesting season. Officers are in agreement with this advice.

184. In response to concerns expressed in by third parties a further Ecological Assessment was received on 21 November 2023.
185. This along with video footage included as part of third-party representations were made available to NED. In a detailed response received on 24 January 2024 NED confirmed that they had considered all relevant information and that they had no objection to the proposed development provided that a condition is attached to ensure the protection of the remaining hedgerows during the construction phase of the project.
186. The advice further confirmed that the proposed development was unlikely to significantly impact priority habitats other than the removal of hedgerow which has been compensated for in the landscape proposal drawing published to the portal on 21 November 2023.
187. The advice also confirmed that the development was unlikely to significantly impact badgers as no evidence of badger setts were noted during the survey. Furthermore, the advice acknowledged that no suitable bat roosting potential was recorded within the hedgerows to be removed and that the retention and enhancement of the existing boundary hedgerow was unlikely to significantly impact the foraging and commuting behaviours of the local bat population recorded during the bat activity surveys.
188. NED noted that the ditches recorded within the site 'were dry and largely shallow or otherwise absent' and as such, agreed that the site does not provide a suitable breeding opportunities for smooth newts.
189. The response referred to advice provided in September 2023 which considered the detail of an objection letter from Ulster Wildlife indicating the presence of a Barn Owl using a nearby building (approximately 200 metres from the site).
190. The latest advice notes that the updated Ecological Appraisal includes a Barn Owl assessment and survey. An onsite scoping survey and investigation survey was conducted to further assess potential habitats within the wider area.
191. The rough grassland within the site provides foraging for Barn Owls, however it was considered that there is suitable habitat remaining in the wider landscape beyond the application site. It is therefore unlikely that this proposed development will reduce the available foraging habitat for Barn owls.
192. No evidence of Barn Owl was identified on the site itself and no suitable features for nesting were recorded. The derelict farm sheds identified by objectors and Ulster Wildlife are 185 metres to the east of the proposed development. They were inspected internally and again no evidence of recent use by Barn Owls was identified.
193. The proposed development is sufficiently distant from the Barn Owl site identified by Ulster Wildlife, and construction works are unlikely to impact/disturb any nesting/roosting Barn Owls within this location. The

applicant highlights the recommended buffer distance for construction activity is 150-175 metres (Shawyer 2011) to not impact on this species. The farm building in question where the pellets were located is approximately 200 metres from the site, at a greater distance than the recommended buffer.

194. No European or National protected species or habitats or features of Natural Heritage Importance are identified within the application site and the potential for the site to accommodate species and habitat has been explored in detail by expert ecologists. Officers have no reason to disagree with the advice of NED and no contrary evidence is submitted by the objectors that would sustain a reason for refusal.
195. It is considered that the proposal complies with policies NH2 and NH5 of the Plan for the reasons outlined above. No harm to a protected species with European or National protection is identified or quantified. No unacceptable adverse impact is demonstrated to habitat, or any feature listed in categories (a) to (i) in policy NH5.
196. Hedgerow is identified as a landscape feature important to flora and fauna in criteria (f) and mitigation is proposed to compensate for the potential loss of biodiversity. Again, NED has advised that the proposed compensatory measures are adequate, and conditions are recommended.
197. In terms of the capacity for the landscape to absorb this development the site is surrounded on three sides by existing suburban residential development and the boundary with the open countryside is supplemented with in-depth planting. The buildings are of an acceptable scale, mass and design for the setting of a small settlement in the open countryside.
198. The development will not harm any identified special features of the AONB for the reasons detailed above. The architectural style and details of the finishes, boundary treatments and landscaping are appropriate to the context. It is considered that the proposed development complies with Policy NH6 of the Plan Strategy for the reasons outlined above.

Flooding and Drainage

199. A Drainage Assessments dated December 2021 by Atkins was submitted in support of the application.
200. Paragraph 2.2 of the Assessment indicates that the site is not located within any of the Flood Directive flood maps. It is not affected by fluvial or pluvial flooding nor is there any evidence of historic records of flooding on the site.
201. Section 3 provides detail on the Drainage Assessment in relation to existing surface water run-off and post development surface water runoff. It indicates that the existing site is greenfield land and there is no evidence of storm drainage on the existing site. As such, surface water run-off in the form of

- overland flow is conveyed towards the northern and western boundaries of the site likely combined with ground infiltration.
202. The pre-development surface runoff from the site is 11.2l/s [equivalent to greenfield run off rates of 10l/s/ha].
 203. Section 3.3 provides detail in relation to the performance of the proposed storm drainage and explains that it is proposed to install new surface water drainage networks to serve the development.
 204. The foul drainage network from the development is proposed to connect to the existing NI Water 450mm diameter public combined sewer within Quarterlands Road. The assessment also advises that an Article 154 application for the requisition has been made already to NI Water.
 205. The proposed storm drainage networks have been designed taking into account the existing topography of the site and the proposed finished levels. The proposed storm drainage network will be limited to a maximum allowable discharge rate of 11.3l/s using a vortex flow control device.
 206. Section 4 illustrates that the site is not affected by fluvial or pluvial flooding. The engineers also concluded that there is no risk from reservoir inundation or coastal sources due to the location of the site.
 207. Advice received from DfI Rivers on 01 February 2022 confirmed that the Drainage Assessment had been reviewed. The advice confirmed that there is no watercourse which are designated under the terms of the Drainage (Northern Ireland) Order 1972 within the site. Advice was also provided that the site may be affected by undesignated watercourses for which DfI Rivers has no record.
 208. With regard to Policy FLD3, DfI Rivers requested a copy of the Article 154 application from NI Water consenting to discharge attenuated 11.31l/s storm water runoff to their system so that they can fully consider the Drainage Assessment.
 209. Having considered the Article 154 response from NI Water, DfI Rivers Agency provided clarification on the Drainage Assessment and indicated that it indicates that there is exceedance flow emanating from MH8. Whilst no objection was offered, the applicant was requested to provide details on how this exceedance is to be effectively mitigated in order to demonstrate that flood risk to the proposed development, and from the development elsewhere, has been adequately dealt with.
 210. It is confirmed in the updated Drainage Assessment that the design and construction of a suitable drainage network is feasible and that any 1 in 100 year event shall be contained within the attenuation system, when discharging at existing green field runoff rate. There will be no exceedance flows at MH8 or any other existing manhole during any flooding event. DfI Rivers has no objection to the form of mitigation proposed and acknowledge that the detailed

design and construction of the attenuation system will be finalised under a separate consenting regime by NI Water prior to adoption. The content of the drainage is assessment is agreed having regards to the advice of NI Rivers Agency.

211. Water Management Unit has also considered the impacts of the proposal on the surface water environment and in a response received on 06 January 2023 advised that they had considered the impacts of the proposal on the surface water environment and on the basis of the information provided, they were content with the proposal.
212. NI Water in a response received on 1 February 2022 recommended that the planning application is approved with standard conditions and response specific conditions. The advice received confirmed that there is available capacity at the WWTW and that there is a public foul sewer within 20 metres of the site boundary which can adequately service the proposal. Whilst the response notes that there is no public surface water sewer within 20 metres of the site it does acknowledge that access is available via extension of the existing public surface water network.
213. A wayleave is annotated between site 5 and site 6. The detail demonstrates that it is within the curtilage of site 5 and no development is shown to take place within a 5 - 7 metre buffer of this piece of infrastructure.
214. Based on a review of the information provided and the advice received from both DfI Rivers, Water Management Unit and NI Water, it is accepted and considered that the proposed development is being carried out in accordance with the requirements of Policy FLD 3 of the Plan Strategy.

NIE Infrastructure

215. Another wayleave exists leading to the electricity substation. This wayleave is part of the curtilage of site 3 with NIE retaining a right of way for maintenance purposes.
216. The advice of NIE is considered as material but not of any significant weight in the consideration of this proposal.

Consideration of Representations

217. Consideration of the issues raised by way of third-party representation are set out in the paragraphs below:

- Impact on Road Safety

218. A number of the representations express concern in relation to road related matters including but not limited to concerns in relation to the capacity of the

road network, the provision of footways and the impact of the development on road safety. These concerns are not supported by evidence or commissioned technical reports from a roads engineer or transport consultant.

219. The application has been accompanied with a Transport Assessment Form and detailed engineering drawings. DfI Roads have assessed the additional trips generated from the proposed development and have offered no objection. The access arrangements and road layout are acceptable in terms of the operational policies associated with the Plan Strategy and DCAN 15. It is therefore not considered that the proposal will give rise to any road safety issues road users or pedestrians.
220. The development involves the widening of the road carriageway at the site to 5.5 metres. This will alleviate issues along this section of road. Any further works required to improve the rest of the road is outside the scope of this application. Based on the submitted evidence from the transport consultants, engineers and advice from DfI Roads the scale of development proposed does not trigger the need for further improvement of the road network.
221. The proposal includes the creation of a new footpath along the section of road frontage. Detail associated with the provision of footways within the site and in part, the Quarterland Road are shown on Drawing No: 5208230-ATK-QLR-ZZ-DR-D-0001 rev P06 bearing the Council date stamp of 22 AUG 2023 as published to the Planning Portal on 11 September 2023.
222. Areas of carriageway, verges and service strips to be adopted are identified. A footway is shown to extend along the front of the Quarterland Road with the entrance to the site and then into the site by approximately 20 metres to the rumble strip after which, the surface is shared.
223. The findings of the Holmes Report as referenced in a representation from the Quarterlands Group on 07 May 2024 are noted. That said, only one response was received from Northern Ireland, and it is not clear what development this response relates too. Furthermore, no direction is provided by central government in relation to the use of such shared surface spaces in new developments. Guidance available to officers in relation to Shared Surfaces is set out in Section 19 of the Creating Places document.
224. Advice received from DfI Roads in relation to the proposed application offers no objection from a road safety perspective. Officers have no reason to depart from this advice as no contrary evidence is provided to confirm the use of shared surfaces within residential schemes are unsafe.
 - Impact on Nature Conservation
225. A number of representations raise concern in relation to the accuracy of ecology information and the impact of the proposal on protected species and habitats. The Q4 document submitted by the Quarterland group provides rebuttal comments to the Ecological Report by AECOM.

226. The ecology information and reports that were submitted in support of the application have been compiled by qualified ecologists. These papers including an updated ecological report and representations from third parties have been considered by Natural Environment Division as part of the application process. No contrary evidence in the form of ecological assessment is provided.
227. The specific concerns and video evidence in relation to the impact on protect species have also been made available to Natural Environment Division for consideration as part of their overall assessment. There is no evidence that this development will cause adverse impact on species protected by law nor is there evidence to indicate that the habitat used by these species is adversely impacted.
228. Concerns expressed in relation to the removal of hedgerows have been considered. A detailed landscape plan has been submitted with the application and the planting schedule is amended to take account of advice provided by NED on the importance of protecting biodiversity. The detail associated with this plan indicates that the boundary hedging is to be retained as far as possible and that the landscape proposals will ensure that the proposal will integrate into the surroundings.
229. There is no contrary evidence provided by third parties to warrant officers departing from the advice provided by NED and the ecology reports supplied with the application are carried out by professionally qualified persons. Significant weight is attached to this advice in concluding the requirements of policy are met. The objections on the grounds of an adverse impact to the natural environment cannot be sustained for the reasons detailed in this report.
230. As the site lies on the edge of the settlement limits a 5-metre landscape buffer is also proposed which will further enhance biodiversity value in this area as outlined in detail within the context of Policy HOU4 considerations.
- Impact on NI Water Infrastructure
231. Concerns are raised in a number of representations in relation to Storm Drainage Design, Surface Water runoff from the site and general capacity issues. The Quarterlands Group has also directed queries to NI Water direct.
232. NI Water has consistently advised that there is sufficient capacity at Drumbeg to facility the proposed development of 17 Units and officers have no reason not to accept the advice provided.
233. An additional representation from the Quarterlands Group on 17 June 2024 titled Population Equivalent and Drumbeg WwTW Capacity seeks to reinforce concerns regarding Drumbeg WwTW capacity based on population equivalent data and hydraulic capacity assessment.
234. NI Water has confirmed that their population count for Drumbeg catchment was carried out in accordance with NI Water's Asset Standard Wastewater Flow &

Population Determination and advice remains that there is capacity to facilitate the proposed development.

- Increased risk of Flooding

235. The DfI Rivers Agency Flood Map for ordinary day and climate change projections shows no history of flooding on the site or in the immediate vicinity of the site.

236. The application is accompanied with a drainage assessment. The findings in this illustrate that the site is not at risk of flooding during a 1 in 100-year flood event and that the surface water from the proposed development can be run-off at greenfield rates to mitigate the impact of flooding elsewhere.

- No Housing Need

237. There is no requirement for the applicant to demonstrate that there is a housing need. The planning system is Plan led and planning permission should be granted for development that is in accordance with the requirement of the Plan. This is a zoned housing site inside a settlement. The land associated with the application site is inside the settlement of Drumbeg where there is a general presumption in favour of new housing development. This is explained in the main body of the report. That said, advice received from the Housing Executive on 05 January 2024 indicates that the proposed development is located within the Lisburn / Dunmurry Urban HNA which has an unmet need of 1329 units for the 2022-27 period. Affordable housing is provided as part of the proposal.

238. The affordability of the homes has also been questioned. The market value of the houses proposed for development is not an objection that can be taken into consideration in the assessment of this application. Affordable housing is proposed for the site and this mixed tenure element will assist in meeting the objective of providing choice and variety to existing residents of the settlement who may not have had access to affordable accommodation in the past.

- Impact on AONB and Lagan Valley Regional Park

239. The impact of the proposal on the Lagan Valley Area of Outstanding Natural Beauty and the Regional Park is considered in the main body of the report.

240. It is acknowledged in the main body of the report that the site is located in an Area of Outstanding Natural Beauty. This does not preclude the proposed development. The site is surrounded by other residential development, and it is not considered that the nature and scale of the proposal will have a negative impact on the wider setting of the Lagan Valley Regional Park for the reasons highlighted earlier in the report.

241. Weight is given to the fact that the land is zoned for housing in draft BMAP and for the reasons outlined in the main body of the report, the proposal in terms of its architectural style and pattern, boundary features and design/finishes is appropriate to locality within the AONB.

- Inappropriate design
242. The appropriateness of the design is set out in the main body of the report within the context of Policy HOU3, HOU4 and NH6 considerations.
- Impact on residential amenity
243. The impact of the proposed development on residential amenity in terms of overlooking, overshadowing and noise or other disturbance is considered in detail in the main body of the report within the context of HOU4 considerations.
244. Reference is made to claims in the rebuttal statement that the traffic on Quarterland Road is not a noise generator and that a noise impact assessment is not required. The view is expressed that the Council's environmental health unit should ensure that a full assessment is undertaken to take account of the likelihood of traffic congestion caused by tailbacks generated by the proposed development.
245. A thorough consultation process has been followed and DFI Roads and Environmental Health have offered no objections based on the information provided. An objection on this basis can therefore not be substantiated.
- Lack of Services
246. Concern is expressed that there are no neighbourhood facilities such as primary schools, shops and play areas.
247. Drumbeg is conveniently located to Lisburn and other settlements which provide retail and other services. The scale of development proposed here does not give rise to the need for neighbourhood facilities and this matter is considered in the main body of the report within Policy HOU4 considerations.
- Concerns in relation to Landscape Management
248. Concern is expressed in relation to the regulation of Management Companies. This is common practice that a management company takes responsibility for the maintenance of a landscaped areas. This is fully detailed in the Management Plan and conditions will be attached to the approval to ensure this is adhered to.
- Financial position of the developer
249. The view is expressed in a detailed representation that the development would require a financial aspect of remediation and that such is rarely considered by relevant Departments as a pre-requisite of approval. A desire to compare the initial feasibility model to the revised model is expressed with the economic outcome of the process questioned. A number of questions are posed in relation to the financial status of developer.

250. The financial position of a developer or indeed their ability to deliver a development on the ground is not a material planning matter that is given weight in this assessment. The planning permission is linked to the land and not the person or company applying for the person. Officers are concerned with the use of the land and whether the proposal is in accordance with planning policy.
- Devalue Properties
251. Concern is expressed that this development will cause the value of existing properties to decline. No evidence has been received to substantiate this assertion and as such, no weight is afforded to this objection of a perceived loss of value.
- Outstanding HRA
252. The view is expressed in the Q6 submission that the HRA remains outstanding. Advice received from Shared Environmental Services in April 2024 confirmed that the planning application had been considered in light of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Lisburn and Castlereagh City Council which is the competent authority responsible for authorising the project.
253. The advice explained that the assessment which informed this response is attached at Annex A and that having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site as the HRA Stage 1 screening has found no viable environmental pathways to any European Site or mobile feature of one at both construction and operational phases. This enables no conceivable effects to any European Site to be concluded.
- Procedural Issues
254. A number of procedural issues are raised in relation to the handling of the application.

Neighbour Notification Process

255. The neighbouring properties abutting the red line of the proposed development were notified of the proposal in line with legislative requirements. They were also re-notified throughout the processing of the application when further information/amendments were received.
256. Furthermore, the application was advertised in the Belfast Telegraph on 18 January 2022 with a number of other readvertisements taking place during the process when amendments/additional information was received. The last advertisement took place on 8 December 2023.

257. There has also been engagement with an established community group with a number of meetings having been facilitated by officers to explain the application process and to provide clarity on elements of the proposed development.
258. It is therefore considered that the neighbour notification carried out was in line with statutory legislative requirements.

Planning History

259. The relevant planning history is set out in the main body of the report. As explained, there is some evidence that this earlier planning permission was commenced. The access to the site was formed and a dwelling was constructed but as no Certificate of Lawfulness is certified by the Council the planning history is given no material weight in the assessment of this application.
260. This proposal is however considered on its own merits within the context of prevailing planning policy.

Inadequate Environmental Impact Assessment

A number of representations and a small number of other third parties bring challenge to the EIA determination carried out by officers.

261. This matter is addressed in the main body of the report, and it remains the view of officers that the proposed development is not EIA development and that an Environmental Statement is not required.

Pre-eminence of LDP 2032

262. There is challenge to how the Plan process has been considered. Advice in relation to the local development plan and the weight to be attached to draft BMAP as a material consideration is set out in the main body of the report.
263. The Plan Strategy of the Local Development Plan for the Lisburn and Castlereagh City Council Area was adopted in September 2023. The Plan Strategy provides the policy basis for considering this proposal now and it is not accepted that a different approach is taken in this case to that taken with another planning application at Magheraconluce Road [LA05/2018/0862/F].

Fair and Equitable process

264. The Quarterlands Group is critical of the Council for its handling of the application with the view expressed that the group have not had the same time as others to access officer reports in advance of Committee with allegations made that the process was not transparent and unfair to third parties.

265. The assertions made that the decision-making process was not transparent, or that the process was administratively unfair is not accepted.
266. Officers have facilitated a number of meetings with objectors and have explained the process in various pieces of correspondence. This Council has had to devote time and resources in dealing with a large number of FOI and EIR queries raised by the Quarterlands Group. Where information is sought and is available, it has been provided.
267. Reports for the February 2024 Committee were made available to Members 5 days in advance of the meeting in accordance with standing orders and the Local Government Act (Northern Ireland) 2014. The papers were also posted to the Council website in accordance with established procedures. These papers are not removed from the website nor are papers associated with earlier meetings.
268. Decision making in relation to this application rests with the Planning Committee and members of the Public are through the Protocol for the Operation of the Planning Committee afforded the opportunity to make representation to the Planning Committee.

Human Rights

- ~~269. An issue of human rights is raised indicating that the rights of local residents are negatively impacted due to the proposed removal of green spaces, the potential future flooding risks, the intrusion into our privacy and our right to enjoy a quiet and safe residential environment, caused by the scale of the proposed building which is out of character with the surrounding areas and the increased noise, traffic, and light pollution which will change the character of the village. Reference is also made to *Britton v SOS* (1997) JPL 617.~~
- ~~270. Regard is had to this case within the context of the current application. It is noteworthy that the *Britton* case (from 1997) predates the introduction of the Human Rights Act 1998 (which itself was commenced in 2000).~~
- ~~271. Whilst the *Britton* case is a planning case which looks at the applicability and interpretation of the European Convention on Human Rights, it does so in a context where the legislation which is currently in place (as has been since 2000) was not in place at the time. Therefore, the utility of the *Britton* case is now effectively nullified. Rather, as the Human Rights Act effectively transposed the ECHR into UK law, then it is the considerations under that legislative context which are paramount today.~~
- ~~272. Within this context, the introduction of new planning policies since 2000 (and the commencement of the HRA 1998) will all have been scrutinised for compliance with the HRA and thus this eliminates the need for scrutiny of each individual planning application as a result.~~

Equality Impacts

- ~~273. Third parties raise concern in relation to the need for an Equality Impact Assessment to be carried out in relation to the shared street arrangement within the development.~~
- ~~274. In a similar vein to the approach taken in relation to the issues raised as regards the Human Rights Act, the introduction of new planning policies since the commencement of the Northern Ireland Act 1998, including the LCGG Local Development Plan 2023 will have been assessed in accordance with Section 75 of the Northern Ireland Act 1998 thus eliminating the need for scrutiny of each individual planning application as a result.~~

Conclusions

275. For the reasons outlined above, the proposal is considered to comply with the SPSS and policies HOU1, HOU3, HOU4, HOU5, HOU6, HOU8 and HOU10 of the Plan Strategy.
276. It is also considered to comply with Policies NH 2, NH 5, NH6, TRA1, TRA2 TRA7 and FLD3 of the Plan Strategy.

Recommendations

277. It is recommended that planning permission is approved subject to a section 76 planning agreement which identifies those units in the scheme which are to be developed as affordable housing.

Conditions

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

Reason: Time limit
 2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No: 5208230-ATK-QLR-ZZ-DR-D-0001 rev P05 bearing the Council date stamp (insert

date) and the Department for Infrastructure Determination date stamp [insert date].

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

3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No: 5208230-ATK-QLR-ZZ-DR-D-0001 rev P05 bearing the Council date stamp insert date and the Department for Infrastructure Determination date stamp of insert date prior to the commencement of any other works or other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

5. The gradient of the access road shall not exceed 2.5% (1 in 33) over the first 15m outside the road boundary.

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

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 5208230-ATK-QLR-ZZ-DR-D-0001 rev P05 bearing the Council date insert date and the Department for Infrastructure Determination date stamp insert date .The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

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

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

8. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in verges/service strips determined for adoption.

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

9. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in (verges/service strips) determined for adoption.

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

10. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved drawing 5208230-ATK-QLR-ZZ-DR-D-0001 rev P05 bearing the Council date stamp insert date to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

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

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

12. The existing hedgerows and vegetation as indicated on Drawing 02B – Landscape General Arrangement Plan, bearing the Council date stamped [insert date] shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To ensure the maintenance of screening to the site and in the interests of natural heritage.

13. All hard and soft landscape works shall be carried out in accordance with Drawing 02B – Landscape General Arrangement Plan, and associated planning schedule bearing the Council date [insert date] and the approved details. The works shall be carried out no later than the first available planting season after occupation of that phase of the development.

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

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

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

15. No vegetation clearance/removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding/nesting birds.

16. No development shall proceed beyond sub-floor construction until details of an extension to the existing surface water network to serve the development is submitted to the Council and approved in writing and implemented on site.

Reason: To ensure a practical solution to the disposal of surface water from this site.

17. Prior to the construction of the drainage system, the applicant shall submit a final drainage assessment the detail of which is to be agreed with the Council. The agreed system will be implemented as approved.

Reason: To ensure the development is carried out in accordance with the mitigation agreed in the submitted drainage assessment () and that there is the safe management of any out of sewer flooding emanating from the surface water drainage network.

Site location Plan – LA05/2022/0033/F



Lisburn & Castlereagh City Council

Planning Committee	
Application Reference	LA05/2023/0946/F
Date of Application	22 November 2023
Proposal Description	Vehicle storage shed (retrospective)
Location	Approximately 70 metres south of 7 Ravarnet Road, Lisburn
Representations	Two
Case Officer	Michael Vladeanu
Recommendation	Refusal

Summary of Recommendation

1. This application is categorised as a local application. It is referred 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 proposal is contrary to Policy COU1 of the Plan Strategy 2032, in that the development is not an acceptable form of non-residential development in the countryside.
3. The proposal is contrary to Criteria (a), (b), (f) & (n) of Policy ED9 of the Plan Strategy 2032, in that insufficient information has been submitted to demonstrate that the development is compatible with surrounding land uses and would not harm the amenities of nearby residents or result in the creation of noise nuisance and there are no satisfactory measures to assist the development to integrate into the landscape.
4. The proposal is contrary to Criteria (a) to (e) of Policy COU15 of the Plan Strategy 2032, in that the building is a prominent feature in the landscape, does not cluster with an established group of buildings nor does the development blend with the landform, existing trees, slopes and other natural features which provide a backdrop and the site lacks long established natural boundaries to provide a suitable degree of enclosure for the building to integrate into the landscape and development would rely primarily on the use of new landscaping for integration.

5. The proposal is contrary to Criteria (a), (b), (e), (f) & (g) of Policy COU16 of the Plan Strategy 2032, in that the building is unduly prominent in the landscape, does not cluster with an established group of buildings and would have an adverse impact on the rural character of the area. Furthermore, insufficient information has been submitted to demonstrate that the development would not adversely impact on residential amenity and that all necessary services, including the provision of non mains sewerage, are available or can be provided without significant adverse impact on the environment or character of the locality.

Description of Site and Surroundings

Site Context

6. The application site is approximately 0.10 hectares in size and located on an irregularly shaped plot on land to the south of 7 Ravarnet Road, Lisburn.
7. Within the site is a single storey grey / black metal prefabricated shed set on a concrete base and a small detached single storey grey rendered building with a tin roof adjacent which has fallen into disrepair.
8. During the visit to the site, it was observed that vehicles are currently stored within the metal framed building which with storage cabinets, two worktops and a commercial ramp.
9. The building is accessed via an existing lane that rises from the main road and then drops to the west of the site, with the site itself being mainly flat. The boundaries of the site are defined by a high close boarded fence with entrance gates along the southeastern boundary

Surroundings

10. The character of the immediate area to the east and south is rural in nature comprising of agricultural lands, single dwellings in the countryside and farm holdings.
11. Further to the west is the commercial area of Sprucefield and to the north is the settlement limit of Lisburn as the M1 motorway. The site is bounded by open agricultural fields on all sides.

Proposed Development

12. Retrospective full planning permission is sought for a vehicle storage shed that measures 15.3 metres by 8.1 metres and is approximately 123.93 square metres in size. It has a shallow pitched roof ridge height of 4.2 metres finished and is of portal frame construction with grey agri-clad sheeting. Two roller

shutters and an entrance door are located to the front elevation facing onto a yard.

Relevant Planning History

- 13. This retrospective application arises from a live enforcement case LA05/2023/1060/CA relating to the alleged unauthorised construction of a shed as commercial car repairs business. There is no other planning history associated with the site.
- 14. The relevant planning history for the lands surrounding the application site is detailed below:

Reference	Address	Description	Decision
LA05/2018/0729/F	9 Ravarnet Road, Lisburn, BT27 5NB	Erection of replacement dwelling, provision of new access point to Ravarnet Road and new septic tank	Refused
S/1985/0164	Behind 3 Ravarnet Road, Lisburn	Replacement dwelling	Refused

Consultations

- 15. The following consultations were carried out:

Consultee	Response
DFI Roads	No objection
LCCC Environmental Health	No objection
NIEA	No objection
NI Water	No objection

Representations

- 16. Two letters of objection have been received and are summarised below:

- Drainage and run off concerns leading to pollution of surrounding land and waterway
- Access and visibility splays need to be improved to accommodate more and larger traffic using the lane
- Amenity issues due to the commercial business sited close to other domestic properties

Local Development Plan

17. 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

18. 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.

19. In accordance with the transitional arrangements the existing Local Development Plan is the Lisburn Area Plan and the Plan Strategy. Draft BMAP remains a material consideration.
20. The site is located outside any settlement development limit or any designated area in both the Lisburn Area Plan and draft Belfast Metropolitan Area Plan (BMAP).
21. This is a retrospective application for a vehicle storage shed and the application description does not state whether the building is for commercial or personal use. On 12th January 2024 an email was sent to the agent requesting clarification as to what the vehicle storage is in association with and if in association with a commercial business use details of the business were requested. No response was received from the agent.

22. The application has been submitted with a P1 form and a category 5(d) fee has been paid which is for the erection of industrial, commercial, community and other buildings, other than dwellinghouses or buildings covered by category 4 as defined in the Planning (Fees) Regulations (Northern Ireland) 2015.
23. In addition, from a review of Google Earth imagery there appears to be various cars and larger vehicles stored at the site. It was further observed that a vehicle ramp was installed, for the raising and repair of vehicles. Representations received in objection to the proposed development note commercial activity at the site.
24. The building is not within the domestic curtilage of a dwellinghouse and cannot be said to be ancillary for the use of an existing residential property on the lane. Taking all the above into account this application therefore falls to be considered as a new commercial building in the countryside. The storage and repair of motor vehicles are B2 & B4 uses in the Planning (Use Classes) Order (Northern Ireland) 2015.
25. 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.*
26. The Strategic Policy for Economic Development in the Countryside is set out in Part 1 of the Plan Strategy. Strategic Policy 12 – Economic Development in the Countryside states that:
- The Plan will support development proposals that:*
- a) *Facilitate and benefit the rural economy and support rural communities, whilst protecting rural character and the environment.*
27. As this is assessed to be a building constructed for the storage, repair and maintenance of motor vehicles in the open countryside the following operational policies in Part 2 of the Plan Strategy also apply.

Development in the Countryside

28. This is a proposal that falls within the category of 'other non-residential uses'. Policy COU1 Development in the Countryside states that:

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

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.

In accordance with the requirements of Policy COU1, the application also falls to be assessed against policies COU15 and COU16 of the Plan Strategy.

Economic Development

29. The proposal comprises of the land for a new economic use outside of a defined settlement development limit in the open countryside.
30. The development as built is not of the types of projects that may be acceptable in the open countryside under policies ED3 to ED6.
31. As vehicle repairs and storage is an economic development use for completeness it is assessed against the requirements of Policy ED9 General Criteria for Economic Development of the Plan Strategy which states that:

Any proposal for an economic use (including extensions) outlined in Policies ED1 to ED8 will also be required to meet all of the following criteria:

- a) it is compatible with surrounding land uses;*
- b) it does not harm the amenities of nearby residents;*
- c) it does not adversely affect features of the natural or historic environment;*

- d) *it is not located in an area of flood risk and will not cause or exacerbate flooding;*
- e) *it does not harm the water environment;*
- f) *it does not create a noise nuisance;*
- g) *it is capable of dealing satisfactorily with any emission or effluent;*
- h) *the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;*
- i) *adequate access arrangements, parking and manoeuvring areas are provided;*
- j) *a movement pattern is provided that meets the needs of people whose mobility is impaired and public transport, walking and cycling provision forms part of the development proposal;*
- k) *the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;*
- l) *appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;*
- m) *it is designed to deter crime and promote personal safety;*
- n) *in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.*

Policy COU15 Integration and Design of Buildings in the Countryside

32. 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

33. Policy COU 16 Rural Character and other Criteria states

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

A new development proposal will be unacceptable where:

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

Access and Transport

34. The development has the potential to intensify the use of an existing access onto a public road. Policy TRA2 – Access to Public Road states:

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

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

Consideration will also be given to the nature and scale of the development, character of existing development, the contribution of the proposal to the creation of a quality environment, the location and number of existing accesses and the

standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

Regional Policy and Guidance

Strategic Planning Policy Statement (SPPS) for Northern Ireland

35. The SPPS was published in September 2015. It is the most recent planning policy, and it is stated at paragraph 1.5 that:

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

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

It states:

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.

37. 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.

38. The proposal is for a new commercial building in the countryside. Paragraph 4.19 of the SPPS states that:

Planning authorities should therefore take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Large scale investment proposals with job creation potential should be given particular priority. Planning authorities should also recognise and encourage proposals that could make an important contribution to sustainable economic growth when drawing up new plans and taking decisions.

39. Paragraph 4.20 states:

When assessing the positive and negative economic implications of planning applications planning authorities should ensure the approach followed is proportionate to the scale, complexity and impact of the proposed development. When taking into account the implications of proposals for job creation, planning authorities should emphasis the potential of proposals to deliver sustainable medium to long-term employment growth. Furthermore, in processing relevant planning applications planning authorities must ensure appropriate weight is given to both the public interest of local communities and the wider region.

40. Paragraph 4.21 states:

Supporting sustainable economic growth through proactive planning does not mean compromising on environmental standards. The environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built environment. Economic growth can also contribute to higher social standards and improve the health and well-being of our society overall.

Assessment

41. The applicant argues that this is not a new economic development and that the shed was built to maintain and repair vehicles owned by them. No supporting evidence by way of vehicle insurances or registration documents to demonstrate that all vehicles within the shed belonged to the applicant accompanied this justification for the building.
42. In addition, no justification was provided to inform why the vehicles were not stored at the applicant's own property or why the building was fitted out with a commercial scale of equipment.
43. In the absence of planning history for the dilapidated building adjacent to the subject building on the site I do not consider this to be an ancillary domestic outbuilding that might benefit from permitted development rights as a result of being within the domestic curtilage of a dwellinghouse.
44. For the reasons set out earlier in this report it is considered that this is a new economic development use in the countryside.

Economic Development

45. The development is located in the open countryside where there is a general presumption against new non-residential development except in a limited numbers of circumstances. This proposal does not fall into any of the categories described in policies ED3 to ED6 of the Plan Strategy.
46. The applicant has not demonstrated in the context of policy COU1 that this is non-residential development that may in principle be acceptable in the countryside. No substantive evidence has been submitted to indicate there are other material considerations to be weighed in the decision-making process.
47. Policy COU1 also requires proposals for non-residential development to comply with all policy requirements contained in the operational policies, where relevant to the development. As this is assessed to be an economic development use for completeness it is considered against the general requirements of policy ED9.
48. Initially the Council's Environmental Health Department were consulted on the application and requested additional information regarding the hours of operation. An email was sent to the agent requesting details of the hours of operation however no response was received. Following the application being placed on the Council's delegated list an email from the applicant was submitted confirming that the shed was in domestic use. Environmental Health Department were reconsulted and offer no objection. I am not persuaded based on my site visit that the advice provided by the Environmental Health Department can be sustained for the following reasons.
49. The application follows on from the investigation of a complaint. It is considered that insufficient information has been submitted with the application to demonstrate that the use of the building is compatible with surrounding land uses and would not have an adverse impact on the countryside or residential amenity through noise and activity levels that could be disruptive to nearby land uses. Criteria (a), (b) and (f) has not been met in that no information has been provided by the applicant to demonstrate that the development will not have a detrimental impact on the amenities of nearby residents.
50. Criteria (c), (d) and (g) are not engaged in that the site is not in close proximity to any features of natural or historic heritage, is not located within any areas prone to flooding and is not of a scale to warrant the submission of a Drainage Assessment nor does the proposal relate to emissions or effluent management. NIEA Water Management Unit have been consulted on the application they have no objection.
51. NI Water and NIEA Water Management Unit have been consulted and offer no objection to the proposal. It is therefore considered that the proposal will have no impact on the water environment thus criteria (e) has been met.

52. DfI Roads were consulted and have reviewed the accompanying information, plans and representations and offer no objection to the development. It is considered that the existing network and access can safely accommodate any increased vehicular traffic to the site and adequate provision has been provided for access arrangements and vehicular, pedestrian and user transport movements needs have been met. Criteria (h), (i) and (j) have been met.
53. Whilst no biodiversity checklist has been submitted or requested, it is not considered that the development would negatively affect biodiversity at the site given that the building has been placed on the existing hardstanding. No landscaped boundaries have been removed to accommodate the proposal. Criteria (k) and (l) have been met.
54. The site is designed to deter crime and promote personal safety with high close boarded fencing surrounding the site along with a secured access gate. Criteria (m) is also met.
55. Criteria (n) states there must be satisfactory measures to assist integration into the landscape. The storage building is visible within the open countryside along lane which serves other dwellinghouses, with no evident landscaping or existing screening to mitigate its visual impact. The scale and industrial nature of the structure create a stark contrast with the surrounding rural environment, resulting in an obtrusive and unsympathetic form of development. In the absence of appropriate mitigation, the proposal does not successfully blend with its setting and instead appears as a prominent and incongruous feature within the landscape. As such, the development does not meet criteria (n) of Policy ED9.

Development in the Countryside

Policy COU15 – Integration and Design of Buildings in the Countryside

56. In terms of criteria (a), it is considered that the proposal is a prominent feature in the landscape especially when viewed and travelling along the access lane from west to east where the lane rises and falls in elevation. The proposal storage building when travelling eastward along the access track sits above the existing fence line and is significantly larger than the existing building on site. As such, criteria (a) has not been met.
57. The building is not sited to form part of a traditional cluster arrangement. There is only one other building currently present at the site and the vehicle storage building sits detached and physically removed from the existing building. It appears as a standalone, modern commercial structure that does not relate spatially to the existing outbuilding. As a result, the proposal does not reflect the typical rural siting pattern and contributes to a fragmented and visually discordant form of development, contrary to criteria (b).

58. In terms of criteria (c) the building fails to blend with the landform or utilise any natural features to provide a visual backdrop. The area immediately surrounding the building is largely flat and open, and the structure rises above the height of the boundary fencing. This is particularly evident when travelling east along the access track, where the rising landform provides clear, open views of the full massing of the structure. The absence of sufficient landscape containment means the building reads as a dominant feature, contrary to criteria (c).
59. With regard to criteria (d) there is a clear lack of long-established natural boundaries to the site. Whilst timber fencing has been erected along the perimeter, this appears artificial and visually stark when viewed in the rural context and in particular the lane which serves other development and is a point of public assembly. The site itself is devoid of mature planting, established hedgerows, or topographical features that could provide a degree of natural enclosure to assist with integration. As such, criteria (d) is not met.
60. Regarding criteria (e) no substantive details have been submitted regarding any landscaping proposals. In any case, the building would be overly reliant on new planting to mitigate its visual impact. This approach is discouraged under policy as it does not represent genuine integration with the existing landscape setting. As such, criteria (e) is not met.
61. In terms of criteria (f), while the building adopts a functional industrial appearance, typical of commercial storage uses, it is not considered that the design alone is fundamentally inappropriate in this context. The structure is simple in form and uniform in finish, and although it does not reflect traditional rural buildings, the design itself is not considered to give rise to significant harm beyond the more pressing issues of siting, integration, and prominence. On balance, the proposal is not considered contrary to criteria (f).
62. The site contains areas of hardstanding and timber boundary fencing however, these features pre-date the erection of the storage building and do not form part of the current proposal. There are no new ancillary works proposed that would impact on the integration of the building with its surroundings. Criteria (g) is therefore met.

COU16 Rural Character and other criteria

63. As outlined previously above the proposed building is considered to be unduly prominent within the landscape, particularly when viewed along the access lane from west to east. The elevated positioning of the structure relative to the road and surrounding land, combined with its industrial scale and finish, results in an intrusive and visually dominant form of development. This significantly detracts from the open and rural setting and fails to integrate into the landscape in a sympathetic manner, contrary to criteria (a).

64. As previously stated at paragraph 56, the proposal fails to form part of any established grouping of rural buildings. It is physically separated from the older outbuilding on site and does not reflect a traditional cluster arrangement. Its isolated siting results in a sporadic and fragmented form of development that conflicts with the rural settlement pattern, contrary to criteria (b).
65. While the proposal does not reflect a clustered form, it is located within an existing curtilage and does not project outward toward public roads or neighbouring lands. As such, it does not significantly disrupt the traditional pattern of settlements exhibited in the area. Criteria (c) is therefore met.
66. In terms of criteria (d) the proposal does not mar the distinction between a settlement and surrounding countryside, due to the separation between the site and the defined settlement limit of Lisburn which lies approximately 166 metres to the west of the site.
67. The cumulative impact of the buildings prominence, and isolated siting gives rise to an unacceptable erosion of rural character. The proposal introduces an overtly commercial and urbanising presence within a predominately rural setting. As detailed throughout this report, and in particular at points 56 to 66, the development is considered to alter the established character of the area and is therefore contrary to criteria (e).
68. It is noted that a residential dwelling No. 9 Ravarnet Road lies directly adjacent to the site on the southern side of the access track. The gable end (northern elevation) of this building faces towards the site however the openings on this elevation have been blocked up, and as such it is not considered that the metal framed building would lead to a loss of light to this neighbouring dwelling.
69. While it is maintained by the applicant that the use of the building will not result in a high-intensity commercial use, there is nonetheless the potential for adverse impacts on residential amenity due to increased traffic, vehicle movements, and general activity associated with commercial vehicle storage. The site lies in proximity to existing residential properties, it has not been sufficiently demonstrated that the activity on site is not commercial in nature therefore it is considered that the development has the potential to give rise to noise and disturbance, contrary to criteria (f).
70. The application form indicated a connection to existing foul sewage disposal however, the submitted floor plans does not identify any such connection, nor does it show the location of any proposed or existing treatment systems. Environmental Health have advised that, should foul sewage disposal be required, no meaningful assessment can be undertaken without the submission of a detailed site plan showing the location of the building and the treatment unit. The agent was asked to provide this detail however no amended plans have been received by the Council. In the absence of this information and on a precautionary basis, as it cannot be demonstrated that the necessary foul

drainage infrastructure is available or can be provided without unacceptable environmental or amenity impacts is it considered that criteria (g) is not met.

71. As noted at point 62 above, the ancillary works on the site, namely the hardstanding and fencing, appear to have pre-dated the erection of the building and do not form part of the current proposal. Their presence, while noted, does not significantly exacerbate the rural character impact beyond that caused by the storage building. Criteria (h) is therefore met.
72. The proposal utilises an existing access onto Ravarnet Road, and there is no indication that the development would give rise to a road safety concern or unreasonably affect the free flow of traffic. DfI Roads have been consulted on the application and have not raised any objections to the development. Therefore, criteria (i) is met.

Access, Movement and Parking

73. The site plan submitted with the application does not show any change to the point of access from the private into the site and this is not an access onto a public road. The application form states that there is to be no change to existing access arrangements on site, making use of an unaltered access onto a public road for vehicular use. The policy requires consideration to be given to whether there is any intensification of the use of the existing access onto the public road and any improvements are required.
74. DfI Roads have been consulted on this application and raise no objection to the scheme. Based on my observations of the access to the public road from my site visit and the advice offered by DfI Roads the policy tests outlined in Policy TRA 2 are met.

Consideration of Representations

75. Two representations have been received in objection to the proposed development.
76. The objections received can be summarised as following:
- Drainage and runoff concerns leading to pollution of surrounding land and waterway
 - Inadequate access, visibility splays and increased/ larger traffic on lane
 - Impact upon residential amenity

77. The Council have provided the following responses to the above representations:

Drainage and run off concerns

- NIEA Water Management Unit have been consulted on the application and has considered the impacts of the proposal on the surface water environment and based on the information provided are content provided the applicant refers and adheres to the relevant standing advice and subject to the caveat contained in the explanatory note.

Inadequate access, visibility splays and increased/ larger traffic on lane

- The site is accessed via an existing access off the Ravarnet Road and no alterations to this access are proposed under this application. DFI Roads have been consulted on the application and raise no objection to the proposal with regards to road safety.

Impact upon residential amenity

- Due to the lack of information in relation to the operations of the shed, it has not been demonstrated that the development will have no unacceptable adverse impacts on the amenity of adjacent residential properties.

Conclusions and Recommendation

78. The proposal is contrary to Policy COU1 of the Lisburn & Castlereagh Plan Strategy 2032, in that the development is not an acceptable form of development in the countryside.

79. The proposal is contrary to Criteria (a), (b), (f) & (n) of Policy ED9 of the Plan Strategy 2032, in that insufficient information has been submitted to demonstrate that the development is compatible with surrounding land uses and would not harm the amenities of nearby residents or result in the creation of noise nuisance and there are no satisfactory measures to assist the development to integrate into the landscape.

80. The proposal is contrary to criteria (a) to (e) of Policy COU15 of the Plan Strategy 2032, in that the building is a prominent feature in the landscape, does not cluster with an established group of buildings nor does the development blend with the landform, existing trees, slopes and other natural features which provide a backdrop and the site lacks long established natural boundaries to provide a suitable degree of enclosure for the building to integrate into the landscape and development would rely primarily on the use of new landscaping for integration.

81. The proposal is contrary to criteria (a), (b), (e), (f) and (g) of Policy COU16 of the Plan Strategy 2032, in that the building is unduly prominent in the landscape, does not cluster with an established group of buildings and would have an adverse impact on the rural character of the area. Furthermore, insufficient information has been submitted to demonstrate that the development would not adversely impact on residential amenity and that all necessary services, including the provision of non mains sewerage, are available or can be provided without significant adverse impact on the environment or character of the locality.

Recommendations

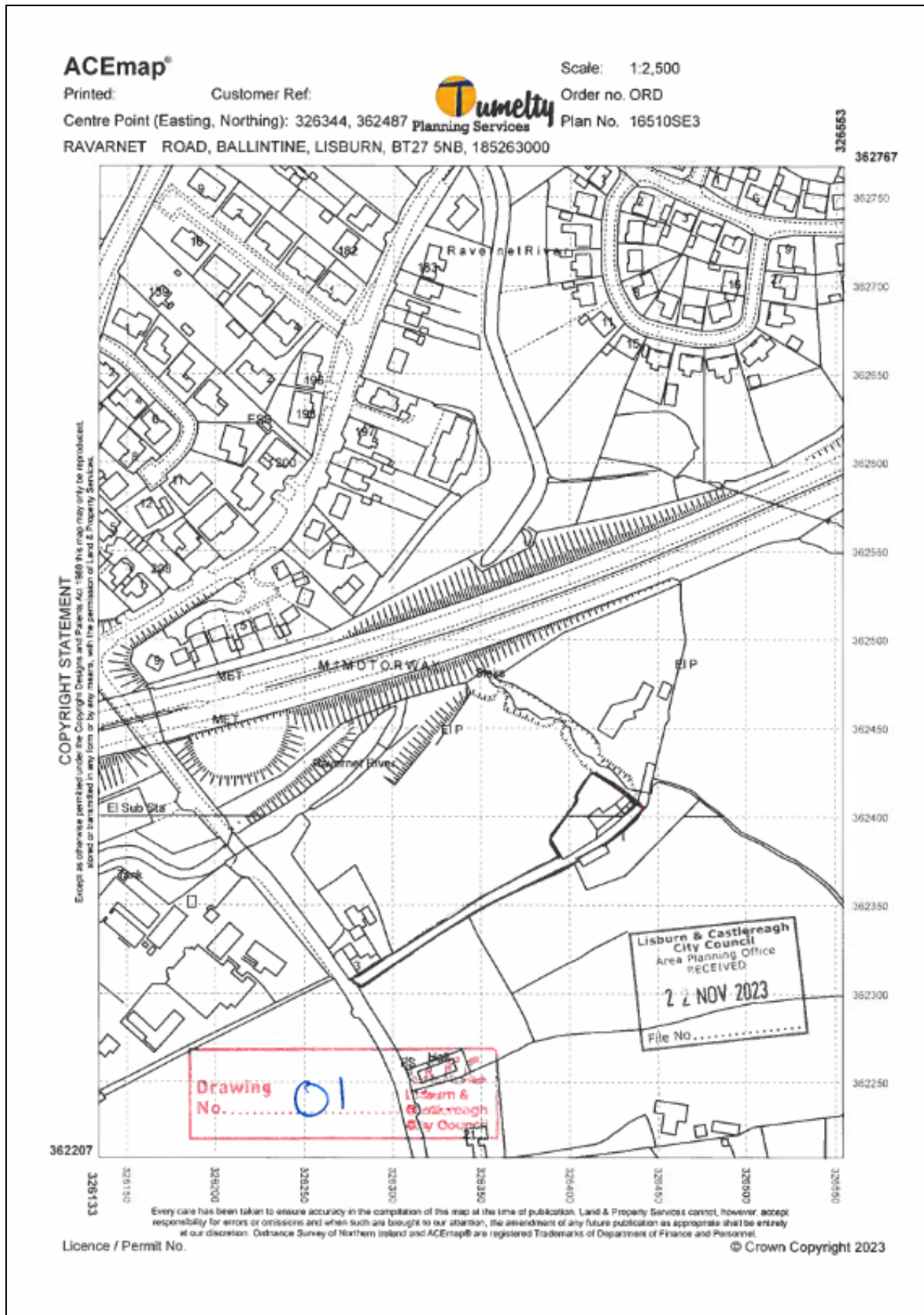
82. It is recommended that planning permission is refused.

Reasons for Refusal

83. The following reasons for refusal are recommended:

- The proposal is contrary to Policy COU1 of the Lisburn & Castlereagh Plan Strategy 2032, in that the development is not an acceptable form of development in the countryside.
- The proposal is contrary to criteria (a), (b), (f) and (n) of Policy ED9 of the Plan Strategy 2032, in that insufficient information has been submitted to demonstrate that the development is compatible with surrounding land uses and would not harm the amenities of nearby residents or result in the creation of noise nuisance and there are no satisfactory measures to assist the development to integrate into the landscape.
- The proposal is contrary to criteria (a) to (e) of Policy COU15 of the Plan Strategy 2032, in that the building is a prominent feature in the landscape, does not cluster with an established group of buildings nor does the development blend with the landform, existing trees, slopes and other natural features which provide a backdrop and the site lacks long established natural boundaries to provide a suitable degree of enclosure for the building to integrate into the landscape and development would rely primarily on the use of new landscaping for integration.
- The proposal is contrary to Criteria (a), (b), (e), (f) and (g) of Policy COU16 of the Plan Strategy 2032, in that the building is unduly prominent in the landscape, does not cluster with an established group of buildings and would have an adverse impact on the rural character of the area. Furthermore, insufficient information has been submitted to demonstrate that the development would not adversely impact on residential amenity and that all necessary services, including the provision of non mains sewerage, are available or can be provided without significant adverse impact on the environment or character of the locality.

Site Location Plan- 2023/0946/F



Lisburn & Castlereagh City Council

Planning Committee	
Application Reference	LA05/2022/0506/F
Date of Application	16/ April 2022
District Electoral Area	Killtulagh
Proposal Description	Retrospective application for temporary change of use of lands from school playground to car sales and car wash and temporary retention of and change of use of former school building to office.
Location	44 Scroggy Road, Glenavy
Representations	None
Case Officer	Michael Vladeanu
Recommendation	Refusal

Summary of Recommendation

1. This application is categorised as a local application. It is referred 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 proposal is contrary to Policy COU1 of the Lisburn & Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.
3. The proposal is described as temporary but the duration of the use and the absence of any firm proposal to relocate to a settlement is also contrary to Policy TC1 of the Lisburn & Castlereagh City Council Plan Strategy, in that it has not been demonstrated that an adequate sequential approach has been adopted that identifies that there are no suitable sites within city/ or own centres in the Council Area.

Description of Site and Surroundings

4. The application site encompasses an irregular parcel of land measuring approximately 0.07ha in size located on land formerly associated with Ballymacrocket Primary School (PS) at 44 Scroggy Road, Glenavy. The site includes two single storey white flat roof prefabricated buildings which are used as a sales office and valet area, and an area of hardstanding on which vehicles are displayed for sale.

5. The topography rises to the north and falls gently to the south towards the sales office. The western boundary is defined by black mesh security fencing set a top of a low brick boundary wall, the southern boundary is defined by green security fencing, the northern boundary is defined by security fencing set atop of a boundary fence and the eastern boundary of the site is defined by the existing vacant school buildings formerly used by Ballymacrickett PS before their relocation to a larger premises.
6. At the time of the site visit, the site was occupied by a business 'RPM Motors@ and several motor vehicles were seen parked on the hardstanding yard. A large wall advertisement and two smaller wall advertisements located to the north of the valet area advertising RPM Motos and the valet services on offer.

Surroundings

7. The surrounding area is rural in character with agricultural fields surrounding the site to the north, east and south. St Joseph's Gaelic Athletic Club and associated facilities are located adjacent the site to the west and the relocated Ballymacrickett PS is located to the southwest.
8. The site is located within the open countryside out with any defined settlement boundary. The closest settlement is Glenavy which is approximately 0.82km from the site.

Proposed Development

9. This application seeks retrospective planning permission for the temporary change of use of lands from school playground to car sales and car wash and temporary retention of and change of use of former school building to office.

Relevant Planning History

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

Reference Number	Description	Location	Decision
S/2002/1285/F	Replacement of 1 No 9m x 6m Temporary classroom with 2 No 9m x 6m temporary classrooms	Ballymacrickett Primary School, 44 Scroggy Road, Glenavy	Permission Granted 19/06/2003

S/1998/0356	Temporary classroom	Ballymacrickett Primary School, Scroggy Road, Glenavy	Permission Granted 11/08/1998
S/1997/0595	Temporary classroom	Ballymacrickett Primary School, Scroggy Road, Glenavy	Permission Granted 04/09/1997
S/1994/0705	Temporary classroom	Ballymacrickett Primary School, 44 Scroggy Road, Glenavy	Permission Granted 05/10/1994
LA05/2020/0232/CA (Enforcement)	Alleged unauthorised advertisement	44 Scroggy Road, Glenavy	Planning Application Received
LA05/2020/0210/CA	Alleged unauthorised change of use from primary school to car sales and car wash	44 Scroggy Road, Glenavy	Enforcement Notice Issued

11. As outline above the site is subject to two live enforcement cases
LA05/2020/0210/CA pertaining to the unauthorised material change of use of buildings and lands of a former primary school for the purposes of car sales and car wash, with associated offices and structures and LA05/2020/0232/CA pertaining to the erection of unauthorised signage.
12. Both cases are currently being held in abeyance subject to the determination of this current planning application. Members should note that an Enforcement Notice EN/2022/0066 was served on the owner and operator of the site on 05th April 2022 requiring the cessation of the use of land and buildings for commercial sale, storage and maintenance of vehicles, removal of all vehicles for commercial sales and storage and removal of all structures from the land pertaining to the car wash.

Consultation

13. The following consultations were carried out:

Consultee	Response
Environmental Health	No objection
DFI Roads	No objection
NI Water – Strategic Applications	No objection
NIEA – WMU	No objection

Representations

14. Two letters of support have been received, summarised as follows:

- The site was previously subject to vandalism, theft and antisocial behaviour which has now ceased since the car sales commenced
- The use has brought a positive change and improved security in the area

Local Development Plan

15. 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

16. 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.

17. In accordance with the transitional arrangements, the existing Local Development Plan is the Lisburn Area Plan and the Plan Strategy. Draft BMAP remains a material consideration.
18. The site is located within the open countryside in both LAP and the last revision to draft BMAP.
19. This application is for a sui generis use within the open countryside. The strategic policy for sustainable development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 Sustainable Development states:

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

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

Development in the Countryside

21. As described above this application is for the temporary retention of the use of land and building for car sales and car wash located within the countryside.
22. Policy COU1 - Development in the Countryside states:

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

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

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

There are a range of other non-residential development proposals that may in principle be acceptable in the countryside. Such proposals must comply with all policy requirements contained in the operational policies, where relevant to the development. Development of inappropriate retailing in the countryside will be resisted. Retailing opportunities in the countryside will only be considered in relation to Policies COU11, COU14 and, in exceptional cases, Policy TC6.

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

The justification and amplification section states:

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

23. Policy COU1 makes provision for a range of other non-residential proposals that may be acceptable in principle, and such proposals must comply with all policy requirements contained in the operational policies, where relevant to the development.
24. The sale and display of vehicles and a carwash are defined as a Sui Generis use within The Planning (Use Classes) Order (NI) 2015.

Town Centre, Retailing and Other Uses

25. The proposal is for a retail activity within the countryside and must comply with the provisions of Policy TC1 Town Centres, Retailing and Other Uses which states:

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

- a) primary retail core and retail frontage (where designated)*
- b) city or town centres*
- c) edge of city or town centres*
- d) out of centre locations — only where sites are accessible by a choice of good*
- e) public transport.*

26. It is not considered that the proposed scheme would fall for assessment under any of the policies as described in policies ED1 to ED8. No other supporting information has been submitted to address how other material considerations are to be weighed in the decision-making process.

:

27. This application also falls to be assessed against the requirements of Policies COU15 Integration and Design of Buildings in the Countryside and COU16 Rural Character and other Criteria of the Plan Strategy.

28. 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.*

29. Policy COU16 - Rural Character and Other Criteria

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

A new development proposal will be unacceptable where:

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

Access, Movement and Parking

30. The proposal involves intensification of an existing unaltered access to the public road.
31. Policy TRA2 Access to Public Roads 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:

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

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

Flooding

32. This is a large site and the drainage must be designed to take account of the impact on flooding elsewhere.
33. Policy FLD2 - Protection of Flood Defence and Drainage Infrastructure states that:

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

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

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

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

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

- *it is located in an area where there is evidence of historical flooding.*

- *surface water run-off from the development may adversely impact on other development or features of importance to nature conservation, archaeology or historic environment features.*

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

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

35. Policy FLD4 Artificial Modification of Watercourses states that:

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

a) a short length of culverting necessary to provide access to a development site, or part thereof

b) where it can be demonstrated to the satisfaction of DfI Rivers that a specific length of watercourse needs to be culverted for engineering reasons and that there are no reasonable or practicable alternative courses of action.

Regional Policy Context

36. The SPPS was published in September 2015. It is the most recent planning policy and it is stated at paragraph 1.5 that:

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

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

It states that:

The system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Planning authorities should therefore simultaneously pursue

social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society.

38. Paragraph 3.6 of the SPPS states:

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

39. 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.

40. 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.

41. Paragraph 6.271 states that:

The regional strategic objectives for town centres and retailing are to:

- *secure a town centres first approach for the location of future retailing and other main town centre uses;*
- *adopt a sequential approach to the identification of retail and main town centre uses in Local Development Plans (LDPs) and when decision-taking;*
- *ensure LDPs and decisions are informed by robust and up to date evidence in relation to need and capacity;*
- *protect and enhance diversity in the range of town centre uses appropriate to their role and function, such as leisure, cultural and community facilities, housing and business;*
- *promote high quality design to ensure that town centres provide sustainable, attractive, accessible and safe environments; and*
- *maintain and improve accessibility to and within the town centre.*

Assessment

42. This is a retrospective application for the temporary change of use of lands from school playground to car sales and car wash and temporary retention of and change of use of former mobile school building to office.
43. On review of RPM Motor's NI Ltd website and observations during the site inspection it is transparent that the car sales and the car wash operate as two separate entities. The business website provides vehicle stocklist and also offers a separate section of the car wash options open to members of the public which are available on site.
44. The car wash and sale and display of vehicles are both identified as Sui Generis uses of The Planning (Use Classes) Order (NI) 2015. The proposal is for a retailing and commercial activity sui generis uses within the countryside. Changes of use are treated in the same way as operational development.
45. No supporting evidence has been provided by the applicant to confirm operations of the business model or key fundamental requirements of either the car sales or carwash or if any their related operations.
46. It is not unreasonable to assume that the car sales may benefit from a car wash facility onsite however based on the information available the car wash is not considered to be a necessary requirement or ancillary use to the car sales.
47. Subsequently the car wash is not considered to be site specific and could be relocated away from the car sales and still function and also the car sales does not rely upon the car wash.
48. This is not in principle an acceptable non-residential use in the open countryside No material considerations are presented to justify the location of this sui-generis use in the open countryside and it would create an undesirable precedent for similar development. The proposal is contrary to policy COU 1.

Town Centre, Retailing and Other Uses

49. The sale of motor vehicles is a retail activity and carwash as set out above deemed to be commercial activity. A planning statement has not been submitted in support of the application to demonstrate how the proposal meets the criteria of Policy TC1.
50. On two separate occasions in April 2025 the applicant was asked to provide additional information to overcome the consultee objections, any other information that they consider necessary for the assessment of the proposal and any additional information regarding the business for consideration as part of the planning process.

51. Whilst additional information has been submitted to overcome the objections of a number of the consultees no additional information has been submitted to demonstrate how the proposal is in compliance with planning policy to encourage the viability and vitality of existing centres.
52. The proposed use is not located within the primary retail core and retail frontage, it is not within a city or town centre, in an edge of city or town centre or out of town centre.
53. The applicant has failed to provide justification as to why the development cannot be located within any existing sites including Glenavy located close by or town centre sites nor has it been demonstrated that the car wash is necessary and site specific to serve the car sales business. It has also not been justified why the car wash cannot be located within any existing sites within any town centres sites or along the same transport route.
54. The proposal is located within the countryside and the information submitted with the application is not sufficient to discount the need for the proposed use to be in the appropriate location as stipulated by policy.
55. The proposal is contrary to Policy TC1, in that it has not been demonstrated that a sequential approach has been adopted that identifies that there are no suitable sites within the city/town centre.

Development in the Countryside

56. As noted above, the site is out with any settlement limit nor designation and is considered to be within the open countryside.

Policy COU15 – Integration and Design of Buildings in the Countryside

57. In turning then to Policy COU15, the development has made use of an existing school building which is now in use as an office for the car sales. Only one new building has been erected at the site which is a single storey prefabricated white building which is used as a car valet and wash area sited just in from the entrance of the site.
58. In terms of criteria (a), the single storey building would not be a prominent feature in the landscape, due to its height and scale and set back nature from the roadside. Criteria (a) is met.
59. The building clusters with the existing buildings within the site and satisfactorily blends into the site. Criteria (b) is met.
60. The building blends with the existing vacant school buildings on site which provide an appropriate backdrop. Criteria (c) is met.

61. The site does not have significant long established natural boundaries however the existing boundary treatment and buildings on site assist in providing enclosure to the new building. Criteria (d) is met.
62. No new landscaping is proposed as part of this application, but it is contended that given what was previously on site none is required. Criteria (e) is met.
63. In terms of design the building is a small detached single storey building with prefabricated natural-coloured walls and flat roof and is considered appropriate for this rural setting and matches those currently on site previously used as classrooms and now in use as the site office. Criteria (f) is met.
64. The application does not propose any ancillary works, and no changes are to be made to the site access. Criteria (g) is met.

Policy COU16 Rural Character and Other Criteria

65. The proposal would not be unduly prominent in the landscape and would read with the existing development already established on the wider site. The proposal would be sited to cluster with an established group of buildings. Criteria (a) and (b) are met.
66. In terms of criteria (c), the development is located within an existing curtilage and does not project outward toward public roads or neighbouring lands. As such, it does not significantly disrupt the traditional pattern of settlements exhibited in the area. Criteria (c) is therefore met.
67. In terms of criteria (d) the proposal does not mar the distinction between a settlement and surrounding countryside, due to the separation between the site and the defined settlement limit of Glenavy which lies approximately 793 metres to the north of the site.
68. For the reasons outlined earlier in the report, at points 61- 64 it is considered the proposal would not result in an adverse impact on the rural character of the area. Criteria (e) is met.
69. Environmental Health were consulted and offer no objection to the proposal, the use of the site for the display and sale of vehicles and a car wash/valet would not give rise to any adverse impact on residential amenity. Criteria (f) is met.
70. In relation to criteria (g) relating to necessary services the application form submitted with the application states that the development is for foul sewage to be disposed of to a package treatment plant (replacing an existing septic tank). NIEA WMU have been consulted on the application and raise no objection regarding the discharging of foul or surface water from the site. Water NI have

also been consulted on the application and raise no objection. As such, it is considered that criteria (g) is met.

71. As mentioned above at point 60, the ancillary works and associated infrastructure are of high quality and would not have an adverse impact on rural character. Criteria (h) is met.
72. In terms of criteria (i) DFI Roads have been consulted on the application and have not raised an objection to the parking area or access onto Scroggy Road subject to conditions. As such, taking the advice from DFI Roads it is considered that the proposal would accord with criteria (i) in that the access is achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

Access, Movement and Parking

73. The proposal is to utilise the existing access to and from the site which is from the Scroggy Road. On 2nd July 2025 a TAF was submitted support of the proposal, detail within indicates there to be intensification of an existing access onto the public road.
74. The parking and access provisions are set out in Drg No 04c with a date stamp of 02 July 2025.
75. The proposed area for the sale and display of the vehicles is marked on the site layout plan as having 24 formal vehicle spaces. The proposal is for a sui generis use. Within the Parking Standards there is no specific standard for the sale and display of vehicles without a specific car showroom, however 24 vehicles spaces are proposed within the site. The site would provide 3 formal parking spaces for visitors and 2 dedicated spaces for staff to the north and south boundary respectively.
76. Dfl Roads have been consulted and have no objection to the proposal and provided standard conditions and informatives.
77. It is considered that the proposal would not prejudice road safety or significantly inconvenience the flow of vehicles and complies with policy TRA2.
78. The submitted information also details that there will be adequate provision for car parking and appropriate servicing arrangements.
79. Based on a review of the detail submitted with the application and advice from Dfl Roads it is considered that the proposed complies with Policies TRA2

Flooding

80. The impact of the proposal on flooding and drainage is considered. From consideration of the DfI Rivers Agency flood maps, the application site is not located within a Flood Plain. Policies FLD1, FLD2, FLD 4 and FLD5 are not engaged.
81. NIEA WMU were consulted and in their response dated 6th May 2025 requested clarification and additional information relating to site drainage, and requested that a drainage plan is submitted to demonstrate the proposed disposal of surface water from the site.
82. Whilst the proposal does not exceed any threshold of criteria (a) – (c) of Policy FLD 3 is engaged to consider the potential of surface water flooding.
83. From a site inspection there is no watercourses within or adjacent to the application site. On 15th May 2025 a Drainage Plan 04B was submitted to address NIEA WMU comments.
84. NIEA WMU were reconsulted and having considered additional information responded on 22nd May 2025 with no objection to the development subject to conditions.
85. On the basis of the information provided, and taking on board the advice from Water Management Unit it is considered that the proposal would not cause or exacerbate any flooding and complies with the policies FLD3.

Conclusions

86. All material considerations have been taken on board, and the consultation responses have been considered the proposal is contrary to Policy COU1 in that it is not a type of development which in principle is considered to be acceptable in the countryside.
87. In addition the proposal is considered to be contrary to Policy TC1 in that it has not been demonstrated that the sequential approach has been adopted for the proposed use.

Recommendations

88. It is recommended that planning permission is refused.

Refusal Reasons

1. The proposal is contrary to Policy COU1 of the Lisburn & Castlereagh City Council Plan Strategy in that it is not a type of development which in principle is considered to be in the countryside.

2. The proposal is contrary to Policy TC1 of the Lisburn & Castlereagh City Council Plan Strategy, in that it has not been demonstrated that an adequate sequential approach has been adopted that identifies that there are no suitable sites within the city/town centre.

Site Location Plan LA05/2022/0506/F

ACEmap® Single

Printed: 10/12/2021 Customer Ref:
Centre Point (Easting, Northing): 314977, 371550

Scale: 1:1,250
Order no. ORD112572
Plan No. 14505NE

44 SCROGGY ROAD
GLENNAVY

315084
371689

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Lisburn & Castlereagh City Council

Planning Report	
Council/Committee	Planning Committee
Date of Committee Meeting	08 September 2025
Committee Interest	Council Application
Application Reference	LA05/2024/0717/F
Date of Application	05/08/24
District Electoral Area	Lisburn North
Proposal Description	Proposed replacement changing rooms
Location	Derriaghy CCFC, Riverside, 22 Seycon Park, Dunmurry
Representations	None
Case Officer	Barbara Hanna
Recommendation	Approval

Summary of Recommendation

1. This is a Council application which has been referred to the Planning Committee for determination in accordance with the Protocol for the Operation of the Planning Committee as a mandatory requirement.
2. This application is presented to the Planning Committee with a recommendation to approve as it is considered that the scale, massing, design and external materials of the proposed changing pavilion will not detract from the appearance and character of the surrounding area, nor will the proposed development unduly affect the privacy or amenity of neighbouring residents.
3. The nature and scale of the proposal will not require the removal of any existing boundary treatments or features of importance in the Area of Outstanding Natural Beauty (AONB) or the Lagan Valley Regional Park (LVRP).

Description of Site and Surroundings

Site

4. The site is located within the grounds of Derriaghy CCFC and consists of a grassed area to the northeast of the existing Club House and northwest of the playing fields.
5. The site is accessed via Riverside, off the Hornbeam Road Dunmurry.
6. The site is bound by security fencing to the northwest and north and existing club house to the southwest. The boundary to the southeast faces the playing field and is undefined. The land within the site is relatively flat throughout.

Surroundings

7. The lands to the north and northwest are primarily residential in character and comprised mainly of terraced and semi-detached housing. The lands to the south and southeast are mainly open space or open countryside. The River Lagan is south of the site.

Proposed Development

8. Full planning permission is sought for the proposed replacement of changing rooms linked to the operation of the adjacent playing fields.
9. The application was supported by a number of documents including:
 - Biodiversity Checklist and accompanying Ecological Statement
 - Design and Access Statement (as the site is in an AONB)

Relevant Planning History

10. The relevant planning history associated with the site is listed below.

Reference Number	Description	Location	Decision
S/2002/0394/F	The proposed development is the construction of an access road, car park and anti-vandal changing accommodation to serve an existing football pitch.	35M East of 104 Hornbeam Road, Seymour Hill, Kilmakee, Dunmurry.	Permission Granted 07/10/02
S/2004/0198/F	Erection of 2.45-metre-high perimeter fence to the existing football pitch	35m East of 104 Hornbeam Road, Kilmakee, Dunmurry BT17 9DQ.	Permission Granted 08/06/04
S/2005/1270/F	Proposed Community Room.	25 metres southeast of 130 Hornbeam Road, Dunmurry, Belfast.	Permission Granted 10/01/06
LA05/2020/0079/F	Proposed additional fencing to provide more secure space	Seycon Park Football ground, Hornbeam Road, Seymour Hill, Dunmurry Belfast.	Permission Granted 27/10/20

Consultations

11. The following consultations were carried out:

Consultee	Response
DFI Roads	No objection
LCCC Environmental Health	No objections
HED – Historic Monuments	No objections
NI Water	No objections
NIEA – Water Management Unit (WMU)	No objections
NIEA – Natural Environment Division (NED)	No objections

Representations

12. There have been no representations 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 the determination of applications 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 relevant development plan is the Plan Strategy, Lisburn Area Plan (LAP) and the Lagan Valley Regional Park Plan. Draft BMAP remains a material consideration.
16. In the LAP, the application site is identified within the Greenbelt, Lagan Valley Regional Park and in an area of land zoned for recreation and open space.
17. In the draft BMAP, the application site remains in an area open countryside, within the Lagan Valley Regional Park, Area of Outstanding Natural Beauty and in an area of constraint on mineral developments. Draft BMAP states that the Lagan Valley Regional Park is located in the Lagan Corridor between and connecting the two cities of Belfast and Lisburn as designation COU12.
18. As explained above, this application is for the proposed replacement of changing rooms inked to the operation of the playing fields. It will bring them up to IFA standards and allow enhanced use.
19. The following strategic policies in Part 1 of the Plan Strategy apply.

Strategic Policy 01 Sustainable Development states that:

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

20. Strategic Policy 06 Protecting and Enhancing the Environment states:

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

21. Strategic Policy 10 Education, Health, Community and Culture states:

The Plan will support development proposals that:

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

22. Strategic Policy 17 Open Space, Sport and Outdoor Recreation states:

The Plan will support development proposals that:

- (a) *protect and enhance existing open space and provide new open space provision*
- (b) *support and protect a network of accessible green and blue infrastructure*
- (c) *support and promote the development of strategic and community greenways.*

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

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.*

24. Strategic Policy 19 Protecting and Enhancing Natural Heritage states:

The Plan will support development proposals that:

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

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

Development in the Countryside

26. This is a proposal that falls within the category of 'other non-residential uses'. Policy COU1 Development in the Countryside states that:

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

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.

In accordance with the requirements of Policy COU1, the application also falls to be assessed against policies COU15 and COU16 of the Plan Strategy.

27. Integration and Design of Buildings in the Countryside

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

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

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

A new development proposal will be unacceptable where:

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

Open Space

27. The site is existing open space. Policy OS1 Protection of Open Space that:

Development that will result in the loss of existing open space or land zoned for the provision of open space will not be permitted, irrespective of its physical condition and appearance.

An exception will be permitted where it is demonstrated that redevelopment will bring substantial community benefits²⁴ that decisively outweigh the loss of the open space.

An exception may also be permitted where it is demonstrated that the loss of open space will have no significant detrimental impact on amenity, character or biodiversity of an area in either of the following circumstances:

- a) *an area of open space of 2 hectares or less, where alternative provision is made by the developer and is as accessible to current users and equivalent in terms of size, usefulness, attractiveness, safety and quality*
- b) *playing fields and pitches within settlement limits, where it is demonstrated by the developer that the retention and enhancement of that facility can only be achieved by the development of a small part of the existing open space, limited to a maximum of 10% of overall area, which will have no adverse impact on the sporting potential of the facility.*

Historic Environment and Archaeology

28. The application site falls within the consultation zone of a NI Sites and Monuments Record (NISMR).
29. Policy HE1 The Preservation of Archaeological Remains of Regional Importance and their Settings states:

The Council will operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings. These comprise monuments in State Care, scheduled monuments and Areas

of Significant Archaeological Interest (ASAI). Development which would adversely affect such sites of regional importance or the integrity of their settings must only be permitted in exceptional circumstances. This approach applies to such sites which, whilst not scheduled presently, would otherwise merit statutory protection.

30. Policy HE2 - The Preservation of Archaeological Remains of Local Importance states that:

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

31. Policy HE4 – Archaeological Mitigation states that:

Where the Council is minded to grant planning permission for development which will affect sites known or likely to contain archaeological remains, the Council will impose planning conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development, including where appropriate completion of a licensed excavation and recording examination and archiving of remains before development commences or the preservation of remains in situ.

Natural Heritage

32. A biodiversity checklist and accompanying ecological statement have been submitted as part of this application as the proposal with result in the loss of an area of grassland within the Lagan Valley Regional Park.
33. It states within Policy NH2 Species Protected by Law 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.

34. It is stated within 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.

35. The site is within the Lagan Valley Area of Outstanding Natural Beauty. It is stated within policy NH6 Areas of Outstanding Natural Beauty that:

Planning permission for new development within an Area of Outstanding Natural Beauty (AONB) will only be granted where it is of an appropriate design, is sensitive to the distinctive special character of the area and the quality of its landscape, heritage and wildlife and all the following criteria are met:

- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality*
- b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape*
- c) the proposal respects:*
 - local architectural styles and patterns*

- *traditional boundary details, by retaining features such as hedges, walls, trees and gates*
- *local materials, design and colour*

Waste Management

36. Detail submitted with the application indicates that the source of water supply will be from mains. Foul sewage and surface water is disposed of via main foul and storm sewers.
37. 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.

Regional Policy and Guidance

Regional Policy

38. The SPPS was published in September 2015. It is the most recent planning policy, and it is stated at paragraph 1.5 that:

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

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

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.

40. Paragraph 3.8 of the SPPS states:

that the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

41. Paragraph 6.174 of the SPPS states that:

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

42. Paragraph 6.182 of the SPPS further states that:

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

43. Paragraph 6.198 of the SPPS states that:

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

44. Paragraph 6.199 of the SPPS acknowledges that the Government recognises that open space, sport and outdoor recreation is important to society now and in the future. It supports many cultural, social, economic, health and environmental benefits.

45. Paragraph 6.213 of the SPPS states that:

planning authorities should carefully consider development proposals for all sport and outdoor recreational activities, including facilities ancillary to water sports.

46. It also advises that:

relevant planning considerations will include: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage.

Assessment**COU1 - Development in the Countryside**

47. The proposed changing rooms are in replacement of the existing changing rooms which are located within the grounds of Derriaghy CCFC.
48. The proposed development falls within the category in policy COU1 of 'any other non-residential use'. It states that such proposals must comply with all policy requirements contained in the operational policies of the Plan Strategy, where relevant to the development.
49. The proposed development is ancillary to the established use of the land as a playing field and there is no net increase in the number of buildings subject to the demolition of the existing changing pavilion. The principle of developing this site is acceptable subject to all other policy requirements being met.
50. The development is proposed on land which is existing open space and the requirements of policy OS1 applies. The proposed changing rooms are designed to meet current IFA standards and has a much larger footprint than the existing changing pavilion.
51. It is stated in policy OS1 that an exception will be permitted where it is demonstrated that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.
52. The wider site is not redeveloped in its entirety, but the replacement of the changing pavilion will enhance the use of the playing fields by providing modern up to date facilities. This will allow more games to be played by people of different abilities which benefits health and wellbeing and fosters greater community cohesion. This outweighs the loss of open space.
53. The 113 square metre changing rooms are positioned 24 metres to the northeast of the existing changing rooms, on the other side of the Club House within an open grassed area. The proposed building is single storey measuring 4.5 metres to the ridge and 2.8 metres to the eaves. The internal layout of the building consists of two larger changing rooms with associated shower and toilets, a referee changing room with toilet and shower, and an accessible changing room with shower and toilet. There is also a unisex toilet, service room and cleaner's store.
54. The building is traditional block cavity wall construction with white painted sand cement render, dark grey insulated roof panels, dark grey aluminium framed windows with metal grills fitted, metal security doors, metal louvred door to service/plant room and dark grey metal gutters and rainwater goods. The proposed construction, materials and finishes are in keeping with the adjacent Club House and not considered to be out of character with the buildings at the site or in the immediate vicinity to the site to the north and northwest.

55. Views of the site are limited as it is located to the rear of houses along Hornbeam Road and there is no through road passing the Derriaghy CCFC. The site is accessible off a turning head at the end of Riverside. The proposal is visible from the Riverside turning head; however, the proposal is sited at a lower level than Riverside and the existing Club House will provide partial screening. There are intermittent views of the proposal in the gaps between houses along the Hornbeam Road. Views from the tow path are limited as the proposal and associated playing fields are elevated above the tow path and there are buildings in the backdrop.
56. The proposal is single storey which is in keeping with the existing Club House and existing changing rooms. Houses along Riverside, Hornbeam Road and Riverbank are two storeys in height. Therefore, it is considered that the proposal is subordinate in scale and form as not to detract from the character of the surrounding area.
57. In terms of residential amenity, the closest residential property is No.130 Hornbeam Road, which is located 13.4 metre to the northwest of the proposal. The southeast boundary of this property is defined by a 1.8 to 2 metre block wall which extends the full length of the gable towards the rear boundary, the garden to the front of this property is defined by a 1-metre-high fence. There are no windows along the gable of No.130. It is considered that due to an adequate separation distance and existing boundary treatment; there will be no unacceptable overshadowing/loss of light to this property.
58. The northwest elevation of the proposal faces the gable and front garden of No.130. There are no windows along the gable of this property. This elevation includes five high level windows and a louvred metal door. The high-level windows are 1.8 metres above the finished floor level and as such will not facilitate any overlooking concerns. There are no windows proposed along the northeast side elevation facing towards properties in Riverbank to prevent any overlooking.
59. The southeast facing elevation has three high level window opens and three doors. One of these doors has a glazed side window. These windows overlook the playing fields and do not present any overlooking concerns.
60. The southwest side elevation includes a high-level window serving an accessible changing room. This window faces the gable of the Club House and will not present any overlooking concerns.
61. Properties at Nos.1A and 1B Riverbank are to the north/northeast and are at least 24 metres away from the proposal. There will be no adverse impacts upon the amenity of neighbouring residential properties in terms of overlooking, overshadowing or loss of light due to adequate separation distances.
62. For the reasons set out above the loss of open space will have no significant detrimental impact and that the requirements of the justification and amplification of policy OS1 are met.

Policy COU15 - Integration and Design of Buildings in the Countryside

63. In terms of integration and design, the building is single storey and not a prominent feature in the landscape as it does not occupy an elevated site and it is sited to cluster with the existing group of buildings associated with Derriaghy CCFC and playing fields. Criterion (a) and (b) of Policy COU15 are met.
64. There are existing mature trees to the northeast of the site and houses along the Hornbeam Road and Riverbank to the north and northwest which provide a visual back drop. The levels of the site will be raised by a maximum of 0.5 metres in some places to create a level surface; however, it is considered that it will still blend with the existing landform. The site itself is bound by metal fencing along the northwest, north and northeast boundaries. It does lack natural boundaries, however, the site is on the edge of the settlement limit and given the surrounding housing estates and mature trees to the northeast of the site there is a suitable degree of enclosure. It is considered that criterion (c), (d) and (e) is met.
65. The building line of changing rooms is positioned in line with the northwest elevation of the existing club house. It is single storey and suitably designed using simple shapes and forms and appropriate materials to the locality. Houses in the surrounding area are finished in a mix of render and red brick with block boundary walls. A bitmac path is proposed around the perimeter of the building with a larger area to the southeast facing the playing fields. It is considered that the building and associated ancillary works will integrate into the landscape and surroundings. Criterion (f) and (g) are considered to be met.

Policy COU16 - Rural Character

66. The proposal is not unduly prominent and is sited to cluster with an existing group of buildings associated with Derriaghy CCFC and playing fields. The building is positioned to the north/northwest of the playing fields and as such it is grouped with the existing two storey residential properties to the north of the site. The proposal respects the existing pattern of development in that it is grouped with an already built-up area and will not erode the rural character of the area to the detriment of the Lagan Valley Regional Park. Criterion (a), (b) and (c) of Policy COU16 are met.
67. As the proposal is located within the curtilage of an existing established use with existing buildings, it does not mar the distinction between a settlement and the surrounding countryside or create urban sprawl. Criteria (d) is met.
68. This proposal is in keeping with other buildings and houses in the surrounding area and will not have an adverse impact on the rural character of the area, as such, criteria (e) is met.

69. There will be no adverse impacts upon the amenity of neighbouring residential properties in terms of overlooking, overshadowing or loss of light due to adequate separation distances. Criteria (f) is met.
70. In respect of criterion (g) and (h) all of the proposed services are provided underground or from existing overheads lines. No adverse environmental impact is identified in terms of connecting this development to services and the ancillary works will not harm the character of the area as they are already a feature of the landscape at this location.
71. In respect of criteria (i), access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.
72. It is considered that the proposal complies with policy COU16.

Historic Environment and Archaeology

73. The application site falls within the consultation zone of a NI Sites and Monuments Record (NISMR).
74. HED were consulted on this application and have responded: -

Historic Environment Division (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to the SPSS and Lisburn & Castlereagh City Councils LDP Plan Strategy archaeological policy requirements.
75. It is considered that the policy requirements of HE1, HE2 and HE4 have been met on the basis of HED Historic Monuments having no objections to the proposed development

Natural Heritage

76. A Biodiversity Checklist and accompanying ecological statement have been submitted as part of this application.
77. Within the Biodiversity Checklist under Part 1 - Designated Sites and Priority habitats, it has been identified that:
 - This site is within the Lagan Valley Area of Outstanding Natural Beauty and is within 75 metres of the Seymour Hill Local wildlife site.
 - An area of scattered Broadleaved trees are located within 50 metres of this site.
78. Under Part 2 – Protected and Priority Species Checklist, it has been identified that:

- The development affects or is within 50 metres of semi-natural woodland (broadleaved trees) as there are semi-mature/mature trees to the north/northeast of site.
- The development is within or adjacent to a site where protected or priority species are known to be present - An NBN atlas search revealed there were three records of European Hedgehog (*Erinaceus eurppaeus*).

79. The ecological statement states:

- This site exhibits limited habitat diversity, primarily consisting of species-poor, semi-improved grassland. To the southeast, there are waste materials and old refuse, with the clubhouse also bordering this area. Adjacent to the site's northwestern boundary is a residential estate.
- A systematic search was carried out for evidence of site potential, and up to 30m beyond, to support protected mammal species such as badger (*Meles meles*), bats (*Chiroptera spp.*), otter (*Lutra lutra*), pine marten (*Martes martes*) and red squirrel (*Scurus vulgaris*). Other protected species included within the search are smooth newt (*Lissotriton vulgaris*), common lizard (*Zootoca vivipara*) breeding and nesting birds, lepidoptera species and listed plant species.
- During the site walkover, there were no apparent signs of long-term mammal/protected species presence; there was an absence of clear, defined mammal trails, identifiable mammal faeces, and mammal footprints, and there were no excavation sites which badgers would have created. Birds seen or heard on the site visit included the Eurasian blackbird, the European Robin.
- During the site walkovers, a search was carried out to determine the presence of any nonnative invasive plant species (schedule 9). No invasive species were observed during this walkover.

It should also be noted that should tree, hedgerow, and/or scrub clearance during the breeding season be required, this must be undertaken under the supervision of a qualified ecologist, and appropriate surveys must be undertaken before any works, i.e., pre-clearance nest inspection/breeding bird survey. This is also true for trees that are recommended for felling.

- There were no mature trees within the site boundary. However, mature trees were seen in lands bordering the site, and they were observed to hold enough bat roosting features to support the presence of roosting bats. None of these trees are to be removed during the construction of the changing rooms and so do not require further survey work.

80. There was no indication that any hedging or trees are to be removed within the site or to facilitate visibility splays. As such there will be no detrimental impact upon birds or bats.
81. The ecologist recommended:
 - No vegetation removal works in breeding bird season without an ecologist present. Should trees need felling, these will require Bat Roost Potential surveys.
82. NIEA were consulted but there was a nil return from Natural Heritage. Based on a review of the information contained in the preliminary ecology assessment that no natural heritage features are adversely impacted and that the requirements of policies NH2 and NH5 are met.

Areas of Outstanding Natural Beauty

83. The Lagan Valley Regional Park Office have not been consulted as the proposed development is relatively small in scale and linked to the operation of an established use.
84. For the same reasons set out earlier in this report proposed building is considered to be of a similar scale to the buildings in the local context. It is clustered with existing buildings and close to the residential properties to the northwest of the playing fields, which helps provide a visual back drop. The siting and scale is considered to be sympathetic to the special character of the AONB in general and of the particular locality which includes a mix of 1 and 2 storey properties. The proposal will not adversely affect any features of importance within the character, appearance or heritage of the landscape. Criterion (a) and (b) of policy NH6 is met.
85. Although the proposal is single storey and detached, the architectural style is broadly similar to the terrace houses to the north/northwest of the site which are rectangular shaped with a pitched roof, and finishes include render and block walls. There are no traditional boundary details such as hedges, walls, trees and gates to respect within the site. There is only existing modern security fencing/gates around the perimeter of the club and playing fields. There is no indication that the mature trees to the north/northwest are to be removed. Criteria (c) is considered to be met.

Waste Management

86. Detail submitted with the application indicates that the source of water supply will be from mains and surface water disposed of via main sewer. Disposal of foul sewage is via mains sewer.
87. NIEA Water Management Unit were consulted on the application and commented as follows:

If NIW advise the Planning Case Officer that they are content that the WWTW and associated sewer network for this development can take the additional load, with no adverse effect on the WWTW and sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.

88. NI Water were consulted on the proposal and have no objections to the proposal subject to informative as there is available capacity at the Waste Water Treatment Works.
89. LCCC Environmental Health were consulted and offer no objections.
90. It is considered that the policy requirements of WM2 have been met.

Consideration of Representations

91. No representations received.

Conclusions and Recommendation

92. For the reasons outline above, the recommendation is to approve planning permission as the proposal is in accordance with the requirements of the relevant policies contained within the Plan Strategy.

Conditions

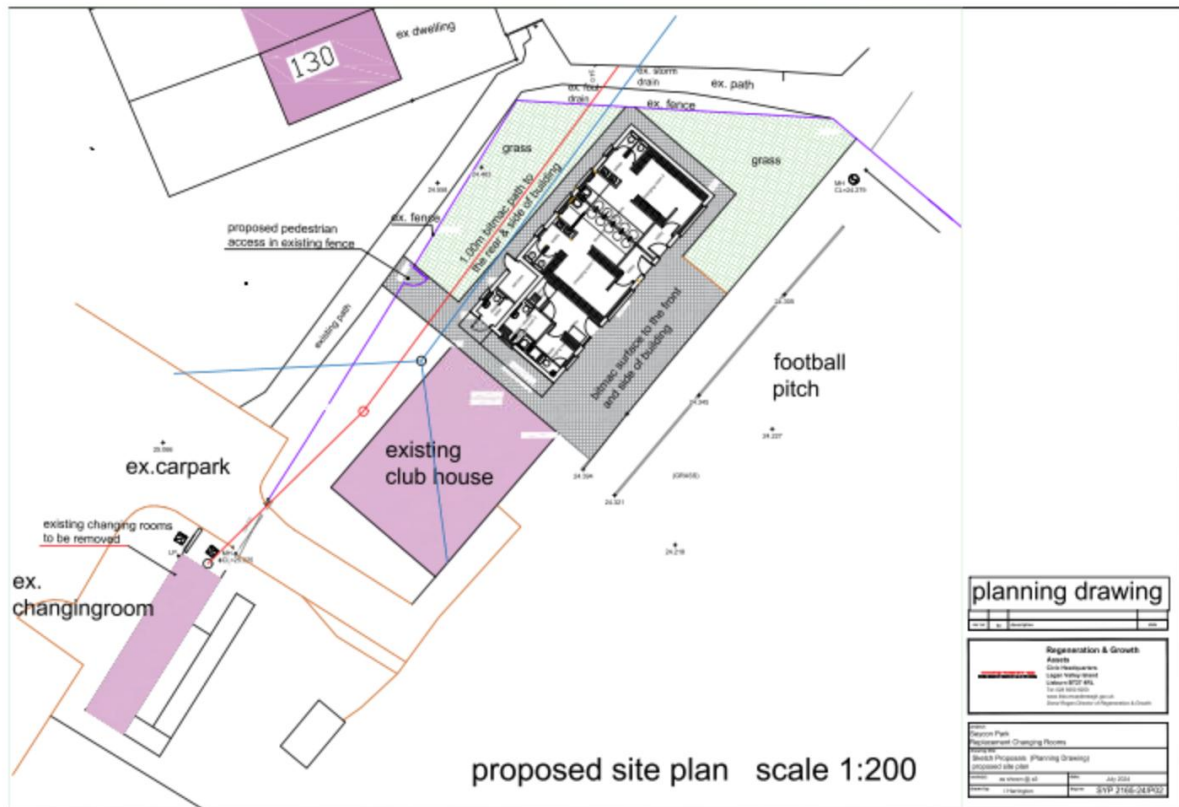
93. The following conditions are recommended:
 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by section 61 of the Planning Act (Northern Ireland) 2011

2. Within six weeks of the changing rooms becoming operational the existing changing pavilion shall be demolished and the ground reinstated to its former condition.

Reason: To protect the visual amenity and the special character of the AONB and prevent the proliferation of buildings in the open countryside

Site Location Plan – LA05/2024/0717/F



Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 2 – Statutory Performance Indicators – July 2025

1.0 **Background**

1. The Planning Act (Northern Ireland) 2011 sets out the legislative framework for development management in NI and provides that, from 1 April 2015, Councils now largely have responsibility for this planning function.
2. The Department continues to have responsibility for the provision and publication of official statistics relating to the overall development management function, including enforcement. The quarterly and annual reports provide the Northern Ireland headline results split by District Council. This data provides Councils with information on their own performance 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 July 2025.
2. This data is unvalidated management information. The data has been provided for internal monitoring purposes only. They are not validated official statistics and should not be publicly quoted as such.
3. Members will note that the performance against the statutory target for local applications for July 2025 was 25.6 weeks. Members will note that there was a significant drop in the number of weeks taken to process applications in July. One month should not be regarded as a trend but there is emerging evidence that the performance improvement objective of reducing older applications is beginning to have an impact.
4. Members should further note that there remains a focus on dealing with older planning applications as this is required to sustain good performance against the statutory target for local applications in the longer term.
5. There was no opportunity to improve performance against statutory target for major applications for July 2025.
6. It is still a priority to bring at least one major application forward to Committee each month and it is planned to bring at least one application next month. As reported last month five decisions for major applications issued in the first three months of

this financial year and our performance in year to date remains 30 weeks. No new major applications were received in July.

- 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 July 76.5% of cases were decided in 39 weeks.

2.0 **Recommendation**

It is recommended that the Committee notes the information in relation to the July 2025 Statutory Performance Indicators.

3.0 **Finance and Resource Implications**

There are no finance or resource implications.

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 This is a report outlining progress against statutory targets and EQIA is not required.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out. This is a report outlining progress against statutory targets and RNIA is not required.	
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Appendices:

Appendix 2 – Statutory Performance Indicators – July 2025

Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 3 – Appeal Decision – LA05/2022/1173/O

1.0 **Background**

1. An application for proposed site for dwelling at 29 Ballyknockan Road, Ballygowan refused planning permission on 31 August 2023.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 6 October 2023.
3. The procedure followed in this instance was by an informal hearing on 17 April 2024.
4. The main issues in the appeal were whether the proposal would be acceptable in principle and if it would have a detrimental impact on the rural character of the area.
5. In a decision received on 31 July 2025 the Commission confirmed that the appeal was dismissed.

Key Issues

1. The proposal was for a single infill dwelling. The Commissioner concluded that having seen the site on the ground, it was apparent that due to the significant intervening vegetation, the separation distance and the positioning of the buildings, along with the curvature of the laneway, the Council was correct that the buildings were not visually linked in either direction along the laneway.
2. The appellant argued that there were examples of single infill development in the Building on Tradition document and that this document provided justification for the proposed development consistent with policy COU16. Case law was cited as a material consideration, and it was further argued that the Commission was not bound to take account of all policy where the proposal was in accordance with the broad requirements of others.
3. The Commissioner concluded that whilst the justification text of Policy COU16 does indicate that the design guidance contained within the Department's publication Building on Tradition document must be taken into account in assessing all development proposals in the countryside, the guidance therein would not persuade them of the acceptability of the appeal proposal in this case. The Commissioner also took a contrary view to the appellant and having read the case law considered the decision aligned with it.

4. Other material considerations including administrative fairness were cited by the appellant. Members will note that the decision to refuse planning permission issued in August 2023. There was no significant delay in the processing of the application and the Commissioner highlights that the Plan Strategy was at an advanced stage of development. The appellant could have taken a non-determination appeal but did not exercise this right.
5. The Commissioner concluded that the appeal proposal would fail to comply with Policy COU8, and that no persuasive evidence was before her that indicated that the dwelling would fall into any other category of development listed in Policy COU1. Accordingly, the proposed dwelling would not be acceptable in principle in the countryside and offends Policy COU1 of the Plan.
6. Members will note that material considerations are raised in this appeal including administrative fairness. The Commissioner does not accept that the material considerations outweigh policy where the proposal harms rural character, and there is a clear policy presumption against the development.

2.0	<u>Recommendation</u>	
	It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.	
3.0	<u>Finance and Resource Implications</u>	
	No cost claim was lodged by any party in this instance.	
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	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out This is a report updating the committee on a decision by the PAC and EQIA is not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out. This is a report updating the committee on a decision by the PAC and RNIA is not required.	

Appendices:

Appendix 3 – Appeal Decision – LA05/2022/1173/O



Appeal Decision

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Appeal Reference:	2023/A0064
Appeal by:	Richard Lane
Appeal against:	The refusal of outline planning permission
Proposal:	Proposed site for dwelling
Location:	29 Ballyknockan Road, Ballygowan
Planning Authority:	Lisburn and Castlereagh City Council
Application Ref:	LA05/2022/1173/O
Procedure:	Hearing on 17 April 2024
Decision by:	Commissioner B Stevenson, dated 31 July 2025

Decision

1. The appeal is dismissed.

Reasons

2. The main issues in this appeal are whether the appeal proposal would be acceptable in principle and if it would have a detrimental impact on the rural character of the area.
3. Section 45(1) of the Planning Act (Northern Ireland) 2011 (“the Act”) states that when 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) requires that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise. In line with the Schedule of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended), the Local Development Plan (LDP) is a reference to the Departmental Development Plan (DDP) and the PS read together. Any conflict between the DDP and the PS must be resolved in favour of the PS.
4. Shortly after the decision notice was issued, the Council published the Lisburn and Castlereagh City Council Local Development 2032: Plan Strategy (PS). As the PS has been adopted since the issuing of the refusal notice, the Council has updated its refusal reasons to reflect the relevant policies in the adopted version of the PS. The appellant accepted that the Commission must have regard to the adopted PS and indeed that the appeal decision should be in accordance with the PS unless material considerations indicate otherwise. Moreover, the appellant considered the disputed PS policies in his written evidence. He was also given an opportunity to comment on them at the hearing. Therefore, no prejudice arises.
5. The Lisburn Area Plan (LAP) operates as the DDP for the area wherein the appeal site lies. In it, the appeal site is located outside a settlement and is in the

countryside. It is also in the green belt. The LAP contains no specific policies for rural development and refers to regional planning policy applying to the countryside. Draft BMAP (dBMAP) was never formally adopted. Therefore, it is not a DDP. However, in certain circumstances, it may be a material consideration. In it, the appeal site is also in the countryside and is within the green belt. dBMAP directs the reader to regional green belt policy in the Planning Strategy for Rural Northern Ireland (PSRNI). The green belt designations in the plans and the green belt policies in the PSRNI were overtaken by a succession of regional planning policy. Therefore, no determining weight can be attached to the LAP or dBMAP. There are no other provisions in those plans that are material to this appeal.

6. As the PS is adopted for this Council area, the retained Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS21) as listed in the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) ceases to have effect. Regardless of the timing of the Council's decision, in accordance with the SPPS, PPS21 no longer applies. Also, the SPPS itself is raised in this appeal along with the design guidance contained within the Department's publication 'Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside' (BoT).
7. The appellant cites paragraph 3.8 of the SPPS. It states that "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." The paragraph goes on to say that 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. Accordingly, in line with the above-mentioned legislation and the SPPS, the disputed policies in the PS take precedence unless other material considerations indicate otherwise.

Development in Principle

8. 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. Policy COU1 expands to say that details of operational policies relating to acceptable residential development proposals are set out in Policies COU2 to COU10. The relevant one to this case and in contention, is Policy COU8. If the proposed dwelling complies with Policy COU8, it also accords with Policy COU1 of the PS in terms of its acceptability in principle. Given that Policies COU1 and COU8 are framed in such a way that they relate to whether the development in principle is considered to be acceptable, they should be considered first over other disputed policies in the PS that I will consider thereafter (Policies COU15 and COU16).
9. The appellant referred to the preamble of Part Two of the PS in that it sets out the purpose of the operational policies. Their purpose is to ensure the orderly and consistent development of land in accordance with the plan objectives contained in Part One of the PS. The appellant also referred to Strategic Policy 05 (SP05) and SP09 of the PS. SP05 relates to good design and positive place-making. That strategic policy encourages good design that respects the character of the area and promotes local distinctiveness. SP09 relates to housing in the countryside. It indicates that the Plan will support development proposals that provide *appropriate*,

sustainable, high quality rural dwellings, whilst protecting rural character and the environment (my emphasis). The Plan clarifies that the strategic policies have been developed to support the implementation of the operational policies. The operational policies clearly stem from those strategic policies.

10. Emerging from the Plan objectives and Strategic Policy 09 (SP09), Policy COU8 'infill/ribbon development' of the PS states that planning permission will be refused for a building which creates or adds to a ribbon of development. The amplification text indicates that a ribbon of development cannot be defined by numbers, although, if there are two buildings fronting a road and beside one another, there could be a tendency to ribboning.
11. Notwithstanding the prohibition on ribbon development, the policy permits under the exception test that there may be situations where the development of a small gap, sufficient to accommodate two dwellings within an otherwise substantial and continuously built up frontage, may be acceptable. The policy requires that those proposed dwellings respect the existing pattern of development in terms of siting and design and be appropriate to the existing size, scale, plot size and width of neighbouring buildings that constitute the frontage of development. It goes on to say that buildings forming a substantial and continuously built up frontage must be visually linked. This PS infill policy is more prescriptive and more up-to-date than the relevant part of paragraph 6.73 of the SPPS. As set out earlier in this decision, the PS should take precedence.
12. The appeal site is located south of Ballyknockan Road and is on the west side of a laneway. It is between a detached dwelling to the south-west at No. 29 and a detached dwelling to the north-east at No. 27. The site comprises the side garden of the detached dwelling at No. 29. This appeal is for a dwelling on that side garden. The site is narrower to the front and wider towards the rear. Mature trees and vegetation define the site's north-eastern, south-western and north-western boundaries. The south-western boundary is undefined. A cluster of mature vegetation is located towards the north-western corner of the site. There is also a glass greenhouse on the site. The land gently rises from the laneway towards the rear boundary. The detached dwelling (No. 29) to the south-west, has an L-shaped ancillary outbuilding attached to it. South-west of it are other buildings and a paddock. Those other buildings are accessed from the laneway by a separate access to that of the adjacent dwelling (No. 29). North of the detached dwelling at No. 27, is a further dwelling (No. 27A). The dwelling and its garage at No. 27 are two buildings that are beside each other and that both front the laneway.
13. The Council argue that the gap would neither be a sufficient size for two dwellings, nor that the proposed single dwelling would respect the existing pattern of development in relation to plot size and frontage width. However, the appellant argues that the proposed single dwelling would be a lesser proposal than the two dwellings permitted under the policy and that the gap would be enough for one dwelling. It is common case between the parties that there is a substantial and continuously built up frontage and that the four qualifying buildings are the three detached dwellings at Nos. 27A, 27 and 29 plus a building to the south-west of No. 29. I accept that those qualifying buildings all have frontage to the laneway and that there is a substantial and continuously built up frontage. However, having seen the site on the ground, it was apparent that due to the significant intervening vegetation, the separation distance and the positioning of the buildings, along with the curvature of the laneway, the Council is correct that the aforementioned buildings are not

visually linked in either direction along the laneway. As the aforementioned buildings forming the substantial and continuously built-up frontage are not visually linked, regardless of whether the policy permits one or two dwellings, the appeal proposal cannot qualify and meet Policy COU8.

14. I have considered the detailed analysis pertaining to plot sizes and frontages in respect to the pattern of development element of the policy. Whilst I am satisfied that the proposal would generally respect these, nevertheless my above conclusion regarding no visual linkage is determinative. Furthermore, the appeal development would also result in ribbon development contrary to Policy COU8 as it would be beside No. 27 and its garage, both of which front onto the laneway. For the reasons given above, the appeal proposal is contrary to Policy COU8 of the PS.
15. The appellant refers to certain paragraphs and illustrations in BoT that relate to gaps suitable for one or two dwellings. Whilst the amplification text of Policy COU8 of the PS does not refer to the BoT design guidance, the justification text of Policy COU16 does. It indicates that the design guidance contained within the Department's publication BoT must be taken into account in assessing all development proposals in the countryside. This is reinforced in the SPPS. However, the guidance therein would not persuade me of the acceptability of the appeal proposal in this case.

Rural Character

16. Policy COU1 also advises that any proposal for development in the countryside will be required to meet all of the general criteria set out in Policies COU15 'Integration and Design of Buildings in the Countryside' and COU16 'Rural Character and other Criteria'. The Council contend that the appeal proposal offends Policy COU16. No visual integration concerns under Policy COU15 were expressed. Policy COU16 of the PS '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 a detrimental change to, or further erode the rural character of the area. The policy indicates that a new development proposal will be unacceptable in certain circumstances. The Council contend that the proposed dwelling would (c) not respect the traditional pattern of settlement exhibited in that area. None of the other circumstances listed in Policy COU16 are raised by the Council.
17. Whilst an assessment under Policy COU8 of the existing pattern of development is confined to along the frontage, Policy COU16 relates to rural character in general and respecting the pattern of settlement exhibited in the area. The area comprises a dispersed pattern of development that includes farmsteads and one-off dwellings. The proposal would respect the pattern of development in the area and not offend Policy COU16 of the PS. The Council's updated third reason for refusal is therefore not upheld.

Other Material Considerations

18. The appellant cites judgement *R (on application by William Corbett) and Cornwall Council 2020 EWCA Civ. 508*. Paragraph 28 of that judgement states that "for the purposes of section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein." Also, in paragraph 41, it was considered that the relevant policies of the plan in question should be read together, with none having automatic primacy. The appeal proposal has not been considered solely in the context of Policy COU8, but also with regard to relevant strategic policies in the PS and overarching rural

development policies including Policy COU16 that relates to rural character. Having read the presented judgement, I am satisfied that this decision aligns with it.

19. Other material considerations were put forward by the appellant relating to alleged administrative unfairness, compliance with PPS21 policies, lack of any significant precedent and a lack of demonstrable harm. The appellant contends that if the Council had applied PPS21, the proposal would have been approved, and the appeal would not have been necessary. He alleges that this was administratively incorrect and unfair to the appellant. Also, he argues that limited precedent would be set by allowing this appeal.
20. It is evident from the Council's Development Management Officers' Report (DMOR) that PPS21 was considered at the time the Council made its decision. Notwithstanding the Commission's letter to the Council, they ultimately placed determining weight on the infill policy (COU8) in the emerging PS. At the time of the Council making its decision, the draft PS was at a very advanced stage, having been subject to a PAC examination and a DfI direction to adopt. I am not aware of the pertinent policy having been objected to at the draft stage. Also, the appellant could have opted to appeal against the non-determination of his application under Section 60 of the Act. The appellant referred to certain appeal decisions and a planning application. However, full details of these were not provided. It is therefore difficult to comment on them other than say that each case is determined on its own site specific and evidential context. Therefore, they do not assist the appellant's case.
21. In any case, regardless of whether or not the proposal might have been judged acceptable under the policy context of PPS21, the appeal decision must be taken in accordance with the prevailing policy contained in the PS. The PS represents the up-to-date planning policy for the Council area, and in the evidential context, the arguments put forward by the appellant do not warrant the granting of planning permission, nor does the reference to there only being a potential limited precedent persuade me otherwise.
22. With respect to cited decisions LA01/2023/2135/O and 2021/A0164, they relate to developments in a different Council area. Even though the corresponding policy refers to a small gap that is suitable to accommodate only two dwellings, that infill policy is within a different PS that applies to another Council jurisdiction and is not on all fours with the prevailing policy in this appeal. Thus, the cited decisions are distinguishable from this appeal and would not justify the granting of the appeal proposal.

Other Issues

23. The third parties express other concerns including the impact on privacy, concerns that the appeal proposal would devalue a neighbouring dwelling, concerns regarding the volume of traffic that would use the laneway, and that the proposal would have a negative impact on the environment and wildlife including bats. In terms of privacy, the proposed dwelling could be sited and designed at the detailed design stage to ensure that there would be no unacceptable overlooking into the neighbouring properties. No compelling evidence has been presented that persuades me that the proposed dwelling would devalue any of the dwellings along the frontage.
24. The Council expressed no issues of concern regarding protected or priority species and natural heritage features. The submitted Biodiversity Checklist was completed by a qualified ecologist. It indicates that the appeal site has a low foraging potential.

The large sycamore tree along the northern edge, has a knothole with bat roost potential. That feature faces onto the neighbouring property on the other side of the tree from the site. The appellant indicates that this tree would remain in situ. The Checklist states that all other trees on the site and the greenhouse have negligible bat roost potential. The Checklist concludes that no further bat survey work would be required subject to the tree remaining in situ. The amended site location plan that was submitted to the Council outlines that boundary vegetation including the tree identified within the biodiversity checklist would be retained. If permission were granted, a condition could be applied requiring that tree to be permanently retained along with the rest of the trees on the northern boundary. In this evidential context, I am not persuaded that harm would arise from the proposed dwelling on priority/protected species or natural heritage features.

25. The laneway serves several dwellings at Nos. 27, 27A, 29 and 35. Another dwelling was granted permission along the laneway (LA05/2019/0366/F and LA05/2022/0641/F). The proposed dwelling seeks to utilise an existing unaltered access onto the Ballyknockan Road. DfI Roads offered no objections to the proposal subject to the access onto Ballyknockan Road providing appropriate splays. If the proposal was permitted, a suitably worded condition could be imposed requiring those splays to be provided. I observed no other vehicles using the laneway during my site visit. From the evidence before me and notwithstanding that the proposed dwelling would result in intensification of an access, I am not persuaded that the traffic that would be associated with the proposed single dwelling together with the committed traffic would prejudice road safety or significantly inconvenience the flow of vehicles onto the Ballyknockan Road. None of the above concerns warrant dismissal of this appeal.

Conclusion

26. For the reasoning given above, the appeal proposal would not meet the exceptions test of Policy COU8. Given the presumption against creating or adding to a ribbon of development under the same policy, the proposed dwelling would cause demonstrable harm to interests of acknowledged importance. The appeal proposal would fail to comply with Policy COU8 of the PS, and no persuasive evidence is before me that indicates that the dwelling would fall into any other category of development listed in Policy COU1. Accordingly, the proposed dwelling would not be acceptable in principle in the countryside and offends Policy COU1 of the PS. Thus, the appeal proposal would not accord with the LDP as a whole. The Council's updated first reason for refusal is therefore sustained. As the first two reasons for refusal have been upheld to the extent specified and are determining, the appeal must fail.

This decision relates to the site location plan to scale 1:2500 @A4 that was submitted to the Council and identifies boundary vegetation to be retained.

COMMISSIONER B STEVENSON

List of Appearances

Planning Authority: - Ms Cara Breen, Lisburn and Castlereagh City Council
Mr Peter McFadden, Lisburn and Castlereagh City Council

Appellant:- Dr. Vanessa Lane
Mr David Donaldson, Donaldson Planning
Ms Grainne Rice, Donaldson Planning (*observing only*)

List of Documents

Planning Authority: - A Statement of Case and Appendices
Lisburn and Castlereagh City Council

Appellant: - B Statement of Case and Appendices
Donaldson Planning on behalf of Mr Richard Lane

Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 4 – Appeal Decision – LA05/2023/0632/F

1.0 **Background**

1. An application for proposed farm dwelling and garage at 35a Lurganure Road, Lisburn was refused on 10 February 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 20 March 2025.
3. The written representation and accompanied site visit procedure was followed in this case. The site visit took place on 24 July 2025.
4. The main issue in the appeal is the principle of development and whether the appeal proposal would have an unacceptable detrimental impact on the countryside and residential amenity.
5. In a decision received on 29 July 2025 the Commission confirmed that the appeal was dismissed.

Key Issues

1. The only matter of dispute by the Council was criterion (c) of policy COU10 which requires that, where practicable, access to the dwelling should be obtained from an existing lane.
2. The Commissioner concluded that policy COU10 does not indicate what 'practicable' means in the context of taking access from an existing lane and that a lack of ownership on its own would not demonstrate that something is not practicable. The Commissioner highlighted that the appellant had not demonstrated that purchase of the required lands is not possible nor that there is some technical or engineering reason which means that the access cannot be easily obtained.
3. That said the Commissioner also concluded that the wording of the policy "should be obtained from an existing lane" indicates that this element of criterion (c) is a policy preference, rather than a mandatory requirement.
4. However, the Commissioner was not persuaded that the laneway at the 'preferred' location was acceptable as it would be located at the high point in the field and would be unduly prominent when viewed travelling north along the Lurganure Road. Even with proposed planting, and the limited views of the laneway, it would be an obtrusive feature cutting through an agricultural field, without respecting the field layout or existing boundaries. The Commissioner further concluded that the diagonal

orientation of the laneway across the field is akin to a sweeping driveway which is a suburbanising feature and was therefore unacceptable. As the proposal relied primarily on the use of new landscaping for integration and for these reasons was contrary to Policy COU15.

5. The Commissioner also concluded that due to the impact of the ancillary works there would be an unacceptable detrimental impact on rural character contrary to criterion e) of Policy COU16.
6. Members should note the Commission's interpretation of criterion (c) of policy COU10 that obtaining access from an existing lane is a policy preference rather than a mandatory requirement. An alternative access may be preferred by an applicant, but this must still be in accordance with the requirements on policies COU15 and COU16.

2.0 **Recommendation**

It is recommended that the Committee notes the report and decision of the Commission in respect of this appeal.

3.0 **Finance and Resource Implications**

No cost claim was lodged by any party in this instance.

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

4.1	Has an equality and good relations screening been carried out?	No
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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 This is a report updating the committee on a decision by the PAC and EQIA is not required.	
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4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
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4.4	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out. This is a report updating the committee on a decision by the PAC and RNIA is not required.	
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Appendices:

Appendix 4 – Appeal Decision – LA05/2023/0632/F



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Lisburn & Castlereagh City Council
Local Planning Office

By Email

Our reference: **2024/A0136**
Authority
reference: **LA05/2023/0632/F**
29 July 2025

Dear Sir / Madam

Re:

Appellant name: Mr. Stephen Hall

Description: Proposed farm dwelling and garage

Location: 35a Lurganure Road, Lisburn, BT28 2TS

Please find enclosed Commission decision on the above case.

Yours Sincerely,

Robert Reilly
PACWAC Admin Team



Appeal Decision

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Appeal Reference:	2024/A0136
Appeal by:	Stephen Hall
Appeal against:	The refusal of full planning permission
Proposed Development:	Proposed farm dwelling and garage
Location:	35a Lurganure Road, Lisburn, BT28 2TS
Planning Authority:	Lisburn & Castlereagh City Council
Application Reference:	LA05/2023/0632/F
Procedure:	Written representations and Commissioner's site visit on 24 th July 2025.
Decision by:	Commissioner Cathy McKeary, dated 29th July 2025.

Decision

1. The appeal is dismissed.

Reasons

2. The main issues in this appeal are the principle of development and whether the appeal proposal would have an unacceptable detrimental impact on the countryside and residential amenity.
3. 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.
4. The Lisburn and Castlereagh City Council Local Development Plan 2032 - Plan Strategy (PS) has been adopted. In line with the transitional arrangements as set out in the Schedule to the Local Development Plan Regulations (NI) 2015 (as amended) the Local Development Plan now becomes a combination of the Departmental Development Plan (DDP) and the Plan Strategy (PS) read together. In this appeal the Lisburn Area Plan 2001 is the relevant DDP. Again, in accordance with the subject legislation any conflict between a policy contained in the DDP and those of the PS must be resolved in favour of the PS.
5. In the DDP, the appeal site is located in the undesignated countryside adjacent to the small settlement of Lower Broomhedge. The site is within the Greenbelt in draft Belfast Metropolitan Area Plan 2004 (dBMAP), adjacent to the proposed settlement limit of Lower Broomhedge and within a Local Landscape Policy Area

(LLPA). There is no suggestion that the appeal development would adversely impact on the draft LLPA designation. Greenbelt policies were overtaken by a succession of regional policies which, in this Council area, have now been superseded by those policies within the PS. There is no conflict between the DDP and the PS insofar as they relate to the proposal.

6. In accordance with paragraph 1.9 of the Strategic Planning Policy Statement (SPPS), as the Council has now adopted the PS the previously retained policies such as the Planning Policy Statements have now ceased to have effect within this Council District. Regardless of when the application was submitted to or determined by the Council, again, in line with the aforementioned legislation, the appeal must be considered and determined under the policies applicable at the time of the appeal decision. In this case the policies are within the PS and includes guidance contained in Building on Tradition which is referenced therein.
7. The appeal site comprises of portions of two agricultural fields immediately adjacent to the western boundary of the small settlement of Lower Broomhedge. The appeal site wraps around the existing farm dwelling at 35a Lurganure Road with one field located to the east and one located to the south. There are existing farm buildings sited within the farmyard to the northeast of 35a Lurganure Road. The sole exclusive access to the farmhouse and yard is by an existing laneway located between no. 35 Lurganure Road and St. Matthew's Church Hall. The appeal site slopes from a low point on the eastern boundary and rises to the northwest. The lands on the western portion of the appeal site continue to rise to a high point to the rear of the dwellings located on along the Lurganure Road. The northern boundary comprises of hedging approximately 1.5m high, and the eastern boundary consists of post and wire fencing approximately 1m high. The other boundaries are undefined. Directly adjacent and to the west of the appeal site is a row of dwellings consisting of nos. 35, 37, 39, 41, 43, 43a, 43b, 43c, and 45 which form the southern portion of the settlement of Lower Broomhedge. These dwellings are a mix of single storey semis, detached storey and a half dwellings and a detached bungalow. The character of the area beyond the small settlement is predominantly rural in character
8. The proposed dwelling and garage are to be located in the southeastern part of the appeal site immediately adjacent to the southern boundary of no. 35a Lurganure Road. A new access is proposed onto the Lurganure Road to the south of no. 45 Lurganure Road and beyond the settlement limit of Lower Broomhedge. The proposed access will run diagonally northeast across the field to the rear of no. 45 and then northeast along behind the dwellings at nos. 45, 43c and 43b before turning east towards the proposed dwelling and garage.
9. Policy COU1 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 will contribute to the aims of sustainable development. The acceptable residential development proposals are then set out in Policies COU2 to COU10. 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 and COU16. Policy COU10, which relates to dwellings on farms, is relevant to the appeal development.

10. The only matter of dispute by the Council within Policy COU10 is under criterion c) which requires that, where practicable, access to the dwelling should be obtained from an existing lane. The appellant states that this is not possible because Dfl Roads require the existing laneway to be widened to 6m for the first 6m off the public road, which would entail land shown as being outside the appellant's ownership. The Council considers that it was not adequately shown that it was not practicable to obtain access via the existing lane. The appellant considers that they have shown that a new entrance and access is necessary and satisfies Dfl Roads.
11. Policy COU10 does not indicate what practicable means in this context. The dictionary definition of practicable is "*able to be done or put into practice successfully*". In my judgement lack of ownership on its own would not demonstrate that something is not practicable. The appellant has not demonstrated that purchase of the required lands is not possible nor that there is some technical or engineering reason which means that the access cannot be easily obtained. Overall, I consider that it has not been demonstrated that access to the dwelling via an existing lane is not practicable. However, the wording of the policy "should be obtained from an existing lane" (my emphasis) indicates that this element of criterion c) is a policy preference, rather than a mandatory requirement. Thus, notwithstanding my conclusion above in relation to the use of the existing laneway, it is not determining against the appeal development and the Council's second refusal reason is not sustained.
12. In respect to the proposed means of access, third parties raised concerns that, although it was judged acceptable by Dfl Roads, they consider that it would be dangerous due to the amount and speed of traffic using the road, and that the splays were inaccurately measured. I have been provided with no evidence to support these assertions and from my own observations on site and taken along with the Dfl Roads assessment, I find the third parties objections in relation to this matter are not sustained.
13. The third parties have concerns that the proposed building will not be visually linked or sited to cluster with an established group of buildings on the farm contrary to criterion c) of Policy COU10 (my emphasis). The proposed dwelling is located adjacent to the boundary and immediately south of the existing farm house at 35a Lurganure Road. The curtilage of the existing farm house abuts the farm yard which contains other agricultural buildings, therefore the appeal proposal is both physically close and visually linked to the group of buildings and criterion c) is satisfied. Demonstrable health and safety reasons or verifiable plans to expand the farm business at the existing building group are not required in this instance where the appeal development is proposed adjacent to farm buildings and not at an alternative site on the farm. This element of Policy COU10 is not offended.
14. The Council and the third parties consider that the proposed access and laneway will not integrate with the surroundings and rely primarily on the use of new landscaping for integration and is contrary to criterion e) of Policy COU15. The Council and the third parties also have concerns that these works will mar the distinction between the settlement and the surrounding countryside and otherwise result in urban sprawl and would have an unacceptable negative impact on the rural character contrary to criterion d) and e) of Policy COU16.

15. The proposed access point is approximately 65m south of No. 45 Lurganure Road. The laneway then cuts across the field diagonally in a north easterly direction, traversing along the back of the existing dwellings at nos. 45, 43c, 43b, 43a and 43, Lurganure Road. A hornbeam hedge is proposed both behind the visibility splays and along the length of the laneway. The laneway would be located at the high point in the field, therefore, would be unduly prominent when viewed travelling north along the Lurganure Road. Even with the proposed planting, and the limited views of the laneway itself, it would be an obtrusive feature cutting through an agricultural field, without respecting the field layout or existing boundaries. The diagonal orientation of the laneway across the field is akin to a sweeping driveway which is a suburbanising feature and therefore unacceptable. The laneway would also be further highlighted due to the formalised and suburban style of planting proposed, which would not complement it as required and would result in a prominent and unnatural feature in the countryside. Even if the proposal may not set an unwelcome precedent, it relies primarily on the use of new landscaping for integration and to provide integration, which is contrary to the requirements of Policy COU15.
16. Notwithstanding the fact that the laneway cuts diagonally across the field, the access point is a considerable distance away from the edge of the settlement limit and is distinct from it. The proposed dwelling would be to the rear of the dwellings nos. 45, 43c, 43b, 43a and 43 Lurganure Road and would cluster with the existing farm buildings as required by Policy COU10. Considering this, I am not persuaded that the proposal would mar the distinction between the settlement and the surrounding countryside therefore Policy COU16 is satisfied in relation to criterion d). However, due to the impact of the ancillary works described above, there would be an unacceptable detrimental impact on rural character contrary to criterion e) of Policy COU16. The Council's third and fourth refusal reasons are sustained to the extent specified.
17. The third parties have concerns that the proposed two storey dwelling would be out of keeping with the adjacent dwellings along the eastern side of Lurganure Road and would be large and the design inappropriate contrary to criterion f) of Policy COU15. They also consider that the proposal would be unduly prominent in the landscape and detrimental to the rural character of the area therefore contrary to criteria a) and e) of COU16.
18. The dwellings immediately in front of the proposed laneway and dwelling are a mix of small semi detached workers cottages, larger modern storey-and-a-half dwellings and a modern bungalow. To my mind, the proposal's design, scale, form, massing, solid to void ratio, tile roof and render finish meet the requirements of 'Building on Tradition' and represents a design which is commonplace within the countryside even if it is not reflected in the immediately adjacent dwellings. The landform slopes downhill from Lurganure Road towards a low point at the appeal site, therefore the proposed dwelling and garage would be nestled into the landscape immediately adjacent to the existing farm dwelling and agricultural buildings and not prominent even if the dwelling itself has a higher ridge height than other nearby dwellings. The dwellings along the roadside are undoubtedly smaller than the proposed two storey dwelling, however, due to the distance between the rear gardens and the appeal proposal, the appeal buildings would be

located so far away as to have no relationship with those dwellings and there would be no unacceptable impact on rural character. Any alternative location which may be preferable to third parties, is not before me and therefore cannot be considered in this appeal. The third parties' objections in relation to design, integration, and impact on rural character as laid out in Policies COU15 and COU16 are not sustained.

19. The third parties raised concerns regarding unacceptable impact on their residential amenity which would be contrary to criterion f) of Policy COU16. The third parties consider that there would be a loss of amenity caused by; noise from the proposed music room, and loss of light and impact on privacy caused by the proposed dwelling and detached garage with living space above, particularly for nos. 43b 43c, and 45 Lurganure Road. It is not clear if the third parties' concerns regarding their boundaries being shown inaccurately on the submitted drawings have been addressed on the appellant's drawings. However, during my site inspection, I was able to see where the existing dwellings' gardens ended and the appeal site begins and have taken those distances into consideration. The appeal buildings would be located with the rear garden adjacent to the rear garden of the existing dwellings. Given the back-to-back arrangement of the gardens and the separation distance involved between the proposed dwelling and the rear elevation of the nearest dwelling, I consider that any impact on amenity will be limited and acceptable. Any vehicles using the laneway will be travelling parallel to the rear of the existing dwellings and then turning away from them and I have not been presented with any evidence that vehicle lights will impact on the rear of the existing dwellings in an unacceptable way. The location of the detached garage, between the proposed dwelling and existing farmhouse and a considerable distance from the existing dwellings, would also ensure minimal impact on the amenity of the dwellings at Lurganure Road. The third parties' concerns in this regard are not sustained.
20. Overall, the design of proposed dwelling and garage is appropriate for the site and its locality, and would not have an unacceptable detrimental impact on rural character or residential amenity. Criteria f) of Policy COU15 and e) and f) of Policy COU16 are satisfied in this regard and the third parties' concerns are not sustained. Notwithstanding these discrete matters, overall Policies COU15 and COU16 are not satisfied to the extent specified above and the Council's refusal reasons are sustained.
21. Where Policies COU15 and COU16 are not satisfied, the proposal does not constitute one of the types of development which in principle are considered to be acceptable in the countryside and will contribute to the aims of sustainable development as required by Policy COU1. The Council's first refusal reason is, therefore, sustained.
22. The appellant provided a number of other approvals which they consider to be comparable. Planning application reference LA05/2017/0097/F for a retention of an existing concrete laneway to access agricultural land and to provide direct access and a layby onto Glenavy Road, Lisburn. The Council state that this application had been recommended for refusal by the Planning Department but was overturned by the Committee. The decision issued represents the corporate view of the Council therefore the Planning Department cannot distance itself from

such decisions. Notwithstanding this, that approval was granted prior to the adoption of the PS, is not immediately adjacent to any settlements, and based on the appellant's aerial photo the access laneway appears to follow the field boundaries. It is, therefore, not on all fours with the appeal site.

23. The appellant also supplied details in relation to planning application reference LA05/2023/0573/F for a dwelling and new access at 90 Ballynahinch Road, Hillsborough. The appellant states that the dwelling has been approved with a new separate entrance and access and does not cluster with the existing buildings on the farm. In this case, the Council's concerns in relation to clustering with existing buildings has been addressed by the relocation of the dwelling, however, the appellant has not provided enough information to allow me to determine how and if the new access permitted in this case is comparable to that of the appeal site.
24. Any concerns the appellant has in respect to the processing of the planning application and the communication or lack thereof with the case officer regarding the refusal reasons are a matter between parties. The same is the case in respect to third party concerns regarding the processing of the application, including the neighbour notifications. The refusal reasons, which are the subject of this appeal, clearly state the Council's concerns and all parties have had the opportunity to comment on them. I am satisfied that no prejudice has occurred.
25. The third parties raised concern regarding the principle of development, the disposal of sites for financial gain, the perceived lack of consideration of biodiversity, impact on wildlife, potential contamination of the nearby River Lagan, the site being prone to flooding and the potential impact on the nearby historical St Matthew's Church and church hall. None of these matters have been adequately supported with evidence which would persuade me that the proposal should be refused on this basis. The same is the case in respect to their concerns regarding views of the countryside and alleged impact on property value.
26. Overall, the proposal for the reasons given above the proposal is contrary to policies COU1, COU15 and COU16 of the PS and the related provisions of the SPPS to the extent specified above. The Council's first, third and fourth refusal reasons are sustained to the extent specified and are determining. Accordingly, the appeal must fail.

This decision is based on the following drawings:-

Drawing No.	Title	Scale	Date
01B	Site Location Map Rev 2	1:2500	June 2023
02C	Site Layout Map	1:500	Sep 2024
03	Proposed Floor Plans	1:500	June 2023
04	Proposed Elevations	1:500	June 2023
05	Proposed Garage Plans	1:500	June 2023

COMMISSIONER CATHY MCKEARY

List of Documents

Planning Authority:-
Statement of Case on behalf of Lisburn & Castlereagh City Council
Rebuttal on behalf of Lisburn & Castlereagh City Council

Appellant:-
Statement of Case on behalf of Stephen Hall
Rebuttal on behalf of Stephen Hall



Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Item 5 – Pre-application Notice (PAN) for the construction of an engineered landfill site for Non-Hazardous wastes within the quarry void and associated infrastructure to include leachate treatment plant, landfill gas plant, weighbridge, offices, car park and wheel wash and other associated ancillary development at Budore Quarry, 15 Sycamore Road, Dundrod

1.0	<p><u>Background</u></p> <p>1. Section 27 of the Planning Act (Northern Ireland) 2011 requires a prospective applicant, prior to submitting a major application, to give notice to the appropriate Council that an application for planning permission is to be submitted.</p> <p><u>Key Issues</u></p> <p>2. Section 27 (4) of the Planning Act (Northern Ireland) 2011 stipulates what information a PAN must contain. The attached report sets out how the requirement of the legislation and associated guidance has been considered as part of the submission.</p> <p>3. Section 27(5) of the Planning Act (Northern Ireland) 2011 also stipulates that regulations may require that the PAN be given to persons specified in the regulations and prescribe (i)the persons who are to be consulted as respects a proposed application, and (ii)the form that consultation is to take.</p> <p>4. It is stated in the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 that the prospective applicant must:</p> <ul style="list-style-type: none"> a) Hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant as regards the proposed development; maintain a website to display details of the proposed development and facilitate comments from members of the public relating to the proposed development; and b) Publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing (i)a description of, and the location of, the proposed development, (ii)details as to where further information may be obtained concerning the proposed development, (iii)the date, time and place of the public event, (iv)a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, (v) a statement that comments made to the prospective applicant are not representations to the Council or as the
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	<p>case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the Council or as the case may be the Department at a later stage, (vi) details of the website maintained in accordance with 2(a), and (vii) the period of time to display details of the proposed development on the website.</p>	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Members note the information on the content of the Pre-application Notice attached and agree that it is submitted in accordance with the relevant sections of the legislation and related guidance.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance and resource implications.</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 or rationale why the screening was not carried out</p> <p>This is a report in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. 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 in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.</p>	

<p>Appendices:</p>	<p>Appendix 5(a) - Report in relation to LA05/2025/0469/PAN</p> <p>Appendix 5(b) – LA05/2025/0469/PAN – PAN Form</p> <p>Appendix 5(c) – LA05/2025/0469/PAN – Site Location Plan</p>
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Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	08 September 2025
Responsible Officer	Conor Hughes
Date of Report	08 September 2025
File Reference	LA05/2025/0469/PAN
Legislation	Section 27 of the Planning Act (Northern Ireland) 2011
Subject	Pre-Application Notice (PAN)
Attachments	PAN Form and Site Location Plan

Purpose of the Report

1. The purpose of this report is to advise Members of receipt of a Pre-Application Notice (PAN) for an application for the construction of an engineered landfill site for Non-Hazardous wastes within the quarry void and associated infrastructure to include leachate treatment plant, landfill gas plant, weighbridge, offices, car park and wheel wash and other associated ancillary development at Budore Quarry, 15 Sycamore Road, Dundrod.

Background Detail

2. Section 27 of the Planning Act (Northern Ireland) 2011 requires that a prospective applicant, prior to submitting a major application must give notice to the appropriate council that an application for planning permission for the development is to be submitted.
3. It is stipulated that there must be at least 12 weeks between the applicant giving the notice (through the PAN) and submitting any such application.
4. The PAN for the above-described development was received on 26 June 2025. The earliest possible date for the submission of a planning application is the week commencing 22 September 2025.

Consideration of PAN Detail

5. Section 27 (4) stipulates that the PAN must contain:
 - A description in general terms of the development to be carried out.**
6. The description associated with the FORM PAN1 is as described above.

7. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is considered that an adequate description of the proposed development has been provided.

The postal address of the site, (if it has one).

8. The postal address identified on the FORM PAN1 is as described above.
9. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is accepted that an adequate description of the location has been provided.

A plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site.

10. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is accepted that a site location plan with the extent of the site outlined in red and submitted with the PAN form is sufficient to identify the extent of the site.

Details of how the prospective applicant may be contacted and corresponded with.

11. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10 it is noted that the FORM PAN1 as amended and associated covering letter includes details of how the prospective applicant may be contacted and corresponded with.
12. The Form PAN1 includes the name and address of the agent. Any person wishing to make comments on the proposals or obtain further information can contact the agent Quarryplan Limited, 10 Saintfield Road, Crossgar, Downpatrick.
13. In addition to the matters listed above, regulation 4 of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that a PAN must also contain the following.

A copy (where applicable) of any determination made under Regulation 7 (1)(a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 in relation to the development to which the proposal of application notice relates.

14. Having regard to the relevant section of the legislation and paragraph 2.5 of Development Management Practice Note 10 that the FORM PAN 1 indicates that no environmental impact assessment determination has been made.
15. It is accepted that this reference is made without prejudice to any future determination being made or the applicant volunteering an Environmental Statement.

A copy of any notice served by the Department under Section 26(4) or (6) i.e. confirmation (or not) of the Department's jurisdiction on regionally significant developments.

16. Having regard to the relevant section of the legislation and paragraph 2.5 of Development Management Practice Note 10 it is considered that the form of development proposed is not specified in the Planning (Development Management) Regulations (Northern Ireland) 2015 as a major development (i.e. regionally significant) prescribed for the purpose of section 26 (1) of the Planning Act (Northern Ireland) 2011 and it is noted that consultation with the Department has not taken place.

An account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.

17. Having regard to the relevant sections of the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 and paragraph 2.5 of Development Management Practice Note 10 it is stated on behalf of the applicant that:
- The PAN form indicates that a public consultation event will be held with members of the project team in attendance.
 - The event will take place at 5.00pm on Tuesday 16 September 2025 at The Ballymac Hotel, 7a Rock Road, Stoneyford, Lisburn.
 - The event will be published in the Ulster Star and the Antrim Guardian before the event takes place, and the first advertisement will run from 04 September 2025.
 - A notification letter will issue to all properties within 500 metres of the site boundary at least 7 days in advance of the consultation event.
 - A copy of the Notice will also issue to Elected Members of the DEA and others as identified on the PAN form on 26 June 2025.
18. Information on the proposed development will also be available from the applicant's agent, Quarryplan Ltd, via the 'Public Consultations' tab on the Quarryplan website for the duration of the consultation or by correspondence by email.
19. The proposed actions to ensure the public have access to community consultation are in accordance with the requirements of the regulation and associated guidance.

Recommendation

20. In consideration of the detail submitted with the Pre-Application Notice (PAN) in respect of community consultation, it is recommended that the Committee agrees the information is submitted in accordance with the legislation and related guidance.



www.lisburncastlereagh.gov.uk/resident/planning
Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL
Tel: 028 9244 7300
E-mail: planning@lisburncastlereagh.gov.uk

Proposal of application notice

Planning Act (Northern Ireland) 2011

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Are you an agent acting on behalf of the applicant?

- Yes
- No

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

198

Contact Details

Telephone number

Mobile number

Email address

Site Address

Disclaimer: Recommendations can only be based on the answers given to the questions.

If you cannot provide a postcode, then further details must be provided below for 'Description of site location' by providing the most accurate site description you can in order to help locate the site.

Number

Suffix

Property Name

Address Line 1

Address Line 2

Town/city

Postcode

Description of site location (must be completed if postcode is not known)

Description

Easting co-ordinates (x)

373918

199

Site Area

What is the area of the site?

69.09

Hectares

Please note - due to the size of site area this application may also be subject to the completion of an Environmental Impact Assessment report (EIA).

Please give a concise and accurate description of all elements of the proposed development that requires consent, including the purpose for which the land / buildings are to be used. Provide details of all buildings proposed and any ancillary works including access arrangements associated with the proposal. Please also include details of any demolition if the site falls within a designated area.

Description of Proposed Development

Please give a brief description of the proposed development

Construction of an engineered Landfill Site for Non-Hazardous Wastes within the quarry void and associated infrastructure to include Leachate Treatment Plant, Landfill Gas Plant, Weighbridge, Offices, Car Park and Wheelwash and other associated ancillary development.

Please indicate what type of application is being requested

- Outline permission
 Full permission

Floorspace Summary

Does the proposal include floorspace?

- Yes
 No

What is the total gross floor space of proposed development (sq m)?

72

Renewable Energy

Does your proposal involve renewable energy development?

- Yes No

Determinations

Has a determination been made as to whether the proposed development would be of Regional Significance?

- Yes
 No

- Yes
- No

Details of Proposed Consultation

Please add separate details for each proposed consultation

Proposed public event: Public Drop-in Event
 Venue: The Ballymac Hotel, 7A Rock Road, Stoneyford, Lisburn Co. Antrim BT28 3SU
 Date and time: 16/09/2025 17:00

Please add separate details for each publication used for the above consultation

Publication

Name of publication Ulster Star
 Proposed advert date start 04/09/2025
 Proposed advert date finish 04/09/2025

Publication

Name of publication Antrim Guardian
 Proposed advert date start 04/09/2025
 Proposed advert date finish 04/09/2025

Please specify details of any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc.) and method of notification (please include date, time and with whom)

Letter Drop to properties within 500m of quarry.

Details of any other publicity methods (e.g. leaflets, posters)

N/A

Details of Other Parties Receiving a copy of this PAN

Are there any other parties receiving a copy of this PAN?

- Yes
- No

Please state which other parties have received a copy of this Proposal of Application Notice

Details for elected member(s) for District Electoral Area

Elected member(s) for District Electoral Area:
 Councillors Beckett; Kemp; McCleave; McLernon and Tinsley
Date notice served:
 26/06/2025

Details for Other Parties

Are you/the applicant/applicant's spouse or partner, a member of staff within the council or an elected member of the council?

- Yes
- No

Are you/the applicant/the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

- Yes
- No

It is an important principle of decision-making that the process is open and transparent.

Declaration

The information I / We have given is correct and complete to the best of my knowledge and belief.

- I / We agree to the outlined declaration

Signed

Chris Tinsley


Date


26/06/2025

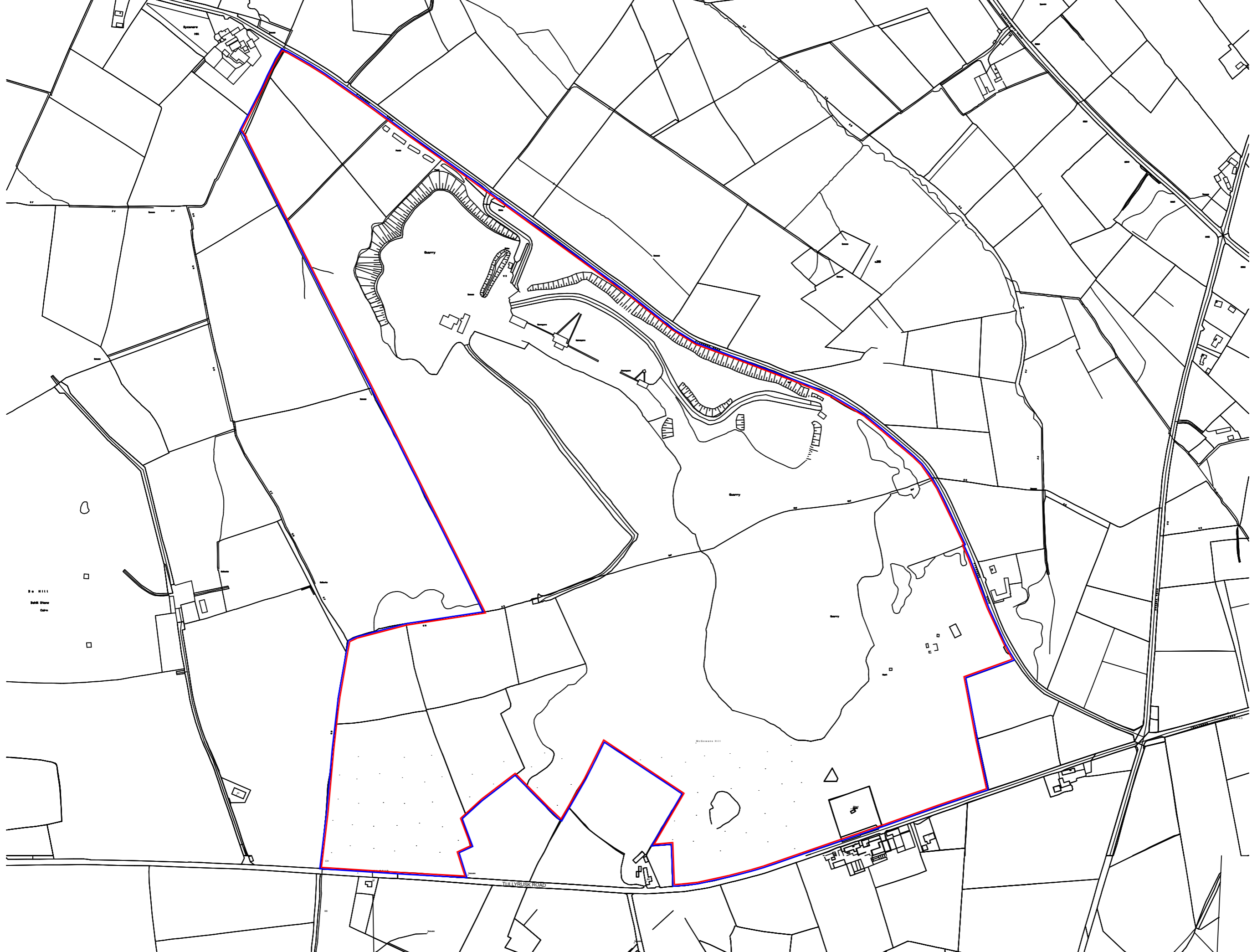
This information may be shared with other departments within the authority for the purposes of promoting investment. Please indicate by ticking the box below that you are providing your personal data on the basis of consent and are positively agreeing that it is shared with these departments and used for the purpose described, who may contact you and consider tailored support to meet your needs. Please note that availing of this service will have no influence on the planning process or the likelihood of you receiving planning permission.

- I consent for my personal data to be shared with other departments within the authority



 PAN Boundary

 Land Ownership



Quarryplan Limited
 10 Saintfield Road
 Crossgar
 Downpatrick
 BT30 9HY
 T: 028 44 832904
 e: info@quarryplan.co.uk

Budore Quarry
 Non-Hazardous Landfill
 Proposals

McQuillan Quarries
 Site Location Plan

DRAWN BY		DATE	
CST		JUNE 2025	
DRAWING No.		SCALE	
001		1:2500@A3	



Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Item 6 – Pre-application Notice (PAN) for the expansion to Maghaberry to provide neighbourhood community comprising of a health and wellbeing hub, a community hub, extension to The Shed restaurant / coffee shop, offices, affordable and private housing, affordable and private supported housing for over 55s in Categories 1 and 2, respite care, guesthouse and affiliated self-catering apartments, public open space including landscaping, gardens and play areas, and access from Hammonds Road and Maghaberry Road on Lands to the north, east, and south of 1C Hammonds Road, Upper Ballinderry, situated between Hammonds Road and Maghaberry Road.

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> Section 27 of the Planning Act (Northern Ireland) 2011 requires a prospective applicant, prior to submitting a major application, to give notice to the appropriate Council that an application for planning permission is to be submitted. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> Section 27 (4) of the Planning Act (Northern Ireland) 2011 stipulates what information a PAN must contain. The attached report sets out how the requirement of the legislation and associated guidance has been considered as part of the submission. Section 27(5) of the Planning Act (Northern Ireland) 2011 also stipulates that regulations may require that the PAN be given to persons specified in the regulations and prescribe (i)the persons who are to be consulted as respects a proposed application, and (ii)the form that consultation is to take. It is stated in the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 that the prospective applicant must: <ol style="list-style-type: none"> Hold at least one public event in the locality in which the proposed development is situated where members of the public may make comments to the prospective applicant as regards the proposed development; maintain a website to display details of the proposed development and facilitate comments from members of the public relating to the proposed development; and Publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing (i)a description of, and the location of, the proposed development, (ii)details as to where further information may be obtained concerning the proposed development, (iii)the
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	<p>date, time and place of the public event, (iv) a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, (v) a statement that comments made to the prospective applicant are not representations to the council or as the case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the council or as the case may be the Department at a later stage, (vi) details of the website maintained in accordance with 2(a), and (vii) the period of time to display details of the proposed development on the website.</p>	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that the Members note the information on the content of the Pre-application Notice attached and agree that it is submitted in accordance with the relevant section of the legislation and related guidance.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>There are no finance and resource implications.</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 in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. 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 in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.</p>	

Appendices:	<p>Appendix 6(a) - Report in relation to LA05/2025/0504/PAN</p> <p>Appendix 6(b) – LA05/2025/0504/PAN – PAN Form</p> <p>Appendix 6(c) – LA05/2025/0504/PAN – Site Location Plan</p>
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Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	08 September 2025
Responsible Officer	Conor Hughes
Date of Report	08 September 2025
File Reference	LA05/2025/0504/PAN
Legislation	Section 27 of the Planning Act (Northern Ireland) 2011
Subject	Pre-Application Notice (PAN)
Attachments	PAN Form and Site Location Plan

Purpose of the Report

1. The purpose of this report is to advise Members of receipt of a Pre-Application Notice (PAN) for an application for the expansion to Maghaberry to provide neighbourhood community comprising of a health and wellbeing hub, a community hub, extension to The Shed restaurant / coffee shop, offices, affordable and private housing, affordable and private supported housing for over 55s in Categories 1 and 2, respite care, guesthouse and affiliated self-catering apartments, public open space including landscaping, gardens and play areas, and access from Hammonds Road and Maghaberry Road on Lands to the north, east, and south of 1C Hammonds Road, Upper Ballinderry, situated between Hammonds Road and Maghaberry Road.

Background Detail

2. Section 27 of the Planning Act (Northern Ireland) 2011 requires that a prospective applicant, prior to submitting a major application must give notice to the appropriate council that an application for planning permission for the development is to be submitted.
3. It is stipulated that there must be at least 12 weeks between the applicant giving the notice (through the PAN) and submitting any such application.
4. The PAN for the above-described development was received on 8 July 2025. The earliest possible date for the submission of a planning application is week commencing 6 October 2025.

Consideration of PAN Detail

5. Section 27 (4) stipulates that the PAN must contain:

A description in general terms of the development to be carried out.

6. The description associated with the FORM PAN1 is as described above.
7. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is considered that an adequate description of the proposed development has been provided.

The postal address of the site, (if it has one).

8. The postal address identified on the FORM PAN1 is as described above.
9. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is accepted that an adequate description of the location has been provided.

A plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site.

10. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10, it is accepted that a site location plan with the extent of the site outlined in red and submitted with the PAN form is sufficient to identify the extent of the site.

Details of how the prospective applicant may be contacted and corresponded with.

11. Having regard to the relevant section of the legislation and paragraph 2.4 of Development Management Practice Note 10 it is noted that the FORM PAN1 as amended and associated covering letter includes details of how the prospective applicant may be contacted and corresponded with.
12. The Form PAN1 includes the name and address of the agent. Any person wishing to make comments on the proposals or obtain further information can contact the agent Pragma Planning and Development Consultants Limited, Scottish Provident Building, 7 Donegall Square West, Belfast.
13. In addition to the matters listed above, regulation 4 of the Planning (Development Management) Regulations (Northern Ireland) 2015 sets out that a PAN must also contain the following.

A copy (where applicable) of any determination made under Regulation 7 (1)(a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 in relation to the development to which the proposal of application notice relates.

14. Having regard to the relevant section of the legislation and paragraph 2.5 of Development Management Practice Note 10 that the FORM PAN 1 indicates that no environmental impact assessment determination has been made.
15. It is accepted that this reference is made without prejudice to any future determination being made or the applicant volunteering an Environmental Statement.

A copy of any notice served by the Department under Section 26(4) or (6) i.e. confirmation (or not) of the Department's jurisdiction on regionally significant developments.

16. Having regard to the relevant section of the legislation and paragraph 2.5 of Development Management Practice Note 10 it is considered that the form of development proposed is not specified in the Planning (Development Management) Regulations (Northern Ireland) 2015 as a major development (i.e. regionally significant) prescribed for the purpose of section 26 (1) of the Planning Act (Northern Ireland) 2011 and it is noted that consultation with the Department has not taken place.

An account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.

17. Having regard to the relevant sections of the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended by the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 and paragraph 2.5 of Development Management Practice Note 10 it is stated on behalf of the applicant that:
- The PAN form indicates that a public consultation event will be held with members of the project team in attendance.
 - The event will take place between at 4.00pm on Thursday 18th September 2025. The venue identified on the PAN form is The Shed, 1d Hammonds Road, Upper Ballinderry, Lisburn.
 - The event will be published in the Ulster Star before the event takes place, and the first advertisement will run from 10 September 2025.
 - A notification letter will issue to all properties within 200 metres of the site boundary at least 7 days in advance of the consultation event.
 - Hard copies of materials will be made available via post to anyone unable to access digital materials and a consultation phonenumber and project email address will be made available and promoted on project leaflet and website.
 - A copy of the Notice will also issue to Elected Members of the DEA and others as identified on the PAN form on 10 September 2025.
18. The proposed actions to ensure the public have access to community consultation are in accordance with the requirements of the regulation and associated guidance.

Recommendation

19. In consideration of the detail submitted with the Pre-Application Notice (PAN) in respect of community consultation, it is recommended that the Committee agrees the information is submitted in accordance with the legislation and related guidance.



www.lisburncastlereagh.gov.uk/resident/planning
Lisburn & Castlereagh City Council, Civic Headquarters, Lagan Valley Island, Lisburn, BT27 4RL
Tel: 028 9244 7300
E-mail: planning@lisburncastlereagh.gov.uk

Proposal of application notice

Planning Act (Northern Ireland) 2011

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Are you an agent acting on behalf of the applicant?

- Yes
- No

Applicant Details

Name/Company

Title

Mrs

First name

Carol

Surname

Moore

Company Name

The Shed Farm Shop & Cafe Ltd

Address

Address line 1

1D Hammonds Road

Address line 2

Upper Ballinderry

Address line 3

Town/City

Lisburn

Country

210

Contact Details

Telephone number

Mobile number

Email address

Agent Details

Name/Company

Company / Organisation

Title

First name

Surname

Address

Address line 1

Address line 2

Address line 3

Town/City

Postcode

Contact Details

211

Telephone number

Mobile number

Email address

Ref no.

Site Address

Disclaimer: Recommendations can only be based on the answers given to the questions.

If you cannot provide a postcode, then further details must be provided below for 'Description of site location' by providing the most accurate site description you can in order to help locate the site.

Number

Suffix

Property Name

Address Line 1

Address Line 2

Town/city

Postcode

Description of site location (must be completed if postcode is not known)

Description

Easting co-ordinates (x)

363278

212

Site Area

What is the area of the site?

8.62

Hectares

Please note - due to the size of site area this application may also be subject to the completion of an Environmental Impact Assessment report (EIA).

Please give a concise and accurate description of all elements of the proposed development that requires consent, including the purpose for which the land / buildings are to be used. Provide details of all buildings proposed and any ancillary works including access arrangements associated with the proposal. Please also include details of any demolition if the site falls within a designated area.

Description of Proposed Development

Please give a brief description of the proposed development

Expansion to Maghaberry to provide neighbourhood community comprising of a health and wellbeing hub, a community hub, extension to The Shed restaurant / coffee shop, offices, affordable and private housing, affordable and private supported housing for over 55s in Categories 1 and 2, respite care, guesthouse and affiliated self-catering apartments, public open space including landscaping, gardens and play areas, and access from Hammonds Road and Maghaberry Road

Please indicate what type of application is being requested

- Outline permission
 Full permission

Floorspace Summary

Does the proposal include floorspace?

- Yes
 No

What is the total gross floor space of proposed development (sq m)?

17085

Renewable Energy

Does your proposal involve renewable energy development?

- Yes No

Determinations

Has a determination been made as to whether the proposed development would be of Regional Significance?

- Yes
 No

- Yes
- No

Details of Proposed Consultation

Please add separate details for each proposed consultation

Proposed public event: Drop-In Public Consultation Event
 Venue: The Shed, 1d Hammonds Rd, Upper Ballinderry, Lisburn BT28 2NG
 Date and time: 18/09/2025 16:00

Please add separate details for each publication used for the above consultation

Publication

Name of publication Ulster Star
 Proposed advert date start 10/09/2025
 Proposed advert date finish 10/09/2025

Please specify details of any website and any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc.) and method of notification (please include date, time and with whom)

Invitation to local councillors to meet for briefing in advance of public consultation.
 Notification of planning application and invitation to public consultation drop-in event issued by leaflet drop to properties within 200m of site.

Details of any other publicity methods (e.g. leaflets, posters)

Details of Other Parties Receiving a copy of this PAN

Are there any other parties receiving a copy of this PAN?

- Yes
- No

Please state which other parties have received a copy of this Proposal of Application Notice

Elected member(s) for District Electoral Area:

Councillor Thomas Beckett

Date notice served:

10/09/2025

Elected member(s) for District Electoral Area:

Councillor Claire Kemp

Date notice served:

10/09/2025

Elected member(s) for District Electoral Area:

Councillor Gary McCleave

Date notice served:

10/09/2025

Elected member(s) for District Electoral Area:

Councillor Ross McLernon

Date notice served:

10/09/2025

Elected member(s) for District Electoral Area:

Alderman James Tinsley

Date notice served:

10/09/2025

Details for Other Parties

Authority Employee/Member

Are you/the applicant/applicant's spouse or partner, a member of staff within the council or an elected member of the council?

Yes

No

Are you/the applicant/the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

Yes

No

It is an important principle of decision-making that the process is open and transparent.

Declaration

The information I / We have given is correct and complete to the best of my knowledge and belief.

I / We agree to the outlined declaration

Pragma Planning

Date

10/07/2025

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Amendments Summary

1. Amended floorspace value to 17085sqm of floor space.
2. Amended agent contact details.
3. Out-of-date drawings removed and revised drawings uploaded.

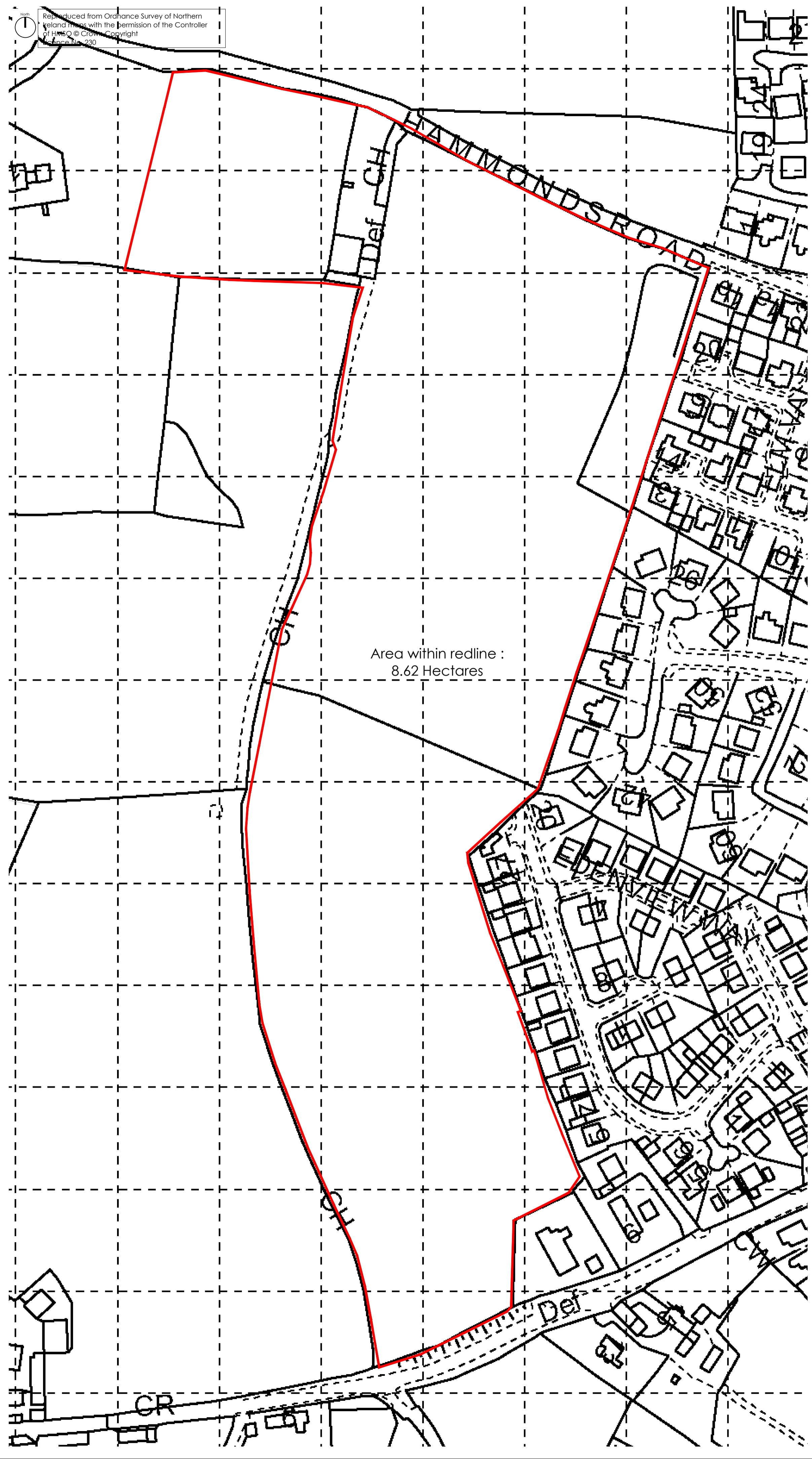
This information may be shared with other departments within the authority for the purposes of promoting investment. Please indicate by ticking the box below that you are providing your personal data on the basis of consent and are positively agreeing that it is shared with these departments and used for the purpose described, who may contact you and consider tailored support to meet your needs. Please note that availing of this service will have no influence on the planning process or the likelihood of you receiving planning permission.

I consent for my personal data to be shared with other departments within the authority

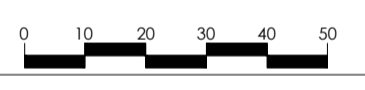
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REVISIONS		
REV.	DESCRIPTION	BY DATE
A	Boundary updated	AH 08-07-25



Area within redline :
8.62 Hectares



- PLANNING
- BUILDING CONTROL
- RECORD
- FOR APPROVAL

CLIENT
The Shed Farm Shop & Cafe Ltd

PROJECT
Lands at Hammonds Road, Maghaberry

DRAWING TITLE
Location Plan

SCALE/S
1:1250 @ A2

SITE AREA

DATE
17-10-24

DRAWN BY
CAP

DRAWING NUMBER
2953-050-01-03-001



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Company Number NI676912

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Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 7 – Letter to Heads of Planning in respect of the Planning Improvement Programme – Update of Development Plan Practice Notes.

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. A letter was sent from the Department for Infrastructure Regional Planning Policy and Casework team (the Department) dated 5 August 2025 to the Heads of Planning providing an update on the progress of developing practice notes for the development of local development plans as agreed through the planning improvement programme. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. Members are asked to note correspondence received from the Department dated 5 August 2025, providing an update on the development of Development Plan Practice Notes (DPPN's). 2. The correspondence was issued following agreement at a meeting in James House on 9th June 2025 at which the Department's approach to advancing the Local Development Plan (LDP) Actions as part of Phase 2 of the Planning Improvement Programme was set out. 3. The majority of the DPPN's were produced over 10 years ago to coincide with the transfer of Planning functions to local Councils. 4. These documents have set out key legislative requirements, processes and procedures for LDP preparation. The Department has indicated that it is now timely to incorporate the learning and best practice that has developed over the last decade and it is envisaged that the revisions fall into 2 categories: <ul style="list-style-type: none"> • Category 1 – DPPN's in this category will be updated to reflect factual changes since their initial publication or latest revision. This may include references to recent publications or legislation. The Department has advised that they will provide Councils with advance notice of these before they are published. • Category 2 – DPPN's in this category will be to include new best practice approaches and will take on board new learning. The Department have stated that they will provide Councils an opportunity to view and comment on these prior to their publication.
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	<p>5. It is further highlighted in the letter that the Department will prepare an additional two DPPN's that aim to assist the effective and efficient delivery of the LDP process as follows:</p> <ul style="list-style-type: none"> • DPPN 12 will focus on the process of monitoring, review and revision of development plan documents. • DPPN 13 will clarify the relationship between new or revised regional policy and LDPs. 	
2.0	<p><u>Recommendation</u></p> <p>It is recommended that Members note the update from the Department on forthcoming changes to the Local Development Plan Practice Notes.</p>	
3.0	<p><u>Finance and Resource Implications</u></p> <p>N/A</p>	
4.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>	
4.1	<p>Has an equality and good relations screening been carried out?</p>	<p>No</p>
4.2	<p>Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out</p> <p>This is a report providing notification of Planning Fees Uplift. EQIA not required.</p>	
4.3	<p>Has a Rural Needs Impact Assessment (RNIA) been completed?</p>	<p>No</p>
4.4	<p>Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out.</p>	

<p>Appendices:</p>	<p>Appendix 7 – Letter from the Department for Infrastructure Regional Planning Policy and Casework team</p>
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Regional Planning Policy & CaseworkDepartment for
Infrastructure

An Roinn

Bonneagair

Deapartment fur

Infrastructurewww.infrastructure-ni.gov.ukJames House
Gasworks Site
2 - 4 Cromac Avenue
Belfast
BT7 2JA
Tel: 0300 200 7830**Email:** susan.wilkin@infrastructure-ni.gov.uk
fiona.mccartan@infrastructure-ni.gov.uk

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5 August 2025

Dear Colleagues

PLANNING IMPROVEMENT PROGRAMME – UPDATE OF DEVELOPMENT PLAN PRACTICE NOTES

Thank you for your attendance and participation at the meeting in James House on 9 June which set out the Department's approach to advancing the Local Development Plan (LDP) actions in 'Phase 2' of the Planning Improvement Programme (PIP). It was a useful afternoon to discuss PIP and to get together as a group.

PIP 'Phase 2' focuses on actions and initiatives to support the long-term sustainability of the planning system, as well as improving overall performance. None of the actions within Phase 1 will be disregarded as we have discussed.

One of the key LDP actions carried forward from Phase 1 is to review and update the suite of Development Plan Practice Notes (DPPNs) and we had agreed to provide you with our indicative programme of work in respect of the updates to the documents.

As you are aware, the majority of DPPNs were prepared a decade ago to coincide with the transfer of plan making functions to local councils. The documents have proved helpful in setting out the key legislative requirements, processes and procedures for LDP preparation. It is now time to incorporate the learning and best practice that has developed through the evolution of the plan process over the last number of years.

An indicative timetable for the updated DPPN programme is attached at Annex A for your information.

The extent of the updates / revisions will vary on a case-by-case basis according to the topic area of the DPPN. The extent of engagement with Councils will also depend on the topic area of the DPPN, and the category that we consider the document falls into.

The Department considers the revisions fall into two categories:

Category 1 – DPPN's in this category will be updated to reflect factual changes since their initial publication or latest revision. For example updates may include references to recent publications or legislation. The Department will provide you with advance notice of when these will be published.

Category 2 – DPPN's in this category will be updated to include new best practice approaches and will take on board new learning. The Department will provide you with an opportunity to view and comment on these documents prior to their publication.

Furthermore, the Department is preparing an additional two new DPPNs that we consider will assist with the effective and efficient delivery of the LDP process. DPPN12 will focus on the process of monitoring, review and revision of development plan documents, and DPPN 13 will clarify the relationship between new or revised regional policy and LDPs and there will be an opportunity for focussed engagement with Councils on these pieces of guidance where this is considered necessary.

I trust you find this information on the Department's planned programme of update to be of assistance. Continued engagement between central and local government officials remains of utmost importance as we move forward with the PIP programme to improve both the effectiveness and efficiency of the LDP process.

Yours sincerely



Susan Wilkin

**Deputy Director
Regional Planning Policy and Casework**

Annex 1 – Indicative Timetable

DPPN	TIMEFRAME
DPPN 01 - Introduction: Context for Local Development Plans	December 2025
DPPN 02 - Statement of Community Involvement (SCI)	August 2025
DPPN 03 - Timetable	August 2025
DPPN 04 - Sustainability Appraisal incorporating Strategic Environmental Assessment	October 2025
DPPN 05 - Preferred Options Paper	August 2025
DPPN 06 - Soundness	February 2026
DPPN 07 - The Plan Strategy	December 2025
DPPN 08 - The Local Policies Plan	December 2025
DPPN 09 - Submission and Handling of Representations	October 2025
DPPN 10 - Submitting Development Plan Documents for Independent Examination	October 2025
DPPN 11 - Receipt of Independent Examination Report and Adoption of a Development Plan Document	October 2025
NEW DPPN 12 - Monitoring, Review and Revision	November 2025
NEW DPPN 13 – New/Updated Regional Policy & LDPs (title tbc)	December 2025

Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 8 – 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 Avison Young and Openreach, 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 notifications advise the Council of the location of the apparatus where they intend to utilise permitted development rights. Detail is also provided in relation to the nature and scale of the works proposed. 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 or 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 or 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 8 – Notifications from an Operator in respect of intention to utilise permitted development rights
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List of Notifications from Telecommunication Operators in relation to intentions to utilise Permitted Development Rights September Planning Committee

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Avison Young	EE Limited	Strawberry Hill, 158 Ballynahinch Road, Lisburn	Regulation 5 of the Electronic Communications Code Regulations 2003 to Utilise Permitted Development Rights	04/07/2025
2.	Openreach	BT	18b, Mullaghcarron Road, Ballinderry Upper, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	14/07/2025
3.	Openreach	BT	2, Milltown Avenue, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	28/07/2025
4.	Openreach	BT	23 Backwood Road, Moira	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	11/08/2025
5.	Avison Young	EE Ltd	Four Winds, Lisnabreeny Service Reservoir, Lisnabreeny Road,	Notification under Regulation 5 of the Electronic Communications Code Regulations 2003 to Utilise Permitted Development Rights	13/08/2025

Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 9 - Local Development Plan 2032 Quarterly Update

1.0

Background

1. In accordance with regulation 6 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Local Development Plan (LDP) 2032 the timetable provides indicative dates (Q3 2025 – Q3 2026) for the publication (in draft) and adoption (Q3-Q4 2028) of its Local Policies Plan (LPP).

Key Issues

1. Members are advised of the following progress with the development of the LPP:
 - Assessment continues of the evidence base required to support the site-specific policies, proposals, zonings and designations in relation to housing, employment, retailing, natural and built environment, and infrastructure.
 - Following a tender process retail consultants were procured for Sprucefield. Consultation has taken place in relation to two current planning applications. Work continues on a retail capacity study which will inform a bespoke retail policy for Sprucefield as a whole.
 - Procurement briefs to appoint appropriate experts to assist the Council in its site-specific policies, proposals, zonings and designations are complete and, subject to approval, tender invites are due to issue imminently for specialised consultants to assist with SLINCI's, LPA'S, Environmental Designation and Landscape Wedges.
 - Procurement briefs to appoint appropriate experts to assist the Council in its site-specific policies, proposals, zonings and designations tender invites are due to issue imminently for specialised consultants to assist with Conservation Areas.
 - DfI Roads continue to draft the Eastern Transport Plan (ETP 2035) which is integral to the Council's LPP. The ETP aims to provide attractive and viable alternative modes of transport to reduce unnecessary car journeys, creating safer, healthier communities by reducing carbon emission and improving air quality. The Plan Team continue to have regular meetings with DfI Roads, first commenced in February 2024, on matters relevant to the Council area as DfI Roads progress with drafting their ETP.
2. Members should note that the work programme is tracking behind the scheduled dates for the publication of a final draft LPP for Q3 2026. The timetable is under review alongside a consideration of practical steps to speed up the work programme over the next 12 months.

	<p>3. In addition to the development of the LPP and work on Sprucefield, the Plan Team continue to provide consultation responses to Development Management on matters concerning conservation areas and natural heritage (trees and their protection). It is noted that the casework is being delivered in accordance with our internal key performance indicators and that responses are being returned within 21 days.</p>	
2.0	<p><u>Recommendation</u> Members are asked to note the above and the appended documents.</p>	
3.0	<p><u>Finance and Resource Implications</u> There are no finance or resource implications.</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	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out	N/A
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out.	N/A

Appendices:	N/A
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Committee:	Planning Committee
Date:	08 September 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Enforcement Quarterly Update

1.0	<p><u>Background</u></p> <ol style="list-style-type: none"> 1. The Council continues to operate its planning enforcement powers under delegated authority in accordance with the Council’s Enforcement Strategy (published on website). 2. It is stated at paragraph 15 of the Protocol for the Operation of the Planning Committee that Planning Officers will prepare a quarterly report on the progress of formal enforcement cases which will be circulated detailing the number of notices issued, and convictions obtained. <p><u>Key Issues</u></p> <ol style="list-style-type: none"> 1. The total number of live cases by category is presented to the Members in the attached Appendix for completeness and for understanding of the general scope and nature of the work officers are engaged in. 	
2.0	<p><u>Recommendation</u></p> <p>Members are asked to note the Planning Enforcement Update on its caseload attached.</p>	
3.0	<p><u>Equality/Good Relations and Rural Needs Impact Assessments</u></p>	
3.1	Has an equality and good relations screening been carried out?	No
3.2	<p>Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out</p> <p>This is a report updating the committee on its Planning Enforcement caseload and EQIA is not required.</p>	
3.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
3.4	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out.	

This is a report updating the committee on its Planning Enforcement caseload and RNIA is not required.

Appendices:

Appendix 10: Enforcement Update - Caseload

Planning Enforcement Update – Development Committee – 08th September 2025

Item Number	Title	Background and Key Issues
Development Committee		
1	Planning Enforcement Cases with Court proceedings	Whilst there are no cases with ongoing Court proceeding currently, 6no summons are with the Councils Solicitors awaiting service to bring planning breaches before the Courts.
2	Current Enforcement Caseload	<p>Current Planning Enforcement Live Case list: 300 cases</p> <p>Nature of Breach:</p> <ul style="list-style-type: none"> Unauthorised Advertisements: 21 cases Operational Development: 162 cases Breach of Condition: 51 cases Change of Use: 60 cases Demolition in Conservation Area: 1 case Unauthorised Works to Protected Trees: 4 cases Unauthorised Works to Listed Buildings: 1 case

		<p>Breach Priorities:</p> <p>Priority 1 cases: 6</p> <p>Priority 2 cases: 150</p> <p>Priority 3 cases: 28</p> <p>Priority 4 cases: 65</p> <p>Any other opened prior to portal going live on 04th Dec 2022: 51</p> <p>No of Notices issued this quarter: 6</p>