



November 25th, 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, 1st December 2025 at 10:00 am**, in the **Council Chamber and Remote Locations** for the transaction of business on the undernoted Agenda.

David Burns
Chief Executive

Agenda

1.0 Apologies

2.0 Declaration of Interests

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

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

📎 *Disclosure of Interests form Sept 24.pdf*

Page 1

3.0 Minutes of the Planning Committee Meeting held on 3 November, 2025

For Approval

📎 *PC 03.11.2025 - Draft Minutes for Adoption.pdf*

Page 3

4.0 Report from the Head of Planning and Capital Development

4.1 Schedule of Applications to be Determined:

For Decision

📎 *Item 1 - Schedule of Applications.pdf*

Page 12

- (i) LA05/2023/0344/F – Erection of discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works on Land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn

📎 *Appendix 1.1a DM Officers report LA05 2023 0344 F Lidl's Sprucefield - FINAL.pdf*

Page 15

📎 *Appendix 1.1b Discount Foodstore Sprucefield Lisburn - Retail Audit v1.pdf*

Page 64

- (ii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo

📎 *Appendix 1.2a December 25 Addendum LA05_2022_0831_F Land Adjacent to 112 Back Road 241125 CFR.pdf*

Page 84

📎 *Appendix 1.2b November 25 Addendum LA05_2022_0831_F Land Adjacent to 112 Back Road (1).pdf*

Page 88

📎 *Appendix 1.2c Report of Site Meeting January 25 LA05-2022-0831-F (1).pdf*

Page 93

📎 *Appendix 1.2d DM Officer Report Addendum February 25 - LA05 2022 0831.F - Back Road- Addendum - FINAL.pdf*

Page 95

	Appendix 1.2e DM Officer report - Addendum January 25 Back Road Final.pdf	Page 97
	Appendix 1.2f DM Officer Report LA05.2022.0831.F Back Road - Final.pdf	Page 99
(iii)	LA05/2024/0799/F – Farm building for livestock and farm machinery located 90 metres southwest of 135 Pond Park Road, Lisburn	
	Appendix 1.3a Addendum report Pond Park FINAL.pdf	Page 119
	Appendix 1.3b LA05_2024_0799_F 90m southwest of 135 Pond Park Road FINAL.pdf	Page 123
(iv)	LA05/2023/0377/F – Proposed social housing scheme comprising 20 apartments (mix of 18 2 bed and 2 1 bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, carparking, new site access and all associated site and access works on lands adjacent to 3-19 Moira Road, Lisburn.	
	Appendix 1.4 DM Officers Report LA05.2022.0377.F Moira Road - FINAL.pdf	Page 142
4.2	Statutory Performance Indicators – October 2025	
	<i>For Noting</i>	
	Item 2 - Statutory Performance Indicators - October 2025.pdf	Page 177
	Appendix 2 Lisburn_Castlereagh_October_Monthly_MI.pdf	Page 179
4.3	Appeal Decision – LA05/2023/0863/A	
	Item 3 - Appeal Decision -LA05 2023 0863A.pdf	Page 180
	Appendix 3 Appeal Decision LA05 2023 0863 A (1).pdf	Page 182
4.4	Notification by telecommunication operator(s) of intention to utilise permitted development rights.	
	Item 4 - Notifications from an Operator in respect of intention.pdf	Page 191
	Appendix 4 - List of Notifications - December 2025.pdf	Page 193
4.5	Pre-application Notice (PAN) for the refurbishment of existing Household Recycling Centre and Council Operations Depot. Upgrade of existing site entrance and construction of improved internal traffic flows with a new split level recycling centre, vehicle parking, shed and new staff office and welfare building at Carryduff Household Recycling Centre, Comber Road, Carryduff.	
	Item 5- LA05 2025 0794PAN.pdf	Page 194

	Appendix 5a - Report in relation to LA05 2025 0794PAN.pdf	Page 196
	Appendix 5b LA05 2025 0794PAN application form.pdf	Page 199
	Appendix 5c LA05 2025 0794PAN site location plan (1).pdf	Page 205
4.6	Consultation from DfI Planning on the review of Planning Fees.	
	Item 6 - Paper on Review of Planning Fees.pdf	Page 206
	Appendix 6 Consultation letter on Review of Planning Fees Public Consultation - 01.10.25.pdf	Page 210
4.7	Proposed change of dates to the Planning Committee Meetings.	
	Item 7 - Change of dates for Planning Committees.pdf	Page 212

5.0 Any Other Business

LISBURN & CASTLEREAGH CITY COUNCIL

1

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*

PC 03.11.2025

3

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 November, 2025 at 10.00 am

PRESENT IN CHAMBER:

Councillor G Thompson (Acting Chair)

Aldermen O Gawith and M Gregg

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

PRESENT IN REMOTE LOCATION:

Councillor D Bassett

IN ATTENDANCE:

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

Cleaver Fulton Rankin

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

Commencement of Meeting

In the absence of the Chair, Alderman J Tinsley, the Vice-Chair, Councillor G Thompson, took the chair and conducted the business on the agenda.

At the commencement of the meeting, the Acting Chair, Councillor G Thompson, welcomed those present to the Planning Committee. She 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 the Chair, Alderman J Tinsley.

2. Declarations of Interest

There were no declarations of interest.

PC 03.11.2025

4

3. Minutes of Meeting of Planning Committee held on 6 October, 2025

It was proposed by Councillor A Martin, seconded by Councillor P Catney and agreed that the minutes of the meeting of Committee held on 6 October, 2025 be confirmed and signed.

4. Report from the Head of Planning & Capital Development

4.1 Schedule of Applications

The Acting Chair, Councillor G Thompson, advised that there were 3 local applications on the schedule for consideration at the meeting.

4.1.1 Applications to be Determined

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

(i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee

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

The Committee received Mr I Mossman 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

At the discretion of the Acting Chair, Councillor G Thompson, the Head of Planning & Capital Development was permitted to address a number of Members' queries raised at the debate stage.

During debate:

- Councillor D J Craig stated that, reluctantly, he was in agreement with the advice of Officers. The decision hinged around the transfer of land in 2023. Having sought clarification as to whether the older business applied to the new business, the answer had been that it did not meet the criteria in COU10. Therefore, Councillor Craig was in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor N Trimble was in agreement with the advice of Officers. Having looked at Google Street View for 2023, around the time the land was transferred to the other farm holding, the site had been full of rubble and there was an old shed that had been dismantled. He did not consider this had been an active farm;

PC 03.11.2025

5

(i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee (Contd)

- Councillor P Catney stated that he was in support of the recommendation of the Planning Officer to refuse planning permission. The application did not meet the criteria of the farm business being established for at least 6 years;
- Alderman O Gawith referred to paragraph 52 of the Officer's report which quoted the Planning Appeals Commissioner's comments on a previous appeal that "...it could not possibly be part of an active and established farm business...". Alderman Gawith stated that the Commissioner did not say part of 'the' active farm. Members had been informed that the particular piece of land in the application being considered had come from one active and established business into another active and established business. At all times it was being farmed and was part of an established farm business. Members did not have details of the land in the appeal case. The Justification and Amplification in COU10 stated that permission would be granted for a dwelling where a rural business was artificially divided solely for the purpose of obtaining planning permission. Alderman Gawith did not believe that to be the case on this occasion. He stated that he could not support the recommendation of the Planning Officer to refuse planning permission. He did not consider he had enough information to make an accurate decision;
- Alderman M Gregg was in support of the recommendation of the Planning Officer to refuse planning permission. This recommendation gave weight to the judgement of the Planning Appeals Commissioner on a previous appeal and was fully in line with policy. If planning permission was granted for this application, a dangerous precedent would be set. Should a similar application come forward in 4 years' time, it would be considered on its own merits at that time; and
- Councillor N Trimble agreed that, if permission was granted, a precedent would be set for farmers to purchase an adjacent site and build on it on the basis that the site had been an active farm for 6 years. Councillor Trimble had difficulty believing that the site in question on this occasion was being actively farmed, given that the Justification and Amplification of COU10 stated that agricultural activity referred to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes or maintaining the land in good agricultural and environmental condition. He referred again to the 2023 Google Street View when the site appeared to be full of rubble. Councillor Trimble reiterated that he was in support of the recommendation of the Planning Officer to refuse planning permission.

Vote

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

In favour: Councillor D Bassett, S Burns, Councillor P Catney, Councillor D J Craig, Alderman M Gregg, Councillor J Lavery, Councillor A Martin, Acting Chair, Councillor G Thompson and Councillor N Trimble (9)

PC 03.11.2025

6

- (i) LA05/2023/0069/O – Dwelling, garage and associated site works adjacent to and west of 16 Magees Road, Aghalee (Contd)

Against: None (0)

Abstain: Alderman O Gawith (1)

Adjournment of Meeting

The Acting Chair, Councillor G Thompson, declared the meeting adjourned at this point for a comfort break (11.05 am).

Resumption of Meeting

The meeting was resumed at 11.15 am.

- (ii) LA05/2024/0799/F – Farm building for livestock and farm machinery located 90 metres southwest of 135 Pond Park Road, Lisburn

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

The Committee received Mr A McCreedy, accompanied by Mr R Belshaw, 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.

At this stage, it was proposed by Councillor N Trimble, seconded by Councillor D J Craig and agreed that this application be deferred for one month to allow the further information described by the applicant in their speaking note and in response to questions from the Members to be submitted.

- (iii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo

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

The Committee received Mr N Reid and Councillor U Mackin 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.

During questions to the Planning Officers, a query was raised in respect of the history of enforcement action. The Principal Planning Officer was asked to get the information from the file, so a comfort break was called at 12.41 pm. The meeting was resumed at 12.47 pm.

PC 03.11.2025

7

- (iii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo (Contd)

Debate

During debate:

- Alderman M Gregg stated that he was not in support of the recommendation of the Planning Officer to refuse planning permission and offered the following reasons:
 - (i) with the fulfilling of other criteria, COU1 would fall away;
 - (ii) in respect of COU12 (a), the applicant had demonstrated that the agricultural holding was active for more than 6 years;
 - (iii) in respect of COU12 (b), he considered that the size of the building was a requirement for the breeding of cattle and that this criteria was met with the evidence provided;
 - (iv) in respect of COU12 (c), he considered that the character and scale were necessary and were appropriate to the location;
 - (v) he considered COU12 (d) to be met as the building integrated into the local landscape in its current location;
 - (vi) COU15 (a) fell away in light of the detail given above;
 - (vii) he considered COU15 (c) and (e) to be met as the building did integrate into the landscape and was difficult to see from a number of locations;
 - (viii) in respect of COU15 (f), he considered the design was appropriate for the development of the herd and appropriate in its current location;
 - (ix) with COU12 and COU15 being met, COU16 (a), (b) and (e) were also met; the building was located with the property at 112 Back Road, was not prominent in the landscape and was situated in a hollow
- Alderman Gregg referred to the weight of evidence given to the agricultural use of the land and, with bulls having been in the field beforehand, he considered that to demonstrate that the farm holding had been in place for over 6 years;
- Councillor N Trimble concurred with Alderman M Gregg's comments. Mention had been made that the Justification and Amplification in COU12 referred back to COU10 regarding what was an established business. Having read the Justification and Amplification of COU10, Councillor Trimble quoted "the applicant will, therefore, be required to provide the farm's business ID supplied by DAERA along with other evidence to prove active farming over the required period". He then referred to Mr Reid having a receipt for the purchase of a bull. He considered that to be credible information to indicate that farming activity was established and that this application absolutely met the 6 year requirement. Councillor Trimble added that, should the application be refused and an appeal lodged with the PAC, by the time it was heard the application would have met the 6 year requirement, so there would be no merit to refuse it on those grounds. The shed was necessary by virtue of being used as it was full of cattle. In relation to the scale of the building and its location, Councillor Trimble stated that was sited as sympathetically as possible, as evidenced by the

(iii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo (Contd)

depression in the land. The applicant had built the shed without the benefit of planning permission; however, he had done so under the false assumption that it would be allowed under Permitted Development Rights. Councillor Trimble did not consider that reason enough to refuse the application. The applicant had created a good offering, was a good farmer and this was the sort of development that should be encouraged;

- Councillor D J Craig also concurred with the previous speakers. In respect of the building's visibility within the landscape, the site visit had been useful. Councillor Craig stated that, whilst walking along Back Road from both directions, it had been incredibly difficult to see the building as it was situated in a depression. He pointed out that the roof of the building only could be seen when turning into Back Road from the main road. The fact that the applicant had situated this building in the lowest possible part of his land indicated that he had tried to ensure it was as unobtrusive as possible. Councillor Craig pointed out that the applicant had been applying for his farm business ID when Covid19 had intervened and work in all Departments had dramatically slowed down the processing of applications. Councillor Craig reiterated comments made by Councillor Trimble in respect of this application being turned down and going to appeal. He was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith was in agreement with his colleagues. He pointed out that what had been witnessed at the site visit at this location had been a winter landscape and Members had struggled to see the building. At other times of the year, the building would be even less visible;
- Councillor P Catney stated that he was not in favour of retrospective planning applications; however, having listened to Mr Reid, heard the evidence, and with the passage of time, he was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor A Martin agreed with the previous speakers. In relation to the retrospective nature of the application, he stated that whilst he considered applications should be progressed in the correct order, this applicant was a good steward of the land. Farming families were important and should be encouraged. Councillor Martin was not in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor S Burns agreed with her colleagues and was not in support of the recommendation of the Planning Officer to refuse planning permission. Having attended the site visit, she stated that the building had little visual impact. She had had reservations about the business being in existence for 6 years; however, given the evidence provided at this meeting, she was confident that the 6 year requirement had been met;
- Councillor J Lavery, not having been a Member of the Planning Committee at the time, had not attended the site visit; however, based on the evidence presented he was in agreement with the comments made by his colleagues and was not in support of the recommendation of the Planning Officer to refuse planning permission. He added his disappointment that an

PC 03.11.2025

9

- (iii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo (Contd)

enforcement notice had first been notified in 2021 and it was now close to 2026. He considered that to be something that needed addressed going forward; and

- the Acting Chair, Councillor G Thompson, concurred with the previous speakers. Whilst she was not in favour of retrospective applications, but having listened to the evidence she was assured there were agricultural holdings being used from 2018. She was not in support of the recommendation of the Planning Officer to refuse planning permission.

Discussion took place following comments by the Head of Planning & Capital Development in respect of the need to engage with COU15 (b) and COU16 (b).

“In Committee”

At this stage, it was proposed by Alderman O Gawith, seconded by Councillor P Catney and agreed to go ‘into committee’ to consider this matter. Those members of the public in attendance left the meeting (1.21 pm).

Members were provided with legal advice in respect of the matters raised by the Head of Planning & Capital Development in response to the Members’ reasons for not accepting the recommendation of the Planning Officer to refuse planning permission.

Resumption of Normal Business

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed to come out of committee and normal business was resumed (2.21 pm).

Alderman M Gregg referred to his previous comments about various criteria having been met, with the exception of COU15 (b) and COU16 (b) and proposed that this application be deferred in order that further legal advice could be sought in respect of the application of these policies. This proposal was seconded by Councillor N Trimble and agreed unanimously.

Adjournment of Meeting

The Acting Chair, Councillor G Thompson, declared the meeting adjourned for lunch at this point (2.24 pm).

Resumption of Meeting

The meeting was resumed at 2.52 pm.

Councillors D Bassett and D J Craig did not return to the meeting after lunch.

PC 03.11.2025

10

4.2 Statutory Performance Indicators – September 2025

It was proposed by Alderman M Gregg, seconded by Alderman O Gawith and agreed that information relating to Statutory Performance Indicators for September 2025 be noted.

4.3 Quarter 1 Statistical Bulletin – April to June 2025

It was proposed by Alderman M Gregg, seconded by Councillor N Trimble and agreed that information relating to the Quarter 1 Statistical Bulletin be noted.

4.4 Appeal Decision – LA05/2022/1135/F

It was proposed by Alderman M Gregg, seconded by Councillor P Catney and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted. The Head of Planning & Capital Development addressed Members' comments regarding this appeal decision and Alderman O Gawith registered his disappointment on the outcome of the appeal decision.

4.5 Consultation from DfI on Sustainable Drainage Systems (SuDS) in New Housing Developments

It was proposed by Councillor P Catney, seconded by Alderman M Gregg and agreed that the content of report in respect of the above matter be noted and that a report would be presented to the November meeting of the Regeneration and Growth Committee to consider the draft response to the consultation in order that a submission could be made by the deadline of 19 December, 2025.

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

It was proposed by Alderman M Gregg, seconded by Councillor A Martin and agreed that information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at locations in the Council area be noted.

5. Any Other Business

There was no other business of a confidential nature. There was one item of confidential other business to be considered.

"In Committee"

It was proposed by Alderman M Gregg, seconded by Alderman O Gawith and agreed to go 'into committee' to consider this matter. Those members of the public in attendance left the meeting (3.07 pm).

PC 03.11.2025

11

5.1 Update on Recent Court Ruling

The Director of Regeneration and Growth provided Members with a verbal update on the outcome of a recent court case and advised that a further report on this matter would be presented to the Committee in due course.

Resumption of Normal Business

It was proposed by Councillor A Martin, seconded by Councillor P Catney and agreed to come out of committee and normal business was resumed (3.10 pm).

Conclusion of the Meeting

At the conclusion of the meeting, the Acting Chair, Councillor G Thompson, thanked those present for their attendance.

There being no further business, the meeting was terminated at 3.10 pm.

Chair/Mayor

Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Schedule of Planning Applications to be Determined
1.0	<u>Background</u> - The following applications have been made to the Council as the Local Planning Authority for determination. - 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. - 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. <u>Key Issues</u> - The applications are presented in accordance with the current scheme of delegation. There is one Major application and three Local. Two have been Called In (previously deferred) and one Exceptions apply. - LA05/2023/0344/F – Erection of discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works on Land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn Recommendation – Approval - LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo Recommendation – Refusal - LA05/2024/0799/F – Farm building for livestock and farm machinery located 90 metres southwest of 135 Pond Park Road, Lisburn Recommendation – Refusal - LA05/2023/0377/F – Proposed social housing scheme comprising 20 apartments (mix of 18 2 bed and 2 1 bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, carparking, new site access and all associated site and access works on lands adjacent to 3-19 Moira Road, Lisburn. Recommendation - Approval

2. The above referenced applications will be decided having regard to paragraphs 38 to 53 of the Protocol of the Operation of the Planning Committee.

Recommendation

For each application the Members are asked to make a decision having considered the detail of the Planning Officer's report, listen to any third-party representations, ask questions of the officers, take legal advice (if required) and engage in a debate of the issues.

3.0 Finance and Resource Implications

Decisions may be subject to:

- (a) Planning Appeal (where the recommendation is to refuse)
- (b) Judicial Review

Applicants have the right to appeal against a decision to refuse planning permission. Where the Council has been deemed to have acted unreasonably the applicant may apply for an award of costs against the Council. This must be made at the time of the appeal. The Protocol for the Operation of the Planning Committee provides options for how appeals should be resourced.

In all decisions there is the right for applicants and third parties to seek leave for Judicial Review. The Council will review on an on-going basis the financial and resource implications of processing applications.

4.0 Equality/Good Relations and Rural Needs Impact Assessments

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

Appendices:

Appendix 1.1a	LA05/2023/0344/F
Appendix 1.1ba	LA05/2023/0344/F – Retail Audit
Appendix 1.2a	LA05/2022/0831/F Addendum Report
Appendix 1.2b	LA05/2022/0831/F Planning Report 03/11/25
Appendix 1.2c	LA05/2022/0831/F Site Visit Report 21/01/25
Appendix 1.2d	LA05/2022/0831/F Planning Report 03/02/25
Appendix 1.2e	LA05/2022/0831/F Planning Report 06/01/25
Appendix 1.2e	LA05/2022/0831/F Planning Report 02/12/24
Appendix 1.3a	LA05/2024/0799/F
Appendix 1.3b	LA05/2024/0799/F Planning Report 03/11/25
Appendix 1.4	LA05/2023/0377/F

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	01 December 2025
Committee Interest	Major Application
Application Reference	LA05/2023/0344/F
Date of Application	05 April 2023
District Electoral Area	Downshire West
Proposal Description	Erection of discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works.
Location	Land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn.
Representations	Six
Case Officer	Gillian Milligan
Recommendation	Approval

Summary of Recommendation

1. This application is presented to the planning committee as it is categorised as major development in accordance with the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site area exceeds one-hectare, and the development is comprised of more than 1,000 square metres of retail floor space outside of a town centre.
2. It is presented with a recommendation to approve as the proposed development is considered to comply with Policy TC1 of the Plan Strategy as the site is sequentially preferable, and it has been demonstrated that there are no suitable sites within any centre within the retail hierarchy (Figure 5 Page 92 of Part 1 of the Lisburn and Castlereagh Plan Strategy), and the development will have no adverse impact on the vitality or viability of existing centres.
3. In addition, the proposal satisfies the tests of policies TRA1, TRA2, TRA3, TRA6, TRA7 and TRA8 of the Plan Strategy as the existing access arrangements to the public road are not altered, the environment is accessible, a sufficient level of car parking is provided and adequate servicing arrangements are made available.

4. The proposal complies with Policy FLD 3 as suitable drainage will be provided to serve the development to prevent flood risk and there is available capacity at the Waste-Water Treatment Works.
5. The proposal also satisfies the requirements of Policies NH2 and NH5 as it has been demonstrated that the proposal will not likely harm a European protected species or result in the unacceptable adverse impact on or damage to known priority habitats, species or features of natural heritage importance.
6. Renewable energy technologies will also be integrated into the design of the proposal with solar panels on the roof and two EV charging points in compliance with Policy RE2.

Description of Site and Surroundings

Site

7. The site is located at land 140 metres north of Unit 5 (Sainsbury's), Sprucefield Park, Lisburn. The land within is 2.5 hectares of grassland which is relatively flat.
8. It is accessed from the A1 at the junction with the M1 Sprucefield Roundabout or the M1/A1 link road via the internal road network within Sprucefield Park.
9. The northern and western boundaries of the site are defined by the access road to Sprucefield Park. There are also some ornamental trees along this boundary. The southern boundary is adjacent to the access road into Sainsbury's car park, and the eastern boundary is undefined as it is part of the larger grassland area.

Surroundings

10. The site is within Sprucefield Park with large retail warehouse type units occupied by Sainsbury's, B&M and B&Q to the south/ south-west of the site and to the north-east a group of restaurants including Slim's Chicken, Nando's, and a drive thru Starbucks. Beyond that is a Sainsbury's Petrol Station.
11. On the opposite side of Sprucefield roundabout is Sprucefield Centre with Marks and Spencer's, Next, Boots, Pets at Home and a drive thru McDonald's restaurant and associated parking.
12. The wider area is mixed-use in character with Lisburn City to the north-east and agricultural land to the south-east.

Proposed Development

13. The proposal is for the erection of a discount food store with solar panels on roof, provision of accesses, car parking, landscaping and associated site works.
14. The application was also supported by the following:
 - Design and Access Statement
 - Pre-application Community Consultation Report
 - Archaeological Programme of Works
 - Biodiversity checklist, Preliminary Ecological Appraisal and additional Ecological Information
 - Flood Risk and Drainage Assessment
 - Noise and Air Quality letter
 - Preliminary Risk Assessment and Generic Quantitative Risk Assessment
 - Retail Impact, Need and Sequential Assessment
 - Service Management Plan
 - Transport Assessment Form
 - Travel Plan Framework

Relevant Planning History

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

Reference Number	Description	Location	Decision
S/1998/0618/O	Comprehensive mixed development (to include retail food-store, retail warehousing, commercial leisure, vehicle showrooms and associated uses) together with Link Rd between A1 and M1, associated junctions, civil engineering and landscape works.	Land at Sprucefield, bounded by and including A1 and M1 motorway.	Permission Granted 22/03/2001
S/2001/1423/RM	Erection of Food Superstore, Four No. Retail Warehousing Units, D I Y Store, Builders Yard and Garden Centre, Petrol Filling Station, Associated Landscaping and Ancillary Infrastructure	Land at Sprucefield, Lisburn, Bounded by the A1 Hillsborough Road and the M1 Motorway	Permission Granted 11/07/2002
S/2001/1584/RM	Construction of link road between A1 and M1, slip roads and Dumbbell Roundabout, new roundabout on A1, associated improvements to sprucefield junction, civil engineering and ancillary works	Land at Sprucefield, Lisburn, bounded by the A1 Hillsborough Road and the M1 motorway	Permission Granted 11/07/2002
S/2003/0689/F	Construction of petrol filling station kiosk without complying with condition 09(i) of planning permission S/1998/0618/O and condition 03(e) of planning permission S/2001/1423/RM, revised site layout, alterations to canopy & provision of additional car parking	Land at Sprucefield, bounded by the A1 Hillsborough Road & M1 Motorway	Permission Granted 13/08/2003

S/2008/0893/F	Erection of phase 2 of Sprucefield Park comprising 49,434 sqm gross external floorspace for retail use and 1,589sqm for restaurant use together with associated car parking, ancillary infrastructure (including Eglantine Road link), landscaping and associated site works	Sprucefield Park, Land west of A1 Hillsborough Road, south of M1 motorway and north of A101 Link, Sprucefield Regional Shopping Centre, Lisburn	Permission Refused 05/02/2009
LA05/20218/1061/O	Erection of new buildings for retail use (Class A1) and restaurant and hotel uses (Both Sui Generis). Alteration of existing vehicular access and egress arrangements. Reconfiguration of existing, and provision of new internal vehicle, pedestrian and cycle routes, Landscaping and Public Realm. Reconfiguration of public and staff car parking area, servicing arrangements and other ancillary works and operations	Sprucefield Park Lisburn BT27 5UQ	Withdrawn
LA05/2022/0858/F	Proposed development of 2no. drive-thru restaurant/cafes and 1no. restaurant pod, new site access, parking, landscaping and all other associated site works	Lands 30m south east of Sainsbury's Filling Station, Sprucefield Retail Park, Lisburn	Permission Granted 22/05/2023

Consultations

16. The following consultations were carried out:

Consultee	Response
DfI Roads	No objection
Environmental Health Unit LCCC	No objection
NI Water	No objection
NIEA Water Management Unit	No objection
NIEA Natural Environment Division	No objection
NIEA Regulation Unit	No objection
DfI Rivers	No objection
Historic Environment Division	No objection

Representations

17. Six letters of objection have been received to the proposal. The following issues are raised:

- Impact on protected Bee Orchids and birds present at Sprucefield
- Landscape and ecology impact unacceptable
- Inflexible approach to sequential sites
- 'List of perfection' for this Lidl store which is not included in the Hi Park store in Belfast City centre – flexibility applied to this store
- Out of centre - least sequentially preferable site
- Bow Street Mall is a sequentially preferable city centre site which is suitable, available and viable
- Laganbank car park is large enough to accommodate development if flexibility allowed
- 99 Kingsway and Maldon Street have not been included
- Impact on future vitality and viability of city and surrounding centres
- Cumulative impact with proposed and approved development in the area will draw trade away from City Centre
- Contrary to the SPPS to secure town centres first approach and sequential test needed
- No need for another food store
- Request Council obtains independent advice on the methodology and results of the Retail Impact Assessment (RIA)
- Concerns with the restrictive catchment area in the RIA and only inclusion of existing Lidl food stores rather than all convenience operators – if study area is extended to reflect an actual 15minute drive then inflow should be reduced to no more than 5%

- Out of date household survey from 2017
- Commissioner recommended Policy SMU03 in the draft plan strategy was removed – renders Council incapable of being the decision taker on planning applications at Sprucefield
- Underestimated turnover therefore this store will have a greater impact than estimated
- Underestimated trade diversion from Greens and Iceland in the city centre
- DfI Roads has not considered cumulative impact of all current applications at Sprucefield

18. These issues are considered in more detail as part of the assessment below.

Environmental Impact Assessment (EIA)

19. As the site area exceeds the threshold set out in Section 10 (b) of Schedule 2, of the Planning Environmental Impact Assessment (NI) Regulations 2015 the need for environmental impact assessment is considered.
20. An EIA screening was carried out, and it was determined that the nature and scale of the proposed development was unlikely to result in any significant adverse environmental impact. As such, an Environmental Statement was not required to inform the assessment of the application.

Pre-Application Community Consultation

21. The application exceeds the threshold for major developments as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015 in that the site is more than one hectare in size, and the development is comprised of more than 1,000 square metres of retail floorspace outside of a town centre.
22. In accordance with Section 29 of the Planning Act (Northern Ireland) 2011, a Pre-Application Community Consultation (PACC) report was submitted with the application.
23. The public event was held at the Premier Inn, 136-144 Hillsborough Road, Lisburn on Tuesday 15 November 2022 between 6:30pm-9:00pm. Preliminary drawings of the proposal were on display, and the public had an opportunity to view them, discuss the proposal with members of the project team and provide feedback.
24. A notice was published in the Ulster Star on Friday 4 November 2022 with details of the public event.

25. A website was provided for 4 weeks with preliminary drawings, information about the proposal and how to seek further information or provide comments. A list of elected members were sent an email with preliminary drawings and information.
26. Only two responses were received, one which welcomes the investment and seems appropriate in the context of the site and the other had concerns with the Moira Road store closing.
27. The format and content of the Pre-Application Community Consultation report is in accordance with the Practice Note published by DfI Planning. The report concludes that based on the comments made during the consultation that no changes were necessary to the proposed development.

Local Development Plan

Local Development Plan

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

Plan Strategy 2032

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

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

The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.

BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.

30. In accordance with the transitional arrangements, the Plan Strategy and the Lisburn Area Plan 2001 (LAP) are the statutory development plan. However, draft Belfast Metropolitan Area Plan 2015 (draft BMAP) remains a material consideration.
31. In the LAP the application site is identified outside the settlement development limit of Lisburn within the greenbelt.
32. Within draft BMAP the application site is designated within the settlement development limit of Lisburn and the Sprucefield Regional Centre (LC16).
33. Following the Public Inquiry into draft BMAP there were no objections to the Sprucefield Regional Shopping Centre being included within the settlement development limit of Lisburn.
34. The Public Inquiry into draft BMAP commented at paragraph 6.4.6 that:

the role and function of different centres within the retail hierarchy or of different centres within the same level in the hierarchy is a matter for regional policy.
35. The inquiry report also stated at paragraph 6.4.6 that:

the bulky goods restriction related to a fundamental characteristic of the centre to which there is no reference in either PPS5 or draft PPS5.
36. The view was expressed that such a restriction on the type of retailing to be permitted in one of three Regional Shopping Centres is clearly a regional matter and should have been made explicit in regional policy.
37. The report commented that:

in the absence of any such reference in regional policy, the restrictions now imposed through BMAP would have the effect of fundamentally changing the nature of the designation and are not appropriate for introduction through the development plan process.
38. The PAC report acknowledged at paragraph 6.4.7 that:

there was no doubt that Sprucefield was not trading at regional centre level.
39. It concluded at paragraph 6.4.8 that:

the plan should be focussed on the position of the centre in the retail hierarchy and that the introduction of the floorspace restriction proposed in the light of no discernible demand would not enhance the centre nor allow it to fulfil its potential.

40. The PAC considered the Department should decide at a regional level what the future status and role of Sprucefield should be and devise clear unambiguous policy to enable it to fulfil that role.
41. It is noteworthy that the PAC recommended that Policy R4 and element four of the Retail Strategy (expansion of Sprucefield Regional Shopping Centre for bulky comparison goods only) should be deleted from the plan.
42. It is noted that the SPPS published in September 2015 did not address the issues identified by the PAC as to what the future status and role of Sprucefield should be nor has it provided clear unambiguous policy to enable it to fulfil that role.
43. The final draft of BMAP in 2014 retained the Sprucefield Regional Shopping Centre within the settlement development of Lisburn and confirmed the extent of the LC16 designation.
44. The Lisburn Area Plan does not include any specific policy on Sprucefield, and the regional policies relied upon within the context of PPS 5 were cancelled in their entirety following the publication of the SPPS. The Department for infrastructure has not brought forward any regional policy in the intervening period.
45. Whilst significant material weight is attached to the inclusion of Sprucefield Retail Park within the settlement development limit of Lisburn for the reasons set out in the preceding paragraphs no weight is attached to the LC16 designation retained in the last revision of draft BMAP given the scope and nature of the PAC objection.
46. It should be noted that the Department for Infrastructure issued its direction that allowed the Council to officially adopt the Plan Strategy, with modifications. Modifications 22-28 direct the deletion of the strategic mixed-use policy and designation SMU03 Sprucefield Regional Shopping Centre and any additional references to such within the Plan Strategy.
47. The Department further indicated that it intended to direct the Council (under Section 14 of the Planning Act (Northern Ireland) 2011) to prepare a revision to the adopted Plan Strategy to provide new strategic and operational policy for Sprucefield Regional Shopping Centre.
48. Whilst the Council is engaged in a process of gathering evidence no revised policy has been drafted and published. Consultation remains on-going with the Department of Infrastructure in respect of the Section 14 direction.
49. The status of Sprucefield in the Regional Development Strategy is unchanged. It remains the only regional out of town shopping centre in Northern Ireland. However, there is no strategic designation or policy for Sprucefield in the Local Development Plan for the reasons explained above.

50. The proposal therefore falls to be assessed against the policies for the new retail development in settlements as set out in Part 1 and 2 of the Plan Strategy.
51. This proposal is for a discount food store within an existing retail park within the settlement limit of Lisburn. The following strategic policies in Part 1 of the Plan Strategy apply.
52. 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; promoting balanced economic growth; protecting and enhancing the historic and natural environment; mitigating and adapting to climate change and supporting sustainable infrastructure.

The Plan Strategy seeks to support the provision of jobs, services, and economic growth; and delivery of homes to meet the full range of housing needs integrated with sustainable infrastructure (physical and digital) whilst recognising the balance to be achieved in protecting environmental assets.

53. 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.

54. Strategic Policy 14 Town Centres, Retailing and Other Uses states:

The Plan will support development proposals that:

- a) promote town centres, retailing and other uses within the City and town centres to enhance their vitality and viability in accordance with their role and function in the retail hierarchy*
- b) support the role of District and Local Centres.*

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

The Plan will support development proposals that protect and enhance the Conservation Areas, Areas of Townscape Character and Areas of Village Character and 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

and promote the highest quality of design for any new development affecting our historic environment.

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

Town Centres, Retailing and Other Uses

57. The proposal is for a discount food store within the settlement limit of Lisburn. Policy TC1 Town Centres, Retailing and Other Uses states:

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

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

Justification and Amplification

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

The provision of a sequential approach enables a range of retailing opportunities appropriate to the needs of the community. The sequential approach will help ensure that consideration is first given to the primary retail core and retail frontage, followed by city and town centres to encourage viability and vitality. Preference will then be given to an edge of centre location before considering an out of centre location.

Proposals for retail or town centre type developments above a threshold of 1,000 square metres gross external area which are not proposed in a town centre location or in accordance with the Local Development Plan will be required to undertake a Retail Impact Assessment and/or an assessment of need. This includes proposed extensions to existing premises which would result in the overall development exceeding 1,000 square metres gross external area

Access and Transport

58. The proposal will create two new vehicular accesses onto the internal service road within Sprucefield Retail Park. Policy TRA1 - Creating an Accessible Environment states that:

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

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

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

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

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

59. The existing internal service road will access onto a public road which is a protected route. Policy TRA2 access to public roads states:

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

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

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

60. The site connects to the public road network at Sprucefield Roundabout and at the A1/M1 Link Road which is a protected route. Policy TRA3 access to Protected Routes states:

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

Motorways and High Standard Dual Carriageways – All locations

Planning permission will not be granted for development proposals involving direct access. An exception may be considered in the case of motorway service areas.

Other Dual Carriageways, Ring Roads, Through-Passes and By Passes – All locations

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

61. A Transport Assessment was submitted as part of the proposal. Policy TRA6 states:

In order to evaluate the transport implications of a development proposal the Council will, where appropriate, require developers to submit a Transport Assessment

Justification and Amplification

Transport Assessment applies to all forms of development with a significant travel generation impact. A primary aim of the Transport Assessment is to assess accessibility by sustainable modes and to develop measures to maximise use of sustainable modes; only subsequently should the residual traffic be assessed and its impacts ameliorated.

62. The proposed development will require car parking and need to be serviced. Policy TRA7 – Car Parking and Servicing Arrangements in New Development 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. Proposals should not prejudice road safety or significantly inconvenience the flow of vehicles.

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

- a) where, through a Transport Assessment or accompanying Travel Plan, it forms part of a package of measures to promote alternative transport modes*
- b) where the development is in a highly accessible location well served by public transport*
- c) where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking*
- d) where shared car parking is a viable option*

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

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

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

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

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

63. A Travel Plan was submitted as part of the proposal. Policy TRA8 Active Travel Networks and Infrastructure Provision states:

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

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

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

Flooding

64. The proposal includes a large area of hardstanding that exceeds the thresholds set out in Policy FLD3 and a Flood Risk and Drainage Assessment were submitted. 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 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 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.

Natural Heritage

65. The proposal includes the development of grass and marshy land and therefore has the potential to impact upon protected and priority species and habitats or features of natural heritage importance. Policy NH2 Species Protected by Law states:

European Protected Species

Planning permission will only be granted for a development proposal that is not likely to harm a European protected species. In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:

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

National Protected Species

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

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

Justification and Amplification

It is a criminal offence to harm a statutorily protected species. The presence or potential presence of a legally protected species is an important consideration in decision-making. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish whether it is present, the requirements of the species must be factored into the planning and design of the development, and any likely impact on the species must be fully considered prior to any determination.

European protected species are listed under Annex IV of the Habitats Directive (transposed under Schedule 2 of the Habitats Regulations) and must be subject to a system of strict protection. Other national protected species are listed under the Wildlife Order under Schedules (1), (5) & (8). It is recommended that all development proposals be accompanied by a Biodiversity checklist, further details of which can be obtained at www.daera-ni.gov.uk.

The granting of planning permission does not obviate the holder of ensuring legal compliance with other legislative requirements.

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

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

- a) priority habitats*
 - b) priority species*
 - c) active peatland*
 - d) ancient and long-established woodland*
 - e) features of earth science conservation importance*
 - f) features of the landscape which are of major importance for wild flora and fauna*
 - g) rare or threatened native species*
 - h) wetlands (includes river corridors)*
 - i) other natural heritage features worthy of protection including trees and woodland.*
- A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.*

Historic Environment

66. The application site is in close proximity to the route of the Lagan Canal and is adjacent to elements associated with Long Kesh airfield (DHP 0071). The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential. Policy HE4 Archaeological Mitigation states:

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.

Renewable Energy

67. The proposal includes solar panels and EV parking spaces. Policy RE2 Integrated Renewable Energy states:

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

Regional Policy and Guidance

Regional Policy

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

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

69. 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.

70. The proposal is for retail use. The SPPS at paragraph 6.270 states:

The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS.

71. Paragraph 6.271 confirms that:

The regional strategic objectives for town centres and retailing are to secure a town centres first approach for the location of future retailing and other main town centre uses.

72. Para 6.280 of the SPPS states that:

A sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to date LDP.

73. Paragraph 6.281 states that:

Planning authorities will require applications for main town centre uses to be considered in the following order of preference (and consider all of the proposal's catchment):

- *primary retail core.*
- *town centres.*
- *edge of centre; and*
- *out of centre locations, only where sites are accessible by a choice of good public transport modes.*

74. Paragraphs 6.282 and 6.283 state:

In the absence of a current and up-to-date LDP, councils should require applicants to prepare an assessment of need which is proportionate to support their application. This may incorporate a quantitative and qualitative assessment of need taking account of the sustainably and objectively assessed needs of the local town and take account of committed development proposals and allocated sites.

All applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location and are not in accordance with the LDP should be required to undertake a full assessment of retail impact as well as need.

75. Paragraph 6.289 state:

Flexibility may be adopted in seeking to accommodate developments onto sites with a constrained development footprint. For example, through use of creative and innovative design schemes, including multi-level schemes, or smaller more efficient trading floors/servicing arrangements. Applicants will be expected to identify and fully demonstrate why alternative sites are not suitable, available and viable.

76. Paragraph 6.290 states:

Factors to be addressed in a retail impact and assessment of need include:

- *the impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal.*
- *the impact of the proposal on existing committed and planned public and private sector investment and investor confidence in the town centre/s.*
- *the impact of the proposals on the delivery of the planned/allocated sites and the LDP strategy.*
- *the impact on the vitality and viability of existing centres including consideration of the local context. This should take into account existing retail mix and the diversity of other facilities and activities.*

- *Cumulative impact taking account of committed and planned development, including plan commitments within the town centre and wider area; and,*
- *a review of local economic impacts.*

77. Paragraph 6.291 states:

Where an impact on one or more of these criteria is considered significantly adverse or where in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it should be refused.

Retained Regional Guidance

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

Parking Standards

79. This document published by the Department for Infrastructure sets out the parking standards that the Council will have regard to in assessing proposals for new development. The standards should be read in conjunction with the relevant policies contained in the Plan Strategy. For Class A1 (food) retail, one space should be provided per 14sqm of Gross Floor Area (GFA).

Assessment

Town Centres, Retailing and Other Uses

80. As previously outlined this proposal is for the erection of a discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works at Sprucefield Retail Park.
81. Sprucefield is not included within the retail hierarchy in Part 1 of the Plan Strategy 2032. Policy TC1 in Part 2 of the Plan Strategy 2032 has been prepared having regard to the requirements of the SPPS and is the applicable policy.
82. Policy TC1 of the Plan Strategy states that a sequential approach will be adopted for planning applications for retail and other city/town centre uses and that the provision of a sequential approach enables a range of retailing opportunities to be developed at locations appropriate to the needs of the community.

83. Within Policy TC1 the most sequentially preferable site is a primary retail core/retail frontage (where designated) then a city or town centre, then edge of city or town centres before considering out of centre locations where sites are accessible by a choice of good public transport.
84. The site is not within Lisburn town centre. For a site to be considered as edge-of-centre a default distance threshold of 300 metres from the city/town centre boundary will apply. In this instance, the application site is located over 1.5 kilometres from Lisburn City Centre and is therefore considered as an out of centre location.
85. The site is considered to benefit from good public transport links. There are two bus stops within 400m walking distance of the site. Ulsterbus No. 26b that travels between Lisburn, Ballynahinch and Newcastle and No. 325g – Lisburn City Service, Hillsborough and Kilwarlin Way.
86. A Retail Impact, Need and Sequential Assessment (RINSA) was submitted as part of the application which sets out why this site is sequentially preferable.
87. The applicant sets out in the sequential assessment the case law of Tesco Stores Ltd v Dundee City Council [2012] UKSC 13 and explains that ‘suitability means suitable for the proposal, “not some alternative scheme which might be suggested by the planning authority”.
88. They also suggest that in this case, such policy is designed “*for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so.*”
89. The applicant further details in their sequential assessment that in ‘*considering alternative sites regard should be had to the components of the development proposed which are as follows:*
 - *Discount food store with gross floor area of 2,471sqm.*
 - *Net sales area of 1,652sqm.*
 - *Open and rectangular sales floor measuring 64m x 25m.*
 - *Site 1.1 hectares in area with 167 free surface level parking spaces.*
 - *Relatively flat site (so that customers are able to push heavy trolleys to their cars);*
 - *Direct access from store to car park (not via a shopping mall).*
 - *Easy access to main road network.*
 - *Low maintenance costs; Site serviceable by 16.5m HGV with ability to provide sufficient manoeuvring room for dock leveller and to exit site in forward gear.*
 - *Affordable site acquisition and build costs.’*

90. Lisburn City Centre was the first location searched for suitable sites; however no sites were found that are suitable, available and viable.
91. Within Lisburn City Centre Jordan's Mill car park was considered as it was identified in draft BMAP as a development opportunity site to include retail and commercial premises and a multi-storey car park. The site was only 0.5ha and therefore discounted as it was not large enough to accommodate this proposal which has a land requirement of 1.1ha. The sequential assessment also detailed that there was no indication that this site was available.
92. The Post Office site at Linenhall Street was discounted on size as it was only 0.7ha, there was no indication that this site is available, and the majority of the site was in operation as a delivery Office Depot.
93. A site on Market Place was considered as it was identified as a development opportunity in draft BMAP (zoning LC47). However, most of the site was already developed with only a vacant unit remaining which was only c.387sqm and therefore too small to accommodate the proposal (which is 2471sqm).
94. Laganbank car park at Laganbank Road/Linenhall Street was considered as it was part of a development opportunity site in draft BMAP. The site is currently in use as a car park and was discounted as it was too small at 0.85ha and well used serving the needs of visitors to the city centre. Any redevelopment proposal would need to provide a similar level of parking. It was also highlighted by the applicant that the Lisburn City Centre Masterplan 2019-2023 and Laganbank Quarter Comprehensive Development Scheme 2015 identified the site as a development opportunity for a housing-led or mixed-use redevelopment.
95. A 0.5ha surface level car park at Linenhall Street was considered as the site was identified as a development opportunity in draft BMAP (zoning LC50) however the site is mostly developed, too small to accommodate the proposed development and there was also no indication that it is available.
96. Another site was considered at Riverside Centre, Young Street as the site was identified as a development opportunity in draft BMAP (zoning LC52). However, it was 2.9ha and only c.0.57ha of this zoning remained undeveloped and c.0.2ha was located within the floodplain. Therefore, the undeveloped part of the zoning was too small to accommodate the proposal and there was also no indication that it was available.
97. Laganbank Retail Park, Laganbank Road was considered as the site was identified as a development opportunity in draft BMAP (zoning LC53) however the site was mostly developed and was not available.
98. Land between Castle Street and Wallace Avenue which is a 2.5ha site was considered as the site was identified as a development opportunity in draft

BMAP (zoning LC56) however the site was mostly developed with only an area of 0.2ha available adjacent to Seymour Street but this too small for the proposal and no evidence that the site was available.

99. The applicant also conducted searches on the edge of Lisburn City Centre but again none were suitable, available or viable.
100. The sequential assessment submitted as part of the proposal also detailed that Dromore and Dunmurry are other centres within the study area that were considered. However, these were considered as unsuitable locations as their catchments would be materially different and there were no suitable, available or viable sites within these centres or on the edge of the centres.
101. The RINSA was carried out prior to the adoption of the Plan Strategy 2032 and details that Hillsborough and Moira did not have designated town centres under current planning policy at that time. However, the applicant noted that it is intended to propose town centre boundaries for both towns in the Local Policies Plan. It should be noted that town centres are included within the Retail Hierarchy for Hillsborough and Moira in the adopted Plan Strategy 2032 and there is operational policy for their town centres within Part 2 of the Plan Strategy, but the Local Policies Plan is not published and there are no boundaries for these emerging designations yet.
102. The applicant included a search in the RINSA for sites within both settlements based on boundaries established as part of an evidence base for the retail capacity study which informed the Plan Strategy but found that there are no suitable sites.
103. Additional information was submitted by the applicant in October 2024 following receipt of third-party objections to the sites included in the RINSA as it did not include any flexibility to reduce the site area of the proposed site as detailed in paragraph 6.289 of the SPPS. This information demonstrated that the applicant had considered a reduction of 10% of the site area to provide flexibility which would include sites from 0.84 hectares and the assessment considers smaller sites for robustness. The additional information all included further assessment of potentially suitable sites that objectors had highlighted and were not included in the original RINSA.
104. Bow Street Mall which is located within the primary retail core was considered and it was concluded that there are number of vacant units within the mall however none are suitable for the proposed development.
105. Unit B29 was a former Tesco store, however it was discounted as it is 221sqm smaller than the proposal, it is centrally located and accessed from within the mall, it had no visual presence from the road network and was not located close to car parking to carry out or push a trolley of weekly food shopping.

Customers would need to use lifts or stairs. It was further considered that due to this, customers would choose to shop at stores with better accessibility.

106. Units 12 and 14 were also considered but discounted as they are 54% and 32% smaller than the proposal's floor area of 2471 sqm. Again, the car parking is not suitable.
107. Further consideration of the Laganbank Car Park site is also included within the additional submission dated October 2024. Details are provided of the Council's design brief for the site which included the statement '*The Council therefore strive to attract a large-scale high-quality landmark building on a key gateway corner site with diverse development*'. It was considered that this type of development would be at odds with the Council's aims for the development of the site.
108. Also, an analysis was provided highlighting that the levels would need to be raised by 6 metres across the site to allow level access to the building and car parking to push trolleys etc would also require a large retaining wall and result in '*an overbearing structure with no active frontage which would have a significant adverse impact on the street scene and would be unacceptable in urban design terms.*'
109. It is noted in the submission dated October 2024 that even allowing for a 10% reduction in floorspace for the proposal to comply with the flexibility point raised in paragraph 6.289 of the SPPS, this site would not provide sufficient parking for a retail store and would also result in the loss of the 238 spaces in the existing car park which are currently available for other town centre uses.
110. A site at 99 Kingsway, Dunmurry was also considered and was discounted as it would be contrary to policy and not a sequentially preferable site as it is outside of the local centre at Dunmurry (as designated in draft BMAP).
111. A site at Maldron Street, Belfast was also discounted as it is outside the catchment of the proposal at 9.3 metres away and is outside of the district centre at the Park Centre Belfast and not a sequentially preferable site under the SPPS or Plan strategy.
112. The submission dated October 2024 detailed that since the original RINSA was prepared other sites have been marketed in Lisburn. A list of sites was included but all are too small to accommodate the proposed development (even applying flexibility) as they were between 0.65ha to 0.23ha in size.
113. An external retail consultant Nexus was commissioned to provide expert advice on the acceptability of the Retail Impact, Need and Sequential Assessment (RINSA).
114. Nexus commented that with regard to the sequential approach that:

'the applicant is right to equate these aspects to legal cases such as Dundee and the requirement for sequential sites to be those which are suitable for the development proposed, rather than the development to be retro-fitted to suit particular sites.'

115. Nexus also advised of the need to examine options of flexibility as required by paragraph 6.289 of the SPPS and that the 1.1-hectare site detailed in the RINSA could be compressed by removing vacant land and access roads.
116. Having examined the approach taken by the applicant Nexus was on balance content that sites at 0.8ha were an appropriate minimum size for the proposal and noted that the applicant had considered sites smaller than this in the RINSA and revised submission in October 2024.
117. Nexus provided comments on the relevant sites assessed as part of the applicant's submission and their comments are appended to this report.
118. With regards to Bow Street Mall, Nexus carried out its own survey and noted that in relation to Unit B29 it is still vacant. They disagreed with the applicant's argument that the floorspace of this unit is too small for the proposal as it is only c.10% smaller which is within the realms of flexibility prescribed within the SPPS. They did however agree with the applicant that, although there is plentiful availability of parking spaces in the multi-storey car park this proposal for a food store would predominantly include trolley shopping and it would be difficult to create similar levels of accessibility when compared to the proposed site given the walking distance to parking and the stair/lift access requirements at the Mall. Nexus further commented that similar food store proposals in malls elsewhere *'are often adjacent to the car park with surface level access and/or a traveller to access any upper level parking. This does not readily seem to be able to be accommodated with regard to unit B29 and so whilst we consider the unit to be available and likely viable, we do not consider it to be suitable.'*
119. With regards to Unit 12 in Bow Street Mall Nexus pointed to some of the same issues as above and that the size of the unit at 1672sqm would be below the reasonable range of flexibility at 68% the size of the proposal.
120. Nexus also considered the site at Laganbank Car Park in Lisburn. Again, it discounts the applicant's argument that the site at 0.85ha is too small given the flexibility requirement in the SPPS. It also discounts the applicant's argument that due to site levels etc. the design of a food store with decked parking on this site would require large retaining walls which would have an adverse impact on urban design and comments that *'there are ways to dress retaining walls which might assist with reducing their impact. Lidl has shown the ability to create attractive environments as part of levels changes with introduction of their recently opened store in Carryduff.'*

121. Nexus further commented that notwithstanding the above, it discussed the site with the other Departments in the Council who had directed that the site is for mixed-used, led by residential development and Nexus is therefore content that while this site could accommodate a food store that this proposal would be unsuitable as it would not match the Council's wider regeneration aspirations for the site.
122. Nexus also considered 99 Kingsway Dunmurry as it is potentially available and subject to a previous pre-application enquiry for mixed use development including a supermarket and notes that the applicant has detailed that this site is an edge of centre site to a local centre and local centres are excluded from consideration of the sequential test within the SPPS. Nexus commented that it has reviewed the local policy for retailing within Belfast City Council's Plan Strategy and noted that scale, needs and impact tests are prescribed for local centres, but the sequential test is not.
123. With regards to the other sites in Lisburn that are included within the applicant's submissions Nexus was content that each of those sites is too small to accommodate this proposal.
124. Based on a review of all the information provided by the applicant, objectors and having regards to the independent advice provided by Nexus, officers are content that it has been satisfactorily demonstrated that there are no other available, viable or suitable sites within the catchment area of this proposal and that this site within an out of centre location is sequentially preferable in accordance with Policy TC1 of the Plan Strategy.
125. Within the justification and amplification of Policy TC1 it states that town centre type developments above a threshold of 1,000 square metres of gross external area which are not proposed within a town centre location or in accordance with the LDP will be required to undertake a retail impact assessment and/or an assessment of need.
126. The new retail unit will have a gross internal floor area of 2,471m² and 1,652m² net sales of which 80% (1,322m²) would be for the sale of convenience goods and 20% (330m²) would be for the sale of comparison goods.
127. A retail impact and need assessment (RINSA) was included as part of the application.
128. While not explicit within policy in the Plan Strategy 2032, the SPPS at paragraph 6.290 details what should be included within a Retail impact Assessment and this proposal will be considered against the criteria listed in that paragraph.
129. Within the RINSA the applicant stated that:

'in defining the catchment area of the proposal there is no policy or guidance, and it is a matter of judgement which involves having regard to a number of factors including the size and type of store proposed and the proximity of similar stores.'

130. The RINSA goes on to refer to an appeal for a Lidl's store at Bentrin Road in Lisburn in which the Commissioner agreed a 10-minute drive was appropriate.
131. The RINSA proposed that having regard to its size and location a 15-minute drive was more appropriate in this case given the proposed store is twice the size of that approved at Bentrin Road and the location of other Lidl stores located at Ballynahinch, Banbridge and Lurgan.
132. It does suggest an exception to this of less than 15 minutes for the catchment to the north-west of Belfast due to the existing eight Lidl stores in Belfast including stores at Stewartstown Road and Andersonstown Road.
133. The RINSA also detailed that protected retail centres within the study area are Lisburn City Centre, Dromore Town Centre (within the Armagh City, Banbridge And Craigavon District) and Dunmurry Local Centre (within Belfast City Council area). Other settlements within it included Culcavy, Hillsborough, Moira, Annahilt, Ravanet, Drumbo and Maghaberry.
134. With regards to retail impact, the RINSA set out at tables 9 and 10 the estimate of trade diversions from convenience and comparison stores towards the proposal's impact on these stores. It estimated that the largest convenience trade diversions will be from Sainsburys and M&S at Sprucefield, which are the closest food stores to the site, given that shoppers may choose Lidl for its lower prices. The next largest convenience diversions would be from the Lidl stores at Moira Rd and Bentrin Road and from the Tesco store at Bentrin Road.
135. The RINSA set out that the largest impact on convenience trade diversion within the catchment area would be on Lidl's existing stores at Moira Road (15.6%) and Bentrin Road (13.1%). The estimated impact on the convenience element of other shops in the study area were:
 - Sainsburys, Sprucefield – 4.9%
 - M&S, Sprucefield – 5.9%
 - B&M, Sprucefield – 4.9%
 - Eurospar, Laganvalley – 3.6%
 - Centra, Culcavy – 3.6%
 - Tesco, Bentrin Rd – 1.6%
 - Greens Food Fare, Bow St – 1.5%

136. As a result, the RINSA estimated that the

'Impact on the convenience function of Lisburn City Centre will be less than 1%. Dunmurry Local Centre and Dromore Town Centre have no similar shops to the proposal, and this combined with their distance from the site means they are unlikely to experience any impact.'

137. In relation to impact on comparison goods the RINSA detailed that Lidl is not a comparison goods destination given that comparison items are typically sold on a promotional basis and tend to be purchased by customers visiting the store for convenience goods therefore the potential for impact on other comparison retailers is negligible.

138. The RINSA detailed on this basis that the proposals total retail impact on Lisburn City Centre would only be 0.6%.

139. With regard to the SPPS, paragraph 6.291 states that proposals should be refused where an impact on one or more of the criteria in paragraph 6.290 is 'significantly adverse'.

140. The RINSA at paragraphs 81-89 sets out how the proposal would not offend any of these criteria as:

- the total impact on Lisburn City Centre will be 0.6% which is not a significantly adverse impact,
- the proposal will have no material impact on the vitality and viability of any existing centre,
- there is no cumulative impact with any committed or planned retail development in the local area,
- there will be no impact of the proposal on existing committed or planned public or private sector investment or investor confidence in the Lisburn City centre, and
- there will be no impact on the delivery of planned or allocated sites within the Local Development Plan.

141. Paragraph 6.290 of the SPPS also includes that a retail impact assessment should include the impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal.

142. The RINSA (at table 4) sets out in relation to turnover that the proposed store turnover is:

'Estimated to be c. £13.2m in 2026. It is based on Lidl's average sales density from its NI stores in 2022 and projected forward on the basis of the turnover growth figures set out in Experian's Retail Planner Briefing Note 19 (ERPBN19). The convenience / comparison split is £10.4m / £2.8m.'

143. The RINSA continues that the turnover forms the proposed development:

'Will only account for a fraction of the retail expenditure available within the study area. It equates to 3.5% of spending on convenience goods, 0.8% of spending on comparison goods and 2.1% of total retail spending. Therefore, the vast majority of expenditure will not be affected and will continue to be available for spending at other shops within the catchment.'

144. The RINSA refers to the Lisburn & Castlereagh Retail Capacity Study 2018 which noted that stores within the Lisburn catchment area are over-trading in the region of 24%. This area includes Sprucefield and the main stores at Sainsburys and M&S which appear to be trading very well. In Lisburn City Centre the main convenience stores are Green's, Iceland and Tesco Express.

145. The RINSA also noted that the Retail Capacity Study stated convenience floorspace in the city centre is relatively limited and that most food shopping is undertaken at out of centre supermarkets. It also states that a high proportion of floorspace is devoted to comparison retailing, which reflects Lisburn's role as a major shopping centre.

146. The RINSA also referred to the most recent Goad Category Report on Lisburn City Centre which shows that comparison retailing accounts for the highest proportion of units at 28.5%. The vacancy rate recorded in the Goad report (22.7%) was relatively high however a more recent survey undertaken by the Department for Communities (DfC) showed that the situation is improving. An October 2022 survey for the DfC town centre database showed that the City Centre vacancy rate was down to 18.2%, well under the NI average of 22.8%.

147. The RINSA concluded in relation to turnover that:

'Without the proposal, the convenience turnover of the study area will be £265m in 2026 whilst available expenditure from the study area population is £301m. This means there will be a net outflow of convenience spending which is unsurprising given that there are large food stores in close proximity to the study area.'

148. Nexus provided comment on the applicant's retail impact assessment. Nexus agreed with the applicant's catchment area of 15 minutes, but commented that:

'It is unfortunate that the RINSA makes explicit reference only to the presence of Lidl stores elsewhere, as opposed to the presence of other foodstore brands'

149. Nexus remained cognisant not only of the presence of other Lidl stores, but also a wider range of foodstores including the Tesco stores at Dunmurry and Newtownbreda and the Asda store at Westwood Centre.

150. Nexus comments on the retail impact of convenience goods is set out in their report at paragraphs 3.27 to 3.34 as appended to this report.

151. Nexus comment on table 9 of the RINSA that the:

'Total forecast diversion from existing facilities within the study area is therefore shown to be 75%. Beyond this, the RINSA assumes that 13% of trade would derive from stores/centres outside the Study Area, and that a further 12% of trade would be derived from 'spending growth'.'

152. Nexus comment further that:

assuming 12% of trade derives from 'spending growth' as set out in table 9 of the RINSA is 'untypical of RIA work elsewhere' and that the RINSA 'artificially deflates likely impact'. Also, that the RINSA overstates the inflow of likely convenience goods spending from stores beyond the study area at 13%.

153. Nexus provides justification on why it considers that an amount of 5% is more robust for the purposes of impact modelling (see paragraph 3.30 of their report).

154. Nexus comment that it is content that the trade diversion assessment for the remaining 75% of trade to the new store which is apportioned to existing stores and centres in the study area seems reasonable and agrees that the largest proportion of trade would likely be diverted from the Sainsbury's, then M&S stores at Sprucefield, and thereafter the two Lidl stores and Tesco store already present in the Lisburn urban area.

155. Nexus further comments that the RINSA forecast in table 9 that 2% of the proposed store's trade would divert from Lisburn City Centre has been the subject of debate between the applicant and objectors. Nexus considers the 2% to be an underestimate, however it considers that:

'There is a measurably different scale and function to the offer of town centre convenience stores (Greens and Iceland). The scale of offer at either store is not extensive, and each is unlikely to offer a full main food shop for the majority of their customers, whether under their existing fascia or a different one. In combination, they are likely to offer the function of fulfilling the convenience needs of those who are living or working in and around the city centre. In this sense, we agree with the applicant that proposals for a further out-of-centre store in the city (the proposal would be the eighth in the city) would be unlikely to deter comparable amounts of trade from the city centre when contrast to other standalone facilities out-of-centre. In line with the applicant's assessment, it is most likely therefore that the out-of-centre store would divert the majority of trade between themselves. Notwithstanding, we have adjusted the likely city centre diversion figure from the applicant's assumption of 2.0% to a more robust figure of 4.5%.'

156. Nexus has replicated the format of table 9 of the RINSA at paragraph 3.34 of its report but has updated it to take account of the following:
 - Updated market share information provided by Experian Spend Insights (2025);
 - Updated sales densities provided by GlobalData (2023).
 - Nexus re-forecasting of the turnover of the proposed store.
 - Nexus re-forecasting of the trade diversion estimates.
157. In relation to comparison goods, Nexus disagrees with the RINSA that Lidl's is not a comparison goods destination. It has found that increasingly shoppers target food stores for comparison goods and whether the spend is incidental or not, the shopper is spending money here rather than spending the money elsewhere. Regardless of the proposal being for Lidl, Nexus treats the comparison-goods shopping element of the proposal as it would any other food store.
158. Nexus updated table 10 of the RINSA which details trade diversion assessment for comparison goods at paragraph 3.36 of its report in the same way it updated table 9 of the RINSA as detailed above.
159. Nexus found that it is broadly content with the applicant's apportionment of trade diversion for comparison goods, with larger amounts of trade identified as being diverted from the range of comparison goods facilities in Lisburn City Centre.
160. Nexus also commented that it is content with the RINSA that there are no committed and planned public or private sector investments in identified centres which would likely be affected by the proposals following discussion with the Council.
161. Nexus concluded that in relation to the retail impact assessment the combined trade diversion of the application proposals from Lisburn city centre would be in the region of £0.9m per annum, resulting in a solus impact on the city centre of around 0.7% per annum. This differs only slightly to the RINSA assessment of 0.6%.
162. Nexus advised that while this impact is relatively low they noted that its survey data has indicated an above level of vacant units within Lisburn City Centre notably at Bow Street Mall, Bridge Street and Market Square. However Nexus is mindful of the largely convenience nature of the proposal and the lack of overlap with the existing food stores in the city centre and whilst Nexus is concerned for the vitality and viability of the city centre in general, advises it is unlikely that this proposal would result in isolation in a level of harm which would be classified as 'significantly adverse'.

163. Nexus commented in relation to the turnover assessment in the RINSA that its assessment is now considerably out of date and Lidl has published updated sales density updates which Nexus has no access to corroborate their veracity.
164. Nexus has therefore updated the proposed turnover to reflect the passing of time using Lidl latest sales density from open-source data and comments that the updated total forecast turnover of the store is £15.40m per annum in 2023. This contrasts to the applicant's previous assessment in the RINSA of £13.01m per annum at the same date (c£2.4m per annum higher). Nexus also assessed using the updated data that convenience goods turnover is now assessed as being c£4.2m higher. By contrast, the comparison goods component of the proposals is assessed as being c£1.8m lower.
165. Nexus also commented that the market shares and turnover data in the RINSA using the Lisburn & Castlereagh Retail Capacity Study 2018, based its market share assessment on a third-party telephone survey carried out in 2017 which is out of date. However, it is the market share data which forms the backbone to Nexus's assessment of the proposal.
166. Nexus carried out its own market share assessment for the Council area supported by Experian Spend Insights (ESI) who collate data from actual credit and debit card spending across a large sample size. The results allowed Nexus to publish up-to-date market shares and spend assessments for a range of individual retailers and centres as a whole.
167. Nexus assessment details that:
- 'in keeping with many other centres, the proportion of comparison goods retailers continues to decline (28.5% in 2020 and 26.7% in 2025), whilst there has been a small uplift in convenience goods units (5.9% in 2020 to 7.4% in 2025). The number of vacancies in the centre has decreased from 22.7% of units in 2020 to 16.5% of units in 2025.'*
168. Based on a review of the information provided by the applicant in the RINSA and the independent advice provided by Nexus, officers noted that whilst Nexus disputes some of the findings in the RINSA and the use of out of date data, they have no reason to disagree with the conclusions of the retail impact assessment that the proposal will have a low level of impact on the vitality and viability of Lisburn City Centre which is not considered to be 'significantly adverse' as set out in the SPPS. Officers have no reason to disagree with the advice officered by Nexus, and it is considered on balance that the proposal complies with Strategic Policy 14 and Policy TC1 of the Plan Strategy 2032.
169. The RINSA at paragraphs 92 to 105 has provided an assessment of need as required in the Justification and Amplification of Policy TC1 of the Plan Strategy. Within this assessment the RINSA sets out that there is no policy

which states that a proposal should be refused if need is not demonstrated and refers to the wording in the SPPS and an appeal for a Lidl store at Hollywood Exchange which found that where adverse impacts on protected centres were unlikely to occur, that this outweighed the fact that need had not been demonstrated.

170. The RINSA continues that the key tests are those set out in the SPPS at paragraph 6.290, and it has been detailed above how the proposal complies with those tests.
171. The RINSA also details that the proposal would meet a qualitative need by extending consumer choice and complimenting the existing retail facilities at Sprucefield and that there is also a quantitative need for additional convenience floorspace within the study area as demonstrated in the Lisburn & Castlereagh Retail Capacity Study 2018.
172. Nexus again provided comments on the need assessment of the RINSA and advised that the 2025 surveys from ESI show that that Lisburn city centre convenience goods floorspace has an annual turnover of £103.2m and that this is performing slightly below benchmark.
173. Nexus also detailed that through its own analysis that the food stores at Sprucefield are trading with mixed fortunes – M&S above company average and Sainsbury's below company average and that broadly its overall assessment of quantitative capacity within the area shows there is no quantitative capacity at Sprucefield or the district as a whole to support significant convenience goods growth.
174. Nexus commented that the RINSA only makes a very basic case for quantitative need by suggesting the store would extend consumer choice and no case is presented as to why this is relevant in this location therefore there is no compelling quantitative or qualitative needs case for the application proposals.
175. Officers having considered the advice offered by Nexus are satisfied that although there is no objective quantitative or qualitative need demonstrated for this proposal when balanced against the fact that this is a sequentially preferable location for a foodstore which does not significantly adversely impact on the viability and vitality of the City Centre then this test is not determining as there is no policy which states that a proposal should be refused if need is not demonstrated.
176. It has been determined by the PAC as detailed previously in paragraph 166 that if adverse impacts on protected centres are unlikely to occur that this outweighed the fact that need had not been demonstrated. This would be the case for this proposal where it has been demonstrated that there would be no significantly adverse impact on Lisburn City Centre or any other centre.

The RINSA concluded that there is a need for the proposal, that it will have no material impact on Lisburn City Centre or any other protected retail centre, and that it complies with the sequential test. It will:

- create 40 new jobs.
- be a significant investment of £7m in construction and fit out; and
- extend consumer choice and complement the existing retail facilities at Sprucefield.

177. Nexus overall summary advised that:

‘The proposal would not result in significant adverse impact on Lisburn city centre or any other designated centre. Whilst the applicant has failed to demonstrate a qualitative or quantitative need for the proposals, this does not in itself lead us to change our core conclusions on impact. The proposals therefore accord with Strategic Policy 14 and the SPPS in this regard. The application proposals have also been considered against the sequential test, and we have concluded that there are no currently available, suitable and viable sites in sequentially preferable locations. The proposals therefore accord with Policy TC1 and the SPPS in this regard.’

178. Based on a review of the RINSA and the advice from Nexus on the retail impact assessment of the proposal, although Nexus dispute some of the evidence in the RINSA, officers have no reason to disagree with the overall findings of this independent assessment that the proposal will have no significant adverse impact on the vitality or viability of Lisburn City Centre or any other designated centre or the conclusion that there are no available, suitable and viable sites in sequentially preferable locations within the study area.
179. The proposal is considered to comply with Strategic Policy 14 and Policy TC1 of the Plan Strategy and the SPPS for the reasons set out in the preceding paragraphs.

Access and Transport

180. The proposal is for a new discount food store with two accesses from the site onto the internal road layout within Sprucefield Retail Park and associated parking.
181. It is considered that the proposal will create an accessible environment and ease of access to all visitors to the site in accordance with Policy TRA1. There will be level access to the building and pedestrian footways along the internal road network with pedestrian crossing points across the accesses. These will link the site to the other shops in Sprucefield Park and to the public bus stops. Disabled

and parent and toddler spaces will be provided, and bicycle parking will also be provided.

182. The two proposed accesses will be onto the internal roads within Sprucefield Park which are not adopted. Sprucefield Park has two existing access points which connect to the external road network. The first is a left in/left out arrangement on A101 Magherageery Road and the second is onto the Sprucefield Roundabout at the A1/M1 Link Road which is a protected route. Regard has been had to the Transport Assessment form submitted as part of the application which details that there will be less than 100 daily peak trips to the site therefore no upgrades are required to the junctions with the public road or the wider road network. It is therefore considered that the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles or conflict with protected routes policy, and the proposal complies with Policies TRA2 and TRA3.
183. Under Policy TRA6 a Transport Assessment (TA) form was submitted. This details that due to the retail nature of the proposed development, the peak periods are likely to be 08:00-09:00 in the AM peak, 17:00-18:00 in the PM peak and 12:00-13:00 on a Saturday.
184. The TA demonstrates that the proposed development is expected to generate a worst case of 30 trips in the AM peak, 64 trips in the PM peak and 95 new trips in the Saturday peak hour. It is therefore concluded that the 100 trips threshold is not exceeded, and a detailed Transport Assessment is not required.
185. The TA demonstrates that the site will be accessible to pedestrians via footways, dropped kerbs with tactile paving to allow connection on foot to other units within the retail park. There is also pedestrian and cyclist links off Sprucefield Park for connection to the Blaris Greenway. The site is also served by two public bus services within 400m walking distance of the site to encourage more sustainable modes of transport.
186. Under Policy TRA7 the proposal will provide 167 parking spaces including 8 disabled spaces, 4 family spaces and 2 electric charging spaces. Parking Standards sets out that for Class A1 (food) retail one space should be provided per 14sqm of Gross Floor Area (GFA). The proposal will have a GFA of 2471 sqm. The total requirement is 177 parking spaces. Officers are content that this slight shortage in parking spaces will not prejudice road safety or significantly inconvenience the flow of vehicles as the site is part of Sprucefield Park with large parking areas adjacent to the site and it is expected that there will be shared parking between the proposed store and other existing retail stores within the park.
187. In relation to servicing arrangements a Service Plan was submitted. This details the servicing of the new Lidl store will be through the loading bay located at the northern end of the building. The servicing of the building will be able to take

place both during store opening hours or within the 07:00-08:00 and 21:00-22:00 time periods. It is anticipated that a maximum of two 16.5m articulated lorries will access the site per day via the northern access point, however, most days only one delivery will be made. Autotracking analysis shows that the access and internal layout arrangements can accommodate a 16.5m articulated lorry entering and exiting the site without issue.

188. DfI Roads was consulted and offers no objections. Officers are content that an adequate provision of car parking and servicing arrangements will be provided, and the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles in compliance with Policy TRA7.
189. Under Policy TRA8 a Travel Plan was submitted. It has been detailed above that the proposal will provide adequate links to public transport, walking and cycling. There are two public bus services within 400m of the site. Footways dropped kerbs and tactile paving will be provided within the site for pedestrians which link to the wider retail park. Bicycle parking will be provided on site and there is access to the Blaris Greenway from the Sprucefield Park for pedestrians and cyclists to encourage sustainable forms of transport. Disabled and family parking spaces will also be provided and electric charging points. It is therefore considered that the proposal complies with Policy TRA8.

Flooding and Drainage

190. Due to the size of the proposed new food store and the amount of hardstanding associated with the proposal a Flood Risk and Drainage Assessment was submitted as part of the proposal.
191. In relation to Policy FLD3 it confirms that the overall development site is in excess of 1000m² therefore Policy FLD3 is applicable, and it demonstrates that the drainage will not result in an increase in the upstream or downstream flood risk as:
 - Standard mitigation measures will be put in place as to effectively mitigate the flood risk to the proposed development and from the development elsewhere.
 - The proximity to the 1 in 30 AEP pluvial flood extent will be mitigated by the finished ground levels and the installation of an appropriately sized drainage system
 - Management of surface water will be achieved by the installation of an effective and maintainable storm water drainage system
 - The attenuation storage will be provided in the form of underground geocellular storage units
 - Petrol interceptor will provide separation of hydrocarbon and pollutant settlement before discharge reaches watercourse

- Use of hydro brakes to control permitted discharge rate.
- During detail drainage designing stage, exceedance flow shall be identified and considered by appropriate authorities to reduce risk of flooding from the site and other neighbouring areas.
- The attenuated surface water runoff will discharge into the existing surface network of Sprucefield Retail Park which has left provision for future generation projects. The network was approved in 2003 planning approval of Sprucefield Retail Park.

192. DfI Rivers was consulted and commented that *'Rivers Directorate, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.'*
193. DfI Rivers further comments that the Drainage Assessment states that the drainage design is preliminary, therefore it has requested that a condition is added to any approval to ensure a final drainage assessment is submitted prior to construction which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network.
194. The proposal is therefore considered to comply with Policy FLD3 of the Plan Strategy.
195. NI Water was consulted and offers no objections as there is available capacity at the Waste-Water Treatment Works.
196. NIEA Water Management Unit was consulted and commented that it 'has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal.'

Natural Heritage

197. The proposal includes the development of grass and marshy land and therefore has the potential to impact upon protected and priority species and habitats or features of natural heritage importance.
198. A Preliminary Ecological Appraisal (PEA) was submitted as part of the application in March 2023 and additional ecological information submitted in November 2023 and Natural Environment Division (NED) within DAERA was consulted.
199. The PEA details that the site is not within or adjacent to any European or Ramsar designated site. The closest watercourse, the Ravernet River, is c. 600m to the east; the main channel of the River Lagan is c. 850m to the north and the designated Blaris No. 2 Drain, a tributary of the Lagan, is c. 600m to the west. It is considered that given major roads infrastructure (A1/M1) and commercial

development occupy the intervening lands, it is unlikely that any contaminants could enter the Ravernet River or the River Lagan via overland flow during the construction or operational phases of development.

198. The PEA concluded that no further assessments, and no specific mitigation is required. The proposal therefore would have no likely significant effect on any designated site, and the proposal complies with policy NH1 of the Plan Strategy.
200. The PEA highlights that the site provides terrestrial habitat for newt and notes there are a number of pools and hollows on site, however, these pools were likely formed after heavy rainfall and are unlikely to provide a semi-permanent habitat for breeding newts. The additional ecological information submitted in November 2023 demonstrates a further assessment was carried out to assess the suitability of the site for breeding newt habitat and found no suitable newt breeding habitat on site, as such, further newt surveys are not required. NED commented that it is content that the proposal is unlikely to have a significant impact to newts.
201. The PEA highlights that the site may contain suitable habitat for breeding waders and other ground nesting birds. NED commented that it is content that due to the location and scale of the proposal, the development is unlikely to have a significant impact to birds. However, advised that a pre-construction check for active nests on the site should be completed by a suitably qualified ecologist with protective measures undertaken if any active nest is found.
202. The site and adjoining land were surveyed for evidence of badgers and there was no evidence of any badger or badger sett. NED commented that it is content that the proposal is unlikely to have a significant impact to badgers.
203. With regards to bats, there are no existing built structures on site or mature trees therefore the site was assessed by the ecologist in the PEA to have negligible Bat Roost Potential (BRP). The site was assessed to have low suitability for commuting and foraging bats. NED commented that it is content that the proposal is unlikely to have a significant impact on bats.
204. NED also noted the proposal will include additional planting of native trees and shrubs in order to enhance the biodiversity value of the site. Based on the submitted information, NED commented that it is content with the proposal.
205. It is therefore considered that the proposal will comply with Policies NH2 and NH5 of the Plan Strategy as it is unlikely to harm a European protected species or result in the unacceptable adverse impact on, or damage to known habitats, species or features of natural heritage importance.

Historic Environment

206. The application site is in close proximity to the route of the Lagan Canal and is adjacent to elements associated with Long Kesh airfield (DHP 0071) which are recorded archaeological sites and monuments.
207. An Archaeological Programme of Works was submitted as part of the application in May 2023, and Historic Environment Division (HED) was consulted. HED commented that 'the recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site.'
208. HED also commented that it *'has considered the impacts of the proposal and is content that the proposal satisfies archaeological policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ.'*
209. It is therefore considered that the proposal can be conditioned to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development in accordance with Policy HE4 of the Plan Strategy.

Renewable Energy

210. The proposal will integrate renewable energy technology into the design of the new food store with solar panels on the roof to create renewable energy to help power the store and two electric charging points will be installed in the parking area.
211. The Planning Statement submitted as part of the application details that Lidl stores have a significant emphasis on sustainability and energy efficiency in the design of their stores and how they function.
212. It is therefore considered that the proposal complies with Policy RE2 of the Plan Strategy.

Contaminated Land

213. As the site is adjacent to previously developed land with potential infilling of land and a petrol filling station, a Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) were submitted.
214. In relation to impact on human health the PRA identified potential risks to human health from historical on and off-site activities. These pollutant links were analysed and all samples returned concentrations below the GAC/GrAC

(Generic Assessment Criteria) for commercial end use in relation to direct contact, ingestion, inhalation of dust exposure, and inhalation of vapour phase contaminants and therefore it is considered that the site does not pose an unacceptable risk to human health receptors.

215. With regards to ground gas, the PRA and GQRA found only low level of gases (concentrate of 0.6% steady state carbon dioxide) and the site is classified as very low risk therefore it is considered that the site does not pose an unacceptable risk to human health receptors with regards to ground gas.
216. In relation to groundwater, the PRA identified potential risks to shallow groundwater associated with potentially reduced quality made ground and contamination associated with on and offsite sources. Laboratory tests were carried out on potential contaminants which found that the majority of the contaminants of concern, returned concentrations below the relevant Environmental Quality Standards for freshwater. It was also noted that relatively clay rich impermeable Superficial Deposits were encountered across the site, which would limit the vertical and lateral migration of shallow groundwater and the risks to the controlled water receptors are considered low therefore the PRA and GQRA concluded that the site does not pose an unacceptable risk to controlled water receptors.
217. The Council's Environmental Health Department was consulted and offers no objection to the proposal from a human health perspective.
218. Regulation Unit was consulted and commented that it has no objection to the proposal subject to conditions as the GQRA identified no unacceptable risks to environmental receptors.

Noise and Air Quality

219. A Noise and Air Quality assessment report was submitted as part of the application which concluded that the proposal would have no adverse noise or air quality impact as a result of the separation distance to the nearest sensitive locations (nearest residential property is 280m south of the site at Eglantine Road) and the wider context of the retail units within Sprucefield and the road network in the immediate vicinity to the site.
220. The Council's Environmental Health Department was consulted and offers no objection to the proposal subject to conditions relating to a suitable filtration and extraction system being installed in the new building.

Consideration of Representations

221. The issues raised by way of third-party representation are considered below:

- Impact on protected Bee Orchids and birds present at Sprucefield

Natural Environment Division was consulted and commented that it notes the location of the bee orchid is outside the red line boundary for the application and as such, NED are content the proposal is unlikely to significantly impact this species.

With regards to birds at the site, a Preliminary Ecological Assessment (PEA) was submitted and NED commented that it is content that due to the location and scale of the proposal, the development is unlikely to have a significant impact to birds.

- Landscape and ecology impact unacceptable

A PEA and additional ecological information were submitted as part of the application and NED commented that it is content with the proposal and that the landscaping will include additional planting of native trees and shrubs in order to enhance the biodiversity value of the site.

- Inflexible approach to sequential sites

Following these objections the applicant submitted additional information to demonstrate flexibility of a reduction of 10% of the site area and included assessment of additional sites within this range. Nexus also commented that flexibility should be included in the assessment of suitable sites and was content that this reduction was appropriate for the minimum size of the proposal and that the RINSA and additional information considered sites smaller than this.

- 'list of perfection' for this Lidl store which is not included in the Hi Park store in Belfast City centre – flexibility applied to this store

The additional information submitted by the applicant details that *'the store at Hi Park in Belfast City Centre opened in 2014 and the store format developed reflects its location within Belfast City Centre where it has frontage directly onto a street with high footfall and where fewer customers carry out trolley shops which means direct access to a surface level car park is not a fundamental requirement. The overall position is therefore that this is not an appropriate site comparison.'*

Nexus as detailed above is content with the applicant's approach to flexibility and that it has been demonstrated in the RINSA and additional information that smaller sites have been considered. It is also noted in the report at paragraph 145 that Nexus considers that town centre convenience stores offer a different

scale and function to the proposal in that they are unlikely to offer a full main shop to the majority of customers but are likely to offer convenience needs to those who live or work in and around the city. Officers are therefore content that flexibility has been applied to the consideration of this proposal and that city centre shopping provides a different function so the comparison with the Lidl store in Belfast City Centre is not appropriate.

- Out of centre - least sequentially preferable site

Based on the sequential test, out of centre location is the least preferable site however it has been considered in detail in the report how this site is sequentially preferable.

- Bow Street Mall is a sequentially preferable city centre site which is suitable, available and viable

It has been considered in detail in the report the reasons why Bow Street Mall is not a sequentially preferable site.

- Laganbank car park is large enough to accommodate development if flexibility allowed

Laganbank car park was considered in the additional information submitted by the applicant once flexibility was applied and the reasons why this site is not suitable was considered in detail in the report. Nexus also considered this site and commented that while this site could accommodate a food store, this proposal would be unsuitable as it would not match the Council's aspirations for the site.

- 99 Kingsway and Maldon Street have not been included

Both sites were included in the additional information submitted by the applicant and the Nexus report. The reasons why these sites were discounted has been considered in detail in the report.

- Impact on future vitality and viability of city and surrounding centres

It has been considered in detail in the report the reasons why the proposal will have no significant adverse impact on Lisburn city centre or any other designated centre.

- cumulative impact with proposed and approved development in the area will draw trade away from City Centre

The assessment of trade diversion has been considered in detail in the report, and it is considered that the impact will be low (0.7% per annum)

- Contrary to the SPPS to secure town centres first approach and sequential test needed

A sequential test has been provided and has been robustly considered by Nexus. The report details that there are no suitable, viable and available sites within the city centre or other centres and therefore this site is sequentially preferable.

- No need for another food store

The report details how the need for this store food is not determining in the retail impact assessment as it has been demonstrated that there will be no significant adverse impact on Lisburn city centre or any other designated centre and the proposal has been considered against the sequential test, and there are no currently available, suitable and viable sites in sequentially preferable locations.

- Request Council obtains independent advice on the methodology and results of the Retail Impact Assessment (RIA)

Nexus were appointed to provide independent advice.

- Concerns with the restrictive catchment area in the RIA and only inclusion of existing Lidl food stores rather than all convenience operators – if study area is extended to reflect an actual 15minute drive then inflow should be reduced to no more than 5%

The catchment area provided by the applicant has been considered in detail in the report and accepted by Nexus. Nexus agrees with this objection that the inflow amount of 5% is more robust and this formed part of its assessment of the proposal.

- Out of date household survey from 2017

Nexus agrees that the survey is out of date but commented that it is the market share data which forms the backbone to the assessment which Nexus has used as part of its consideration of the proposal.

- Commissioner recommended Policy SMU03 in the draft plan strategy was removed – renders Council incapable of being the decision taker on planning applications at Sprucefield in a balanced, impartial and objective manner, given the public perception and predisposition of their desires to development this land, which were publicly reflected in SMU03

The report acknowledges this, and the proposal has been assessed against the adopted policies in the Plan Strategy 2032 as the Department for Infrastructure has not yet directed the Council to prepare a revision to the adopted Plan Strategy in order to provide new strategic and operational policy for Sprucefield Regional Shopping Centre.

- Underestimated turnover therefore this store will have a greater impact than estimated

Nexus agrees that the turnover in the RINSA was underestimated given out of date figures, but it has used the latest published Lidl figures to provide a more robust turnover figure which has been used in the overall consideration of the proposals impact on existing centres.

- Underestimated trade diversion from Greens and Iceland in the city centre

Nexus agrees that the RINSA underestimated trade diversion from Greens and Iceland in the city centre but it adjusted the likely city centre diversion figure to from 2% to 4.5%.

- DfI Roads has not considered cumulative impact of all current applications at Sprucefield.

DfI Roads was consulted and is content with the information submitted as part of the application.

Conclusion

222. For the reasons outlined in the report, the proposal is considered to comply with the relevant policy tests set out in the Plan Strategy, it is considered to be a sequentially preferable site for retailing and will have no adverse impact on the vitality or viability of existing centres.

223. The proposal will provide an accessible environment, sufficient parking and will not prejudice road safety or significantly inconvenience the flow of vehicles. There will be no adverse impacts on the environment or biodiversity.

Recommendation

224. It is recommended that planning permission is approved.

Conditions

225. 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 gross floorspace of the retail store shall not exceed 2,471 square metres when measured internally and net retail floorspace shall not exceed 1,652sqm.

Reason: To enable the Council to control the nature, range and scale of retailing activity to be carried out at this location so as not to prejudice the vitality and viability of existing retail centres.

3. The net retail floorspace of 1,322sqm hereby permitted shall be used only for the retail sale of convenience goods and for no other purpose, including any other purpose in Class A1 of the schedule to the Planning (Use Classes) Order (Northern Ireland) 2015. Convenience goods for this purpose are hereby defined as; -

- a) food, drink and alcoholic drink.
- b) tobacco, newspapers, magazines and confectionery.
- c) stationery and paper goods.
- d) toilet requisites and cosmetics.
- e) household cleaning materials.
- f) other retail goods as may be determined in writing by the Council as generally falling within the category of 'convenience goods'.

Reason: To control the nature range and scale of retailing activity to be carried out at this location to ensure compliance with the Council's objectives and policies for retailing and town centres.

4. The net retail floorspace of 330sqm hereby permitted shall be used only for the retail sale of comparison goods and for no other purpose, including any other purpose in Class A1 of the schedule to the Planning (Use Classes) Order (Northern Ireland) 2015. Comparison goods for this purpose are hereby defined as:

- a) DIY material, products and equipment.
- b) garden materials, plants and equipment.
- c) furniture and soft furnishings, carpets and floor coverings and electrical goods.
- d) toys; and
- e) such other items as may be determined in writing by the Council as generally falling within the category of bulky goods.

Reason: To enable the Council to control the nature, range and scale of retailing activity to be carried out at this location so as not to prejudice the vitality and viability of existing centres.

5. Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with Policy FLD 3 and Section 16 of the Plan Strategy 2032, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change and urban creep.

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

6. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site.
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ.
 - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - Preparation of the digital, documentary and material archive for deposition.

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

7. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 6.

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

8. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 6. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

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

9. No retailing or other operation in or from the building hereby permitted shall commence until the hard surfaced areas for parking have been constructed and the parking spaces permanently marked in accordance with the approved Site Layout Plan, Drawing No. L232 01-02 Rev A published on the Planning Portal 7 November 2023, to provide adequate facilities for parking, servicing and traffic circulation 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 in connection with the Development.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

10. The proposed vehicular accesses on to Sprucefield Park (Private Road), including the required visibility splays and any forward sight distances, shall be provided in accordance with approved Site Layout Plan, Drawing No. L232 01-02 Rev A, published on the Planning Portal 7 November 2023 and the Site Access Arrangement Drawing Rev. P01 included as Appendix C in AECOM letter published on the Planning Portal 7 November 2023, 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 interest of road safety and the convenience of road users.

11. Accessible, covered and secure cycle parking shall be provided in accordance with proposed Site Layout Plan, Drawing No. L232 01-02 Rev A, published on the Planning Portal 7 November 2023.

Reason: To ensure acceptable cycle parking facilities are available on the site and to encourage alternative modes of transport to the private car.

12. The development hereby permitted shall operate in accordance with the approved Service Management Plan, published on the Planning Portal 19 April 2023.

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

13. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease, and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management

(LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

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

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

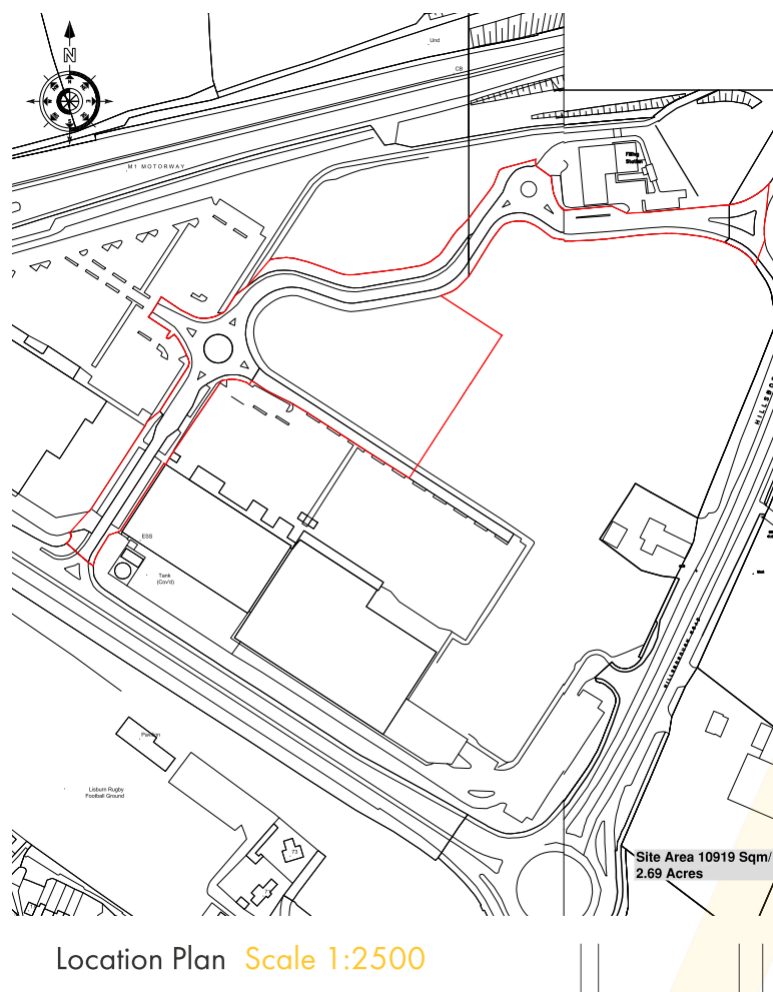
14. After completing any remediation works under Condition 15, and prior to operation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
The verification report shall present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

15. A suitable filtration and extraction system shall be installed to reduce odour from all cooking outlets in line with the EMAQ document entitled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. The outlet from any such ducting shall be terminated at a height not less than 1m above eave height. The filtration and extraction system shall be adequately cleaned and maintained as per manufacturer's instructions and records made available to Environmental Health upon request. The system shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the Council.

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

Site Location Plan – LA05/2023/0344/F



Proposed Foodstore, Sprucefield, Lisburn

Retail Audit – Planning Reference:

LA05/2023/0344/F

ON BEHALF OF LISBURN & CASTLEREAGH CITY COUNCIL

June 2025

Contents

1.	Introduction	3
2.	Background Considerations	4
3.	Retail Impact Assessment	6
4.	Need Assessment	14
5.	Sequential Assessment	16
6.	Overall Summary	19

1. Introduction

- 1.1 Lisburn & Castlereagh City Council (the ‘Council’) instructed Nexus Planning in May 2025 to provide retail policy advice in respect of a planning application (ref: LA05/2023/0344/F), submitted by MBA Planning (‘MBA’) on behalf of Lidl Northern Ireland (‘the applicant’).
- 1.2 The application is made in full for “*Erection of discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works*”. The foodstore is proposed to have a net sales area of 1,652 sq m net, split 1,322 sq m net for the sale of convenience goods and 330 sq m net for the sale of comparison goods. This site is more than 300m from a defined centre and is therefore classified as being ‘out of centre’ for the purposes of retail planning policy.
- 1.3 The application has been supported by a number of related documents. These include a ‘Retail Impact, Need & Sequential Assessment (‘RINSA’) prepared by MBA in March 2023. Our commission is to reflect on the RINSA and to provide the Council with independent advice on how it might determine the suitability of the proposals under prevailing retail planning policy.
- 1.4 We have also been made aware of a number of objections to the proposals made by third parties and a subsequent response to those objections prepared by MBA and set out in a letter dated 29th October 2024. Our Audit also therefore takes account of this correspondence.
- 1.5 The RINSA sets out descriptions of the site and the proposal at its sections 2 and 3, and a comprehensive review of local, regional and national retail planning policy at section 4. Following on from that, the Statement follows a logical progression through the key retail tests set out in the Development Plan and the Strategic Planning Policy Statement (‘SPPS’). In line with the order of reporting in the RINSA, we therefore provide advice on the following topics:
- Retail Impact Assessment;
 - Need Assessment;
 - Sequential Assessment; and
 - Overall compliance with prevailing retail policy
- 1.6 It should be noted at the outset that our remit relates solely to the consideration of retail policy matters. Notwithstanding the conclusions we reach, it will be for officers of the Council to consider other policy considerations and the wider planning balance before reaching their conclusions on an overall recommendation in respect of the application.

2. Background Considerations

The Site

- 2.1 Nexus visited the site in June 2025. The proposed foodstore would be located on an undeveloped parcel of land forming part of ‘Sprucefield Park’. This is the area west of the A1 roundabout. The area to the east of the roundabout is known as ‘Sprucefield Centre’. The two operate separately, though together are colloquially known as ‘Sprucefield’. Notably, pedestrian linkages between the two parts of Sprucefield are poor, with access designed for arrival by car or other means of motorised transport.
- 2.2 Sprucefield is home to a number of ‘big box’ retailers, notably including Marks & Spencer, B&Q, Next and Sainsbury’s, which currently act as the main anchors for the destination. The centre therefore provides for a range of bulky comparison, non-bulky comparison and convenience goods and our market share analysis carried out on behalf of the Council (see below) shows that Sprucefield is a significant attractor of trade on each of these fronts. There are a range of more recently built food & beverage entities which support the main retail function.

Planning History

- 2.3 The RINSA outlines an accurate picture of the history of the subject site. The site was included within the original confirmed of the outline planning permission which established Sprucefield as a retail destination (S/1998/0618). However, the subject site was not part of the subsequent reserved matters submission. Thereafter, a number of planning applications on the site between 2004 and 2018, as per Table A of the RINSA, were submitted and either refused or withdrawn. Those schemes sought a range of proposals incorporating unrestricted retailing.
- 2.4 We note the history of the site, though view the proposals objectively at the current time and under current prevailing planning policy which directs retail development.

The Proposal

- 2.5 As we have previously outlined, the planning application is made in full for “*Erection of discount food store (with solar panels on roof) provision of accesses, car parking, landscaping and associated site works*”. The foodstore is proposed to have a net sales area of 1,652 sq m net, split 1,322 sq m net for the sale of convenience goods and 330 sq m net for the sale of comparison goods. In addition to the main building, the proposals incorporate a car park servicing 167 vehicles, as well as a service yard.
- 2.6 The proposal is intended to be occupied by Lidl. As we note further below, whilst the intended occupier is a material consideration, any grant of planning permission would not be personal to Lidl. Such permission would be for a Use Class A1 foodstore with appropriate conditions attached governing a range of matters, potentially including the range of goods to be sold, opening hours and other relevant matters.

Policy Context

- 2.7 The RINSA sets out the salient policy context at national, regional and local level and we do not comment in detail on that here. In summary though, we agree with the applicant that the Regional Development Strategy (‘RDS’) supports retaining Sprucefield’s status as a regional out-of-town shopping centre. What this precisely means has been the subject of considerable debate over time, not least at the time of the Council’s Examination into its Draft Plan Strategy in 2022. The Commissioners report (7.27-7.55) concluded that insufficient evidence had been provided to designate Sprucefield within

the retail hierarchy under the ‘town centre first’ approach set out in the SPPS. Nexus has been commissioned to undertake updated empirical survey work, and this work has been utilised to underpin this Retail Audit.

- 2.8 Building on Regional Guidance, the RINSA explores the history of local retail policy direction, both under the Belfast Metropolitan Area Plan (‘BMAP’, not adopted) and the Council’s (then) draft Plan Strategy. The applicant is keen to stress that previous references under BMAP to future development at Sprucefield being envisaged for bulky comparison goods were recommended for deletion by the PAC.
- 2.9 The RINSA was published in March 2023 and at that time, the Draft Plan Strategy was still a material consideration. The RINSA refers to draft Policy SMU03 of the Draft Plan Strategy, which sought to guide development at Sprucefield. However, following the Commissioners subsequent findings referred to above, that draft Policy no longer holds material weight.
- 2.10 Therefore, as the RINSA returns to, it is the SPPS, which sets out a range of tests which out-of-centre proposals should be subjected to, which is of predominant modern-day relevance in this instance. Additionally, since preparation of the RINSA, the Council has now adopted its Local Development Plan (2023). Notably, this includes Policy 14 of its Part 1 (Plan Strategy) which promotes the vitality and viability of city and town centres, and Policy TC1 of its Part 2 (Operational Policies) which explains the Council’s approach to the sequential test for town centre uses. We refer to local and national guidance on each of these matters in the sections which follow.

3. Retail Impact Assessment

Introduction

- 3.1 Strategic Policy 14 of the Plan Strategy explains that the Plan will support proposals that promote town centres, retailing and other uses within the city and town centre to enhance their vitality and viability in accordance with their role and function in the retail hierarchy. Whilst the Operational Policies do not have a dedicated policy on the impact test, the supporting text to Policy TC1 notes that proposals for town centre uses which exceed 1,000 sq m gross, should also be subject to a Retail Impact Assessment.
- 3.2 The SPPS explains at its 6.270 that *“The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS”*.
- 3.3 When it comes to ‘retail impact’, the SPPS seeks to sustain Northern Ireland’s vibrant town centres through the provision of 6.283 which require *“All applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location and are not in accordance with the LDP should be required to undertake a full assessment of retail impact as well as need”*.
- 3.4 In this instance, the application proposal is located over 1,500 metres from Lisburn City Centre. This is beyond 300 metres, and so the site is defined as being ‘out-of-centre’ (Policy TC1 and SPPS, 6.287).
- 3.5 Accordingly, in keeping with Policy TC1 and 6.290 of the SPPS, the applicant is required to address the following factors:
- the impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal;
 - the impact of the proposal on existing committed and planned public and private sector investment and investor confidence in the town centre/s;
 - the impact of the proposals on the delivery of the planned/allocated sites and the LDP strategy;
 - the impact on the vitality and viability of existing centres including consideration of the local context. This should take into account existing retail mix and the diversity of other facilities and activities.
 - Cumulative impact taking account of committed and planned development, including plan commitments within the town centre and wider area; and,
 - a review of local economic impacts.
- 3.6 We explore how the applicant has addressed each of these items in their RINSA below. In doing so, we address the comments made by third parties and the further responses on each matter provided by MBA in their most recent letter.

Catchment Area

- 3.7 The RINSA explains that defining a catchment area is a matter of judgment and that, in doing so, the applicant has had regard to a number of factors including the nature of the application proposal itself, as well as the size, type and geography of similar stores (Para. 49). We agree with this basic proposition, with the addition that it is not only ‘stores’ that are relevant, but also those same factors when it comes to ‘centres’ as a whole. Whilst the constituent parts of any

centre might not comprise large stores, the cumulative trading of certain goods categories within a centre as a whole (in this case convenience goods), will just as likely have influence on the definition of catchment area.

- 3.8 The applicant has regard to the PAC findings on another nearby Lidl store at Bentrin Road, where a 10-minute drivetime catchment area was agreed to be sound and also factors in the presence of other Lidl stores at Ballynahinch, Banbridge and Lurgan (Paras 50-51). In doing so, the applicant suggests that a 15-minute drivetime catchment area would be appropriate, curtailed only to 10 minutes to the north-west due to the presence of a number of Lidl stores in Belfast.
- 3.9 Objections from third parties suggest that the applicant's catchment area is overly narrow and that, in fact, the proposed store would likely to draw its trade from a wider area and should not be defined by the presence of Lidl stores in particular locations. Views are also expressed that, in doing so, the applicant falls foul of important case law, such as *Aldergate*¹. The applicant rebuts these assertions in their response of 29th October 2024.
- 3.10 In advising on this, we are mindful that a catchment area serves two purposes. Ostensibly, it defines the area within which the application proposal is expected to derive the *majority* of its custom. Secondly, it can also be used to define the extent of the search for sequentially preferable sites (see Section 5). It should not be the purpose of defining a catchment area, to deliberately obfuscate the potential search area for sequential sites. Equally, an applicant should not have to extend their catchment area beyond that which is reasonable in terms of defining where the proposal would attract the majority of its trade.
- 3.11 In this case, it is unfortunate that the RINSA makes explicit reference only to the presence of Lidl stores elsewhere, as opposed to the presence of other foodstore brands. This hints at the issues raised in *Aldergate*, where the Inspector set out that the preferences of an applicant should not be a consequence of the personal or corporate attitudes of an individual retailer to their own estate. However, this was in specific reference to the sequential test in general terms and should not be confused with the creation of a suitable catchment area for a proposal based on sound logic. On this, notwithstanding the multiple references to Lidl stores, we are minded to accept the applicant's suggestion of the catchment area set out at Figure 5 of the RINSA. In doing so, we are cognisant not only of the presence of other Lidl stores, but also the presence of a wider range of foodstores. In the disputed area to the north of the site, this would for example, include the Tesco stores at Dunmurry and Newtownbreda and the Asda store at Westwood Centre.
- 3.12 On balance, we are therefore content with the application's proposed catchment area.

Population and Spending

- 3.13 Tables 1-3 at Appendix 1 to the RINSA set out the applicants population and expenditure estimates. These are produced utilising Experian census data for the catchment area, with projections utilising the latest Experian Retail Planner Briefing Note of the time (EPRBN19). Experian is a well-renowned source of such data, and we are content with the broad methodology employed at Tables 1-3.
- 3.14 However, with the passing of over 2 years since production of the RINSA, it is necessary to consider whether the figures set out remain applicable at the current time. As well as regular census data updates, there has also been three further ERPBN publications, with ERPBN22 the latest published in March 2025.
- 3.15 Nexus is able to broadly do so by attempting to replicate the catchment area shown at Figure 5 of the RINSA by considering an updated drivetime census assessment from the application site. In doing so, our modern-day results show that the population estimates are not significantly different. However, our expenditure per capita figures exceed those modelled at the time of the 2023 RINSA, being about 15% higher. However, this can only be an approximate exercise as

¹ High Court decision CO/6265/2015 – Aldergate Properties Ltd v Manfield DC

we cannot re-model the bespoke area modelled in the RINSA. Notwithstanding, this provides us with sufficient comfort that the figures utilised in the RINSA are likely to have been accurate at that time and are unlikely to have understated catchment area expenditure.

Proposal Turnover

- 3.16 The applicant's assessment of the likely turnover of the Lidl store is set out at Table 5 of Appendix 1 to the RINSA. In keeping with our previous comments, this assessment is now considerably out of date and Lidl has since published updates sales density updates. Notably, the applicant uses Lidl NI figures, but Nexus has no access to those and is therefore unable to corroborate their veracity. In keeping with assessment all across the UK, we have therefore update the proposed turnover to reflect the passing if time using Lidl latest sales density from open-source data. These are published by GlobalData (latest 2023 price base). An advantage of this data is that, unlike the applicant data from 2022, Lidl now publishes separate convenience goods and comparison goods sales density data which makes for a more accurate assessment of the likely turnover of the proposal.
- 3.17 The latest published Lidl sales density for convenience goods is £11,021/sq m and for comparison goods is £2,520/sq m. Applying this to the net sales area of both components of the proposal, results in a projected convenience goods turnover of £14.57m per annum (1,322 sq m x £11,021) and a projected comparison goods turnover of £0.83m per annum (330 sq m x £2,520/sq m). The updated total forecast turnover of the store is £15.40m per annum at 2023. This contrasts to the applicant's previous assessment of £13.01m per annum at the same date (Table 5).
- 3.18 The passing of time combined with more accurate data now available therefore results in a materially higher overall turnover of the proposal than was previously set out in the RINSA (c£2.4m per annum). This is especially the case for convenience goods, where the turnover is now assessed as being c£4.2m higher. By contrast, the comparison goods component of the proposals is assessed as being c£1.8m lower.
- 3.19 The RINSA draws attention to the fact that the proposals turnover (at that time) was higher than Lidl's average NI store turnover and that this is "*therefore a robust estimate*" (Para. 58). We do not agree with this. The higher turnover was simply a factor of the larger than average store size (1,652 sq m versus 1,164 sq m – Tables 4 and 5). There is therefore no added robustness in this sense.

Existing Retail Provision

- 3.20 The applicant set out the market shares and resultant turnover of the range of convenience and comparison goods retailers within the catchment area at Tables 7 and 8 of Appendix 1. These figures are derived at source from the Lisburn & Castlereagh Retail Capacity Study 2018, which based its market share assessment on a third-party telephone survey carried out by NEMS Market Research in 2017.
- 3.21 There is dispute between the applicant and third-party objections over the veracity of still relying on survey data from 2017. Objectors point to the age of the data and the volatile economic circumstances over the period since that time. The applicant rebuts this by noting that it does not only rely on the 2017 survey findings, and that more modern assessment of population and expenditure growth had been applied to the base data meaning that it was reasonably up-to-date (as at 2023).
- 3.22 In other circumstances, we would have some sympathy with the objectors on this point, as notwithstanding the updates made by the applicant, it is the market share data which forms the backbone to the assessment. However, in this instance, we can to some extent side-step this debate as the Council has asked Nexus to prepare a trading assessment of market share in convenience and comparison spending for Sprucefield, Lisburn City Centre and other identified Centres within the Council area. This has been produced to support the Council's wider plan-making activities, as well as to inform

audits of retail applications such as this. The methodology and detailed results of that assessment will be published separately in a plan-making paper to the Council. Briefly, however, our exercise was supported by Experian Spend Insights (ESI) who collate data from actual credit and debit card spending across a large sample size. The results allow us to publish up-to-date market shares and spend assessments for a range of individual retailers and centres as a whole.

- 3.23 Relating that assessment to the applicant's list of centres/stores to be considered under the impact test, the 2025 survey findings show the following annual turnovers for key centres/stores, with online spending excluded:

Store/Centre	Convenience	Comparison
Lisburn City Centre	£30.3m	£101.5m
Carryduff Town Centre	£14.8m	£8.5m
Moir Town Centre	£25.9m	£10.0m
Hillsborough Town Centre	£8.9m	£1.5m
Dundonald Town Centre	£53.5m	£12.1m
M&S, Sprucefield	£13.1m	£93.5m
Sainsbury's, Sprucefield	£42.1m	£10.2m
All other, Sprucefield	£11.9m	£102.9m
All other, Study Area	£231.5m	£110.5m

- 3.24 Turning next to the applicant's assessment of the composition of Lisburn City Centre (Table B, RINSA), Nexus has again been able to provide an update to the modern day. Based on base GOAD mapping, updated by visits to the City Centre in June 2025, we have logged the current composition of the City Centre as follows:

Lisburn City Centre	Total units	Percentage (%)
Comparison	112	26.7%
Convenience	31	7.4%
Financial & Business Service	55	13.1%
Leisure Service	66	15.8%
Retail Service	86	20.5%
Vacant	69	16.5%
Total	419	100.0%

- 3.25 Our assessment shows that the City Centre has an increasingly strong service presence, with the combined categories now comprising 49.4% of all units (42.9% in at the time of the applicants 2020 survey). In keeping with many other centres, the proportion of comparison goods retailers continues to decline (28.5% in 2020 and 26.7% in 2025), whilst there has been a small uplift in convenience goods units (5.9% in 2020 to 7.4% in 2025).
- 3.26 The number of vacancies in the centre has decreased from 22.7% of units in 2020 to 16.5% of units in 2025. Notably though, a number of vacant units appear to have changed use to uses outside the main town centre use categorisations over that period. Whilst there has undoubtedly been somewhat of a recovery in term of vacant units being occupied, the broader picture is that there is a combination of reasons. Overall, the number of units in main town centre use has shrunk from 459 units in 2020 to 419 units in 2025.

Retail Impact

Convenience Goods

- 3.27 Table 9 of the RINSA set out the applicant's assessment of convenience goods trade diversion to the proposed store from existing stores and centres. The RINSA explains how the applicant has taken prime account of the proximity of existing convenience goods retailers at Sprucefield when defining their trade diversions. The majority of convenience goods trade is therefore forecast to be diverted from Sainsbury's (24%) and Marks & Spencer (12%), with a lesser amount from B&M (1%). Significant diversions are also forecast from a second tier of out-of-centre stores which would have expected to have cross-over of main food trade, but which are more distant from the site. This includes Lidl, Moria Road (10%), Lidl, Bentrin Road (9%), Tesco, Bentrin Road (8.5%) and Eurospar Laganvalley (1.5%). Smaller amounts of trade are forecast to be diverted from other unspecified out-of-centre stores (3%). Lisburn city centre is forecast to be the source of 2% trade diversion, whilst other protected centres are expected to be the source of 2% diversion.
- 3.28 Total forecast diversion from existing facilities within the study area is therefore shown to be 75%. Beyond this, the RINSA assumes that 13% of trade would derive from stores/centres outside the Study Area, and that a further 12% of trade would be derived from 'spending growth'.
- 3.29 Turning firstly to the appropriateness of assuming that 12% of trade derives from 'spending growth', we consider this to be untypical of RIA work elsewhere. The exercise carried out inherently assumes that all retailers benefit from growth in spending over the test period (in the case of the RINSA, this was 2023-2026). Therefore, any diversion of trade from that growth would derive directly from other retailers. The expenditure growth would not simply sit unconsumed over that period. Therefore, we consider that the RINSA artificially deflates likely impact by making such an assumption.
- 3.30 On a related matter, we also consider that the RINSA likely overstates the 'inflow' of likely convenience goods spending from beyond the study area. Earlier in this audit, we agreed with the applicant that they had set a study area which was likely to be reflective of the source of the majority of their trade. This was because of the proximity of a number of foodstores elsewhere, not least to the south/south-west of Belfast. It would then be counter-intuitive to suggest that as much as 13% of the trade to the new store would derive from stores in such areas. While we can agree that there would inevitably be some inflow linked to wider shopping and leisure activities at Sprucefield, we consider an amount of 5% to be more robust for the purposes of impact modelling.
- 3.31 Turning next to the trade diversion assessment for the remaining 75% of trade to the new store which is apportioned to existing stores and centres in the study area, we agree that on the basis of the common principle of 'like-affects-like', that the majority of trade diversion would take place from existing larger foodstores, and that this is likely to scale with proximity. As modelled in the RINSA, we agree that the largest proportion of trade would likely be diverted from the Sainsbury's, then M&S stores at Sprucefield, and thereafter the two Lidl stores and Tesco store already present in the Lisburn urban area. Assigning the level of trade diversion is a judgment exercise, but based on geography and size, we are content that the relativity of the diversions assumed seem reasonable, though we return to the precise numbers below when factoring in the over-assessment of inflow we refer to above.
- 3.32 The RINSA's forecast that 2% of the new store's trade would divert from Lisburn city centre has been the subject of debate between the applicant and objectors. Whilst we consider that this is likely an underestimate, we do consider that there is a measurably different scale and function to the offer of town centre convenience stores (Greens and Iceland). The scale of offer at either store is not extensive, and each is unlikely to offer a full main food shop for the majority of their customers, whether under their existing fascia or a different one. In combination, they are likely to offer the function of fulfilling the convenience needs of those who are living or working in and around the city centre. In this sense, we agree with the applicant that proposals for a further out-of-centre store in the city (the proposal would be the eighth in the city)

would be unlikely to deter comparable amounts of trade from the city centre when contrast to other standalone facilities out-of-centre. In line with the applicant's assessment, it is most likely therefore that the out-of-centre store would divert the majority of trade between themselves. Notwithstanding, we have adjusted the likely city centre diversion figure from the applicant's assumption if 2.0% to a more robust figure of 4.5% below.

3.33 In light of all the foregoing, we have sought to re-base the applicant's impact exercise to account for the following:

- Updated market share information provided by Experian Spend Insights (2025);
- Updated sales densities provided by GlobalData (2023);
- Nexus re-forecasting of the turnover of the proposed store;
- Nexus re-forecasting of the trade diversion estimates.

3.34 Our summary exercise is set out below and seeks to replicate the format of Table 9 of the RINSA, focusing on impact on identified protected centres.

Centre/Store	Turnover 2026 ² (£m)	Trade Diversion (%)	Trade Diversion (£m)	Impact (%)
Town Centre		10.0%	£1.46	
Lisburn city centre	£30.3	4.5%	£0.67	2.2%
Royal Hillsborough town centre	£8.9	2.5%	£0.37	4.2%
Moira town centre	£25.9	1.0%	£0.14	3.6%
Other centres		2.0%	£0.28	
Out of Centre		85.0%	£12.41	
Sainsbury's, Sprucefield		30.0%	£4.38	
M&S, Sprucefield		15.0%	£2.19	
Others, Sprucefield		2.5%	£0.37	
Eurospar, Hillsborough Road		2.0%	£0.29	
Centra, Culcavy		1.0%	£0.14	
Tesco, Bentrin Road		9.5%	£1.39	
Lidl, Bentrin Road		11.0%	£1.60	
Lidl, Moira Road		14.0%	£2.04	
Inflow		5.0%	£0.73	
Total		100.0%	£14.57	

Comparison Goods

3.35 Turning to comparison goods, the RINSA suggests that Lidl is not a comparison goods destination (Para. 79) because shoppers purchasing comparison goods do so on an incidental basis. Whilst we recognise the trading characteristics of

² Turnover adjustments 2023-2026 made using EPRBN22, Figure 3a.

Lidl and any other named retailer, it is incorrect to state that Lidl is not a comparison goods destination. Increasingly, shoppers are targeting foodstores for their comparison goods purchases (e.g. toys and recreation goods) and whether the spend is incidental or otherwise, it takes spending out of the pocket of the individual making those purchases and replaces spending which would presumably have been carried out elsewhere. Moreover, as discussed earlier on, any planning permission would not be personal to Lidl. Accordingly, we treat the comparison goods element of the proposal as we would any other comparison goods element attached to a foodstore. We do though recognise that, also in keeping with assessment elsewhere, the impacts of comparison goods shopping attached to a foodstore are far more likely to be felt across a more diverse range of stores/centres. Like-affects-like will also apply, with the majority of the impact realistically felt on other larger foodstores.

- 3.36 In keeping with the range of updates made to the applicant's convenience goods trade diversion assessment, we carry out a similar exercise in respect of comparison goods below. Broadly speaking we are content with the applicant's apportionment of trade diversion in this regard, with larger amounts of trade identified as being diverted from the range of comparison goods facilities in Lisburn city centre:

Centre/Store	Turnover 2026 ³ (£m)	Trade Diversion (%)	Trade Diversion (£m)	Impact (%)
Town Centre		30.0%	£0.25	
Lisburn city centre	£105.4	28.0%	£0.23	0.2%
Royal Hillsborough town centre	£1.6	1.0%	£0.01	0.6%
Moirá town centre	£10.4	1.0%	£0.01	0.0%
Other centres		0.0%	£0.00	
Out of Centre		65.0%	£0.54	
Sainsbury's, Sprucefield		30.0%	£0.25	
M&S, Sprucefield		15.0%	£0.12	
B&M, Sprucefield		5.0%	£0.04	
Eurospar, Hillsborough Road		0.0%	£0.00	
Centra, Culcavy		0.0%	£0.00	
Tesco, Bentrím Road		4.0%	£0.03	
Lidl, Bentrím Road		5.0%	£0.04	
Lidl, Moira Road		6.0%	£0.05	
Inflow		5.0%	£0.04	
Total		100.0%	£0.83	

Other Impacts

- 3.37 The applicant also considers the other criteria of Paragraph 6.290 of the SPPS and concludes that there are no cumulative impacts from major extant planning permissions to take account of. They also conclude that there are no committed and planned public or private sector investments in identified centres which would likely be affected by the proposals.

³ Turnover adjustments 2023-2026 made using ERPBN22, Figure 3b

3.38 We have consulted with the Council on these matters and confirm that the Council agrees with this assessment.

Summary

- 3.39 In light of our assessment, we conclude that the combined trade diversion of the application proposals from Lisburn city centre would be in the region of £0.9m per annum, resulting in a solus impact on the city centre of around 0.7% per annum. This differs only slightly to the RINSA assessment of 0.6% at its Table 11.
- 3.40 Whilst this level of solus impact is relatively low, it is relevant to note that our survey data tells us that the city centre has an above average level of vacant units. This concern is evidenced by the recent £2m capital grant scheme and some obvious signs of degradation in the city centre with a number of significant units laying vacant, notably at Bow Street Mall and on Bridge Street and Market Square. There was further news in June 2025 that River Island has pinpointed its premises on Bow Street for closure.
- 3.41 Notwithstanding, we are mindful of the largely convenience nature of these proposals and, as reflected in our earlier discussion on trade diversion, the relative lack of overlap with ‘like-affects like’ foodstores in the city centre itself. Whilst we are concerned for the vitality and viability of the city centre in general, we think it is unlikely that these application proposals would result in isolation in a level of harm which would be classified as ‘significantly adverse’.

4. Need Assessment

Introduction

- 4.1 The supporting text to Policy TC1 of the Operational Policies explains that proposals for retail or town centre type developments above a threshold of 1,000 square metres gross external area which are not proposed in a town centre location or in accordance with the Local Development Plan will be required to undertake a Retail Impact Assessment and/or an assessment of need. For the avoidance of doubt, we would suggest that any main town centre use proposal over the 1,000 sq m gross threshold should be subject to an assessment of impact *and* need, as set out in the SPPS (see below).
- 4.2 Paragraph 6.282 of the SPPS requires applicants, in the absence of a current and up-to-date LDP, to prepare an assessment of need which is proportionate to support their application. This can be quantitative and qualitative taking account of objectively assessed needs of the local town and committed development proposals and allocated sites. Paragraph 6.283 notes that applications above a threshold of 1,000 sq m gross which are not proposed in a town centre and are not in accordance with the LDP, should be required to undertake a full assessment of need.
- 4.3 The applicant suggests that, unlike the impact and sequential tests, there is no presumption to refuse a planning application for town centre uses if a need is not satisfactorily demonstrated. We agree that this is not as clear as it could be in the SPPS, but we disagree with the basic premise that it might not be a relevant consideration in the overall decision-making process. Paragraph 6.290 begins by explaining the “*Factors to be addressed in retail impact and assessment of need include*” (our emphasis), before then detailing a bullet point list of factors which includes impact on local traders and allocated sites and committed development proposals. These factors are common with the assessment of need set out in prior Paragraph 6.282. Following Paragraph 6.291 then explains that “*Where an impact on one or more of these criteria is considered significantly adverse or when in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it should be refused*”. We therefore interpret that the SPPS sustains that the presence or absence of an identified need is a relevant material consideration in the overall consideration of impact.

Evidenced Need

- 4.4 The applicant points to a need to extend consumer choice by complementing existing retail facilities at Sprucefield. The RINSA evidences this through the identified retail capacities set out in the Lisburn & Castlereagh Retail Study 2018. Specifically, Table 5.1 of that Study showed that there was capacity for between £42.7m and £50.9m of new convenience goods turnover by 2027. The RINSA then points to the (then) suggested turnover of the application proposal as representing between just 20.5% and 24.4% of the identified capacity.
- 4.5 The identified capacity in the 2018 Study was largely based on the over-trade of existing facilities at that time (£37.9m per annum, taken from Table 4.8). However, we note that the 2018 Study made no differentiation between survey-derived performance of in-centre and out-of-centre facilities. All stores/centres were treated as trading at benchmark. There is some degree of caution therefore to be exercised in that respect as it would not make sense to seek to re-distribute that over-trade if it predominantly belonged to town centre stores (i.e. it is not the purpose of the ‘town centre first’ principles to re-distribute over-performance in town centres to out-of-centre stores).
- 4.6 The 2025 surveys from ESI show that Lisburn city centre convenience goods floorspace has an annual turnover of £103.2m and that this is performing slightly below benchmark. Concurrently, our analysis also shows that foodstores at Sprucefield are trading with mixed fortunes, with M&S above company average, but Sainsbury’s below company average. This suggests that there is a mixed picture in the local area.

- 4.7 More broadly, our overall assessment of quantitative capacity within the District shows that there is no quantitative capacity at either Sprucefield, or likely the District as a whole, to support significant convenience goods growth.
- 4.8 The RINSA makes only a very basic case for qualitative need, suggesting that the store would extend consumer choice. Any addition to the current foodstore stock would do this as a matter of fact, though no case is presented as to why this is particularly pertinent in this location.

Summary

- 4.9 In light of the foregoing, we find that there is no compelling quantitative or qualitative needs case for the application proposals. In line with Policy TC1 and the SPPS, these factors are material considerations in the overall assessment of the impact of the proposals.

5. Sequential Assessment

Introduction

- 5.1 Policy TC1 of the Council's Operational Policies (2023) explains that that in operation of the sequential approach, applicants are required to consider the primary retail core and retail frontage, before considering sites in city or town centre, edge of city or town centre, and on then, out of centre locations which are accessible by a choice of good public transport.
- 5.2 Paragraph 6.280 of the SPPS explains that a sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date LDP. Applicants should define a catchment area and within that, examine sites in order of presence in primary retail core, town centre, edge of centre and out-of-centre locations. Paragraph 6.289 goes on to confirm that flexibility should be adopted in seeking to accommodate developments with a constrained development footprint and that applicants will be expected to identify and fully demonstrate why alternative sites are not suitable, available and viable.

Sequential Search Parameters

- 5.3 The RINSA sets out a bullet point list of features of the application proposal at its Paragraph 110. The applicant is right to equate these aspects to legal cases such as *Dundee* and the requirement for sequential sites to be those which are suitable for the development proposed, rather than the development to be retro-fitted to suit particular sites.
- 5.4 However, as has been pointed out by third parties, the RINSA does not then refer to or examine options for flexibility, as required by SPPS 6.289. Typically, RIA for retailers such as Lidl commonly consider whether the site area can be compressed, and in this case, it is readily evident that the 1.1 hectares assumed in the RINSA, could be. That area contains an area of vacant land as well as elongated access roads, neither of which might be necessary on other sites. Deducting these areas results in a revised site area of around 0.8 hectares. Third parties point to smaller sites for discount foodstores still, of around 0.6-0.7 hectares. On balance though, we are happy that a revised consideration of 0.8 hectares is appropriate for minimum site size, cognisant that the application proposal has a larger store size than many of the examples quoted. Moreover, we note that the applicant has considered sites marginally smaller than this in their revised site assessment in any event (letter of 29th October 2024).

Site Assessment

- 5.5 The RINSA considers sites in Lisburn city centre at its Appendix 10 and concludes that none are suitable, available and viable. More latterly, the applicant's letter of 29th October 2024 then re-considers an assessment of a number of relevant new sites as well as those set out in the original RINSA. We comment on those within the study area as follows:
 - Bow Street Mall, Lisburn – This site as not included within the RINSA assessment. It was flagged by a third party as potential alternative site and the applicant has commented on it in their 2024 response, providing a layout plan at Appendix 2 to that response. The applicant contends that whilst the unit B29 is vacant, it remains leased to Tesco and with a gross floor area of 2,250 sq m, is 221 sq m smaller than the proposal (2,471 sq m gross). They also note that the unit is accessed only from the mall, has no visual presence from the road network, and is either a 300m walk from the closest charged public car park, or a 200m walk via lifts or stairs to the Bow Street Mall car park.

Nexus has more recently surveyed the Mall and can confirm that the unit B29 remains vacant and presumably is therefore available at the time of writing. The unit has also demonstrably been used for the sale of convenience goods under previous occupation by Tesco. We also do not consider the gross floor area differential compelling,

with the c10% difference being within the realms of the ‘flexibility’ prescribed by the SPPS in our view. The unit would also appear to have dedicated servicing at Service Area B. Bow Street Mall advertises a 180-space surface level car park and a 1,000-space multi-storey car park. Based on our observations, the 180-space space surface level car park was well-utilised and is unlikely to be reasonably relied upon to resource a busy foodstore operation. However there did appear to be plentiful vacant spaces in the 1,000-space multi-storey car park. Notwithstanding, it is clear that the application proposals are for a main foodstore with predominantly trolley shopping and we are inclined to agree with the applicant that it would be difficult to create similar levels of accessibility to the proposal site taking account of the walking distance and stair/lift access requirements. Where similar foodstore proposals are accommodated in malls elsewhere, they are often adjacent to the car parking with surface-level access and/or a traveller to access any upper-level parking. This does not readily seem to be able to be accommodated with regard to unit B29 and so whilst we consider the unit to be available and likely viable, we do not consider it to be suitable.

Whilst vacant unit 12 is located opposite the multi-storey car park, we are content that some of the same levels issues would exist and that, at 1,672 sq m gross, the unit would be beneath the reasonable range of flexibility, being approximately 68% the size of the application site proposal.

- Laganbank Car Park, Lisburn - This site was considered in the RINSA and was noted as a planned development opportunity site in the Council’s strategic documents, and that it is owned by the Council and is therefore likely to be available. However, the site was discussed as being suitable because of its existing use as a car park serving the city centre, because it is identified for a housing-led mixed-use redevelopment by the Council, and because it is too small at 0.85 hectares.

As we have previously noted, we do not consider the applicants position on site size to be sustainable and so we disagree that it is too small. In the October 2024 response, the applicant notes that a Development Brief for the site was produced in 2022 with submissions invited by 2023. The Brief sought a mix of uses to strengthen the vitality of the city centre though increased footfall, including through the providing of residential accommodation. The applicant reports that despite some initial interest, firm interest failed to materialise. The applicant also points to a levels difference on the site (approximately 12m) and a 2014 PAC decision which concluded that the site would not be convenient for bulk grocery shopping due to distances and gradients.

The applicant proceeds at Appendices 6 and 7 a series of layout plans and CGI images showing how a store might be accommodated on the site, allowing for some flexibility. The resultant plans are reported to show a scheme which would deliver car parking well below that which is feasible (36% of the application scheme) and very overbearing retaining wall structures to ensure that the levels differences were overcome.

We note that the Development Brief considered building heights of up to 4 storeys would be acceptable, and so it would be feasible to accommodate a foodstore as well as surface-level car parking as part of a decked-parking development. Whilst this could be said to add to any urban design concerns, it is not directly visible from Lisburn City Gardens and there are ways to dress retaining walls which might assist with reducing their impact. Lidl has shown the ability to create attractive environments as part of levels changes with introduction of their recently opened store in Carryduff.

Notwithstanding, having discussed this site with the Council, we understand that the site is viewed as being a mixed-use proposition, led by residential development. We are therefore content that whilst it seems feasible that the site could accommodate a foodstore, the proposed use would be unsuitable as it would not match the Council’s aspirations for the site.

- 99 Kingsway, Dunmurry - This site was not considered in the RINSA, and was put forward by third parties as a site which is potentially available and which has been subject to a previous pre-application enquiry for a mixed-use development including supermarket. However, the applicants October 2024 response points to the fact that the site is an edge-of-centre site to a local centre and that footnote 57 of the SPPS excludes local centres from consideration under the sequential test. Whilst this is capable of update though local policy, we have reviewed local policy (including also Policy RET3 of the Belfast Plan Strategy) and note that scale, needs and impact tests are prescribed for local centres, but the sequential test is not.
- Other Sites in Lisburn – We are content with the findings of the RINSA, and the subsequent response of October 2024, in respect of the other sites in Lisburn set out therein. Each of those sites is demonstrable too small to accommodate a development of the nature proposed.

Summary

- 5.6 Accordingly, we are content that there are no more sequentially preferable sites which are available, suitable and viable and that the proposals therefore satisfy the requirements of Policy TC1 and the SPPS.

6. Overall Summary

- 6.1 Our Audit has considered the relevant local planning policy and national planning policy context and concludes that the proposals would not result in significant adverse impact on Lisburn city centre or any other designated centre. Whilst the applicant has failed to demonstrate a qualitative or quantitative need for the proposals, this does not in itself lead us to change our core conclusions on impact. The proposals therefore accord with Policy 14 and the SPPS in this regard.
- 6.2 The application proposals have also been considered against the sequential test and we have concluded that there are no currently available, suitable and viable sites in sequentially preferable locations. The proposals therefore accord with Policy TC1 and the SPPS in this regard.



Nexus Planning
London

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Lisburn & Castlereagh City Council

Planning Committee Addendum Report	
Date of Meeting	01 December 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	Refusal

Background

1. This application was first included on the Schedule of Applications for consideration by the Committee at a meeting on 02 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant had stated he was not aware had been previously requested from the agent.
3. This application was then presented to the Committee at a meeting on 06 January 2025 following receipt of additional farming information. Following the presentation by officers, Members agreed to defer consideration of the application for a second time to allow a site visit to take place.
4. This application was again presented to the Committee at a meeting on 03 February 2025 following the site visit which took place on 21 January 2025.
5. Following presentation of the application by officers, Members agreed to defer consideration of the application for a third time to allow further information to be submitted. Additional information was received on 18 May and 13 June 2025. Further consultation was carried out with NED and SES and the application was returned to committee for decision on 03 November 2025.

6. The following amended reasons for refusal were presented to the committee:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.

7. Following a presentation by the officer, in consideration of the representations received from the planning applicant and having sought clarification of several

issues the Members were not minded to accept the advice that the application be refused.

8. Legal advice was sought in confidential business on the application of policies COU15 and 16 as to whether the agricultural building being retained clustered with existing buildings.

Following receipt of advice, it was agreed to defer the application for a fourth time in accordance with paragraph 66 of the latest revision to the Protocol for the Operation of the Planning Committee seek further, written legal advice and ensure that Planning Officers can provide additional reports.

Further Consideration

10. Legal advice has been received and circulated to the planning committee separately in advance of the meeting.
11. The item will be heard in full again. There will be an opportunity for Members at the beginning of the item to seek clarification in confidential business on the advice received before the officer's presentation.
12. In light of the written legal advice received, the officer's advice remains unchanged in respect of the agricultural building insofar as it is not clustered with other buildings. The neighbouring dwelling is one building and it is stated in policy COU12 that:

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

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

13. This proposal is not sited beside existing farm or forestry buildings contrary to policy COU12 and it does not cluster with existing buildings for the reasons set out at paragraphs 69 and 76 of the main report presented to the committee in December 2024.
14. For completeness the refusal reason at bullet point six in paragraph 6 is updated as follows:

Amended reason for refusal

- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape, **and the building is not sited beside existing buildings on the farm.**
(Additional text added in bold and underlined)

Conclusion and Recommendation

15. This addendum report should be read in conjunction with the previous reports and the balance of the officer's advice in respect of this development remains unchanged.

Lisburn & Castlereagh City Council

Planning Committee Addendum Report	
Date of Meeting	03 November 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	Refusal

Background

1. This application was included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been previously requested from the agent.
3. This application was then presented to the Committee at a meeting on 6 January 2025 following receipt of additional farming information. The recommendation was still to refuse planning permission.
4. Following the presentation by officers, Members agreed to defer consideration of the application for a second time to allow a site visit to take place.
5. This application was again presented to the Committee at a meeting on 3 February 2025 following the site inspection on 21 January 2025. The recommendation was again to refuse planning permission.
6. Following the presentation by officers, Members agreed to defer consideration of the application for a third time to allow additional information to be submitted.

Planning Policy Context

NH3 Sites of Nature Conservation Importance - National

7. The request for additional information related primarily to the impact of the retained agricultural development on the environment.
8. Policy NH3 states that:

Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of:

- a) an Area of Special Scientific Interest*
- b) a National Nature Reserve*
- c) a Nature Reserve*
- d) a Marine Conservation Zone.³¹*

A development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.

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

Further Consideration

9. Additional information received by the Council 18 May 2025 included:
 - Nutrient Action Programme Application
 - Soil Sampling Analysis Report and Field Spreading Maps
 - Tenancy Agreement
 - Amended Application Form (Description to include underground slurry tank)
10. Advice on the content of the submitted reports were sought from Shared Environmental Services, the Environmental Health Department of the Council and NIEA Water Management Unit and Natural Environment Division.
11. The Natural Environment Division requested additional information due to the proposal being within 7.5km of a designated site.

12. Additional information was received by the Council 13 June 2025 that included:

- An updated Tenancy Agreement
- An Air Quality Impact Assessment
- A Nutrient Management Plan
- A letter to NIEA quantifying the amount of cattle slurry produced

13. On receipt of the additional information a further round of consultation was carried out with the above referenced consultees.

14. The Environmental Health Department advised based on a separation distance of 87 metres to the closest neighbouring residential dwelling it had no objection.

15. Natural Heritage Division (NED) replied on 25 September 25 stating that the site was within 7.5km of the Belvoir ASSI and that::

In accordance with part IV of the Environment (Northern Ireland) Order 2002 (as amended), the public body must assess how these works, either alone or in combination could adversely affect a site of National Importance. A development proposal may only be permitted where the associated public benefits clearly outweigh the value of the site, where the planning authority determines this is the case, they must notify NIEA and impose conditions sufficient to minimise the damage and restore the site.

16. They confirmed the advice provided is based on the potential impact of proposals both alone and in combination with other relevant projects within the Designated Site Network and that for each of the designated sites the Process Contributions (PCs) which include modelled ammonia concentration and nitrogen deposition meet the necessary thresholds which there is no conceivable impact.

17. NED further advised there were no air quality concerns with the proposal, and they are content that all the slurry from the proposed facility will be disposed of via land spreading, and an agreement for this is in place.

18. It was noted within the NED response that the consultee could not locate the previous referred to Biodiversity Checklist but advised the proposed development represented a low risk to the qualifying features of the designated site.

19. Water Management Unit also within the same NIEA consultation response offer no objection.

20. SES also raised no objections having considered the NED response. They stated:

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.

Policy NH3 - Sites of Nature Conservation Importance - National

21. In accordance with Policy NH3 as advised above the proposal is within 7.5km of the Belvoir ASSI (Area of Special Scientific Interest). It is concluded that based on a review of the supporting information and having considered the advice contained in the NED consultation response the proposal is not likely to have an adverse effect on the integrity and the value of the site to the habitat network and the Belvoir ASSI.
22. The second part of the policy criteria states:

'the development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.'
23. NED considered the retention of this buildings and its potential impact on the designated site network is low risk to the qualifying features of the designated site and shall have no conceivable impact on the process contributions. There is no reason to disagree with the advice of the statutory consultee.
24. If Members are not minded to accept the advice of officers a condition is necessary to ensure that any deviation from the approved slurry disposal arrangement under this proposal will not have an adverse impact on any designated site.
25. It is considered for the reasons detailed in the preceding paragraphs that the proposal complies with Policy NH3.
26. Based on this information it is further considered that the proposal would not have a significant adverse impact on the environment. The refusal reason associated with COU16 criteria (g) is withdrawn.

Conclusion and Recommendation

27. This addendum report should be read in conjunction with the previous reports and the balance of the officers advice in respect of this development remains unchanged. Only the reason for refusal related to COU16 criteria (g) is withdrawn.
28. The following refusals reasons still apply:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.

LISBURN & CASTLEREAGH CITY COUNCIL**Report of a Planning Committee Site Visit held at 2.10 pm on Tuesday, 21 January, 2025 at Land Adjacent to 112 Back Road, Drumbo****PRESENT:**

Councillor S Burns (Vice-Chair)

Aldermen O Gawith and J Tinsley

Councillors D J Craig, U Mackin and A Martin

IN ATTENDANCE:

Head of Planning & Capital Development (CH)

Member Services Officer (CR)

Apologies for non-attendance were submitted by the Chair, Alderman M Gregg, and Councillors P Catney, G Thompson and N Trimble.

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

LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo

This application had been presented for determination at the meeting of the Planning Committee held on 6 January 2025. The Committee had agreed to defer consideration to allow for a site visit to take place.

A Member asked why the building was already in situ. Members were reminded that this was a retrospective application that had first been submitted in August 2022 because of an enforcement case.

Members viewed the site location plan, and the Head of Planning & Capital Development reminded Members that the reason for the site visit was to look at the integration of buildings into the landscape.

Members walked along Back Road and viewed the agricultural building from both directions.

The Head of Planning & Capital Development advised Members that they should consider if the agricultural building clustered with buildings on the farm and if it visually integrated into the open countryside and rural character. Officers had identified key issues in this application in terms of prominence of the building. Members needed to apply their own judgement as to whether the building sufficiently grouped with existing buildings.

A query was raised by a Member about the farming activity. The Head of Planning & Capital Development advised that Officers had considered that the farm was not established, as the first time the business ID had been created was in 2020; therefore, the

requirement for 6 years of registered activity had not been met. The applicant had made a different argument, and Members needed to weigh that against what Officers had reported. The applicant had advised initially that the building had been necessary for the purposes of isolation; however, that had changed in the intervening period – he now overwintered his animals and fed them inside.

In response to a Member's query, the Head of Planning & Capital Development confirmed that Members could take into consideration seasonal changes in vegetation. In a further query a Member asked if they could request additional landscaping.

The Head of Planning & Capital Development advised that they could request additional landscaping but referred them to the part of the policy that the promise of additional landscaping did not normally make an unacceptable building acceptable.

There being no further business, the site visit was terminated at 2.33 pm.

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	03 February 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	None
Case Officer	Joseph Billham
Recommendation	Refusal

Background

1. This application was initially included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been requested.
3. The application was represented by officers on the Schedule of Applications for consideration by the Committee at a meeting on 6 January 2025. The recommendation was unaltered to refuse planning permission.
4. Following a presentation by officers and after representations were heard from the applicant and his advisers, Members agreed to defer consideration of the application to allow for a site visit to take place.
5. A site visit took place on 21 January 2025. A separate note of this site visit is provided as part of the papers.

Further Consideration

6. Members were reminded that the purpose of the site visit was to allow the Members to observe the development as built (being retrospective) in the context of the adjacent building and the surrounding lands and to consider the integration of the building into the countryside. It was also to allow them to ask

questions about what the officers had taken account in the assessment application.

7. Members walked along Back Road and observed the agricultural building from both directions. It was advised that what should be considered is if the agricultural building clustered with buildings on the farm and if it visually integrated into the open countryside and rural character.
8. One of the issues identified was prominence. Members were requested to apply their own judgement as to whether the building (shed) as built sufficiently grouped with existing buildings.
9. It was confirmed that seasonal changes in vegetation could be considered however any proposed additional landscaping does not normally make the building as constructed acceptable.
10. Clarification was sought on the established nature of the farming activity. It was confirmed the business ID was created in 2020 and the requirement for 6 years registered activity had not been met. It was pointed out the applicant had made a different argument, and Members need to weigh that against the officer's report. Initially this shed was for isolation and over the intervening period was now used to overwinter livestock and store fed.

Conclusion and Recommendation

11. The purpose of the site visit was to afford Members an opportunity to visit the site and observe the development (shed) in its context.
12. No new issues were raised that required further clarification. The advice previously offered that planning permission should be refused is not changed.
13. The information contained in this addendum should be read in conjunction with the main DM Officer's report and previous addendum presented to the Committee on 06 January 2025.

Lisburn & Castlereagh City Council

Planning Committee	
Date of Committee Meeting	06 January 2025
Committee Interest	Local Application (Called In) – Addendum
Application Reference	LA05/2022/0831/F
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road, Drumbo
Representations	None
Case Officer	Joseph Billham
Recommendation	Refusal

Background

1. This application was included on the Schedule of Applications for consideration by the Committee at a meeting on 2 December 2024. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow for further information to be submitted which the applicant stated he was not aware had been requested.

Further Consideration

3. Additional information was submitted to the Council on 4 December 2024. The information included:
 - An invoice for a replacement nut bag dated November 31 November 2016
 - A receipt for the purchase of cattle dated 17 December 2018
 - A receipt Triple Plus milk from Britmilk dated October 2019.
 - A copy of an application to NIEA titled “Notification for New or Substantially Reconstructed Organic Nutrient Storage Systems.
 - An amended drawing indicating that the shed will be accessed via the existing access which currently serves the dwelling. The drawing also notes that the current access will be permanently closed.

4. At paragraphs 60-62 of the main officer report it is outlined in detail the reasons why the Council considered that it had not been demonstrated that the agricultural holding had been active and established for a minimum of 6 years. It was noted in the report that that no information had been submitted to demonstrate farming between 2016-2019.
5. The abovementioned receipts have been submitted for the years 2016-2019. Taking the limited information that these receipts provide into account it is considered that this is still not sufficient evidence to demonstrate that the agricultural holding has been active and established for a minimum of 6 years. Criteria (a) of COU 12 has not been met.
6. The information also reinforces the advice contained at paragraphs 55 to 58 of the main report that the building is not necessary for the efficient operation of the holding and is excessive in size for its function.
7. An amended drawing has been submitted indicating that the shed will now be accessed via the existing access which currently serves the dwelling. The drawing also notes that the current access will be permanently closed.
8. DfI Roads have been consulted with the amended drawing and whilst they have not responded to date, as an existing access is being utilised officers would have no objection to this proposed change in principle. Refusal reasons associated with the access including Policy TRA2 criteria (a) and COU16 criteria (i) are withdrawn.
9. A copy of an application to NIEA Water Management Unit (WMU) for the "Notification for New or Substantially Reconstructed Organic Nutrient Storage Systems has been submitted to the Council. However no corresponding information has been provided by the agent indicating that this application is processed and approved. NIEA have been consulted with this additional information, however, to date they have not responded.
10. In the absence of any substantive evidence to demonstrate that the development is not causing impact on the surface water environment a pre-cautionary approach is followed and the proposed reason for refusal is not withdrawn. The existing advice at paragraphs 81 to 84 of the main report still stands.

Conclusion and Recommendation

11. The advice previously offered that planning permission should be refused is not changed. As indicated above the reason for refusal related to the access is withdrawn.
12. The information contained in this addendum should be read in conjunction with the main DM officer's report previously presented to Committee on 02 December 2024.

Lisburn & Castlereagh City Council

Planning Committee	
Date of Meeting	02 December 2024
Committee Interest	Local Application (Called In)
Application Reference	LA05/2022/0831/F
Date of Application	18 August 2022
District Electoral Area	Downshire East
Proposal Description	Proposed retention of recently constructed agricultural building
Location	Land adjacent to 112 Back Road Drumbo
Representations	0
Case Officer	Joseph Billham
Recommendation	Refusal

Summary of Recommendation

1. This application is categorised as a local planning application. The application is presented to the Committee in accordance with the Protocol for the Operation of the Planning Committee in that it has been called in.
2. The application is presented to the Planning Committee with a recommendation to refuse in that the contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
3. In addition, proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
4. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.

5. The proposal is contrary to Policy COU12 criteria (c) and (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location, and it has not been demonstrated that the proposal visually integrates into the local landscape.
6. The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
7. The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
8. The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
9. The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
10. The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
11. The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.
12. The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles

Description of Site and Surroundings

13. This site is located at the south side of Back Road and to the east of an occupied dwelling at 112 Baack Road.
14. The site measures 0.18 hectares in size and is rectangle in shape. It is accessed from Back Road via a laneway. This leads to an existing agricultural building and hard standing which is set back from the Back Road by approximately 30 metres.

15. The building is single storey with a rectangular footprint and has an open sided structure with a pitched roof. Within the building there is an internal sectional wall. Onside is for housing cattle and the other for storing hay.
16. The finishes on the building include dark blue metal cladding on the roof and part of the exterior walls. The remainder of the exterior walls are of block construction finished in grey render. The open sided structure is supported by steel stanchions.
17. The access laneway has mature hedging on the east side that runs parallel with the lane. The southern and eastern boundaries are defined by post wire fencing and earth mound. The northern boundary consists of hedging.
18. The topography of the site an undulating level but generally falling way from the roadside towards the rear boundary of the site.

Surroundings

19. The site is located in the open countryside and the area is predominantly rural in character. The site is bounded by open agricultural fields to the north, south and east. To the west of the site lies 112 Back Road which is a detached single storey dwelling.

Proposed Development

20. The is full planning permission for the retention of a recently constructed agricultural building.

Relevant Planning History

	Description	Location	Decision
LA05/2017/0351/F	Proposed replacement dwelling and garage	112 Back Road Drumbo Lisburn	Permission granted

Consultations

21. The following consultations were carried out:

Consultee	Response
DFI Roads	Objections to proposal
NI Water	No objection
Environmental Health	No objection
NIEA	Objections to proposal
DAERA	Business has not been in existence for more than 6 years.

Representations

22. No letters of representation received during the processing of the planning application.

Planning Policy Context

Local Development Plan Context

23. 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

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

Transitional arrangements will apply in relation to the existing Plan designations. The existing Development Plans which remain in effect for different parts of the Council area are set out in Chapter 2 (Existing Development Plans). Following adoption the Development Plan will be the Plan Strategy and any

old Development Plan, with the Plan Strategy having priority in the event of a conflict. Regulation 1 state that the old Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.

The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.

BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.

25. In accordance with the transitional arrangements the existing Local Development Plan is the adopted Plan Strategy and the extant development plan which is the Lisburn Area Plan (LAP).
26. The site is located in the countryside in LAP and at page 49 it states:

that the Departments regional development control policies for the countryside which will apply in the Plan area are currently set out in the various Planning Policy Statements published to date.
27. Draft BMAP remains a material consideration in draft BMAP (2004) and the subsequent revision to the draft in 2014 this site is also identified was being located in the open countryside.
28. This application is for new agricultural building in the open countryside. The strategic policy sustainable development and good design and positive place [Strategic Policy 01 and 05] states:
29. 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.
30. Strategic Policy 05 Good Design and Positive Place Making states:

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.

31. The following operational policies in Part 2 of the Plan Strategy also apply.
32. The proposal is for non-residential development in the open countryside. Policy COU 1 – Development in the Countryside states:

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

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

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

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

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

33. As explained, this is an application for a farm shed and in accordance with the requirements of Policy COU1, the application falls to be assessed against policies COU12, COU15 and COU16 of the Plan Strategy.
34. COU12 Agricultural and Forestry Development
35. *Planning permission will be granted for development on an agricultural or forestry holding where it is demonstrated that:*

a) the agricultural or forestry business is currently active and established (for a minimum of 6 years)

b) it is necessary for the efficient use of the agricultural holding or forestry enterprise

c) in terms of character and scale it is appropriate to its location

d) it visually integrates into the local landscape and additional landscaping is provided as necessary

e) it will not have an adverse impact on the natural or historic environment

f) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

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

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

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

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

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

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

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

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

Integration and Design of Buildings in the Countryside

36. 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

37. 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.*

Access and Transport

38. The proposal involves the alteration of an existing access to the public road. Policy TRA2 – Access to Public Roads states:

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

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

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

Regional Policy and Guidance

39. 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.

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

Assessment

Agricultural and Forestry Development

42. The proposal is seeking retrospective planning permission for an agricultural building at land adjacent to 112 Back Road, Drumbo.
43. A P1C form has been submitted alongside the application. The form states that Mr Neil Reid at No 112 Back Road is the farmer. The P1C form states the farm business was established in 2015. The farm business id (665138) was allocated on 05/02/20. It is claimed that single farm payments are not applied for.
44. Within Question 2 of the P1C Form its stated that Mr Neil Reid has a herd number 393059. It is claimed that animals were kept at 112 Back Road during years 2014 – 2016. This was in the name of Mr Reid’s father. His herd number was 390207.
45. Question 3 of the P1C form explains a payslip of cattle sent to W.D Meats in 2022 and invoice of heifer nuts delivered in 2014 to feed calves kept at 112

Back Road during 2014 – 2016. Question 6 advises that no other sites are available at 122 Back Road.

46. No DAERA farm maps have been provided as part of this application, but this is not unusual on farms where single farm payment is not received
47. DAERA have been consulted on the application and confirmed that the business id 665138 for Mr Reid has not been in existence for more than 6 years and that the business ID was first allocated on 04 December 2020.
48. DAERA confirmed in their response that no single farm payment claims have been made in the last 6 years. DAERA answered 'No' to the question is the application site is on land which payments are currently being claimed by the farm business.
49. Supporting information with the application submitted by the agent included:
 - A supporting letter from agent
 - A supporting letter from applicant
 - Aerial imagery at 112 Back Road Drumbo for 2013 and 2014
50. More details regarding farming activity over recent years have been submitted that include:

2013

- April rates bill

2014

- F.S Herron Invoice – Heifer replacement nut bags

2015

- Home/Life Insurance X 2

2020

- June Rates bill
- DARD Letter – Business ID Allocated

2021

- DARD Letter – Move Restricted Herd
- DARD Letter – Options for OTS Cattle
- DARD Notice – Notice prohibiting movement of certain cattle

2022

- NIFCC Certificate – Beef Producer
 - Receipt and cheque for cattle purchase
51. Criteria a) of Policy COU12 states that development on an agricultural holding will be granted where it is demonstrated that the holding is currently active and established for a minimum of 6 years. Under COU10 criteria a) provides more information on the level of detail required to demonstrate the farm business is active and established. This includes independent, professionally verifiable business accounts, that it has been established for at least 6 years.
 52. The agent has provided information on the P1C Form states that Mr Reids own business ID665138 was allocated on 05 February 2020. Mr Reid advised within his statement that it had been decided within the family that Mr Reid needed to farm at a separate location with a separate herd number. No details have been provided of Mr Reid's fathers farm holding. In addition, within policy it refers to a farm/business in the singular therefore only Mr Reid business id 665138 can be taken into account here.
 53. The information provided above is not deemed sufficient to demonstrate that the farm business has been active and established for the required period of six years. No information has been submitted to demonstrate active use on the farm holding between 2016 – 2019. The information within the years provided are not deemed sufficient to establish that there is an active business.
 54. Therefore, taking the above into consideration criteria a) has not been met as it has not been demonstrated that the agricultural holding has been active and established for a minimum of 6 years.
 55. The applicant and agent has provided detail within the supporting statement and documents that the agricultural building was built for housing isolated cattle. The documents provided includes a letter from DAERA confirming that eight diseased cattle were isolating at this location.
 56. On DAERAs website within the document 'Biodiversity Code for Northern Ireland Farms' it is stated that:

New or returning livestock should be placed in isolation for 21 days. This includes animals returning home from shows. The quarantine facility should be a house, which does not share airspace, water supply or drainage with any other animal accommodation, and is a minimum of 3 metres away from other livestock areas. A field or paddock may also satisfy these criteria. If in doubt your own Veterinary Surgeon can advise on suitability.

57. The shed measures 13 metres by 9 metres and has a ridge height of 5.2 metres. The size of the building is considered excessive in size for the requirement of housing the number of isolated cattle. As advised above a field or paddock may be suitable or in this context a smaller shed may have been erected to accommodate the isolated cattle.

58. The shed is not a building necessary for the efficient use of the agricultural holding. Criteria b) is not met.
59. The building has a pitched roof with a ridge height of 5.2 metre. The material finishes of the building as previously indicated is dark blue cladding, grey render walls and steel support stanchions. The size and scale of the building appears prominent at this location.
60. The building is excessive in size for its function, for the holding and within the surrounding area. The character and scale of the proposal is not appropriate to its location and criteria c) is not met for the following reason.
61. The building is not visible when travelling west to east as it is screened by the existing dwelling at 112 Back Road. Views of the shed are also broken up by mature trees and hedging adjacent to the access point of 112 Back Road.
62. Although it is set down slightly from the level of the road it remains open from a critical view travelling east to west along Back Road and also in long distance views from Front Road. The building is considered to appear prominent when travelling along Front Road towards the site. The building is considered not to visually integrate into the local landscape. Criteria d) is not met.
63. The proposal is not considered to have an adverse impact on the natural or historic environment. There are no features of natural or historic within the vicinity of the site. Criteria e) is met.
64. In terms of criteria f) the proposal shall not have a detrimental impact on amenity of residents nearby nor any issues arise from noise, smell and pollution. EHO have been consulted and offered no objections.
65. The balance of the criteria associated with Policy COU12 details that the applicant shall provide information to demonstrate there are no suitable buildings on the holding that can be used.
66. The agent has advised that during construction of a replacement dwelling (LA05/2017/0351/F) the existing farm buildings were demolished. Even if the buildings were part of the farm holding these are no longer present on site as confirmed during site inspection. No weight is attached to the fact that there were buildings here in the past.
67. The design and materials as considered above are sympathetic to the rural character of the place and reflect the design of the nearby buildings.

Integration and Design of Buildings in the Countryside

68. Turning then to policy COU 15 in terms of criteria (a), it is considered that the proposal is a prominent feature in the landscape when viewed front the junction with Front Road and travelling east to west along Back Road.
69. In terms of criteria (b) the building is not considered to cluster an established group of buildings. The building sited beside a single farm dwelling at 112 Back Road west of the site. Criteria b) is not met.
70. With regard to criteria c) the building is considered open to critical viewpoints along both Front Road and Back Road when travelling east to west. The building does not blend with the landform and does not have a sufficient backdrop or landscaping to integrate and is considered prominent at this location. The northern boundary comprises of hedgerow and the southern boundary comprises of post wire fence. that would not be suitable to integrate here. New landscaping would be needed to integrate fully here and criteria e) is not met.
71. In terms of criteria (f), the building is rural in nature with corrugated sheeting on the exterior walls and roof. The design of the building is single storey with a standard pitched roof and ridge height of 5.2 metres. It is considered the design of the building is rural in nature however it is appropriate for the site and its locality.
72. In terms of criteria (g), any ancillary works such as the access and land around the development should integrate into the surroundings.
73. The application proposes to use an existing access and runs along part of a hedgerow on site. This access was however due to be closed off as part of the approval LA05/2017/0351/F to limit the number of access points onto the public road.
74. DfI Roads has been consulted and indicated the existing access is potential in breach of planning permission and a number of additional drawings are required. The existing access runs along existing hedgerow and is considered to integrate with the surroundings.

Rural Character

75. In terms of policy COU16, in terms of criteria (a), it is considered that the proposal would be unduly prominent in the landscape.
76. Criteria (b) has been explained in paragraph 72 above the proposal is not considered to a cluster with an established group of buildings. The proposal is beside a single building at 112 Back Road and does not cluster here.

77. In terms of criteria (c), the proposal would respect the traditional pattern of settlement exhibited within the area.
78. In terms of criteria (d), the proposal does not mar distinction between a settlement and surrounding countryside.
79. For the reasons outlined earlier in the report it is considered the proposal would result in an adverse impact on the rural character of the area. Criteria (e) is not met.
80. Residential amenity shall not be adversely impacted on by the proposal. EHO have been consulted and offered no objections. Criteria (f) is met.
81. In relation to criteria g) relating to necessary services it has not been demonstrated that the proposal would not have an adverse impact on the environment by way of surface water environment. NIEA Water Management Unit (WMU) have been consulted and replied stating:

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to determine if the development has the potential to adversely affect the surface water environment.

82. WMU were seeking clarification on how manure is to be handled, and details of any tanks shown on the plans. WMU also requested information on the use of the yard.
83. The agent was emailed with the consultation responses on 21/03/2024. The email stated that that agent should provide the information that had been requested from the consultees within 14 days. To date nothing has been received.
84. Based on the information made available to the Council, it has not been demonstrated how the proposal can provide the necessary services, and that the proposal would not have a significant adverse impact on the environment.
85. In terms of criteria i) DfI roads have been consulted on the application and had noted the existing access used as part of this application was due to be permanently closed and the verge reinstated as part of a previous approval. DfI Roads requested additional information relating to ownership, visibility splays and speed surveys.
86. Again, and as stated above, the agent was emailed on 21/03/24 requesting the above information however to date this has not been provided.
87. Therefore, based on the information made available to the Council, it has not been demonstrated how the proposal and access to the public road cannot be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

88. As advised above the proposal is considered to be contrary to criteria a), b), e), g) and I) of Policy COU16.

Access, Movement and Parking

89. The site plan provided details the site entrance and laneway on the south side of Back Road. The proposal is seeking to use the existing access.
90. As previously indicated above the agent has not submitted the details requested by DFI Roads including additional information relating to ownership, visibility splays and speed surveys.
91. Advice from DfI Roads states that they find the proposal unacceptable as submitted. They express concern in relation to the proposed development and the use of the access which was due to be permanently closed up as a condition of a previous approval. As advised above the agent was emailed on 21/03/2024 and asked to submit additional information which was not received.
92. Therefore, based on the information made available to the Council, it has not been demonstrated that the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles. The proposal is considered to be contrary to criteria a) of Policy TRA 2.

Conclusions

93. In conclusion the application is recommended to refuse in that the proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.
94. In addition, proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
95. The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
96. The proposal is contrary to Policy COU12 criteria (c) and (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location, and it has not been demonstrated that the proposal visually integrates into the local landscape.

97. The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
98. The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
99. The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
100. The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
101. The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.
102. The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles.

Recommendations

103. It is recommended that planning permission is refused.

Refusal Reasons

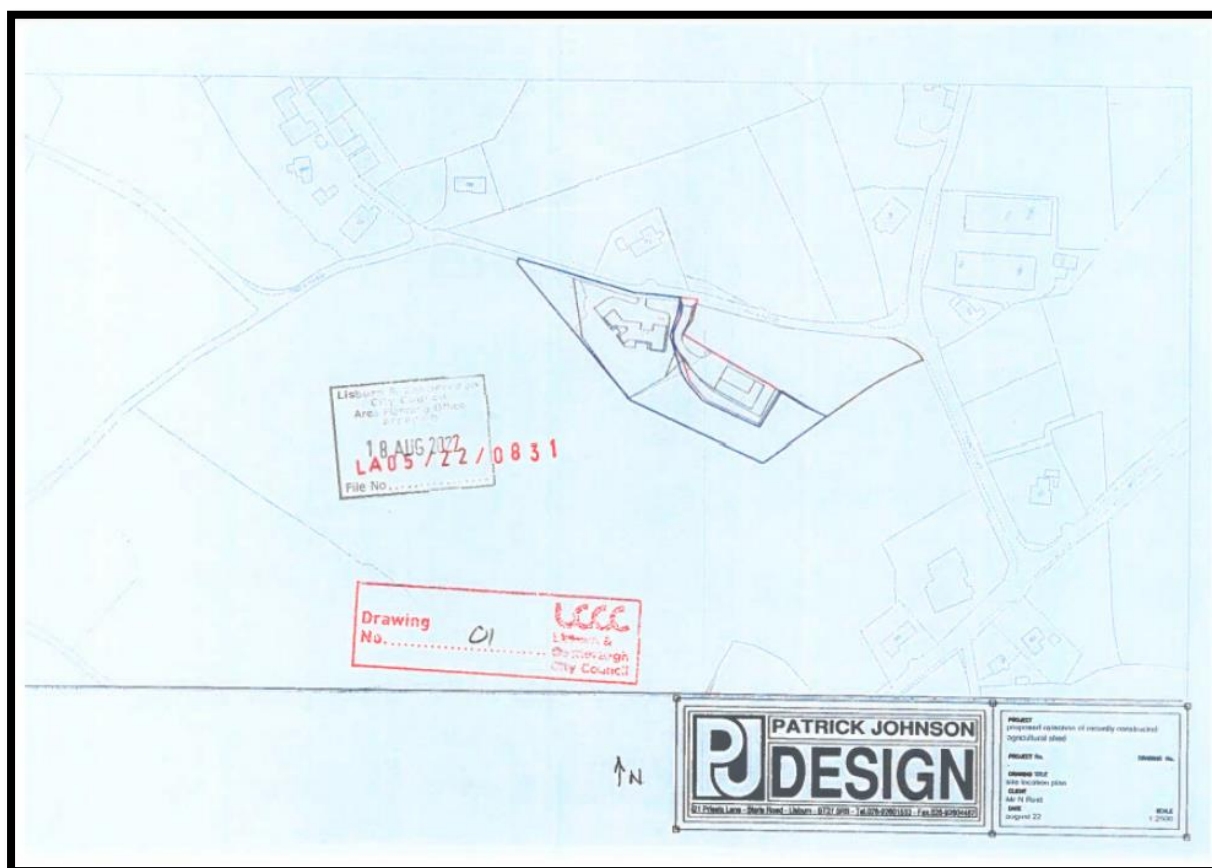
104. The following refusal reasons are recommended:

- The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development.

- The proposal is contrary to Policy COU12 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the agricultural holding is currently active and established for a minimum of 6 years.
- The proposal is contrary to Policy COU12 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the development is necessary for the efficient use of the agricultural holding.
- The proposal is contrary to Policy COU12 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the character and scale of the development is not appropriate to its location.
- The proposal is contrary to Policy COU12 criteria (d) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal visually integrates into the local landscape.
- The proposal is contrary to Policy COU15 criteria (a) and (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is a prominent feature in the landscape and is not sited to cluster with established group of buildings.
- The proposal is contrary to Policy COU15 criteria (c) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal fails to blend with the landform and would rely on the use of new landscaping for integration.
- The proposal is contrary to Policy COU15 criteria (f) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the design of the building is inappropriate for the site and its locality
- The proposal is contrary to Policy COU16 criteria (a), (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the proposal is unduly prominent in the landscape and is not sited to cluster with a group of buildings and if permitted would result in an adverse impact on the rural character of the area.
- The proposal is contrary to Policy COU16 criteria (g) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated that the proposal can provide the necessary services that would not have a significant adverse impact on the environment.
- The proposal is contrary to Policy COU16 criteria (i) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how access to the public road can be achieved without prejudice to road safety or significantly inconveniencing the flow of traffic.

- The proposal is contrary to Policy TRA2 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that it has not been demonstrated how the proposal will not prejudice road safety or significantly inconvenience the flow of vehicles.

Site Location Plan – LA05/2022/0831/F.





Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	1 December 2025
Committee Interest	Local Application (Called In)
Application Reference	LA05/2024/0799/F
Date of Application	6 November 2024
District Electoral Area	Killultagh
Proposal Description	Farm building for livestock and farm machinery
Location	90 metres southwest of 135 Pond Park Road, Lisburn
Representations	None
Case Officer	Emma Forde
Recommendation	REFUSAL

Background

1. This application was included in the Schedule of Applications for consideration by the Committee at a meeting on 3 November 2025. The recommendation was to refuse planning permission.
2. Following the presentation by officers, Members agreed to defer consideration of the application to allow further information to be submitted in respect of the applicant maintaining the land in good agricultural condition.

Further Consideration

3. Additional information has been submitted by the applicant on 19 November 2025 in the form of the following:
 - Invoices relating to making silage and hay
 - Bills for hedge cutting
 - Invoices for land drainage and fencing
 - Invoice for a skip removing 4 loads of recycled concrete
4. Amended plans were also submitted reducing the size of the original proposal which measured approximately 11 metres in width, 14.2 metres in length, and 5 metres in height to 6.6 metres in width, 10.6 metres in length, and 4.4 metres in height (which is less than 50% of the original volume).

5. As well as a reduction in overall scale, the proposal includes relocating the building further towards the northwest corner of the site and planting a beech hedge along the northern and southern edges of the development.

COU12 – Agricultural and Forestry Development

6. The submitted evidence provided in addition to the previous submissions are not considered to be verifiable, and some of the addresses stated do not correspond to the application site. It is therefore considered that this additional evidence does not demonstrate that the agricultural business is currently active and has been established for a minimum of 6 years and that the proposal remains contrary to criterion a) of policy COU12
7. The evidence provided is also considered not to address the requirements of criterion b) of policy COU12, as the additional information does not demonstrate that the proposed building albeit reduced in size is necessary for the efficient operation of the agricultural holding or forestry enterprise.
8. As previously stated, the proposal has been reduced in scale and moved within the site closer to the existing building. However, the portion of the site where the building has been relocated to is at a higher level than the existing position and is therefore more prominent when viewed from Pond Park Road.
9. In addition to this, new hedging has been proposed along two sides of the proposed building, which would partly over time obscure the building when viewed along Pond Park Road.
10. The promise of landscaping does not address the question of integration now and is not sufficient mitigation to address the visual impact of the new albeit smaller building when viewed from the Pond Park Road. The previous advice in respect of criterion d) at paragraph 40 of the original report remain unchanged for the reasons indicated above.
11. As a result of the above, the amended scheme is still not considered to visually integrate into the local landscape. The proposal therefore remains contrary to criterion (d).

COU15 - Integration and Design of Buildings in the Countryside

12. As discussed above, the amended scheme is still considered to be a prominent feature in the landscape as it is to be relocated to a higher position in the field and can clearly be viewed from Pond Park Road. The previous advice in respect of criterion a) at paragraph 51 of the original report remains unchanged.
13. Whilst the proposed building on site has been moved closer to the existing building on site it not considered that the proposal is sited to cluster with an established group of buildings. This is consistent with paragraph 51 of the original report.
14. As noted above, the amended scheme reduces the scale of the building and introduces new landscaping in the form of a hedgerow. However, because the

building has been repositioned toward the rear of the site on a higher area, the proposal is still not considered to blend with the surrounding landform, existing trees, buildings, slopes, or other natural features that provide the backdrop to the development.

15. The proposed beech hedgerow within the amended scheme is not considered to provide an appropriate degree of enclosure. The promise of landscaping does not address the question of integration now and is not sufficient mitigation to address the visual impact of the new albeit smaller building when viewed from the Pond Park Road.
16. Given the above, it is considered that the reason for refusal regarding criteria a), b), c), d), and e) shall still apply as per the main report.

COU16 – Rural Character and Other Criteria

17. As outlined above, the amended proposal is still regarded as being unduly prominent within the landscape and is therefore considered to be contrary with criterion (a) of COU16. As such, the comments on landscape prominence set out in paragraph 57 of the main report remain unchanged.
18. In relation to criteria (b) of COU16, and as outlined in previous paragraphs it is still considered that the proposal would not be sited to cluster with an established group of buildings.
19. In relation to criteria (f) of COU16 the agent has indicated on the amended plan that there is now a 75-metre separation distance from the front of the proposed building to the rear of the nearest residential property and therefore the proposal would not impact on the residential amenity of the dwelling.
20. Environmental Health had previously advised that

Environmental Health advise that where development is permitted so close to a farm, then odour, noise and insects may cause a loss in amenity at the proposed dwelling and future development, and sustainability of the farm could be affected by subsequent statutory nuisance action.
21. Given the potential impact on the amenity space of the adjacent residential property, it is considered that the appropriate measurement is the distance from the proposed building to the dwelling's boundary, rather than to the rear of the dwelling itself. The distance from the front of the building to the curtilage of the closest residential property is still approximately 58 metres.
22. It is therefore considered that the advice previously provided by Environmental Health is still relevant and the proposal is contrary to criteria (f) of policy COU16 in that the proposal would adversely impact on residential amenity.
23. Given the above, it is considered that the reasons for refusal regarding criteria a), b), and f) of policy COU16 shall still apply as per the main report.

Conclusion and Recommendation

24. The advice previously offered that planning permission should be refused is not changed.
25. The information contained in this addendum should be read in conjunction with the main DM officer's report previously presented to the Committee on 03 November 2025.
26. The following refusals reasons are still applicable:
 - The proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not an acceptable form of development in the countryside.
 - The proposal is contrary to policy COU12 criteria a), b) and d) of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the agricultural business is currently active and established (for a minimum of 6 years), that the proposed building is necessary for the efficient use of the agricultural holding or forestry enterprise, that the building, in terms of character and scale, is appropriated to its location, and that the proposal visually integrates into the local landscape and additional landscaping is provided as necessary.
 - The proposal is contrary to policy COU15 criteria a), b), c), d), e) in that it would be a prominent feature in the landscape, it would not be sited to cluster with an established group of buildings, it would fail to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop, 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, and the proposal would rely primarily on the use of new landscaping for integration.
 - The proposal is contrary to policy COU16 criteria a), b), and f) of policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy in that it would be unduly prominent in the landscape, would not be sited to cluster with an established group of buildings, and it would adversely impact on residential amenity.

Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	3 November 2025
Committee Interest	Local Application (Called In)
Application Reference	LA05/2024/0799/F
Date of Application	6 November 2024
District Electoral Area	Killultagh
Proposal Description	Farm building for livestock and farm machinery
Location	90 metres south west of 135 Pond Park Road, Lisburn
Representations	0
Case Officer	Emma Forde
Recommendation	REFUSAL

Summary of Recommendation

1. This is a local application. It is presented to the Committee for determination in accordance with the Protocol for the Operation of the Committee in that it has been called in. The application is presented to the Planning Committee with a recommendation of refusal as the proposal is contrary to Policy COU1, COU12, COU15, and COU16 of the Lisburn and Castlereagh City Council Plan Strategy 2032 for the reasons below:
- The proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not an acceptable form of development in the countryside.

The proposal is contrary to criteria a), b), and d) of policy COU12 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the agricultural business is currently active and established (for a minimum of 6 years), that the proposed building is necessary for the efficient use of the agricultural holding or forestry enterprise, and that the proposal visually integrates into the local landscape and additional landscaping is provided as necessary.

- The proposal is contrary to criteria a), b), c), d), e) of policy COU15 in that it would be a prominent feature in the landscape, it would not be sited to cluster with an established group of buildings, it would fail to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop, 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, and the proposal would rely primarily on the use of new landscaping for integration.
- The proposal is contrary to criteria a), b), and f) of policy COU16 in that it would be unduly prominent in the landscape, would not be sited to cluster with an established group of buildings, and it would adversely impact on residential amenity.

Description of Site and Surroundings

2. The application site is located 90 metres south-west of 135 Pond Park Road and comprises part of an agricultural field with various storage containers, an outbuilding, vehicles, machinery, and some heaps of stone/rubble and waste material including scrap metal.
3. The boundary of the site, along Pond Park Road, comprises a low stone wall topped with hedge and metal wire fencing. The main entrance to the site along this boundary is to the southeast and comprised of black palisade security fencing and gates. There are no other boundaries as the site is part of a larger field.
4. The existing building at the western corner is identified by the applicant as an existing livestock house. While this may resemble a small building for housing livestock no animals were observed and is inaccessible for this purpose as the building is surrounded by disused machinery, rubble, scrap metal, and significant vegetation.
5. The building is approximately 8 metres by 7 metres, with a height of approximately 3 metres. The building is finished in blockwork and metal cladding on a flat roof.

Surroundings

6. The application site is seen to be located within a rural landscape. Its character is defined by rolling agricultural lands with several dwellings in the immediate area accessing onto Pond Park Road.

Proposed Development

7. The application seeks permission for the erection of a farm building for livestock and farm machinery.
8. The proposed building would measure approximately 11 metres in width and 14.2 metres in length. It would comprise a pitched roof with a height of approximately 5 metres. The proposed building would be finished in block rendered walls, with green cladding roof and upper walls.

Relevant Planning History

9. There is no recent, relevant planning history.

Consultations

10. The following consultations were carried out.

Consultee	Response
Environmental Health	No objection
DAERA	Comment - proposed site located on land not claimed by any business.
DfI Roads	No objection.

Representations

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

Local Development Plan

Local Development Plan Context

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

Plan Strategy 2032

13. It is stated at page 16 of Part 1 of the Plan Strategy that:

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

The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.

BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.

14. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan 2001(LAP). Draft BMAP remains a material consideration.
15. The site is located within the open countryside in the Lisburn Area Plan (2001) and out with any defined settlement development limit. The site remains the open countryside in the last publication of draft BMAP and is also located in an Area of High Scenic Value.
16. This is a proposal for non-residential/agricultural development in the open countryside. The following strategic policies in Part 1 of the Plan Strategy apply.
17. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

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

18. The strategic policy for improving health and wellbeing is set out in Part 1 of the Plan Strategy. Strategic Policy 02 - Improving Health and Wellbeing states that:

The Plan will support development proposals that contribute positively to the provision of quality open space; age-friendly environments; quality design; enhanced connectivity (physical and digital); integration between land use and transport; and green and blue infrastructure. Noise and air quality should also be taken into account when designing schemes, recognising their impact on health and well-being.

19. The site is in close proximity to a scheduled rath - ANT064:082 at Pond Park Road, Lisburn. 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.*

20. The site is located in an Area of High Scenic Value. The strategic policy for this designation is set out in Part 1 of the Plan Strategy. 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.*

Development in the Countryside

21. This is a proposal for a new agricultural building. Policy COU12 – Agriculture and Forestry Development states:

“Planning permission will be granted for development on an agricultural or forestry holding where it is demonstrated that:

- a) the agricultural or forestry business is currently active and established (for a minimum of 6 years)*

- b) it is necessary for the efficient use of the agricultural holding or forestry enterprise*
- c) in terms of character and scale it is appropriate to its location*
- d) it visually integrates into the local landscape and additional landscaping is provided as necessary*
- e) it will not have an adverse impact on the natural or historic environment*
- f) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.*

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

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

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

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

Integration and Design of Buildings in the Countryside

22. 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

23. 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.*

Access and Transport

Access to Public Roads

24. The proposed development potentially intensifies the use of an existing access onto the Pond Park Road. Policy TRA2 – Access to Public Roads states:

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

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

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

Historic Environment and Archaeology

Policy HE1 The Preservation of Archaeological Remains of Regional Importance and their Settings

25. The site is in close proximity to a scheduled rath - ANT064:082 at Pond Park Road, Lisburn. Policy HE1 relates to the Preservation of Archaeological Remains of Regional Importance and their Settings. Its states that:

'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 (ASAs). 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'.

26. Furthermore, the justification and amplification of the policy states that:

In assessing proposals for development in the vicinity of monuments in state care the Council will pay particular attention to the impact of the proposal on:

- *the critical views of, and from the site or monument including the protection of its setting*
- *the access and public approaches to the site or monument*
- *the experience, understanding and enjoyment of the site or monument by visitors.*

Regional Policy and Guidance

Regional Policy

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

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

28. 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.

29. This proposal is for an agricultural shed on an existing farm holding. Bullet point 11 of paragraph 6.73 of the SPPS states that:

Agriculture and forestry development: provision should be made for development on an active and established (for a minimum 6 years) agricultural holding or forestry enterprise where the proposal is necessary for the efficient operation of the holding or enterprise. New buildings must be sited beside existing farm or forestry buildings on the holding or enterprise. An alternative site away from existing buildings will only being acceptable in exceptional circumstances.

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

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

Assessment

COU12 – Agricultural and Forestry Development

31. Criteria a) requires the applicant to demonstrate that the agricultural business is currently active and established (for a minimum of 6 years).
32. A P1C Form had not been submitted with the application. It is noted that the site layout plan (drawing No.2) labels the open field section of the site as 'farm land' however, DAERA have stated that this land is not claimed by any business.
33. It is further advised that a farm business has not claimed payments through the Basic Payment Scheme or Agri Environment scheme for this land in the last 6 years.
34. A supporting statement has been submitted with the application, it states that the applicant acquired the land, which was in poor condition, in 2012.
35. Since purchasing the land, it is explained that the applicant has carried out ongoing maintenance and improvement works to restore the site and maintain it in good agricultural and environmental condition.
36. The supporting statement also includes evidence comprised of a letter from the applicant's solicitor which states that they are an agricultural contractor, and invoices for fencing, gates, works to walls, rubble for the access lane way, and for the repair of the existing farm shed on the site.

37. The invoices provided are dated between April 2013 and July 2016. The letter from the applicant's solicitor is dated February 2024.
38. Given the dates of the invoices provided, these are not for a period of six or more consecutive years. Furthermore, while the solicitor's letter has stated that the applicant has been a client since September 2018 this is as an agricultural contractor not as a farmer. The work cannot be described on this basis as farming and is contrary to criterion a) of policy COU12. In addition to the site not being an active and established agricultural holding, no evidence has been provided as to why the proposal would be necessary for the efficient use of the agricultural holding. As such criterion b) is not met.
39. The building would have the appearance of a typical agricultural building in terms of its scale and finishes. The site is within the countryside, with a quarry to the north, and industrial buildings of a similar character to the northeast of the site. As such, the character of the proposed building would be appropriate in this location. It is therefore considered the proposal would comply with criterion c).
40. The proposal does not include additional landscaping and is not located along the boundaries of the site. The proposed shed occupies a central position within the site located approximately 35 metres from the front boundary of the site, and over 15 metres from the closest point of the southwest boundary. The siting of the building would exacerbate the prominence of the building within the landscape. Given the scale of the building and its central location within the site and lack of vegetation the building is not considered to visual integrate into the local landscape. As such, criterion d) is not met
41. In terms of criteria e), there is a rath located to the northeast of the site. Historic Environment Division were consulted on the application and following a review of the application, they have stated that they have no objections to the proposal.
42. Existing landscape boundaries are being retained and there are no conditions noted on the site that present any concerns with its impact on natural heritage. It is considered that the proposal would not have an adverse impact on the natural or historic environment. Notwithstanding the view expressed above, based on the evidence provided, the farm is not active and established. However, criterion e) is considered to be met.
43. The nearest residential property is located over 40 metres from the proposed building. Environmental Health were consulted and recommended that there should be a distance of at least 75m between the proposed farm building and any proposed/existing residential properties in order to reduce the likelihood of loss of amenity with regard to noise, dust and pests.
44. Environmental Health further commented that they received comments from the agent regarding restricting the use of the proposed farm building to storage of

machinery only and therefore offered no objections if the building was conditioned to restrict the use to storage of machinery only. However, the description of the proposal was not amended and still proposes to contain livestock and therefore may have the potential to result in a detrimental impact on the amenity of nearby residential dwellings and is contrary to criterion f).

45. As the site is not part of an agricultural holding, it is not considered that there are any other suitable existing buildings on the holding or enterprise that can be used.
46. The design and materials of the proposal are typical of an agricultural building. As the site is within the countryside, and as there are buildings in the surrounding area finished in similar materials, the design and materials are considered to be sympathetic to the locality and adjacent buildings
47. Given the above, and as the existing building on the site is not used for livestock (as noted during the site visit), the proposal is not considered to be sited beside existing farm or forestry buildings.
48. For the reasons set out above, the proposal is not considered to comply with Policy COU1.

COU15 - Integration and Design of Buildings in the Countryside

49. 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. Additionally, they must be in accordance with and must not cause a detrimental change to or further erode the rural character of an area.
50. As stated above, the proposal is not located along the boundaries of the site, and is proposed in a central location within the field, on the other side of the vehicular path that runs through the site. The building is located approximately 35 metres from the front boundary of the site, and over 15 metres from the closest point of the southwest boundary.
51. The siting of the proposed building would increase its visual prominence within the landscape. As a result, the development would appear as a visually intrusive feature in its rural setting. The existing building on the site is located approximately 23 metres away, and it is therefore not considered that the proposal would cluster with an established group of buildings. Consequently, the proposal fails to comply with criteria (a) and (b) of Policy COU15.
52. As previously stated, existing vegetation would provide partial screening of the proposal when approaching the site from the south. However, the building would be positioned within the central section of the site rather than along a boundary. The hedge along the front boundary is of insufficient height and density to offer meaningful screening of the shed. Taking these factors into

account, it is considered that, on balance, the proposal fails to comply with criterion (c) of Policy COU15, which seeks to ensure that new development is effectively assimilated into the landscape through appropriate siting and screening.

53. No new landscaping is proposed as part of the development. While there are established natural boundaries on the site, their height and density, when considered alongside the scale of the proposal, are not sufficient to provide an appropriate level of enclosure or integration within the surrounding landscape. As such, the proposal is not considered to comply with criteria (d) and (e) of Policy COU15.
54. As above, the proposed design of the building is considered appropriate for the site and its locality given the countryside location and the presence of buildings finished with similar materials within the locality. As such, the proposal complies with criteria f) of COU15.
55. The existing access is to be upgraded however it is considered that these will integrate with the surroundings. Criteria g) is complied with.
56. Given the above, the proposal is not considered to comply with Policy COU15.

COU16 – Rural Character and Other Criteria

57. As stated above the siting of the proposed building would increase its visual prominence within the landscape and the proposal does not cluster with an established group of buildings on the site. The proposal fails to comply with criteria (a) and (b) of Policy COU15,
58. Due to the site's surroundings and the site being located in the countryside, and as it seeks permission for an agricultural building, this is considered to respect the traditional pattern of settlement exhibited in that area, and would not mar the distinction between a settlement and the countryside (criteria c) and d) of policy COU16).
59. As discussed above, the style and finishes of the building are agricultural in character and as such, are not considered to have an adverse impact on the rural character of the area. Therefore, the proposal complies with criteria e) of policy COU16.
60. The nearest residential property is located over 40 metres from the proposed building. Environmental Health were consulted on the application and had concerns that there should be at least 75m between the proposed farm building and any proposed/existing residential properties in order to reduce the likelihood of loss of amenity with regard to noise, dust and pests. However, Environmental Health was content with the proposal on the basis of comments received from the agent regarding restricting the use of the proposed farm

building to storage of machinery only. The description of the proposal was not amended and still proposes to contain livestock and therefore may have the potential to result in a detrimental impact on the amenity of nearby residential dwellings and is contrary to criterion f).

61. As a result of the nature of the proposal, services, such as sewerage are not required, and so criteria g) is not relevant in this instance.
62. The proposed alterations to the existing access are limited to improving visibility splays and are minimal in nature. It is not considered that these ancillary works would have any adverse impact on the rural character of the area. Accordingly, the proposal is considered to comply with criterion (h) of Policy COU16.
63. In regard to access and road safety, the proposal would use the existing gated access to the southeast of the site for access. The amendments to the proposal included improvements to the existing access. DfI Roads reviewed the revised plans and have concluded in their final comments, dated the 16th of September 2025, that they have no objections subject to conditions. The proposal complies with criteria i) of COU 16
64. In consideration of the above, the proposal is not considered to comply with Policy COU16.
65. As the proposal is contrary to Policies COU15 and COU16 for the reasons detailed with regards to its visual prominence within the landscape, it is considered that as the site is within an Area of High Scenic Value it is contrary to Strategic Policy 19 as the development would not maintain or enhance the landscape quality and the distinctiveness and attractiveness of the area.

Access and Transport

Policy TRA2 – Access to Public Road

66. As per the submitted application form, the proposed development would avail of an existing access to a public road.
67. As originally submitted the application did not include any alterations to the existing access however, after the application was put on the delegated list amended plans were sent in to address one of the reasons for refusal regarding access and road safety.
68. DfI Roads have stated that the proposal would have generated additional traffic to and from the site, therefore the existing sub-standard access needed to be upgraded, specifically the visibility splays.

69. The amendments to the proposal included improvements to the existing access. DfI Roads reviewed the revised plans and have concluded in their final comments, dated the 16th of September 2025, that they have no objections subject to conditions.
70. As such, the proposal is considered to comply with policy TRA2 of the Local Development Plan 2032.

Historic Environment and Archaeology

71. The site is in close proximity to a scheduled rath - ANT064:082 at Pond Park Road, Lisburn. Historic Environment Division were consulted on the application and stated that they have no objections to the proposal. The proposal would therefore not adversely affect the importance or the integrity of the setting of the rath in compliance with Policy HE1.

Consideration of Representations

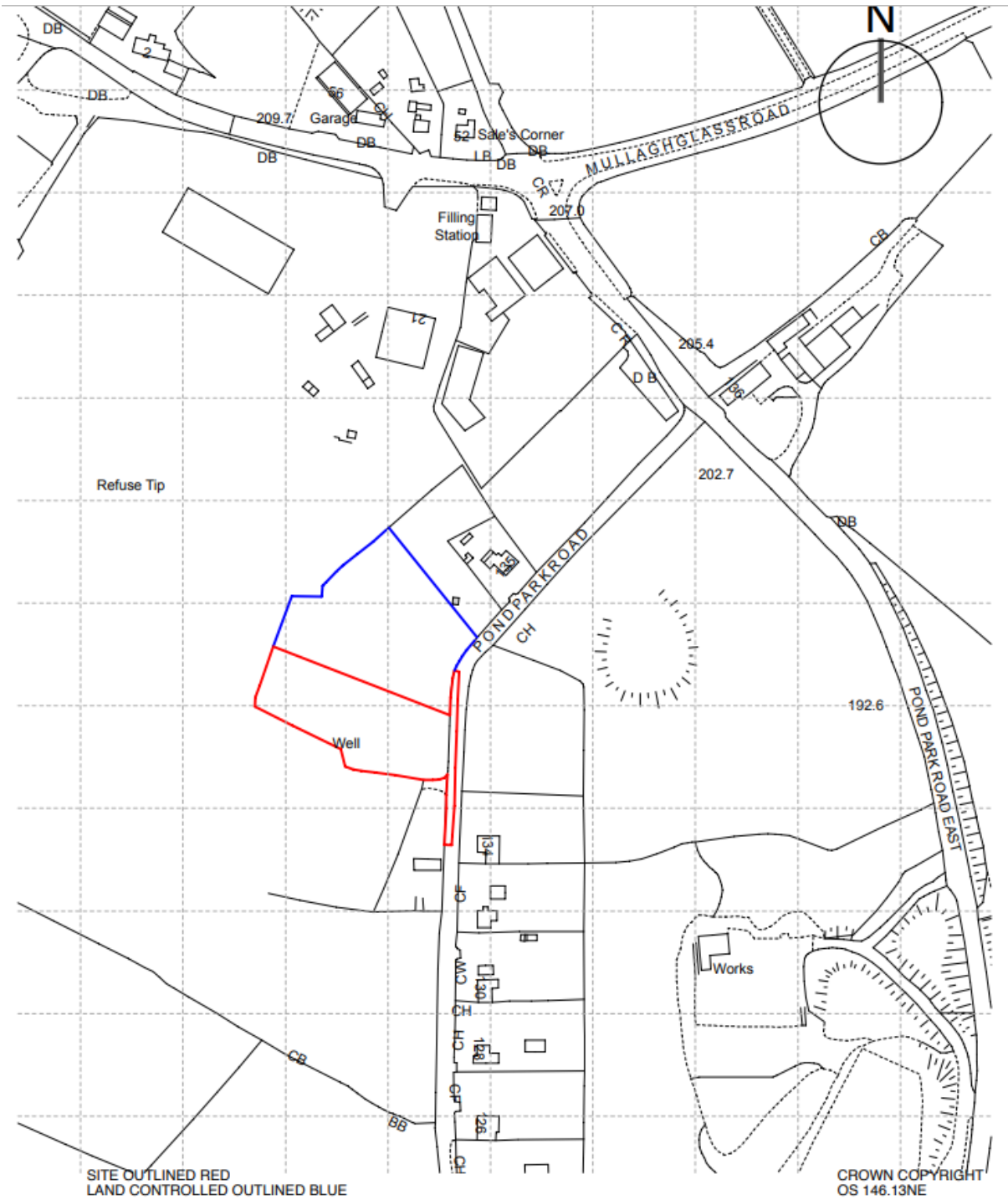
72. No representations have been received in respect to the proposed development.

Conclusions

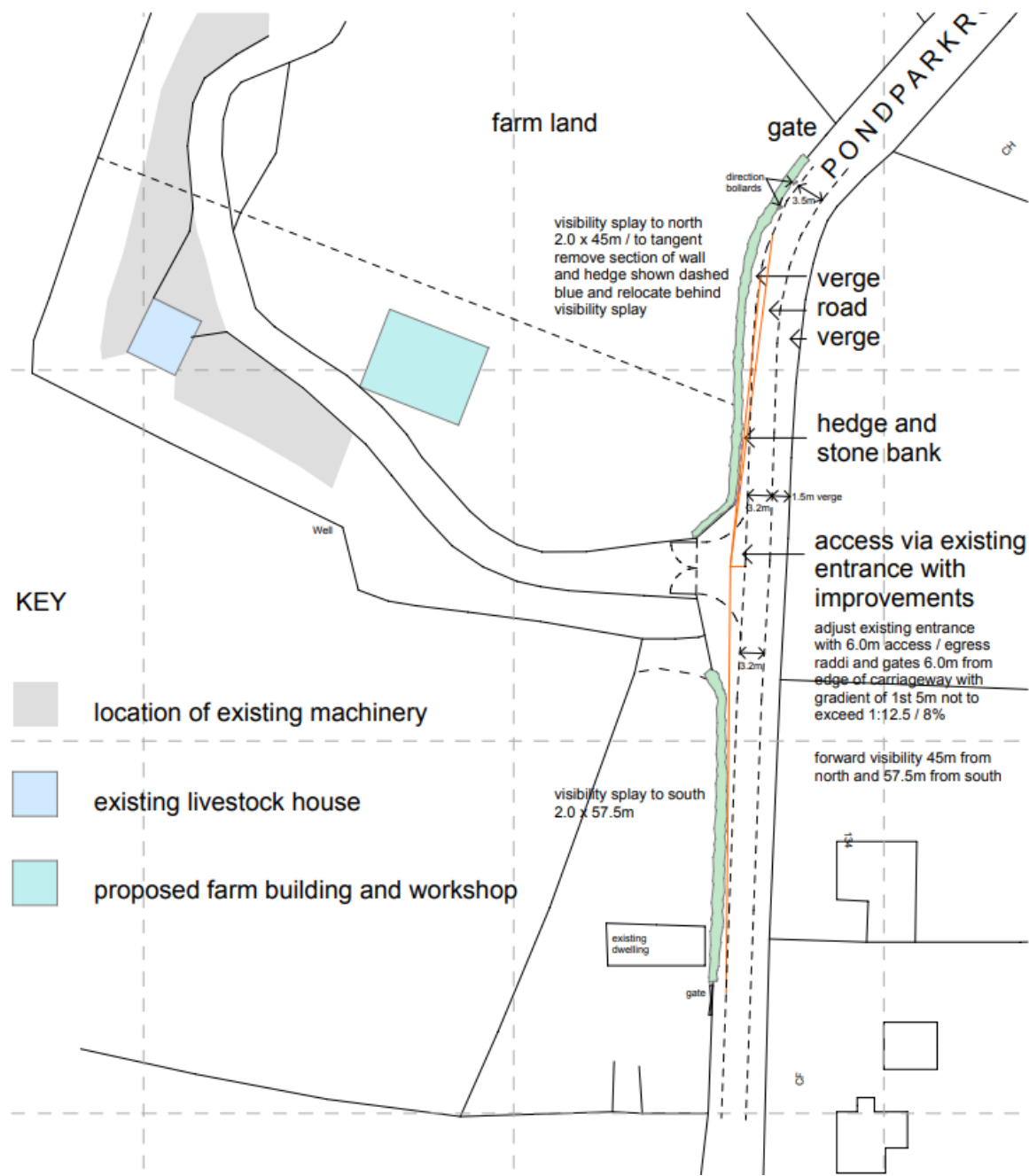
73. It is recommended that planning permission is refused for the below reasons:
 - The proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not an acceptable form of development in the countryside.
 - The proposal is contrary to criteria a), b), and d) of policy COU12 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that the agricultural business is currently active and established (for a minimum of 6 years), that the proposed building is necessary for the efficient use of the agricultural holding or forestry enterprise, that the building, in terms of character and scale, is appropriated to its location, and that the proposal visually integrates into the local landscape and additional landscaping is provided as necessary.

- The proposal is contrary to criteria a), b), c), d), e) of policy COU15 of the Lisburn and Castlereagh City Council Plan Strategy in that it would be a prominent feature in the landscape, it would not be sited to cluster with an established group of buildings, it would fail to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop, 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, and the proposal would rely primarily on the use of new landscaping for integration.
- The proposal is contrary to policy COU16 criteria a), b), and f) of policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy in that it would be unduly prominent in the landscape, would not be sited to cluster with an established group of buildings, and it would adversely impact on residential amenity.

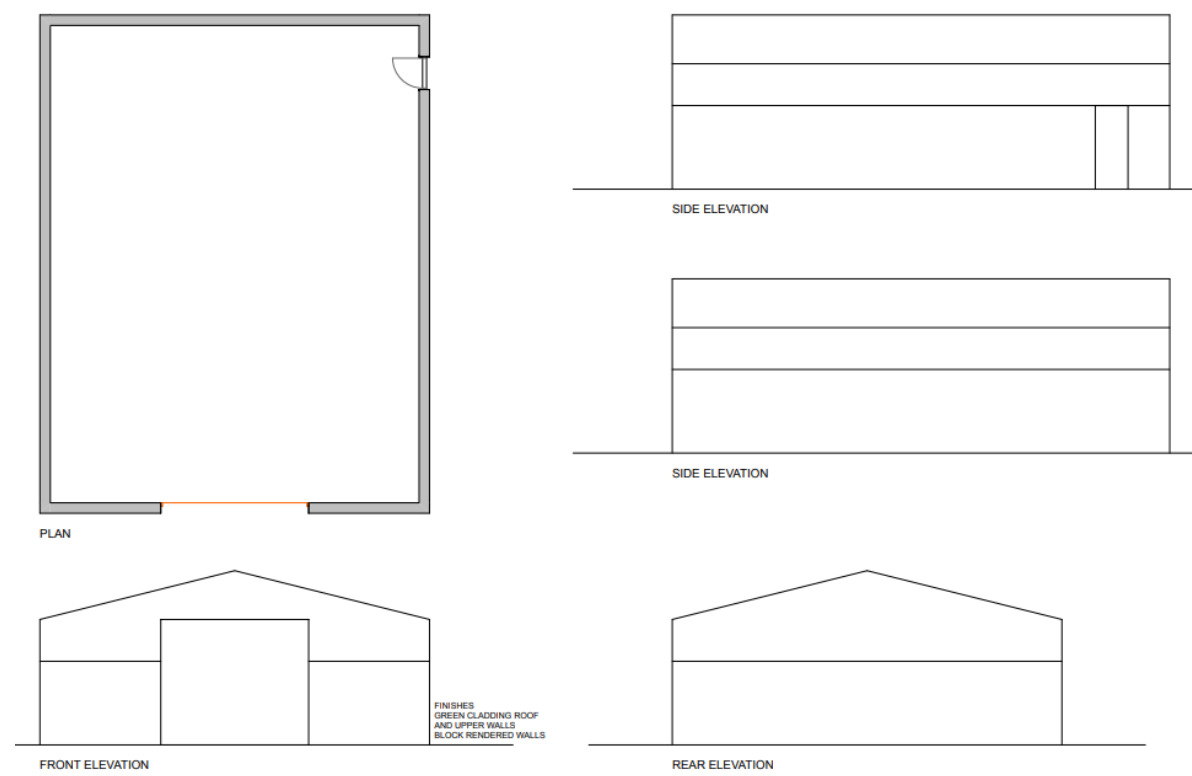
Appendices 1 – Location Plan



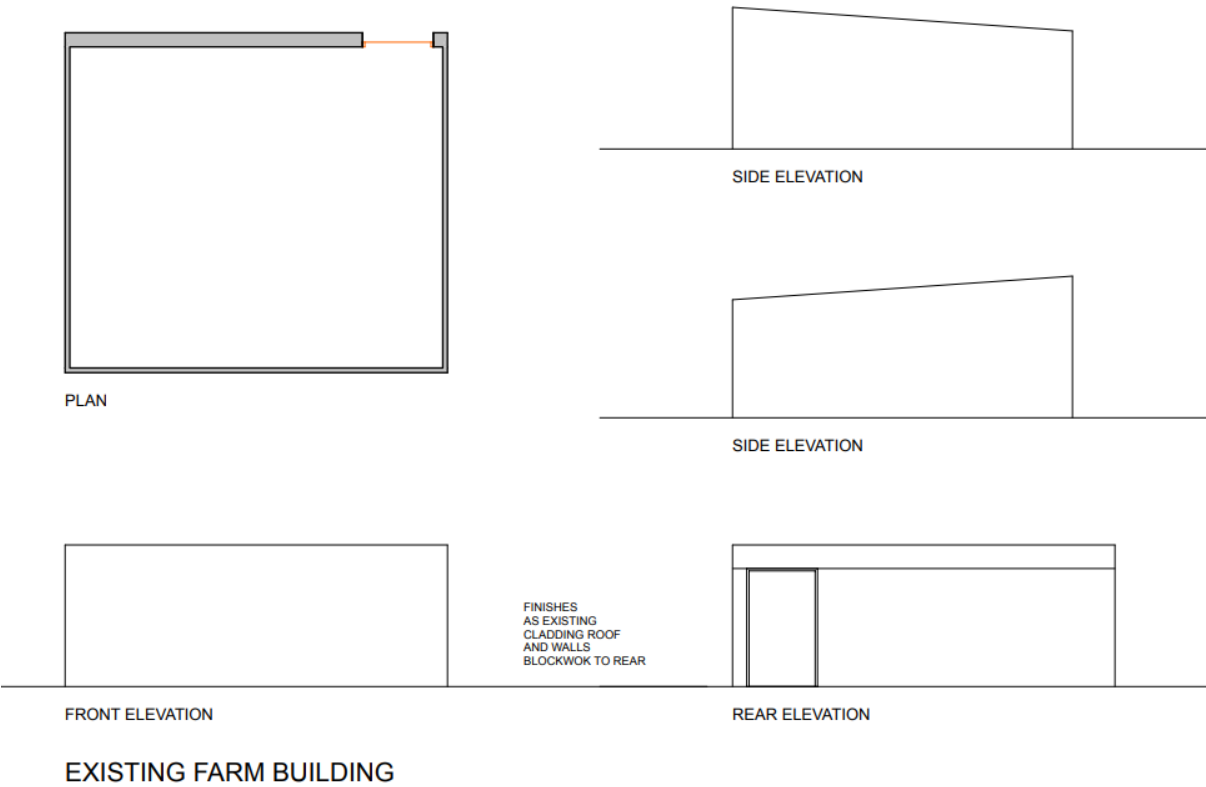
Appendices 2 – Proposed Site Plan



Appendices 3 – Proposed Plans



Appendices 4 – Existing Shed on the site



Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Committee Meeting	01 December 2025
Committee Interest	Local Application
Application Reference	LA05/2023/0377/F
Date of Application	03 May 2023
District Electoral Area	Lisburn & Castlereagh
Proposal Description	Proposed social housing scheme comprising 20 no. apartments (mix of 18 no. two-bed and 2 no. one-bed wheelchair) with communal amenity space, bin and cycle storage, landscaping, car parking, new site access and all associated site and access works
Location	Lands adjacent to 3-19 Moira Road, Lisburn
Representations	Two
Case Officer	Sinead McCloskey
Recommendation	APPROVAL

Summary of Recommendation

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

4. Furthermore, the density is not significantly higher than that found in the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area.
5. It is considered that the proposal is also in accordance with the requirements of policy HOU10 of the Plan Strategy in that adequate provision is made for affordable housing as an integral part of the development. This provision will be subject to a Section 76 Planning Agreement.

The proposal complies with policies NH2 and NH 5 of the Plan Strategy in that the detail demonstrates that the development is not likely to harm a European protected species nor is it likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of Natural Heritage Importance.

5. The proposed complies with Policy of TRA1 the Plan Strategy in that the detail demonstrates that an accessible environment will be created through the provision of footways and pedestrian paths.
6. It is also considered that the development complies with policies TRA2 and TRA3 of the Plan Strategy in that the detail submitted demonstrates that the access will not prejudice road safety or significantly inconvenience the flow of traffic. 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.
7. 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.
8. The proposed development complies with policy tests set out in policies FLD 1 and FLD 3 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 service the development.
9. The proposal complies with Policy RE2 as it shall be constructed in line with current NI Building Regulations and the DfFC Design Standards which emphasises sustainable design and energy efficiency.

Description of Site and Surroundings

Site

10. The site is located on lands between the Lidl store and Drumlough House Care Home on the Moira Road, Lisburn and is currently in use as a car wash.
11. The site is flat and consists of a hardstanding area with hard cored and rough grassed areas around the edges. It was observed on the site visit that there was a shipping container, a car port type structure and two smaller sheds erected on the site, all appearing to be associated with the operation of the car wash business.
12. The boundary to the front of the site and the western boundary with Lidl consists of a temporary two-metre-high Heras type fencing. The rear boundary of the site consists of a two-metre close board fencing and some palisade fencing. The eastern boundary also consists of palisade fencing, approximately one metre in height.
13. There are currently two entrances the site from the Moira Road, as these would appear to have been in situ from when the site was used in the past as a petrol station. There is a public footpath along the front of the site.

Surroundings

14. The surrounding area comprises a mix of uses including private residential dwellings, a care home and fold accommodation. There are also retail premises and a church nearby.

Proposed Development

15. The application is for full planning permission for a social housing scheme comprising 20 apartments with communal amenity space, bin and cycle storage, landscaping, car parking, new site access and all associated site and access works.
16. The following documents are submitted in support of the application:
 - Design and Access Statement
 - Travel & parking Assessment
 - Social Housing Parking Survey
 - Travel Plan
 - Service Management Plan
 - Flood Risk and Drainage Assessment
 - Preliminary Risk Assessment and Generic Quantitative Risk Assessment and Remediation Strategy

- Decommissioning Report
- Landscape Management & Maintenance
- Noise Impact Assessment
- Tree Survey Report
- Tree Survey Rebuttal

Relevant Planning History

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

Reference Number	Description	Location	Decision
S/1991/0576/F	Car Wash (Lance Type)	Lisburn Service Station, Moira Road Lisburn	Permission Granted 22 nd August 1991
S/2007/1126/F	2.5 storey apartment building with dwellings in roof, all fronting Moira Road, containing 20 no. 2 bed apartments with ancillary parking, cycle and bin storage.	Land adjacent to 3-19 Moira Road Lisburn (Amended Address)	Permission Granted 3 rd September 2009
S/2011/0050/F	Application for car wash on former vacant plot. The site will be enclosed by metal security fencing, proposals include prefabricated storage unit and staff/office unit, erection of carwash bays.	3-16 Moira Road Lisburn Co Antrim BT28.	Application Withdrawn 6 th June 2014
LA05/2020/0842/PAD	2.5 Storey apartment building with dwellings in roof containing 22 no 2 bed and 2 no 1 bed apartments with parking, cycle and bin storage with access road onto Dundrod Drive	3-19 Moira Road, Lisburn PBT28 1RB	PAD Concluded 7 th June 2023

Consultations

18. 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
NIEA Water Management Unit	No objection
Historic Environment Division	No objection
Northern Ireland Housing Executive	No objection
NIEA Regulation Unit	No objection
LCCC Tree Officer	No objection

Representations

19. Two representations have been submitted in opposition to the proposal. The main issues raised included the following:

- Will the apartments be for social housing or private use
- If social housing – can they be over 55
- There are vulnerable disabled and elderly peoples on the street - a previous tenant caused stress and anxiety
- It took over 5 years to get one person removed
- People with a history of anti-social behaviour will be housed in these apartments
- The street is peaceful for the first time in 5 years

Local Development Plan

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

Plan Strategy 2032

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

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

The Belfast Metropolitan Area Plan (BMAP) was intended to be the Development Plan on its adoption in September 2014. This Plan was subsequently declared unlawful following a successful legal challenge and therefore remains in its entirety un-adopted.

BMAP in its post-inquiry form was at an advanced stage and therefore remains a material consideration. Draft BMAP (November 2004) in its pre-inquiry form also remains a material consideration in conjunction with recommendations of the Planning Appeals Commission Public Local Inquiry Reports.

22. In accordance with the transitional arrangements, the development plan is the Plan Strategy and the Lisburn Area Plan 2001 (LAP). Within the LAP the land is within the settlement limit of Lisburn and is white land.
23. Draft BMAP remains a material consideration. Within draft BMAP 2015, the site also lies within the settlement limits of Lisburn and is zoned for housing - LC 05/02.
24. It is noted that the Moira Road is a Protected Route.
25. This proposal involves the reuse of previously developed land. The strategic policy for Sustainable Development is set out in Part 1 of the Plan Strategy. Strategic Policy 01 – Sustainable Development states that:

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

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

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.

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

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.

28. The site was previously used as a petrol filling station; there may be below ground contamination. The strategic policy for Protecting and Enhancing the Environment is set out in Part 1 of the Plan Strategy. Strategic Policy 06 – Protecting and Enhancing the Environment states that:

The Plan will support development proposals that respect the historic and natural environment and biodiversity. Proposals must aim to conserve, protect and where possible enhance the environment, acknowledging the rich variety of assets and associated historic and natural heritage designations. Proposals

should respect the careful management, maintenance and enhancement of ecosystem services which form an integral part of sustainable development.

29. The proposed housing is being developed as affordable housing. The strategic policy for Section 76 Agreements is set out in Part 1 of the Plan Strategy. Strategic Policy 07 – Section 76 Agreements states that:

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

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

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

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

The Plan will support development proposals that:

- a) are in accordance with the Strategic Housing Allocation provided in Table 3*
- b) facilitate new residential development which respects the surrounding context and promotes high quality design within settlements*
- c) promote balanced local communities with a mixture of house types of different size and tenure including affordable and specialised housing*
- d) encourage compact urban forms and appropriate densities while protecting the quality of the urban environment.*

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

Housing in Settlements

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

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

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

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

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

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

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

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

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

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

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

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

- j) *The design and layout should be 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.*

35. The Justification and Amplification states that:

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

36. 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.

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

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

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

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

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

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

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

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

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

38. The Justification and Amplification states that:

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

39. 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.

Access and Transport

40. A new access is included to a public road. Policy TRA1 - Creating an Accessible Environment states that:

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

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

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

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

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

41. 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.

42. The Moira Road is a protected route within a settlement. Policy TRA 3 – Access to Protected Routes states for other protected routes in settlements:

Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access where it is demonstrated that access cannot reasonably be taken from an adjacent minor road; or, in the case of residential proposals, it is demonstrated that the nature and level of access will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in an unacceptable proliferation of access points. In all cases, where access to a Protected Route is acceptable in principle, it will also be required to be safe in accordance with Policy TRA2. Designated protected routes within this Council area are illustrated in Supplementary Planning Guidance, Part F: Protected Routes Map

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

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

44. A full parking standard is not proposed. Policy TRA8 - Active Travel Networks and Infrastructure Provision states that:

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

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

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

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

Flooding

45. More than 10 residential units are proposed. Policy - FLD3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states:

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

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

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

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

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

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

Renewable Energy

46. Policy RE2 Integrated Renewable Energy states:

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

Regional Policy and Guidance

Regional Policy

47. 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.

48. 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:

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

49. 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.

50. 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.

51. 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.
52. The site is proposed to be developed for housing development. It is stated at paragraph 6.136 that:

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

Retained Regional Guidance

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

Creating Places

54. The policy requires the guidance in the 'Creating Places – Achieving Quality in Residential Developments' (May 2000) to also be considered.
55. 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.

56. 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.

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

Provision should be calculated as an average space standard for the development as a whole and should be around 70 square metres per house or

greater. Garden sizes larger than the average will generally suit dwellings for use by families. An area less than around 40 square metres will generally be unacceptable.

Development Control Advice Note 8 - Housing in Existing Urban Areas

58. Paragraph 4.10 states that:

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

Assessment

Housing in Settlements

Policy HOU 1 – New Residential Development

59. This application is for 20 residential units within the settlement limit of Lisburn. The land on which this development is proposed is zoned for housing under zoning LC05/02 in the last revision to draft BMAP. This was not objected to and significant material weight is attached to the draft BMAP designation.
60. As the proposed development is on land zoned for residential use and it is previously developed land within a settlement, the application therefore complies with three of the criteria in Policy HOU1, namely criteria (a), (b) and (c) and as such, the policy tests associated with Policy HOU1 are considered to be met.

Policy HOU3 - Site Context and Characteristics of New Residential Development

61. The application site once was a petrol filling station and shop. All buildings associated with this use have since been removed and the site cleared. A car wash has been operating on the site since 2008. It is brownfield land.
62. The site fronts onto the Moira Road, with a public footway abutting the northern boundary. The surrounding area is characterised with a mix of uses including residential, retail and religious buildings.
63. The residential development to the rear of the site is quite high density with semi-detached and terraced bungalows seen in Dundrod Court, and rows of

two storey terraced dwellings in Dundrod Walk. To the east of site, further along the Moira Road, there is more medium density housing, with pairs of two storey semi-detached properties fronting onto the main road. Opposite the site there is higher density accommodation is St Pauls Court which is a supported housing scheme and accessed via the Ballinderry Road. This accommodation comprises bungalows and apartments. To the east of the site there is a care home, Drumlough House, which consists of a large, two storey building.

64. Directly to the west of the site there are two large, conjoined retail premises, a Lidl supermarket and a furniture store. A third building attached to these premises consists of a church. There is a large area of hardstanding to the front of these units comprising the car park.
65. The dwellings noted along this part of the Moira Road are of varying age, design, scale and mass. There is no predominant form of housing found in the immediate area.
66. The Design and Access statement indicates that the design of the apartments incorporates features, materials and finishes similar to those of the existing dwellings fronting onto the Moira Road. The proposal has since been amended with the apartment buildings pulled back in line almost with the adjacent Lidl building. External design amendments have been made to better reflect the surrounding area, with the scheme now broken up through the use of different materials and the height of the apartment blocks appropriately designed to blend with the surrounding built context.
67. The street elevation shows the height of buildings along the Moira Road to be similar to that of Drumlough House to the east. One of the buildings is seen to step down towards the rear of the site to reduce any dominance towards the existing dwellings at Dundrod Crescent. The proposal is slightly higher than the Lidl supermarket to the west, however this is a retail unit and there are no residential amenity concerns created by the relationship between these buildings.
68. In this context I am satisfied that the proposed development will not appear incongruous with its surroundings but is instead reflective of the development within the immediate context of the site.
69. Taking into account the mixed residential character exhibited within the area in general it is accepted that the proposed development will not result in unacceptable damage to the local character of this established residential area.
70. In relation to criteria (a), it will respect the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of the 20 apartments, landscaped and hard surfaced areas.

71. Following an earlier PAD meeting for this site, Environmental Health raised concerns regarding the sites former use as a petrol filling station and the potential for contamination within the ground.
72. The need for a site investigation was outlined, and a preliminary risk assessment would be required to be submitted with any application. Issues in regard to noise were raised also as the site is within close proximity to the Moira Road and adjacent to a supermarket. A Preliminary Risk Assessment and Generic Quantitative Risk Assessment and Remediation Strategy and a Noise Impact Assessment were submitted in support of the application and sent to the relevant consultees. NIEA Regulation Unit and the Council's Environmental Health Department offer no objections which will be considered in more detail at paragraphs 136-140.
73. No archaeological, historic environment and landscape characteristics/features are identified on the site. HED were consulted as the constraints map indicated that the development falls within the consultation zone of an adjacent identified historic monument. HED Historic Monuments Branch had no objection to the proposed development.
74. It is considered that the policy criteria (b) within Policy HOU3 have been met.

Policy HOU4 - Design in New Residential Development

75. The layout of the apartments on proposed drawing 04/4 published to the Planning Portal on the 05 November 2025 demonstrates that the apartments are to be contained within two buildings.
76. The buildings are largely of linear form, positioned to the north of the site, close to the Moira Road. The access to the site is positioned centrally along the northern boundary, with the access road located between both buildings and leading to the parking area to the rear.
77. While both buildings are similar in design, scale and massing, there are notable differences between them. Block A, to the east of the site, is an 'L' shaped building, with a long linear element fronting the road, and a smaller rear return along the eastern boundary. That part of the building along the road frontage is three-storeys with a ridge height of 9.9 metres. The rear part of the building is two storeys with a ridge height of 6.8m. This building is seen to be larger than block B.
78. Block B is located to the west of the site, within close proximity to the adjacent Lidl supermarket. It consists of a large three-storey building of uniform height throughout, also with a ridge height of 9.9 metres. Unlike Block A, it has no rear return, however that part of the building located adjacent to the western

boundary is seen to step back from the remainder of the front elevation, sitting almost in line with the building line seen in the adjacent supermarket building.

79. The roofs of the buildings incorporate a mix of hipped, pitched, dormer and flat roof dormer elements. The dormers are principally to the front of the buildings. The area where the lift shaft and stair wells are located consist of flat roofs.
80. Within Block A there are four apartments located on both the ground floor and first floor. Three apartments are located on the second floor of this building. Within Block B, three apartments are seen to be located on each floor of this building. All apartments have two bedrooms, with the exception of apartments 4 and 12 and on the respective ground floors which are wheelchair accessible and have one bedroom.
81. The vehicular access to the front of site, located between both buildings, leads to an area of hardstanding to the rear for the parking of vehicles and a turning area. There are 20 parking spaces provided in that area behind the buildings and along the southern boundary, with the ratio of one space per unit. The remainder of the site around the building and the parking areas, consists of communal amenity space, which is mostly grassed and paved pedestrian areas. A perimeter path is shown around the boundaries of the buildings, leading from the front of the site to the rear, with the exception of the eastern elevation of Block B. There are two bin stores located adjacent to each building and two secure bike cages.
82. To the front of the site between the building and the northern boundary adjacent to the public footway, there is a paved and landscaped area to the east and a paved area to the west with a smaller landscaped area. All apartments are access internally, though it is noted that those ground floor apartments fronting onto the road have patio doors which can be accessed from the paved area to the front. New boundaries are proposed and include a 0.9m brick garden wall to the front and along part of the sides, and a 1.8m vertically boarded fence to the sides and rear.
83. Within the context of the site, at present the only common boundary with existing residential properties is located to the south, adjacent to Nos 1, 2, 3, 4, 5, 6 and 7 Dundrod Court. The eastern boundary abuts an area of open space, the western boundary is adjacent to Lidl supermarket, and the northern boundary abuts the Moira Road.
84. The bulk of the building mass is adequately removed from these dwellings. That part of Block A closest to the Moira Road, is seen to be 16.4m from the rear boundary and 28.9m from the building to the dwellings at Nos. 4 and 5 Dundrod Court. These are acceptable distances for a three-storey building with rear facing habitable rooms to be separated from adjoining dwellings to ensure no overlooking or overshadowing concerns. There is a three-storey stair well and lift shaft area to the rear of this building that is closer to the boundary at a distance of 12.7 metres, however there is no living accommodation in this part

of the building so I am content that is an appropriate distance for this part of the building to be separated from the common boundary to the rear.

85. Block A also has a two-storey rear return which accommodates a ground floor and first floor apartment. This part of the building is closer to the rear boundary and therefore the neighbouring dwellings also. It is located at an oblique angle relative to the dwellings behind at Nos. 1 and 2 Dundrod Court, and less so No. 3 which is further removed. The southeastern corner of this building is located 13.3 metres from the dwelling at No. 1, with this distance increasing to 20 metres to the rear of No. 3. This part of the apartment building is also closer to the boundary in this part of the site, being 1.6 metres away from the eastern boundary and 7.2 metres from the southern boundary. It is noted that this part of the building is two storey and has no windows from habitable rooms at first floor on the rear elevation (the only bedroom window on this elevation is on the ground floor).
86. Although this rear return is seen to be closer to the buildings and boundary to the rear, with the separation distance to the rear boundary less than the desirable 10 metres set out in guidance, the oblique angle of the dwellings at Nos. 1-3 Dundrod Court and the lack of windows from first floor habitable rooms will result in no adverse overlooking or overshadowing concerns.
87. In regard to Block B, I am also satisfied that this building is adequately separated from the neighbouring dwellings to the rear at Nos. 6 and 7 Dundrod Court. That part of the building to the rear of the dwelling at No. 6, is located 27.1 metres from this dwelling, and 16.5 metres from the common boundary. This separation distance is acceptable for a three-storey apartment building. The western part of Block B, that part that is closest to the dwelling to the rear in No. 7 Dundrod Court, projects further into the site from the main body of the building. As a result, this part of Block B is closer to the boundary and dwelling behind. There is a small meter's room attached to that part of the building where the stairwell is located. It is measured that the distance between this part of the building and the rear boundary is 11.2 metres and with a 24.6 metres separation distance between buildings. There are no apartments located in this area of the building, with the only windows from hallways. The most westerly part of the Block B, that part closest to the boundary with Lidl, has an apartment located on each level, however there are no second-floor windows along this rear elevation, with only two velux windows seen in the roof. This part of the building is located 13.5 metres from the rear boundary, with no dwellings situated directly behind it, and the private rear amenity of No. 7 sufficiently separated from this building.
88. In light of the above, I am content that there will be no overlooking from the respective apartments in the current proposal towards the adjacent dwellings in Dundrod Court.
89. The finished floor levels of the proposed apartments shall be 42.5 metres OD. A streetscape plan shows how the buildings will appear along this part of the

Moira Road and within the context of the adjacent buildings, notably the Lidl supermarket, the Nursing Home and the dwellings in Dundrod Court. It can be seen that the proposed buildings are almost the same height as the Nursing Home. It is also observed that there is an approximately 3m difference in the ridge height of the buildings and the Lidl supermarket to the west, with this building sitting at a lower level than the adjacent apartment Block B. However, this part of the proposed building has been recessed back from the Moira Road to lessen its impact on the Lidl store and to ensure the building conforms better with the surrounding built context. The sections provided also demonstrate the adequate separation distances seen between the apartment buildings and the dwellings to the rear, as explored in the paragraphs above.

90. Noting the height of the proposed buildings it is thought that the apartment blocks will not cause adverse effects towards the adjacent dwellings and buildings in terms of overshadowing or over dominance. Whilst the proposed building is higher than the single storey dwellings to the rear and the Lidl supermarket, the positioning of the buildings to the front of the site and the set back of part of Block B will reduce the visual impact along the streetscape.
91. Whilst the building to the west is not a dwelling, the relationship of the proposed building with this supermarket is still considered in terms of the visual impact along the streetscape. Although the proposed building is bigger in that it is three storeys compared to the single storey adjacent unit, the front elevational details shown on the plans would indicate that the apartment buildings will not sit incongruous along this part of the Moira Road as a mix of building types and heights are shown all the road, noting Drumlough House is an equally large building of a similar height.
92. In consideration of the above, I am satisfied that the scale and massing of the proposal within the site context and also the streetscape is acceptable, and it will not cause adverse effects towards adjacent buildings in terms of overshadowing or overdominance.
93. The finishes are deemed acceptable with a mix of materials and finishes brickwork proposed, including a mix of red brick, white render and grey aluminium panels. The roof will consist of flat black concrete tiles. The building will have a modern design which complements the surrounding built form, the variation of material finishes of brick and render adds to streetscape. The proposed design and finishes are considered to draw upon the materials and detailing exhibited within the surrounding area.
94. The agent has also confirmed that as the scheme is for social housing it shall be constructed in line with current NI Building Regulations and the DfC Design Standards which emphasises sustainable design and energy efficiency primarily through a fabric first approach (for example reducing heating costs with good air tightness, thermal performance and reducing the effects of solar gain) and including renewable energy measures, such as solar panels or air source heat pumps.

95. Each apartment must have one form of renewable energy to comply with Building Regulations and in this case, the intention is to include solar panels to the southern (rear) roof elevations of the apartment blocks. I am therefore content that the units will be as energy efficient as possible.
96. The detail associated with this layout show the access is located at the centre of the northern boundary. The buildings will be read within the context of the mix of development see along this part of the Moira Road.
97. The detail of the proposed layout demonstrates that there is an appropriate separation distance between the proposed apartment buildings and the existing dwellings at Nos. 1 – 7 Dundrod Court. 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.
98. For the reasons outlined above, criteria (a), (e) and (f) are considered to be met.
99. With regard to criterion (b) detail submitted with the application demonstrates that 210sqm of communal amenity space is provided to the rear of the development which is the equivalent of 10.5 square metres per apartment. This is broken up into two grassed areas to the rear of the site that is usable for amenity. Boundary screening is proposed along the boundaries of these areas. There is no vegetation of note on the site worthy of retention. It is noted that there is a larger area of open space immediately abutting the site to the east, with other larger pockets of open space seen in various locations off Dundrod Drive. As such I am satisfied that there is adequate amenity provision for the occupants of the 20 apartments associated with this proposal.
100. There is no requirement for public open space due to the scale of the development. Likewise, there is no requirement for the provision of a local community or neighbourhood facility.
101. With regard to criteria (d) the proposed density is not significantly higher than that found in the established residential area and the proposed pattern of development is in keeping with the overall character and environmental quality of the established residential area. The average unit size exceeds space standards set out in supplementary planning guidance.
102. The internal road layout provides for safe and convenient access around the site which will also serve to meet the needs of mobility impaired persons.

Adequate and appropriate provision is also made for parking which meets the required parking standards. Criteria (g) and (h) are considered to be met.

103. The design integrates informal surveillance of the parking areas with strategic locations of habitable rooms to the rear of the apartment blocks and circulation spaces to the front of the apartment block to ensure pedestrian movement. Criteria (l) is considered to be met.
104. A bin collection compound is provided to the rear of each building, so safe collection can be facilitated without impairment to the access manoeuvrability of waste service vehicles.
105. For the reasons outlined above, it is accepted that the development complies with the policy tests associated with Policy HOU4 of the Plan Strategy.
106. 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 properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

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

107. The design of the buildings draws upon the characteristics of and is broadly in line with the existing built fabric in terms of height, scale and massing and the site layout plan demonstrates a density and ratio of built form to open space that is appropriate to planning policies and is consistent with that found in the immediate vicinity.
108. The separation distance between the proposed buildings and their relationship with the adjacent residential dwellings and its existing boundaries is adequately addressed and respected by this proposal. Therefore, it will not create conflict or unacceptable adverse effects in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
109. In consideration of the above, I am satisfied that the proposal complies with Policy HOU8.

Policy HOU10 – Affordable housing in settlement

110. Policy HOU10 requires a 20% affordable housing provision. This scheme offers 100% social housing through a design and building contract. This policy also states in the justification and amplification that affordable housing should be delivered through mixed tenure developments.

111. I note that this proposal does not offer mixed tenure in accordance with the broad thrust of policy HOU4 but is supported by the NIHE. A supporting statement was provided by the agent who clarified that Alpha Housing Association intends to purchase the site subject to planning.
112. They also state that due to the management and maintenance regimes for social housing providers, it is not feasible or cost efficient to introduce other tenures into smaller apartment schemes like this. In light of this, the Council are content with this is an exception and accept the proposal for 100% social rented accommodation.
113. Notwithstanding this, a Section 76 Agreement is still required to ensure delivery of these units as per the planning approval. It is recommended that no apartment is occupied until all the units are constructed and available for occupation as affordable housing.
114. The affordable housing tests associated with Policy HOU10 of the Plan Strategy are therefore capable of being met subject to this provision being secured and agreed through a Section 76 Planning Agreement.

Access and Transport

TRA1 – Creating an Accessible Environment

115. 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.
116. Based on a review of the detail submitted with the application and advice from DfI Roads it is considered that the proposed complies with the SPPS and Policy TRA1 of the Plan Strategy in that the detail demonstrates that an accessible and safe environment will be created through the provision of footways and dropped kerbs.

TRA2 – Access to Public Roads

117. It is also considered that the development complies with Policy TRA2 of the Plan Strategy in that the detail submitted demonstrates that the proposed new access for 20 apartments will not prejudice road safety or significantly inconvenience the flow of traffic.
118. The proposal involves accessing the Moira Road, which is a Protected Route. A Transport Assessment Form (TAF) is submitted in support of the application. It provides detail of Travel Characteristics, Transport Impacts and Measures to mitigate impacts/influence travel to the site.

119. The detail contained within the TAF illustrates that the proposed site access can accommodate the proposed traffic movements associated with the development proposals. It is stated that there are likely to be approximately 124 two-way people trips per day associated with the proposed site of which approximately 85 of which would be vehicle trips.
120. It is also stated that given the location is accessible by public transport and local amenities are available within walking distance from the site, the people trips associated with sustainable modes are likely to have been underestimated as seen above in paragraph 122. Pedestrian and cyclist access to the site will be via the exiting footway provision along the Moira Road.
121. 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.
122. Advice received from DfI Roads confirms that they have no objection, endorsing the site layout drawings.

TRA3 – Access onto Protected Route

123. As explained above, the proposal involves the construction of a new access to a public road, the Moira Road which is a protected route. The site is inside a settlement and in this case, there is no opportunity for access to be taken from an adjacent road and the detail submitted in terms of access arrangements will assist with the creation of a quality environment without compromising road safety or resulting in an unacceptable proliferation of access points.
124. Advice received from DfI Roads confirms that they have no objection on the grounds of road safety or traffic impact and as such, it is accepted that the tests for access onto a protected route associated with Policy TRA3 have been met.

TRA7 – Carparking and servicing arrangements in new developments

125. The proposal is required to provide 30 parking spaces to fully comply with parking standards. The proposed site layout will include 20 parking spaces, and this has been deemed acceptable for the reasons outlined below.
126. Policy TRA7 does permit a reduction in parking provision where certain circumstances arise. It states that reduced parking may be acceptable in locations which are highly accessible and well served by public transport. It also includes situations where it forms part of a package of measures to promote alternative transport modes. Within a Residential Travel Plan, the agent provided evidence to highlight the public transport services in the area and also detailed the provision of a Travel Pack to the occupants and the appointment of a travel co-ordinator to oversee the implementation of this plan.

127. As set out in the Travel plan, the site is well serviced with proximity to bus and routes, with bus stops existing a short distance from the site. There is a footpath provided on both sides of the Carriageway and controlled pedestrian crossings approximately 130m to the east of the site.
128. The information in the travel pack provided to residents will include, walking and cycling maps, bus stop locations, walking, cycling, bus and train times, school travel information, travel vouchers, car sharing schemes and the health benefits of active travel.
129. The reduced parking standard is acceptable to the planning authority for the reasons outline above.
130. The site layout shows bicycle storage sufficient to supply the apartments or those visiting with 2 secure cycle cages provided.
131. The internal design has allowed adequate turning space for those using the site so as ensure safe use of the site and access to it.
132. Based on a review of the information and the advice received it is considered that the proposal satisfies the policy tests associated with policies TRA1, TRA2, TRA3 and TRA7 of the Plan Strategy.

Flooding and Drainage

133. A Flood Risk Assessment and Drainage Assessment were submitted in support of the application. Following consultation with DfI Rivers with these documents, DfI Rivers stated that adequate drainage drawings and calculations were submitted to support the proposals.
134. The applicant also provided NI Water Pre-Development Enquiry Approval for Storm Water from the site. They state that the Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. A condition was provided to be attached to a decision notice relating to the safe management of sewer flooding.
135. Water Management Unit were also consulted and responding stating that they have considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal. DAERA standing advice is provided to be included in any decision notice.
136. NI Water advise that there is available capacity at the Wastewater Treatment Works. They also were able to confirm that there is a public water main, a public surface water sewer and a public foul sewer within 20 metres of the site.

137. Officers have no reason to disagree with the advice of the consultees. Based on a review of the information and advice received from DfI Rivers, Water Management Unit and NI Water, it is accepted that the proposal complies with policies FLD1, FLD2 and FLD3 of the Plan Strategy.

Contamination and Noise

138. A Preliminary Risk Assessment, Generic Quantitative Risk Assessment and Remediation Strategy was provided in support of the application. This assessment indicated the presence of a number of potential onsite sources of contamination.
139. The outline Conceptual Site Model indicated a number of potential human health and environmental pollutant linkages at the site. The ground conditions encountered during the assessment indicated a layer of infill over natural alluvium deposits. An inspection of all the arisings from the boreholes indicated no obvious olfactory and/or visual evidence of any significant contamination.
140. Soil analysis indicated the presence of ACM (chrysotile), resulting an unacceptable human health pollutant linkage. As such remedial measures consisting of a 600mm clean cover layer in all soft landscaping areas.
141. Groundwater sampling and analysis indicated no obvious impact with all 3 groundwater samples indicating low concentrations. A gas risk assessment carried out at the site has classified the site as CS1 (very low risk) with no specific gas protection measures considered to be required.
142. This report was sent to NIEA Regulation Unit who responded stating that no unacceptable risks have been identified to environmental receptors for the development, and as such they have no objections to the development providing conditions and informatives to be included on any decision notice.
143. In light of the recommendations made by NIEA Regulation Unit, I am content that there will be no adverse contamination effects as a result of this proposal.
144. A Noise Impact Assessment was also submitted in support of this application, with several amendments made to this document during the processing at the request of Environmental Health. It was concluded that predicted internal sound levels are shown to achieve the guideline sound levels for habitable rooms for both ambient daytime, night-time and maximum 'event' noise using high performance acoustic glazing. It is also stated that the ventilation strategy for the revised scheme is proposed mechanical ventilation heat recovery system with no trickle vents to achieve suitable internal sound levels.
145. The Environmental Health Department of the Council's final consultation response on the 23rd of September 2025 stated they had no objection to the proposed development subject to appropriate conditions being attached to a decision notice.

146. In light of these comments from Environmental Health, I am content that there will be no adverse noise effects as a result of this proposal.

Consideration of Representations

147. Two representations were received in respect of this application. The issues raised were as follows:

I would like some assurances that these apartments will be for social housing or private. If social housing, can they be CatA (over 55).

The application is for social housing, with the supporting statement stating that it is for over 55's active elderly.

Our street is one of vulnerable disabled and elderly people and we have already been through immense stress and anxiety due to a previous tenant. We fear that more people that have a history of antisocial behaviour are housed in these apartments from other areas where they are no longer wanted. Our street is now peaceful for the first time in over 5 years - take our physical and mental health into account before going ahead with this decision.

Within both the BUAP and draft BMAP the site is within the development limit of Lisburn, so there is a presumption of favour of development on this land. Furthermore, the site was zoned for housing in draft BMAP. The proposal has been assessed within the context of the surroundings and the relevant policy and has found to be acceptable.

Recommendations

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

Conditions

149. The following conditions are recommended:

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

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

- The vehicular access, including any visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 04/4, bearing the date stamp 05 November 2025, prior to the commencement of any other works or other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

- The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

- The proposal shall not become occupied until hard surfaced areas have been constructed in accordance with approved drawing no. 04/4, bearing date stamp 05 November 2025 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

- 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.

- Prior to the occupation of the first apartment hereby approved, a window system (glazing and frame) capable of providing a sound reduction index, when the windows are closed, of at least 36dB(A) $R_w + C_{tr}$, shall be installed to all habitable rooms.

Reason: To achieve internal noise level in line with BS8233

- Prior to the occupation of the first apartment hereby approved, passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction of at least 36dB(A) when in the open position (with respect to noise transmission from the exterior to the interior of the building), shall be installed. Mechanical ventilators shall not have an inherent sound pressure level (measured at 1 metre) in excess of 30dB(A), whilst providing a flow rate of at least 15 litres per second.

Reason: To achieve internal noise level in line with BS8233

- Prior to the commencement of development other than that required to carry out remediation, the approved Remediation Strategy date stamped 28 April 2023 must be carried out in accordance with the details approved, unless otherwise agreed, in writing, by the Council. The Council must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, an independent verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Council.

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

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

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

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

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

- After completing the remediation works under the above Condition; and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report shall present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

- Prior to the construction of the drainage network, the applicant shall submit a final drainage assessment, compliant with Policy FLD 3 and Section 16 of the Plan Strategy 2032, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event.

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

- All hard and soft landscape works shall be carried out in accordance the Landscape Proposals, Drawing No. 12/1 published to the planning portal on the 15th of September 2025. The works shall be carried out no later than the first available planting season after occupation of the first apartment.

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

- If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, 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.

- All trees along the eastern boundary of the site shall be retained unless shown on the Tree Protection Plan Drawing No. 13 published to the planning portal on 25 November 2025 as being removed. Any trees or planting indicated on the approved drawings which die, are removed or become seriously damaged, diseased or dying, shall be replaced during the

next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

- No retained tree shall be uprooted or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the Tree Survey Report by Andrew Boe (dated 13th March 2025), without the written consent of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998:2010. Recommendations for Tree Work.

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

- Prior to any work commencing, all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified on the Tree Protection Plan Drawing No. 13 published to the planning portal on 25 November 2025 and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

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

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

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

- Should any construction works be required by necessity within the Root Protection Area of any tree that is to be retained, works shall be carried out using hand dig methods of construction only.

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





Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

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

1.0 **Background**

1. The Planning Act (Northern Ireland) 2011 sets out the legislative framework for development management in NI and provides that, from 1 April 2015, Councils now largely have responsibility for this planning function.
2. The Department continues to have responsibility for the provision and publication of official statistics relating to the overall development management function, including enforcement. The quarterly and annual reports provide the Northern Ireland headline results split by District Council. This data provides Councils with information on their own performance in order to meet their own reporting obligations under the Local Government Act (Northern Ireland) 2014.

Key Issues

1. The Department for Infrastructure has provided the Council with monthly monitoring information against the three statutory indicators. A sheet is attached (**see Appendix**) summarising the position for each indicator for the month of October 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 October 2025 was 19.4 weeks. This is the fourth month that the processing times for this type of application was below 30 weeks which is encouraging and evidence that the focus on reducing the number of older planning applications is continuing to be reflected in the average number of weeks taken to process applications. A total of 136 more applications are decided than received in the first seven months of this financial year. The average process times for local application in this the year to date is 34.4 weeks which is an improvement of approximately 13 weeks.
4. There was no opportunity to perform against the statutory target for major applications for October 2025. Our performance in year to date is 46.2 weeks. Six major applications are decided so far this year.
5. Enforcement is reported separately on a quarterly basis but for completeness Members are advised that the Council remains on target to achieve the statutory

	target of processing 70% of cases within 39 weeks. In October 58.6% of cases were decided in 39 weeks.	
2.0	<u>Recommendation</u> It is recommended that the Committee notes the information in relation to the October 2025 Statutory Performance Indicators.	
3.0	<u>Finance and Resource Implications</u> There are no finance or resource implications.	
4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	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 outlining progress against statutory targets 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 outlining progress against statutory targets and RNIA is not required. .	

Appendices:	Appendix 2 – Statutory Performance Indicators – October 2025
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Statutory targets monthly update - October 2025 (unvalidated management information)
Lisburn and Castlereagh

Major applications (target of 30 weeks)					Local applications (target of 15 weeks)				Cases concluded (target of 39 weeks)			
	Number received	Number decided/ withdrawn ¹	Average processing time ²	% of cases processed within 30 weeks	Number received	Number decided/ withdrawn ¹	Average processing time ²	% of cases processed within 15 weeks	Number opened	Number brought to conclusion ³	"70%" conclusion time ³	% of cases concluded within 39 weeks
April	1	1	27.4	100.0%	50	81	47.6	17.3%	29	13	96.2	38.5%
May	3	2	119.2	50.0%	40	59	56.6	20.3%	20	17	86.0	52.9%
June	1	2	76.6	50.0%	59	85	42.2	24.7%	25	22	20.0	81.8%
July	0	0	-	-	50	69	25.6	23.2%	13	21	27.4	76.2%
August	0	1	62.4	0.0%	61	52	27.5	23.1%	15	12	38.2	75.0%
September	0	0	-	-	43	69	25.6	34.8%	18	26	70.7	57.7%
October	1	0	-	-	46	70	19.4	31.4%	19	29	53.0	58.6%
November												
December												
January												
February												
March												
Year to date	6	6	46.2	50.0%	349	485	34.4	24.9%	139	140	53.1	63.6%

Source: NI Planning Portal

Notes:

1. DCs, CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures
2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".
3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.

Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 3 – Appeal Decision – LA05/2023/0863/A

1.0 **Background**

1. An application for proposed replacement of existing 48 sheet advertisement with digital screen at 1a Mercer Street, Lisburn was not consented on 27 May 2025.
2. Notification that an appeal had been lodged with the Planning Appeals Commission was received on 21 July 2025.
3. The procedure followed in this instance was written representation with a site visit by the Commission which took place on 15 October 2025.
4. The main issues were whether the proposal would fail to respect the visual amenity and general character of the locality; impact adversely on the setting of a listed building; and prejudice to public safety by causing distraction at a road junction.
5. In a decision received on 28 October 2025 the Commission confirmed that the appeal was dismissed.

Key Issues

1. A digital advertisement was proposed at the southeast gable of a two-storey building at Mercer Street at the junction with Saintfield Road.
2. The Commissioner observed the advertisement from four specific locations to assess its impact on the host building; the nearby listed building and in relation to public safety as this is a busy road junction. The Commissioner visited the site at night to assess the degree of illumination and potential impacts.
3. The Commissioner found that the digital advertisement would negatively impact on the historic features and setting of the listed building and that there was a risk to public safety by reducing the clarity and effectiveness of the traffic signals by adding visual clutter. It could, by virtue of its siting, confuse motorists and distract from important traffic signals associated with the intersection.
4. The Council's concerns were all well founded and the appeal failed on all grounds. This appeal is presented to the Members for information and future reference and to assist with learning.

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 – LA05/2023/0863/A
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Appeal Decision

Planning Appeals Commission
4th Floor
92 Ann Street
Belfast
BT1 3HH
T: 028 9024 4710
E: info@pacni.gov.uk

182

Appeal Reference:	2025/A0039
Appeal by:	Bauer Media Outdoor Northern Ireland Limited
Appeal against:	Refusal of consent to display an advertisement
Proposed Development:	Proposed replacement of existing 48 sheet advertisement with digital screen
Location:	1a Mercer Street, Lisburn, BT27 5AJ
Planning Authority:	Lisburn and Castlereagh City Council
Application Reference:	LA05/2023/0863/A
Procedure:	Written Representations and an accompanied site visit on 15 th October 2025
Decision by:	Commissioner Gareth McCallion, dated 28 th October 2025

Decision

1. The appeal is dismissed.

Reasons

2. The main issues are whether the proposal would:
 - fail to respect amenity in the context of the general character of the locality;
 - impact on the setting of a listed building; and
 - prejudice to public safety.
3. Section 3(1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 (the Regulations) states that a Council shall exercise its powers under these Regulations only in the interests of amenity and public safety, taking into account (a) the provisions of the local development plan, so far as they are material; and (b) any other relevant factors.
4. The Council adopted the Lisburn and Castlereagh City Council Local Development Plan 2032, Plan Strategy (PS) on 26th September 2023. The PS sets out the strategic policy framework for the Council area. In accordance with the transitional arrangements set out in the Schedule to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended), where the PS is adopted by the Council, a reference to the local development plan in the Act is a reference to the Departmental Development Plan (DDP) and the PS read together.
5. In this appeal the relevant DDP is the Lisburn Area Plan 2001 (LAP). In accordance with the legislation, any conflict between a policy contained within the DDP and those of the PS must be resolved in favour of the latter. Furthermore, as

the Council has now adopted its PS, previously retained policies set out in the suite of regional Planning Policy Statements (PPSs) have now ceased to have effect within this Council area. However, the guidance contained within the Institute of Lighting Professionals Guidance PLG05, The Brightness of Illuminated Advertisements 2015 (PLG05 guidance) remains a material consideration. The PS also directs to the Supplementary Planning Guidance, Part F: Guidance for Outdoor Advertisements, which is also pertinent.

6. In the DDP, the appeal site is in the Lisburn Urban Area (Settlement Borough). There are no policies contained within the DDP that are pertinent to these proposals, so no conflict arises with the PS. In May 2017, the Court of Appeal declared the adoption of the 2014 BMAP unlawful. Consequently, no reliance can be placed on its provisions. However, while draft BMAP 2004 (dBMAP) is not a DDP, it could still be a material consideration in certain cases. In the dBMAP, the appeal site is also situated in Settlement Development Limit of Lisburn City.
7. Policy AD1 of the PS relates to the display of advertisements. It states that consent will be granted for the display of an advertisement where (a) it respects amenity, when assessed in the context of the general characteristics of the locality, and (b) it does not prejudice public safety. In this case, the Council's concerns relate to criterion (a) and (b). They assert that the proposal will impact on the general characteristics of the locality and a listed building. Furthermore, they contend that its proximity to a road junction, along a main traffic route, will create a hazard thereby prejudicing the safety and convenience of travel.
8. During the accompanied site visit, the Council confirmed that their concerns are primarily focused on the impact of the proposed advertisement on the grade B1 listed building, with no other general characteristics being affected by the proposal. Vis-à-vis the listed building, the Council also withheld consent pursuant to Policy HE9 'Development affecting the Setting of a Listed Building'. I will consider the matters pertaining to the effects on the historical features in the appeal area including the listed building, pursuant to Policy AD1 and Policy HE9, before addressing the public safety concerns.
9. The justification and amplification (J&A) to Policy AD1 states that the display of advertisements is a feature of our main streets and commercial centres, often adding colour and interest. It adds that care must be taken to ensure that an advertisement will not detract from where it is to be displayed or its surroundings. It also emphasises that it is important to prevent clutter, adequately control digital signs and signs involving illumination and to protect features such as listed buildings from the potential adverse effects of advertising. The J&A also directs that thoughtful siting and illumination can overcome many of the potential hazards listed within the Policy. It advises that in assessing the brightness of signs, these will be expected to accord with the PLG05 guidance.
10. Regarding listed buildings, the J&A of Policy AD1 directs to the operational policies under the Historic Environment and Archaeology section of the PS for assessing proposals which impact on historic buildings. Policy HE9 'Development affecting the Setting of a Listed Building' advises that proposals which would adversely affect the setting of a listed building will not be permitted. It goes on to direct that development proposals will normally only be considered appropriate

where criterion (a) through to (c) are met. The Council consider that the proposal offends criterion (c) of HE9, which advises that “the nature of the use proposed respects the character of the setting of the building”.

11. The appeal site is at the southeast gable of a two-storey building at Mercer Street and Sloan Street. A 48-sheet advertisement board is currently installed circa (c) 2.5 metres (m) above the pavement, where the proposed digital screen would also be located. The red-painted building houses Apache Pizza, a takeaway and delivery restaurant, and faces both streets. Due to its position, the existing and proposed displays overlook the intersection of Saintfield Road Graham Place, Sloan Street, and Mercer Street (the intersection).
12. The area surrounding the appeal site encompasses mixed uses. Mercer Street is primarily residential with terraced dwellings on both sides of the street. The southwestern side of Sloan Street, including Graham Place, is also largely residential in nature, whilst its northeastern side is made up a several ground floor commercial units, with some of these providing accommodation above them. Directly opposite the appeal site, on the northeastern side of the Saintfield Road, at the corner of Mercer Street, is a petrol filling station (Texaco) and associated retail unit (Eurospar). Close to the appeal site on the southwestern side of the Saintfield Road there is a church and ancillary hall plus two semi-detached dwellings.
13. The historic listed building is located at 1a Graham Place. It is described as a mid-terrace, three bay, red-brick Victorian house dating to around 1860. The building displays some interesting late nineteenth century detailing, including polychromatic brick, decorative doorcases and timber sash windows. This building fronts onto the intersection, with the building housing the Apache Pizza restaurant located across from it.
14. The Appellant argues that the Council did not consider the benefits of the proposed display. The new screen is smaller at about 18m², compared to the existing 24m² board (approved under LA05/2022/0621/A). Its digital display has a limited viewing angle of 110 degrees (visual cone) and only about 0.6m is visible from the listed building. Modern controls can regulate its brightness, keeping it below 400 candelas/m² as per PLG05 guidance.
15. The Appellant states that features such as the nearby filling station, its forecourt lighting, two illuminated totem poles, and signage along Saintfield Road already provide significant illumination around the listed building. Consequently, the Appellant argues that adding a display screen with modern controls will not further affect the area's character or the setting of the listed building beyond the existing lighting.
16. The Council notes that despite changes to the surrounding streetscape, the building's height, original structure, and detailing still make it a local heritage focal point. Their main concern is the impact of electronic signage, which, even though smaller than the current paper board, will be visually dominant due to its orientation and illumination. The proposed materials are not traditional or sympathetic, and the display would compete with the listed building within the area.

17. During the ASV, I was directed to four specific viewpoints to assess the appeal proposal and its potential effects on the listed building and public safety concerns. The Council guided me to viewpoints one through three as follows: (1) the junction of Saintfield Park and Saintfield Road; (2) the junction of Cromwell's Highway and Saintfield Road, located to the rear of the filling station/retail unit; and (3) the junction of Mercer Street with Saintfield Road/Sloan Street. The Appellant's Heritage Assessment also examined the proposal from viewpoint (2). In addition, during the ASV, the Appellant identified a fourth viewpoint: (4) the northeastern corner of the filling station forecourt, adjacent to the access point and public footpath off Mercer Street. The Council further advised that any adverse impacts associated with the proposal might also occur during evening and nighttime hours. Accordingly, it was agreed by all parties that I would revisit the site unaccompanied during nighttime hours. I subsequently conducted this visit at approximately 8:15pm on Thursday, 16 October 2025.
18. From viewpoint (1), I noted that the appeal site and its advertisement board are visible from the junction of Saintfield Park and Saintfield Road, but the listed building is obscured due to distance and road curvature, so both cannot be viewed together. At viewpoint (2), the southeast gable of the listed building is seen from this distance. A large unauthorised theological sign occupies this gable, which detracts from the building's appearance from this perspective. Therefore, based on the reasons provided above, I conclude that viewpoints (1) and (2) are not essential to evaluating the impact of the appeal proposal regarding the advertisement's effects on the area's historical features or the setting of the listed building, and reference to them is inappropriate.
19. Based on my onsite assessment, I agree that the remaining identified viewpoints, specifically (3) and (4), are significant from the perspective of pedestrians. These vantage points allow for both the façade and principal architectural features of the listed building, as well as the appeal site building, to be viewed concurrently due to their orientation. Additionally, I noted from my car that road users travelling northwest on Saintfield Road and southwest on Mercer Street towards the intersection have significant viewpoints as well.
20. I recognise that the surface area of the proposed display is to be smaller than the extant advertisement board and that it is to be located some 25m from the listed building. I also acknowledge that the Appellant's Heritage Assessment advises that approximately 0.6m of the proposed screen falls within the visible cone as seen from the listed property. However, the concerns raised by the Council do not focus on views from the listed building but rather from perspectives where the proposed screen and listed building can be observed together, thereby competing for attention.
21. The Appellant confirmed at the ASV that, and my nighttime observations substantiated, the extant advertisement is unlit. Furthermore, I noted that the intersection has minimal street lighting. The totem pole near Saintfield Road is set back from the listed building, close to viewpoint (2) and I have already found this perspective is not crucial for assessing the impact on the setting of the listed building. From viewpoint (4), the totem pole near the Mercer Street access partially obscures the listed building for pedestrians. However, when traveling

southwest along Mercer Road toward Saintfield Road, during the day and at night, both the appeal site and the listed building, including its main features, remain visible together due to the intersection's layout and orientation of said buildings.

22. Additionally, during my evening visit, I noted that the lighting at the filling station is oriented towards the forecourt, while distinct street lighting brightens pedestrian areas, roadways, and surrounding spaces. Several business premises are situated on the northeast side of Sloan Road, northeast of Graham Place; among those situated nearest to the listed building, both the Pizza and Chinese Takeaway Restaurants were open during nighttime hours. I also observed that each restaurant displays illuminated signage during the evening. Based on my observations, neither premise displayed digital menus. The lighting levels were sufficient to indicate that the premises were open, but neither the properties nor the filling station's lighting provided significant illumination at night which detracted from the listed building's setting.
23. Although the Appellant asserts that planning conditions can regulate the display, it is noteworthy that a lighting impact assessment was proposed within the appeal papers but not submitted. The onus is on parties to the appeal to supplement their arguments and provide evidence to support their position. As a result, there is insufficient evidence to demonstrate how the illumination levels can be regulated and will be perceived at this location or whether they will accord with the recommended standards.
24. Furthermore, based on the assessments conducted at viewpoints (3) and (4), along with observations from the perspective of a road user, I find that the appeal proposal, even with adherence to PLG05 and a slightly smaller surface area than the existing advertisement, would, due to its illumination and orientation, have an adverse impact on the historical features and architectural interest associated with the listed building at 2 Graham Place. Thus, I find the Council's concerns regarding competing interests in the area are well founded and the effects of the proposed advertisement involving illumination would adversely impact on the listed building. Consequently, its first reason for refusal, so far as stated, is sustained.
25. As I have found that the proposed digital advertisement would negatively impact on the historical features and setting of the listed building due to its illumination and orientation, the proposed digital display would therefore be inappropriate at this location. Thus, I find that the proposal offends criterion (c) of Policy HE9 and the Council's fourth reason for refusal is sustained.
26. Turning now to public safety. The J&A of Policy AD1 advises that advertisements by their very nature are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. The J&A continues that when assessing the impact of an advertisement on public safety the Council will have regard to its effect on the safe use and operation of any form of traffic or transport on land, (including the safety of pedestrians).
27. The J&A of Policy AD1 also advises that the main types of advertisements which are likely to pose a threat to public safety are those, by virtue of their size or siting, would obstruct or confuse a road user's view or reduce the clarity or effectiveness

of a traffic sign or traffic signal, or those which would be likely to distract road users because of their unusual design. Regarding illuminated signs, the J&A directs that those, which, because of their size or brightness, could reduce the effectiveness of traffic lights/signs or result in glare or dazzle, or otherwise distract road users, especially in wet or misty conditions.

28. There was no disagreement between the parties at the ASV that the appeal proposal is located some 3m at its closest point from the intersection. This convergence is regulated by traffic lights, providing management for road users and crossing facilities for pedestrians. Both parties agreed that, in the context of this appeal, the main traffic route runs northwest from the M1 along Saintfield Road toward Lisburn City Centre.
29. While driving during both daylight and nighttime hours, I navigated each of the two lanes on Saintfield Road heading northwest towards Lisburn City Centre, as well as both lanes along Mercer Street heading southwest. I turned right onto Sloan Road towards the City Centre and left onto Saintfield Road towards the M1. My observations indicated that, in the absence of a right filter light for traffic turning onto Mercer Street from Saintfield Road, and despite existing road markings when approaching the junction from the southeast, lane selection remains insufficiently clear. Additionally, the access from Saintfield Road to the petrol station and retail unit, described by the Appellant during the ASV as consistently very busy, further increases traffic activities and the attention required when driving along this stretch of Saintfield Road.
30. The Appellant states that the traffic light heads on the left side of Saintfield Road, approaching the junction from the southeast, serve as the primary signals. However, in the absence of a right-hand filter light, I find that the signals located on the right side of the junction, on Sloan Street near the Pizza Restaurant and the appeal site, also serve an important function for road users turning right onto Mercer Street.
31. When travelling southwest on Mercer Street, I acknowledge that due to the orientation of the appeal site, at c. 80m northeast from the proposed display, before the junction of Mercer Street and Mercer Court, the images on the digital screen will not be readily visible. As vehicles approach the traffic lights at the intersection, the alignment of the road and the placement and lighting of the proposed display will bring it into view for road users, particularly those in the right-hand lane along this segment of the roadway. The Appellant also confirmed that drivers exiting the petrol station onto Mercer Road will see the proposal. As discussed, increased traffic near the intersection means more drivers will have direct visibility of the illuminated display.
32. The proposed digital screen will have a smaller surface area than the existing advertisement board. However, the concerns pertain to the illumination and brightness of the proposal, which may affect the visibility of traffic lights and the intersection. The Appellant refers to the limited range of the digital screen. Nevertheless, as illustrated by the angles shown in the visual cone and during the ASV, the images on the proposed screen will remain visible to both road users and pedestrians as they approach the traffic management lights when travelling northwest along Saintfield Road and southwest along Mercer Street towards the

traffic lights. Furthermore, I acknowledge that the Appellant refers to the technical specifications of the digital display. These, he advises, will allow for the advertisement to remain static for anywhere between a minimum of 10 and up to 45 seconds per image and that there will be instantaneous transitions between adverts. The Appellant contends that these specifications will ensure that the display will remain unobtrusive. However, and notwithstanding the position of the proposed digital display which will not sit directly within the eyeline of drivers approaching the junction in either a south-westerly or north-westerly directions, I find that the appeal proposal would be highly visible on approach to the traffic lights at this challenging intersection.

33. Based on the information available, there is insufficient evidence to show that smart brightness control and the degree of illumination will maintain the effectiveness of traffic lights or avoid distracting road users, particularly at night or during periods of low visibility such as murky conditions or winter weather at this location. Additionally, as referred to in paragraph 23 above, there is no substantive evidence provided that the illumination associated with the display is compliant with guidance PLG05. Consequently, I am not persuaded that conditions regulating the illumination and display frequency could ensure that the brightness of the proposed screen has no greater distraction to road users than the current advertisement or does not reduce and compromise the effectiveness of traffic lights and create a traffic hazard.
34. The Appellant claims that precedent exists for digital displays in several Northern Ireland locations but did not provide complete evidence to support this. Therefore, I cannot compare those cases with the current appeal. Based on my site visit and the evidential context of the appeal, I am not persuaded that the proposed display, despite being smaller than the current sign, would avoid interfering with traffic lights due to its size and brightness. Furthermore, from discussions held during the ASV and observations, the traffic lights currently handle significant volumes at the intersection and indirectly manage flows to and from the filling station and retail unit. The access points from the filling station, on Mercer Street and Saintfield Road, represent two additional junctions nearby with significant traffic movements which drivers need to be cognisant of when navigating the signalled traffic junction.
35. Therefore, I conclude that the appeal proposal would risk public safety by reducing the clarity and effectiveness of the traffic signals. By virtue of its siting, it would be likely to confuse motorists from traffic movements in the immediate area and distract from important traffic signals associated with the intersection and those junctions associated with the adjacent filling station on Saintfield Road and Mercer Road. Consequently, I find the Council's concerns are well founded and that the proposed digital display would cause a distraction to road users, which would create a traffic hazard at the intersection thereby prejudicing the safety and convenience of traffic using the Mercer Street and the Saintfield Road (main traffic route). Thus, the appeal proposal conflicts with criterion (b) of Policy AD1, and the Council's second and third reasons for refusal are sustained.
36. I acknowledge the Appellant's reference to appeal 2023/A0095, as well as the Council's direction regarding the decision in 2023/A0090, which were appended in evidence. Upon review and in the context of the current appeal, I note that both

cases pertain to decisions made under different policy provisions applicable to the respective jurisdictions where those sites are situated. Thus, I find that the two decisions do not sit on all fours with the appeal case before me, and reliance on them, by both parties, is misplaced.

37. Nevertheless, as the proposal is contrary to Policies AD1 and HE9 of the PS, and the Council's first, second, third, and fourth reasons for refusal have been sustained, the appeal must fail.

The decision relates to the following plans:

- Location Plan, Acemap, 1:1250, printed 08/06/2022;
- Drawing No. 2A Elevations (Existing and Proposed), dated 23/10/2023;
- Drawing Title 'Detail Finishes', dated 13/04/2022; and
- Drawing Title 'Standard Specifications', dated 12/04/2021.

COMMISSIONER GARETH McCALLION

List of Appearances

- Planning Authority: -

Mr Joseph Billham, Lisburn and Castlereagh City Council
Ms Lorna Magee, Department for Communities, Historic Buildings
Mr Bryan Finlay, Department for Infrastructure
Mr Laurence Bell, Department for Infrastructure
- Appellant: -

Mr Thomas McCarney, Bauer Media Outdoor Northern Ireland Limited
Mr Paul Brannigan, Building Owner

List of Documents

- Planning Authority: -

Statement of Case, Lisburn and Castlereagh City Council
Rebuttal Statement, Lisburn and Castlereagh City Council
- Appellant: -

Statement of Case, Bauer Media Outdoor Northern Ireland Limited

Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 4 – Notification by telecommunication operator(s) of intention to utilise permitted development rights.

1.0	<u>Background</u> 1. The Council is notified by Cornerstone, Avison Young and Openreach, of their intention to utilise permitted development rights to install communications apparatus at six 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. <u>Key Issues</u> 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	<u>Recommendation</u> It is recommended that Members note the detail of the notifications specific to the sites identified.
3.0	<u>Finance and Resource Implications</u> There are no finance or resource implications.

4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	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 providing notification by telecommunication operator(s) of intention to utilise permitted development rights. EQIA not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out. This is a report providing notification by telecommunication operator(s) of intention to utilise permitted development rights. RNIA not required.	

Appendices:	Appendix 4 – 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 December Planning Committee

	Applicant/Agents	Operator	Location	Summary of details	Date received
1.	Avison Young	EE	Carrowreagh Farm, Carrowreagh Road, Belfast, County Down	Installation of 1no new power generator, internal upgrade of existing equipment cabin and associated ancillary works thereto	16/10/2025
2.	Openreach	BT	7 Maze Park, Lisburn, BT28 1PG	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus- Telegraph Pole	21/10/2025
3.	Openreach	BT	7 Old Road, Ballinderry Upper, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus- Telegraph Pole	22/10/2025
4.	Openreach	BT	Lagan Valley Steels Ltd, 10, Aghnatrisk Road, Hillsborough	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus- Telegraph Pole	27/10/2025
5.	Openreach	BT	Williamson Butchers- 25 Smithfield, Lisburn	Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus- Telegraph Pole	29/10/2025
6.	Cornerstone	WHP Telecoms Ltd	Walkers Field, 150 Magheraknock Road, Magheraknock	The replacement of 3no existing antennas with 6no new antennas, the installation of 1no dish and 1no cabinet and ancillary development thereto	04/11/2025



Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Item 5 – Pre-application Notice (PAN) for the refurbishment of existing Household Recycling Centre and Council Operations Depot. Upgrade of existing site entrance and construction of improved internal traffic flows with a new split level recycling centre, vehicle parking, shed and new staff office and welfare building at Carryduff Household Recycling Centre, Comber Road, Carryduff.

1.0	<u>Background</u> 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. <u>Key Issues</u> 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. 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. 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: 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 case
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	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.	
2.0	<u>Recommendation</u> 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.	
3.0	<u>Finance and Resource Implications</u> There are no finance and resource implications.	
4.0	<u>Equality/Good Relations and Rural Needs Impact Assessments</u>	
4.1	Has an equality and good relations screening been carried out?	No
4.2	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 in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. 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 in relation to the serving of a Pre-Application Notice on the Council in relation to a major application. RNIA is not required.	

Appendices:	Appendix 5(a) - Report in relation to LA05/2025/0794/PAN Appendix 5(b) – LA05/2025/0794/PAN – PAN Form Appendix 5(c) – LA05/2025/0794/PAN – Site Location Plan
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Lisburn & Castlereagh City Council

Council/Committee	Planning Committee
Date of Meeting	01 December 2025
Responsible Officer	Conor Hughes
Date of Report	13 November 2025
File Reference	LA05/2025/0794/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 refurbishment of existing Household Recycling Centre and Council Operations Depot. Upgrade of existing site entrance and construction of improved internal traffic flows with a new split level recycling centre, vehicle parking, shed and new staff office and welfare building at Carryduff Household Recycling Centre, Comber Road, Carryduff.

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 05 November 2025. The earliest possible date for the submission of a planning application is the week commencing 2 February 2026.

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 Taggarts, 23 Bedford Street, Belfast, BT2 7EJ.
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 1.00pm on Thursday 4 December 2025 at Lough Moss Leisure Centre, Carryduff.
 - The event will be published in the Belfast Telegraph before the event takes place, and the first advertisement will run from 19 November 2025.
 - A copy of the Notice will also issue to Elected Members of the DEA and others as identified on the PAN form on 6 November 2025.
 - A web page will be hosted in the Council website and 'Smart Survey' will be used to facilitate feedback from the general public.

Information on the proposed development will also be available from the applicant's agent, Taggarts, 23 Bedford Street, Belfast, BT2 7EJ

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	Other
Other	Lisburn & Castlereagh City Council

First name

Lisburn & Castlereagh City Council

Surname

Lisburn & Castlereagh City Council

Company Name

Lisburn & Castlereagh City Council

Address

Address line 1

Lagan Valley Island

Address line 2

Address line 3

Town/City

Lisburn

BT27 4RL

Country

United Kingdom

Contact Details

Telephone number

Mobile number

Email address

Agent Details

Name/Company

Company / Organisation

Taggarts

Title

Mr

First name

Liam

Surname

Mitchell

Address

Address line 1

23 Bedford Street

Address line 2

Address line 3

Town/City

Belfast

Postcode

BT2 7EJ

United Kingdom

Contact Details

201

Telephone number

07557443387

Mobile number

07557443387

Email address

liam.mitchell@taggarts.uk

Ref no.

25047

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

8

Suffix

-

Property Name

Carryduff Household Recycling Centre,

Address Line 1

Comber Road

Address Line 2

Town/city

Carryduff

Postcode

BT8 8AN

Description of site location (only complete if postcode is not known)

Description

Easting co-ordinates (x)

337203

365278

Site Area

What is the area of the site?

1.46

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

Refurbishment of existing Household Recycling Centre and Council Operations Depot

Upgrade of existing site entrance and construction of improved internal traffic flows with a new split level recycling centre, vehicle parking shed and new staff office and welfare building

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)?

1034

Renewable Energy

Does your proposal involve renewable energy development?

- ☒ Yes
- ☐ No

Please add separate details for each applicable type of renewable energy

Renewable energy type:
Solar collectors / Solar panels

Total amount of power (MW) expected to be generated per year?:
30

Determinations

Has a determination been made as to whether the proposed development would be of Regional Significance?

- ☐ Yes
- ☒ No

Has an Environmental Impact Assessment determination previously been made?

- ☐ Yes
- ☒ No

Details of Proposed Consultation

Please add separate details for each proposed consultation

Proposed public event: Public consultation event

Venue: Lough Moss Leisure Centre

Date and time: 04/12/2025 13:00

Please add separate details for each publication used for the above consultation

Publication

Name of publication Belfast Telegraph

Proposed advert date start 19/11/2025

Proposed advert date finish 19/11/2025

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)

N/A

Details of any other publicity methods (e.g. leaflets, posters)

Smart Survey set up online to gain public comments

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:

Councillor Daniel Bassett Councillor Ryan Carlin Councillor John Gallen Councillor Jamir Hapur Councillor Brian Higginson Councillor Martin McKeever Councillor Bronagh Magee

Date notice served:

06/11/2025

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

Please note the applicant may have a duty to declare under their councils code of contact or scheme of delegation. If necessary a council officer may be in touch with you to confirm details.

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

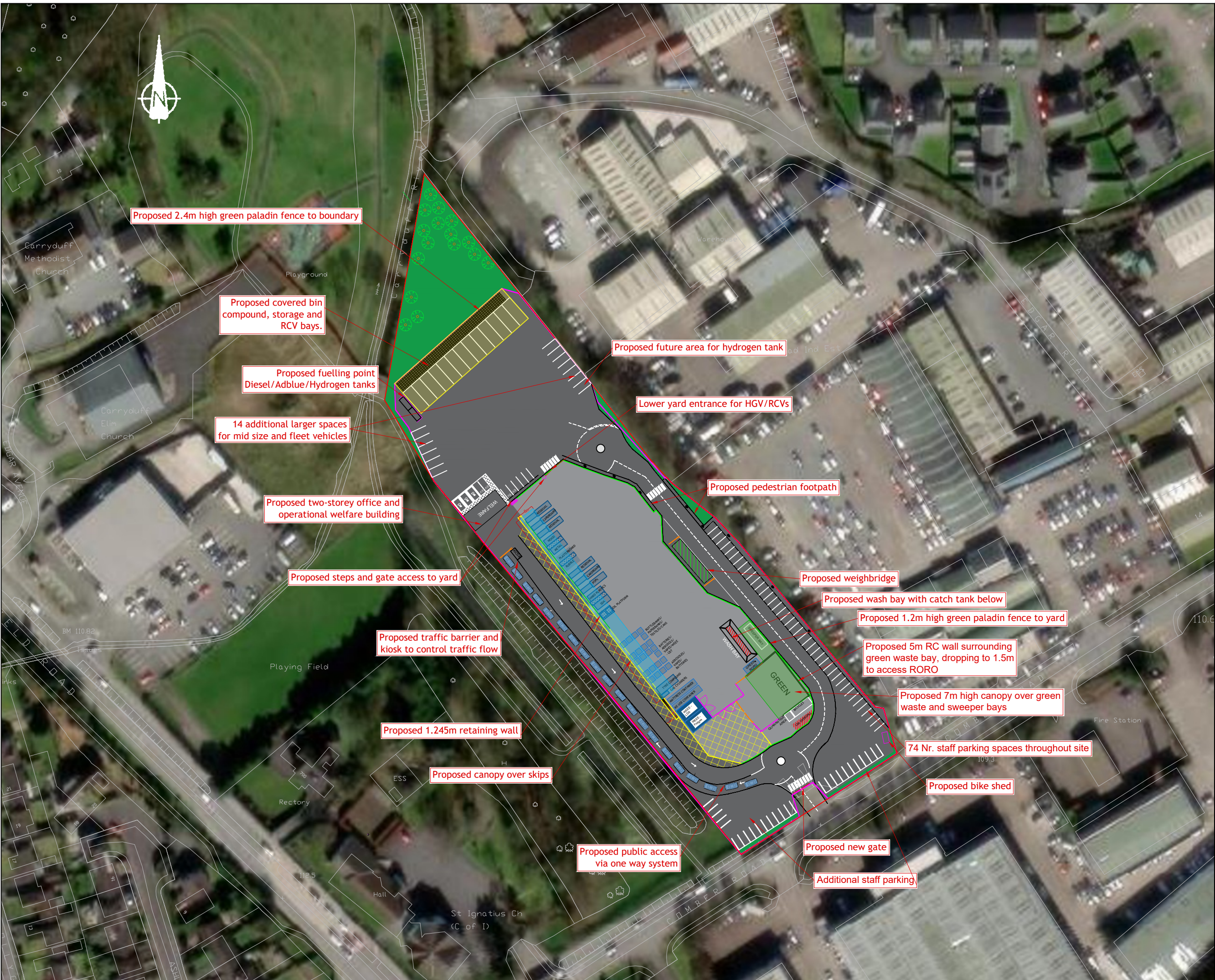
Liam Mitchell

Date

05/11/2025

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



KEY

Proposed Bitmac

Proposed Concrete

Proposed 2.4m high green paladin fence

Proposed 1.2m high green paladin fence

Proposed bin store and RCV cover

Proposed 7m high green waste and sweeper bay canopy

Proposed canopy over skips

205

A	OCT 25	UPDATED AS PER COMMENTS AT DESIGN REVIEW MEETING	LM	RV
B	OCT 25	DEPOT ARRANGEMENT UPDATED AND WASH BAY MOVED	LM	RV
REV	DATE	DESCRIPTION	DRN	CHKD

CONCEPT

Taggarts

CLIENT

LCCC

CONTRACT

CARRYDUFF HWRC

DRAWING

CONCEPT LAYOUT OPTION 5A

SCALE	1:1,250 @A3	DATE	OCT 2025
DRAWN	LM	CHECKED	RY
DRG No.	25047-007A	REVISION	B

Architects

Civil Engineers

Waste & Energy

Project Managers

23 Bedford Street
Belfast
BT2 7EJ
t: 028 9066 2121
e: info@taggarts.uk
w: www.taggarts.uk



Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Noting
Subject:	Item 06 – Consultation from DfI Planning on the review of Planning Fees.

1.0 **Background**

1. The Department for Infrastructure has launched a public consultation on the review of Planning Fees on a proposal to introduce new planning application fees for:

- Non-material changes and
- Discharge of conditions

Key Issues

1. At the time of transfer of the planning functions to local government in April 2015, fees for application types such as non-material changes and discharge of conditions were not introduced as the Department at that time took the decision that the new two-tier planning system would need sufficient time to bed in before any new fees should be introduced.
2. This resulted in Councils processing applications for non-material changes and the discharge of conditions without any associated fee being payable.
3. In the 2022 Review of the Implementation of the Planning Act (NI) 2011 (RIPA) report, the Department considered there to be merit in reviewing planning fee categories and the fees themselves to establish if they remain fit for purpose and cover the costs of processing applications in line with the requirements of Managing Public Money (NI). Part of this review is to consider the introduction of new fee categories for applications for non-material changes and discharge conditions.
4. The Planning Act (NI) 2011 (the Act) introduced a mechanism by which a Council would have a formal method of dealing with small changes ('non-material') to approved schemes (Section 67 and Regulation 7 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (as amended) (the GDPO)).
5. An application for a non-material change removes the need for an entirely new planning application to be submitted where only a very small change is sought which does not materially change the nature of the approved development.

6. Such an application, if approved, would form an amendment to the original planning permission and would be subject to the conditions and time limit of the original permission. It would not result in a new planning permission and the existing permission will continue to exist and should be read in conjunction with the non-material change decision letter.
7. Councils have been processing applications for non-material changes for more than 10 years but have not been receiving any fee for this work. In the published official Northern Ireland planning statistics April 2023 – March 2024 there have been 451 non-material change applications processed across the Council network.
8. It has been common practice in the other jurisdictions to include a fee for non-material changes within their specific fee's regulations. This has been in place in Scotland, England and Wales for a significant number of years. Fees in other UK jurisdictions range from £115 to £298, with a reduced fee for house holder development (such as house extensions).
9. In the public interest of recovering costs in the planning system the Department proposes to amend the current Planning Fees Regulations by introducing a set fee for non-material change applications. The Department is proposing to introduce a set fee of £115 for non-material changes applications.
10. Article 12 of the GDPO allows for an application to be made to the Council or, as the case maybe, the Department for any consent, agreement or approval required by a condition imposed on a grant of planning permission (other than an application for approval of reserved matters).
11. It goes on to state that the relevant planning authority shall give notice to the applicant of its decision on the application within a period of 8 weeks from the date when the application was received by the authority or such a longer period as may be agreed by the applicant and the Council or, as the case may be, the Department in writing. In the published official Northern Ireland planning statistics April 2023 – March 2024 there have been 1098 discharge of conditions applications processed across the Council network.
12. For the same reasons specified for non-material changes, and having considered the position in the other jurisdictions, the Department will consult on introducing a fee of £115 for discharge of conditions.
13. The consultation is available for comment until 23 December 2025. It is recommended that the Council welcomes the introduction of planning fees for applications for non-material changes and discharge of conditions.
14. Members are advised that whilst the opportunity to recover costs in the operation of the planning function is welcomed, it is proposed to collect only a minimum fee. No justification for this approach is outlined in the consultation. A higher fee may be justified with a proper analysis of the actual cost to process these types of requests.
15. That said there is limited scope to feed this back to the Department. In terms of the 9 questions included in the consultation and the following responses are suggested:

Question 1: From the list below, please select the category of respondent most appropriate to you:

- . Business and development interests
- . Resident/Community groups/Voluntary organisations
- . Environment and heritage groups
- . Political party/Elected representative
- . **Council**
- . Statutory consultee
- . Applicant Architect/Planning consultancy/Agent
- . Other Please provide your organisation's name:

Draft Response: Council

Question 2: Do you agree with the above proposal to introduce a set fee for non-material changes applications? Please respond: Yes / No

Draft Response: Yes

Question 3: Do you agree with the above proposal to set the fee level at £115 for non-material changes applications? Please respond: Yes / No

Draft Response: Yes

Question 4: Do you agree with the above proposal to introduce a set fee for discharge of conditions applications?
Please respond: Yes / No

Draft Response: Yes

Question 5: Do you agree with the above proposal to set the fee level at £115 for discharge of conditions applications? Please respond: Yes / No

Draft Response: Yes

Question 6: Are there any other planning application types or planning services which are not currently charged for, but which in your view should attract a fee?

Tree Preservation Order
Planning Advice Notice
Pre-Application Discussion
Other

Draft Response: Pre-application discussion on a statutory basis for major applications only

Question 7: Are there any other planning application types or planning services for which the current fee level or structure is inappropriate / insufficient? Please respond: Yes / No

Draft Response: No

Question 8: Do you agree with proposals for planning fees to continue to be adjusted annually in line with inflation? Please respond: Yes / No

Draft Response: Yes

Question 9: Do you agree that the Bank of England CPI is the most appropriate index measure to use? Please respond: Yes / No

Draft Response: Yes

2.0	<u>Recommendation</u> It is recommended that Members note the content of the draft response and that a separate paper seeking approval of the response is presented to the Regeneration and Growth Committee for decision.	
3.0	<u>Finance and Resource Implications</u> N/A	
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 or rationale why the screening was not carried out This is a report providing notification of Planning Fees Uplift. EQIA not required.	
4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions or rationale why the screening was not carried out. This is a report providing notification of Planning Fees Uplift. RNIA not required.	

Appendices:	Appendix 6 – Letter from Dfl.
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Regional Planning Governance & Legislation

James House
2-4 Cromac Avenue
The Gasworks
BELFAST
BT7 2JA

Tel: 0300 200 7830

01 October 2025

Dear Sir/Madam

PUBLIC CONSULTATION ON THE REVIEW OF PLANNING FEES

I am writing to inform you that the Department for Infrastructure has issued a public consultation paper on proposals to review Planning Fees.

These proposals are part of the [Planning Improvement Programme \(PIP\)](#) being brought forward by the Department, working closely with local government and partners, to improve current processes and the performance and delivery of the planning system.

The consultation seeks comments and views on proposals in relation to introducing new planning application fees for:

- Non-material changes; and
- Discharge of conditions.

The public consultation can be accessed via the NI Direct – Citizen Space website at the link below, and submissions can be made online:

<https://consultations2.nidirect.gov.uk/dfi-1/public-consultation-review-of-planning-fees>

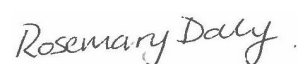
Alternatively, copies of the public consultation documents, including an easy read version of the consultation, can be downloaded from the Department for Infrastructure [website](#), requested by email at: Legislation.planning@infrastructure-ni.gov.uk or by phoning NI Direct on 0300 200 7830.

The closing date for receipt of comments is **23rd December 2025**.

You have received this notification because your contact details are contained on a list of consultees used by DfI Planning when issuing public consultations, surveys, questionnaires, etc.

If you no longer wish to receive these notifications, your details can be removed by notifying the department using the same contact details as above.

Yours faithfully

A handwritten signature in cursive script that reads "Rosemary Daly".

ROSEMARY DALY
Chief Planner & Director



Committee:	Planning Committee
Date:	01 December 2025
Report from:	Head of Planning and Capital Development

Item for:	Decision
Subject:	Item 7 – Proposed change of dates to the Planning Committee Meetings.

1.0	<u>Background</u> 1. A few public holidays clash with the scheduled dates for the planning committee in the first part of the New Year. Alternative arrangements are required and following consultation with Members Services the following dates are confirmed as available. <u>Key Issues</u> 1. The committee meeting scheduled for 05 January 2026 needs to be changed as the Council Offices are closed on the dates for publishing the committee papers and processing speaking requests. Monday 12 January 2026 is available in the meeting diary as an alternative date. 2. In April 2026 the first Monday falls on Easter Monday, which is a Public Holiday. Monday 13th April 2026 is available in the meeting diary as an alternative date. 3. In May 2026 the first Monday falls on a Bank Holiday. Monday 11th May 2026 is available in the meeting diary as an alternative date.	
2.0	<u>Recommendation</u> It is recommended that Members agree the changes to the Planning Committee meeting dates as detailed in the report.	
3.0	<u>Finance and Resource Implications</u> N/A	
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 providing notification of Planning Committee date changes. EQIA not required.	

4.3	Has a Rural Needs Impact Assessment (RNIA) been completed?	No
4.4	Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out. This is a report proposes changes to dates of the Planning Committees for the coming year. RNIA not required.	

Appendices:	N/A
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