

Section 12 Direction - Planning Act (Northern Ireland) 2011 and Planning (LDP) Regulations (NI) 2015

This Direction is issued pursuant to s12 of the Planning Act (Northern Ireland) 2011. The Department for Infrastructure (DfI) has considered the recommendations made under section (10)(8) of the Planning Act (Northern Ireland) 2011. The Department agrees with the concluding findings outlined in the Planning Appeals Commission report and therefore in exercise of the powers conferred on it by section 12(1)(b) of the Act, hereby directs that Lisburn Castlereagh City Council adopts the draft Plan Strategy with such modifications as specified in this direction.

This direction may be cited as the:-

Department for Infrastructure Planning Act (Northern Ireland) 2011, Adoption of Lisburn and Castlereagh City Council Plan Strategy, (s12) Direction 2023.

1.0 Commencement

1.1 This direction comes into operation on 28 June 2023.

2.0 Interpretation

2.1 In this direction:

"the 2011 Act" means the Planning Act (Northern Ireland) 2011;

"council" means Lisburn and Castlereagh City Council;

"regulations" means the Planning (Local Development Plan) Regulations (Northern Ireland) 2015;

"the Department" means the Department for Infrastructure;

"modifications" means changes required and included as part of this direction;

"recommendations" and "recommended amendments" means those as set out in the Planning Appeals Commission Independent Examination report attached at Annex A, under which section 10(8) refers;

"the report" means the Planning Appeals Commission report on the Independent Examination of the Lisburn and Castlereagh City Council draft Plan Strategy.

3.0 **Modifications to the draft Plan Strategy**

3.1 The Planning Appeals Commission has made recommendations under s10(8) of the Act and set these out as recommended amendments as part of its report on the Independent Examination (IE) of the Lisburn and Castlereagh City Council draft Plan Strategy. The Department has considered the recommendations made under s10(8) of the Act and accepts the majority of these recommended amendments.

The direction sets out the PAC's Recommended Amendments (RAs) into separate schedules as follows:-

- (i) *Schedule 1A* of the direction identifies the recommendations within the PAC table which are focussed and minor changes that the council consulted upon in January 2021, with no further amendments, which the Commissioner has reported on as a requirement needed to make the plan sound. The Department acknowledges that these changes form an addendum to the Plan and commends their inclusion as the council proceed to adoption.
- (ii) *Schedule 1B* of the direction identifies the recommendations which are focussed and minor changes that the council consulted upon in January 2021, which the Commissioner has reported on as not being required for soundness and no RA reference has been given. The Department acknowledges that these changes form an addendum to the Plan and commends their inclusion as the council proceed to adoption.
- (iii) *Schedule 2* of the direction identifies **59** modifications that are required to make the plan sound. These modifications are a combination of amended proposed changes along with new commissioner changes following the conclusion of the Independent Examination process. In line with the PAC report, the Department has specified wording, where necessary, to address the recommendations within this schedule.

- 3.2 It should be noted that there are a small number of modifications that the Department has updated for clarity and consistency. An additional modification (MOD 59) has also been included to direct council to ensure that any other presentational or factual amendments, typographical or grammatical errors, or consequential changes within the draft Plan Strategy, are updated as a result of all modifications and minor editing changes. These updates should not amend the nature and intent of the modifications as directed. The Council should document any changes made under MOD 59. This modification provides scope to address any amendments that are required as the draft plan strategy is brought forward for adoption. The Council should satisfy itself that any updates or errors brought forward fall within the scope of MOD 59 and do not amend the nature and intent of the modifications or any other aspect of the plan.
- 3.4 Therefore, the Department, in exercise of its powers conferred on it by section 12(1)(b), of the Planning Act (Northern Ireland) 2011, hereby directs that Lisburn and Castlereagh City Council modify the draft Plan Strategy to include all 59 modifications detailed in *Schedule 2* of this direction, and update/take account of those focussed/minor changes set out in *Schedule 1A & 1B*. These should be read in conjunction with the Independent Examination report (attached at Annex A).
- 3.5 The Council should ensure, in light of the modifications required to proceed to adoption, that updates to the Sustainability Appraisal and any other statutory assessments as necessary should be undertaken.
- 4.0 **Department's Powers**
- 4.1 If for any reason, the Council do not comply with this direction in its entirety, the Department, if required, may also consider its intervention or default powers under sections 15 or 16 of the Act. The Department will take these steps only if it thinks the plan is unsatisfactory, or if it thinks the Council is failing or omitting to do anything necessary for it to do in connection with the preparation of the draft Plan Strategy.

4.2 The Department wishes to highlight provisions set out in section 14 of the Act, in that the Department has the power to direct the Council to prepare a revision of the Plan Strategy, once adopted, where necessary.

5.0 Adoption of the document

5.1 DFI directs the Council to provide notification of the adoption of the draft Plan Strategy by resolution of the council unless the Department exercises its powers under sections 15 or 16 of the Act.

5.2 Under section 12 of the Act and provisions set out in regulation 24, the Council must comply with the direction and the modifications hereby given and adopt the draft Plan Strategy as soon as reasonably practicable.

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Recommended Amendment Number	Focused Change or Minor Change	Policy, section or paragraph number of dPS or document	Page Number of the dPS	Recommended Amendment Red text to be deleted Purple text to be added	DFI Notes
RA005	FC1A	Chapter 2 Policy and Spatial Context	Page 28, Part 1	Under Housing heading, 2 nd paragraph on page 28, last 2 sentences to read: “Extrapolating this figure over the Plan period from 2017-2032 equates to an estimated figure of approximately 2,400 social housing dwelling units. An additional need is also indicated for intermediate housing, which equates to an additional projected need for 3,840 1,920 dwelling units over the Plan period”.	
RA006	MC1	Chapter 3 Vision and Plan Objectives	Page 36, Part 1	Add new 4 th point and renumber existing 4., 5. and 6. as 5., 6. and 7. respectively. New 4 th point to read: “ Support the role of the District and Local Centres in accordance with The Retail Hierarchy (Figure 5, page 97). ”	Note: MOD24 removes this newly numbered point 7 (which is point 6 of page 36 of the dPS Part 1, as written)
RA007	MC2	Strategic Policy 05	Page 44, Part 1	Amend penultimate sentence of the J&A text to read: “...and its positive contribution to place-making including deterring crime and promoting personal safety ”.	
RA009	MC3B	Table 1 Designated Settlement Hierarchy	Page 49, Part 1	Replace Table 1 with Table 1 Settlement Hierarchy and Population Lisburn & Castlereagh City Council included at page 445 of LCCC’s Public Consultation Report (SUBDOC-009)	
RA010	FC1A	Strategic Policy 08	Page 61, Part 1	Under heading 6. Housing Needs Assessment/Housing Market Analysis, the third sentence should refer to: “The total affordable housing requirement for the plan period is 6,240 4,320 units of which 2,400 are social housing units.”	
RA012	FC1B	Strategic Policy 08 & Table 3	Pages 58 – 64 inclu	Incorporate all the amendments in Annex 1 in respect of Table 3 (page 64) and relating text (pages 58-63 inclusive of Part 1 and Addendum to Technical Supplement 1 – attached as Appendix 4 of this report.	

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			sive, Part 1		
RA016	FC4	Policy HOU1	Page 12, Part 2	Criterion b) to read: “on previously developed land (brownfield sites) or as part of mixed-use development. ”	
RA017	MC12	Policy HOU1	Page 12, Part 2	Criterion c) to read: “in designated city and town centres and within settlement development limits of the city, towns, greater urban areas, villages and small settlements”.	
RA020	FC5B	Policy HOU4	Page 15, Part 2	The 2 nd & 3 rd bullet points of criterion d) to read: <ul style="list-style-type: none"> • Settlement Development Limits of the City, Towns and Greater Urban Areas 25-35 dwellings per hectare • Settlement Development Limits of Villages and small settlements 20-25 dwellings per hectare 	
RA024	MC15	Policy HOU6	Page 21, Part 2	Add 3 rd sentence to 1 st paragraph of J&A text to read: “ A Design and Access Statement may also be required for residential development in accordance with Section 6(1) of the Planning (General Development Procedure) Order (Northern Ireland) 2015. ”	
RA025	MC16	Policy HOU9	Page 25, Part 2	Delete final paragraph of J&A text.	
RA026	MC17	Policy HOU10	Page 26, part 2	Amend criterion b) to read: “the application is made by a registered Housing Association or the Northern Ireland Housing Executive ”	
RA028	MC18	Policy HOU11	Page 27, Part 2	The amended 1 st sentence of the J&A text shall read: “ Specialist residential accommodation is purpose- built or converted residential accommodation designed to provide opportunities for individuals to access accommodation that is more suitable for their needs such as sheltered housing and care-related facilities ”.	Note: the change from “opportunity” in MC18 to “opportunities” within RA028. DFI are content that this RA can be dealt with under MOD59 of Schedule 2
RA029	MC19A	Policy HOU12	Page 27, Part 2	Amend criterion a) so that it reads: “adequate landscaping is provided to visually integrate the proposal ”.	
RA030	MC19B	Policy HOU12	Page 27,	Final line of policy to read: “Such proposals will be assessed on	

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			Part 2	their merits, having regard to the above criteria and the sequential test requirements of Policy COU5.”	
RA031	MC29	Policy COU1	Page 31, Part 2	3 rd sentence to be added to the 4 th paragraph of policy that reads: “Development of inappropriate retailing in the countryside will be resisted. Retailing opportunities in the countryside will only be considered in relation to Policies COU11, COU14 and, in exceptional cases, Policy TC6.”	
RA032	MC20B	Policy COU3	Page 32, Part 2	Amend 3 rd paragraph of policy so that it reads: “...will be encouraged in preference to their replacement in accordance with Policies COU4 and HE13. ”	Note: the change from MC20B which removes the word “Planning” Policies within RA032. DFI are content that this RA can be dealt with under MOD59 of Schedule 2
RA035	MC22	Policy COU8	Page 36, Part 2	1 st paragraph of policy to read: “Planning permission will be refused for a building which extends creates or adds to a ribbon of development.”	
RA036	MC67	Technical Supplement 2: Urban Capacity Study, Section 5.6.2	Page 40	There is a slight shortfall in land available to meet the emerging LDP requirement, however the figures do not include the Maze Strategic Land Reserve which has the potential for an additional 141 hectares of employment land.	
RA037	MC67	Technical Supplement 2: Urban Capacity Study, Section 6	Page 44	8. Employment Land. There is a slight shortfall in land available to meet the emerging LDP requirement ³⁸ , however the figures do not include the Maze Strategic Land Reserve which has the potential for an additional 141 hectares of employment land.	
RA040	FC7	Policy ED7	Page 48, Part 2	Amend text under sub-heading “ <i>Unzoned Land in Settlements</i> ” to read: “On unzoned land <u>in</u> a development proposal that would result in the loss of an existing Class B2, B3 or B4 use, or land last used for these purposes , will only be permitted where it is demonstrated that:”	Note: FC7 does not include the word “in” as underlined within RA040. DFI are content that this RA can be modified to remove the word “in” under MOD59 of Schedule 2.
RA041	FC8A & FC8B	Policy MD1	Page 51, Part 1	<i>Amend second sentence of policy to read: “Minerals development within or in close proximity to an area that has been designated, or is proposed for designation to protect its landscape, scientific, natural or built heritage</i>	

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				significance will not normally be granted permission where this would prejudice the essential character of the area and the rationale for its designation”.	
RA042	MC24C	Policy MD1	Page 51, Part 1	The 2nd paragraph of the J&A text is to be moved up to become the 2nd paragraph of Policy MD1.	
RA043A	MC24A	Policy MD1	Page 51, Part 1	The second sentence of the J&A to read: “In all areas circumstances decisions on mineral applications will be made with regard to the preservation of good quality agricultural land soil quality (where this is particularly suitable for agriculture), water quality, tree and vegetation cover, wildlife habitats, natural features of interest in the landscape and sites of archaeological and historic interest”.	
RA044	MC1	Plan Objective C	Pages 92, Part 1	Insert replacement point 4. To read: “ Support the role of District and Local Centres in accordance with the retail hierarchy (Figure 5, page 97) ” Renumber 3 remaining points as 5. 6. and 7.	Note: MOD24 removes this newly numbered point 7 (which is point 6 of page 92 of the dPS Part 1, as written)
RA045	FC2	Strategic Policy 14	Page 96, Part 1	Delete criterion b) support Sprucefield Regional Shopping Centre in recognition of its regional status in accordance with key site requirements.	Note: The PAC have made further changes to SP14 within Schedule 2- MOD22 (RA046) as well as other changes to the Sprucefield Policy.
RA047	MC4	Strategic Policy 14	Page 96, Part 1	Insert replacement criterion b) support the role of District and Local Centres.	
RA055	MC26A	Policy TC1	Page 56, Part 2	Amend criterion c) of policy so that it reads: “ edge of town centre edge of city or town centres ”	
RA056	MC26A	Policy TC1	Page 56, Part 2	Change criterion d) of policy so that it reads: “Out of town centre locations – only where...”	
RA057	MC26A	Policy TC1	Page 56, Part 2	Revise the 1 st sentence of the 2 nd paragraph of the J&A text so that it reads: “The provision of a retail hierarchy sequential approach enables a range of retailing ...”	
RA058	MC26A	Policy TC1	Page 56, Part 2	Amend the 1 st sentence of the 3 rd paragraph of the J&A text to read: “Business uses are encouraged as	

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				appropriate in the hierarchy to assist with urban regeneration...”	
RA059	MC26B	Policy TC1	Page 56, Part 2	Add a 4 th sentence to the 2 nd paragraph of the J&A text as follows: “For a site to be considered as edge- of-centre a default distance threshold of 300 metres from the town centre boundary will apply” .	
RA062	MC27	Policy TC3	Page 57, Part 2	Amend 2 nd paragraph of policy as follows: “Beyond a designated town centre boundary proposals for town centre uses will only be granted planning permission in accordance with the sequential approach of Policy TC1, where it is demonstrated no suitable sites exist within the town centre, no adverse impact on the role and function of the town centre will occur as a result of the proposal and where there would be no adverse impact on adjacent land uses”.	
RA067	MC31B	Policy TOU2	Page 62, Part 2	1 st paragraph of policy under the heading “Extension ²² of an Existing Tourist Amenity” to read: “An extension of any existing tourist amenity will only be permitted where its scale and nature does not harm the rural character, amenity, landscape quality or environmental integrity of its locality”.	
RA068	MC31A	Policy TOU2	Page 63, Part 2	Amend paragraph 3 of the J&A text to read: “A tourism benefit statement and sustainable benefit statement must demonstrate benefit to the region and locality taking account of the considerations set out in Supplementary Planning Guidance, Part D, Tourism, Page 33. A tourism benefit statement must demonstrate the value of the proposal..”	
RA070	MC32D	Policy TOU3	Page 63, Part 2	Under the sub-heading “Tourist Accommodation on the Periphery of a Settlement” amend criterion b) to read: “there are no suitable opportunities in the locality by means of:”	
RA071	MC32A	Policy TOU3	Page 64, Part 2	First paragraph of the J&A text to read: “The retention and conversion and reuse of a vernacular building or a suitable locally important building for such uses, will be favourably considered and assessed under policies HE13, COU4 and COU14 as appropriate. Where it is demonstrated that the environmental benefit of the full or partial replacement will outweigh the retention and conversion	Note: there is a minor change within MC32A to include the word ‘policies’, as this isn’t a matter of soundness, DFI are content that this change can be dealt with under MOD59

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				of the building The retention of vernacular buildings is therefore encouraged a report on the condition of the building and the economic feasibility of repairing and maintaining it will be assessed for such proposals”.	of Schedule 2.
RA073	MC32C	Policy TOU3	Page 63 64, Part 2	Amend the third paragraph of the J&A text as follows: Applications made under this policy will be expected required to be accompanied...”; Delete “Sufficient” from the start of the first bullet point; and Delete “Detailed” from the start of the second bullet point.	Note: there is a minor change within MC32C, the PAC have incorrectly used the page number “63”, when it should in fact be “64”. DFI are content that this change can be dealt with under MOD59 of Schedule 2.
RA074	MC65B	Policy TOU7	Page 67, Part 2	Add a second paragraph to the J&A text to read: “ Within the Council area there is one Special Protection Area (SPA) and the Ramsar site at Lough Neagh including the water body of Portmore Lough which could be adversely affected by cumulative disturbance effects. Such disturbance could arise directly from a tourism development or indirectly through increasing visitor pressures beyond the development ”.	
RA075	MC33	Policy OS1	Page 68, Part 2	Amend the final sentence of the 4 th 3rd paragraph of the J&A text so that it reads: “..by a Housing Association or the Northern Ireland Housing Executive in accordance with Policy HOU10: or where...”	Note: there is a minor change within MC33, the PAC have incorrectly used the reference “4th” paragraph, when it should in fact be “3rd” paragraph. DFI are content that this change can be dealt with under MOD59 of Schedule 2.
RA076	MC6A	Strategic Policy 18	Page 125, Part 1	2 nd sub-heading to read: “Listed Buildings/Scheduled Monuments Sites ” and the corresponding footnote 51.	

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RA077	MC6B	Strategic Policy 18	Page 125, Part 1	Delete second sentence of sub-heading “Archaeological Remains”, add text to the first and insert a new second sentence: “...Areas of Significant Archaeological Interest (ASAI) and sites that would merit scheduling. Archaeological remains of local importance include other sites recorded on the Sites and Monuments record, the Industrial Heritage Record and the Defence Heritage Record. ”	
RA078	MC6C	Strategic Policy 18	Page 125, Part 1	Amend the text under the sub-heading Areas of Archaeological Potential to read: “There are presently six areas of Archaeological Potential in Dundonald, Dromara, Hillsborough, Lisburn, Drumbo and Glenavy which are also afforded protection through this Local Development Plan and more may be identified at Local Policies stage. ”	
RA079	MC34A	Policy HE1	Page 74, Part 2	Delete the third and final sentence of the 3 rd paragraph of the J&A text.	
RA080	MC34B	Policy HE1	Page 74, Part 2	Amend the 1 st bullet point of the J&A text as follows: “the critical views of, and from the site or monument including the protection of its setting. ”	
RA081	FC9	Policy HE6	Page 77, Part 2	The first sentence of Policy HE6: “The Council will may permit the change of use...”	
RA082	MC35A	Policy HE6	Page 77, Part 2	The second sentence of Policy HE6 will start: “Such development should respect the essential character, special architectural or historic interest...”	
RA083	MC35B	Policy HE6	Page 77, Part 2	Add a 3 rd sentence to the first paragraph of the J&A text as follows: “The works and architectural details should use quality materials and techniques (traditional and/or sympathetic) in keeping with the listed building”.	
RA084	MC35C	Policy HE6	Page 77, Part 2	The second sentence of the 5 th paragraph of the J&A shall read: “All proposals for alteration should also be based on a proper understanding of the significance of the listed building.” because it is vitally important that new work does not weaken the structural integrity of the building	
RA085	MC36	Policy HE7	Page 78, Part 2	Policy HE7 to read: “The Council will grant the consents necessary for advertisements or signs on a listed building only where these are carefully designed...”	

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RA086	MC38	Policy HE9	Page 79, Part 2	Criterion b) to read: “The works proposed make use of traditional or sympathetic building materials and techniques and architectural details should use quality materials and techniques (traditional and/or sympathetic) which respect those found on in keeping with the listed building”.	
RA087	MC39A	Policy HE10	Page 80, Part 2	<p>Two paragraphs are to be removed from the policy and relocated to the J&A text:</p> <p>The first paragraph of policy, that deals with the designation of Conservation Areas, would become the first paragraph of the J&A; and</p> <p>The third paragraph of policy, that deals with the designation of Areas of Townscape Character or Areas of Village Character, would become the second paragraph of the J&A.</p>	
RA088	MC39B	Policy HE10	Page 80, Part 2	What is currently the first paragraph of the J&A text but, subject to RA087 would become the third paragraph to read: “Designation as a Conservation Area or ATC/AVC puts an onus on prospective developers to produce a very high standard of design in accordance with the following criteria ”. which preserves or enhances the particular qualities of the area in question.	
RA090	MC41	Policy HE12	Page 82, Part 2	The first sentence of the second paragraph of the J&A to be amended as follows: “The onus will be on the applicant to demonstrate and justify why the building makes no material contribution and the need for demolition”.	
RA094	MC44	Policy NH2	Page 86, Part 2	<p>The policy’s 2nd paragraph refers to ‘exceptional circumstances’ and associated criteria should read:</p> <ul style="list-style-type: none"> 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 	

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				compensatory measures are agreed and fully secured.	
RA097	MC46	Policy NH6	Page 88, Part 2	The text of policy is to be amended: "...where it is of an appropriate design, size and scale for the locality is sensitive to the distinctive special character of the area and the quality of its landscape, heritage and wildlife and where all the following criteria are met:"	
RA099	MC8A	Policy SP20	Page 141, Part 1	The last paragraph of the J&A text under the sub-heading Key Transportation Infrastructure Schemes to read: "In addition, the Local Transport Strategy will seek to adopt a range of measures to reduce the need for reliance on the private car through the allocation of residential zonings in proximity to services consider the strengths and weaknesses of various modes of transport, including walking, cycling, public transport and roads. This will provide clarity on the transport measures that DfI expect to deliver during the LDP period to 2032 and which will become evident at Local Policies Planstage."	<p>NOTE: DfI note the amendment by PAC at RA099, however DfI consider that the LCCC changes under MC8A is more appropriate to use the term 'Study' rather than 'Strategy' therefore the Department do not concur with the commissioner's rationale.</p> <p>For clarity the council are commended to take forward MC8A instead, which for clarity is:</p> <p>The last paragraph of the J&A text under the sub-heading Key Transportation Infrastructure Schemes to read:</p> <p>"In addition, the Local Transport Study will consider the strengths and weaknesses of various modes of transport, including walking, cycling, public</p>

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					transport and roads. This will provide clarity on the transport measures that DfI expect to deliver during the LDP period to 2032 and which will become evident at Local Policies Plan stage.”
RA100	MC8B	Policy SP20	Page 141, Part 1	2 nd sentence of 2 nd paragraph of J&A text under the sub-heading Park & Ride/Park & Share to read: “The Council recognises the value of the existing Park & Ride sites in supporting a modal shift between private car and public transport usage and supports the proposed schemes at West Lisburn adjacent to the proposed new rail halt; Moira, adjacent to the railway station; and the extension of other the Sprucefield Park and Rides sites which benefits from planning approval providing 132 additional car parking spaces. ”	
RA101	MC8C	Policy SP20	Page 143, Part 1	Final sentence of the J&A text under the sub-heading Car Parking to read: “ Areas of parking restraint along with other measures to reduce”.	
RA102	FC11	Policy TRA1	Page 92, Part 2	Criterion c) to read: “priority pedestrian and cycling movement within and between land uses.”	
RA103	MC47	Policy TRA1	Page 92, Part 2	Final sentence of J&A text to read: “Further information on designing for a more accessible environment is set out in the Department’s Development Control Advice Note (DCAN) 11 ‘Access for People with Disabilities’, draft DCAN11 ‘Access for All’ and “Creating Places – Achieving Quality in Residential Developments” (May 2000) documents. ”	
RA104	MC48	Policy TRA2	Page 93, Part 2	Penultimate paragraph of J&A text, replace the word “ Department ” with “ Council ”.	
RA106	MC49	Policy TRA6	Page 95, Part 2	New 1 st paragraph to be inserted into J&A text as follows: “ 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	

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				modes and to develop measures to maximise use of sustainable modes; only subsequently should the residual traffic be assessed and its impacts ameliorated.”	
RA107	MC50	Policy TRA7	Page 96, Part 2	Footnote 34 to read: “Department’s Development Control Advice Note (DCAN) 11 ‘Access for People with Disabilities’, draft DCAN11 ‘Access for All’ and “Creating Places – Achieving Quality in Residential Developments” (May 2000).”	
RA109	MC51	Policy TRA10	Page 98, Part 2	Amend criterion a) to read: “they meet a need identified by the Department’s Local Transport Plan or a comprehensive Car Parking Strategy prepared jointly with the Department, where applicable ”	
RA110	MC60	Policy SP21	Page 146, part 1	Criterion b) to read: “minimise any potential visual intrusion and environmental impacts to protect both the rural and urban landscape, and natural and historic environment ”	
RA111	FC3	Policy SP21	Page 146, part 1	Third sentence of J&A text to read: “A precautionary-cautious approach for renewable energy development proposals will apply within designated landscapes which are of significant value, such as Areas of Outstanding natural beauty and their wider settings. In such sensitive landscapes, it may also be difficult to accommodate...”	
RA112	FC13	Policy RE1	Page 100, Part 2	New penultimate paragraph to policy to read: “ Any renewable energy development on active peatland will not be permitted unless there are imperative reasons of overriding public interest as defined under The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 as amended. ”	
RA113	MC52B	Policy RE1	Page 100, Part 2	Criterion d) to read: “local natural resources, such as air quality or water quality or quantity ”.	
RA114	MC52E	Policy RE1	Page 100, Part 2	Paragraph under Wind Energy Development sub-heading of policy to read: “ Wind turbines must have For wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance of not less than	

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				500m for wind farm proposals will generally apply.”	
RA116	MC61	Strategic Policy SP22	Page 149, Part 1	Criterion b) to read: “minimise any potential visual intrusion and environmental impacts to protect both the rural and urban landscape, and natural and historic environment ”	
RA120	FC14 A&B and MC66	Policy UT1	Page 104, Part 1	Add new penultimate paragraph to J&A text to read: “ The potential of overhead lines to disrupt the flight paths of birds, including site selection features of Lough Neagh and Lough Beg Special Protection Area and Ramsar Site is also a consideration. ”	
RA121	MC9A	Strategic Policy SP23	Page 154, Part 1	Final paragraph of J&A text to read: “ The policy will ensure that Proposals for waste management facilities should avoid or minimise any detrimental effects on people, the environment and local amenity associated with waste management facilities are avoided or minimised in accordance with <u>operation</u> policy set out in Part 2 of the Plan Strategy.”	Note: there is a minor change within MC9A, typo within the RA121 which says “operation” should say “operational” in line with MC9A, as this isn’t a matter of soundness DFI are content that this change can be dealt with under MOD59 of Schedule 2.
RA126	MC55	Policy WM5	Page 109, Part 2	Additional paragraph to be added to J&A text that reads: “ Where development is to be located in close proximity to an existing or approved NI Water WwTW facility, developers should discuss their proposals with Ni Water and may be required to undertake a development Encroachment/Odour Assessment. Further details are available at www.niwater.com ”	
RA123	MC53	Policy WM1	Page 106, Part 2	Add final sentence to 5 th paragraph of J&A text to read: “ In assessing all proposals the Council will be guided by the precautionary principle in accordance with paragraph 6.322 of the SPPS. ”	Note: there is a minor change within MC53, the PAC have incorrectly used the reference “proposal”, when it should in fact be “proposals”. DFI are content that this change can be dealt with under MOD59 of Schedule 2.
RA127	MC10	Strategic Policy SP24	Page	Amend 1 st sentence of 4 th paragraph of the J&A text to read:	

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			156, Part 1	“DfI Rivers, within the Department for Infrastructure, an Agency within the Department of Agriculture, Environment and Rural Affairs (DAERA) is the statutory drainage and flood defence authority for Northern Ireland.”	
RA130	MC56B (In part) & MC56D	Policy FLD1	Page 110, Part 2	Amend 2 nd paragraph of J&A text so that it reads: “For planning purposes, taking into account climate change predictions based on available scientific evidence, a fluvial flood plain is defined as the extent of a 1 in 100 year flood event (or 1% annual exceedance probability (AEP)) of exceeding the peak floodwater level, taking into account climate change allowance as represented on DfI Flood Maps NI. ”	Note: This is the second part of MC56B and MC56D. Please refer to MOD55 (RA128) Policy FLD1 in Schedule 2.
RA131	MC57	Policy FLD3	Page 114, Part 2	2 nd sentence of 3 rd paragraph of policy to be amended to read: “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..”	
RA133	MC58A	Policy AD1	Page 118, Part 2	Amend point 3 of the J&A text so that it reads: “which, because of the size or brightness, could reduce the effectiveness of traffic lights/signs or result in glare...”	
RA134	MC58B	Policy AD1	Page 118, Part 2	Amend the sub-heading of the final paragraph of the J&A text as follows: Listed Buildings, Conservation Areas and Areas of Townscape/Village Character The paragraph’s 1 st sentence should read: “Policies and guidance for the control of advertisements affecting Listed Buildings, and —Conservation Areas and Areas of Townscape/Village Character are set out in operational Policies HE7 and HE11”.	
RA136	MC11B	Glossary	Page 160, Part 1 & Page 120, Part 2	The existing definition of Design and Access Statement to be replaced with: “ A Design & Access Statement [D&AS] is a single document that explains the design thinking behind a planning application. It provides a framework for applicants to explain and to justify how a proposed development is a suitable response to the site and its setting. ”	
RA137	MC11B	Glossary	Page	Include the following definition: “ Heritage Asset – a building,	

Schedule 1A – Lisburn and Castlereagh City Council Direction – RA Table (Pulled Through With No Modifications)

	& MC59		161, Part 1 & Page 120, Part 2	monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.”	
RA138	MC11B	Glossary	Page 161, Part 1 & Page 120, Part 2	The existing definition of Historic Parks, Gardens and Demenses to be replaced with: ”An identified site of international or regional importance within Northern Ireland, included in the Register of Parks, Gardens and Demenses of special historic interest, maintained by the department for Communities.”	
RA139	MC11B	Glossary	Page 161, Part 1 & Page 121, Part 2	The existing definition of Listed Buildings to be replaced with: ”A listed building is a structure which the Department for Communities has included in a statutory list of buildings of special architectural and/or historic interest.”	
RA140	MC11A	Glossary	Page 161, Part 1	Include the following definition: ”National Nature Reserve – as defined under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.”	
RA141	MC11B	Glossary	Page 162, Part 1 & Page 121, Part 2	The existing definition of Scheduled Monuments to be replaced with: ”Statutory designations of archaeological sites or other heritage assets of national importance protecting them from damage or disturbance.”	

Schedule 1B – Lisburn and Castlereagh City Council Direction – Council Proposed Modifications with no RA number to be pulled through

Proposed modification reference number		Policy or Section of Draft PS	Proposed change	Notes
FC10	Original Focussed Change	HE14 Enabling Development	The Council proposes for clarity, as a focussed change, to amend paragraph 5 of the J&A of HE14, page 84, as follows: “This statement should include <i>a conservation statement or plans and</i> sufficient, detailed financial information as is necessary to allow the Council, and or its consultees to make an informed decision upon the application.”	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC7A	Original Minor Change	SP19 Protecting and Enhancing Natural Heritage	The Council proposes for clarity, as a minor change, to amend the J&A, page 127, by insertion after the fourth paragraph, as follows: <i>“The Council, when determining the impacts of a proposed development on international or national designations, will consider the precautionary principle as set out in the Rio Declaration on Environment and Development 1992 that states; Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as reasons for postponing cost effective measures to prevent environmental degradation.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC9B	Original Minor Change	SP23 Waste Management	The Council proposes for clarity, as a minor change, to amend the J&A, page 154, through inclusion of the following sentence to the end of last paragraph, as follows: <i>“In assessing all proposals the Council will be guided by the precautionary approach in accordance with paragraph 6.322 of the SPPS.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC14	HOU 5 Public Open Space in new Residential	HOU5 Public Open Space in New Residential Development	The Council proposes for clarity, as a minor change, to amend paragraph 1 of the J&A of Policy HOU5, page 20, as follows: “Public open space can be provided in a variety of forms ranging from village greens and small parks through to equipped play areas and sports pitches. In addition, the creation or retention of <i>blue/green infrastructure</i> , woodland areas, other natural or semi- natural areas of open space can provide valuable habitats for wildlife, promote biodiversity.”	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.

Schedule 1B – Lisburn and Castlereagh City Council Direction – Council Proposed Modifications with no RA number to be pulled through

	Development			
MC19 C	Original Minor Change	HOU12 Accommodation for the Travelling Community	The Council proposes for clarity, as a minor change, to insert the following sentence at the end of the J&A of Policy HOU12, page 28: <i>“Further information is available in the Design Guide for Travellers’ Sites NI (draft 2019), published by DfC.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC20 A	Original Minor Change	COU3 Replacement Dwellings	The Council proposes for clarity, as a minor change, to insert the following sub-heading before paragraph 3 of Policy COU3, page 32: <i>“Non-Listed Vernacular Dwellings”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC23	Original Minor Change	COU15 Integration and Design of Buildings in the Countryside	The Council proposes for clarity, as a minor change, to insert a sentence at the end of the J&A of Policy COU15 under subheading ‘Integration’ page 41, as follows: <i>“All landscape features which are required to be retained will be appropriately conditioned to be protected prior to the commencement of any other site works including site clearance.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC24 B	Original Minor Change	MD1 Environmental Protection	The Council proposes for clarity, as a minor change, to insert the following sentence to the final paragraph of the J&A of Policy MD1, page 51, as follows: <i>“The Council, having regard to Environmental Impact Assessment (EIA), Habitats Regulations Assessment (HRA) and the Wildlife and Natural Environment Act (NI) 2011 (WANE), where necessary, will balance the case for a particular mineral working proposal against the need to protect and conserve the environment.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC25	Original Minor Change	MD4 Valuable Minerals	The Council proposes for clarity, as a minor change, to amend the last sentence of the J&A of Policy MD4, page 52, as follows: “Applications are likely to be subject to assessment under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland)	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as

Schedule 1B – Lisburn and Castlereagh City Council Direction – Council Proposed Modifications with no RA number to be pulled through

			2017, <i>and other assessments as outlined in the Justification and Amplification of Policy MD1.</i>	this is considered an addendum to the Plan.
MC30	Original Minor Change	TOU1 Tourism Development in Settlements	The Council proposes for clarity, as a minor change, to amend paragraph 4 of the J&A, page 62, as follows: “There is a requirement for high quality design and high quality service provision in areas with other relevant designations such as Conservation Areas, Areas of Townscape or Village Character, <i>Scheduled Monuments, Listed Buildings and Historic Parks, Gardens and Demesnes.</i> ”	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC37	Original Minor Change	HE8 Demolition or Partial Demolition of a Listed Building	The Council proposes for clarity, as a minor change, to amend the J&A of Policy HE8 as follows: <i>“Where consent to demolish a listed building is granted, this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building prior to its demolition.”</i> (This sentence should be inserted before the last paragraph of the J&A on page 79).	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC42	Original Minor Change	HE13 The Conversion and Reuse of Non- Listed Buildings	The Council proposes for clarity, as a minor change, to amend paragraph 1 of the J&A of HE13, page 83, as follows: “For the purposes of this policy ‘Vernacular Buildings’ <i>are those that</i> reflect the local ‘folk tradition’ and are typical of a common type of building in a particular locality, generally pre 1925. For more detail refer to ‘A Sense of Loss – the Survival of Rural Traditional Buildings in Northern Ireland’ published by the Department, March 1998. <i>A ‘Locally Important Building’ is a building, structure or feature, whilst not statutory listed, that has been identified by the Council as an important part of their heritage, due to its local architectural or historic significance.</i> ”	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC52 C	Original Minor Change	RE1 Renewable Energy Development	The Council proposes for clarity, as a minor change, to include the following paragraph in the J&A of Policy RE1 (before the final paragraph), page 100, as follows: <i>“All renewable energy proposals will be assessed in accordance with normal planning criteria including such considerations as access arrangements, road safety, good design, noise and shadow flicker, separation distance, cumulative impact, communications interference and the inter-relationship between these considerations.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.

Schedule 1B – Lisburn and Castlereagh City Council Direction – Council Proposed Modifications with no RA number to be pulled through

MC62	Original Minor Change	ED9 General Criteria for Economic Development	The Council proposes for clarity, as a minor change, to add an additional criterion o) to the end of policy ED9, page 50, as follows: <i>“o) it meets the requirements of Policy NH1”</i> .	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC64	Original Minor Change	MD4 Valuable Minerals	The Council proposes for clarity, as a minor change, to add an additional sentence to the end of policy MD4, page 52, as follows: <i>“All proposals that may affect a European or Ramsar site must meet the requirements of NH1.”</i>	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.
MC65 A	Original Minor Change	TOU7 General Criteria for Tourism Development	The Council proposes for clarity, as a minor change, to add an additional criterion k) to policy TOU7, page 67, as follows: <i>“k) all proposals that may affect a European or Ramsar site must meet the requirements of NH1”</i> .	Note: Whilst the PAC consider that this is not necessary for soundness, DFI commend the council to take this forward as this is considered an addendum to the Plan.

Schedule 2 – Table of amended Council focussed changes/minor changes and new Commissioners changes – Dfl Modifications

Dfl Modification no.	Recommended Amendment no.	Focussed Change, Minor Change, typo or Matters arising	Policy, section or paragraph number of dPS or document	Page no. of the DPS	Recommended Amendment Red text to be deleted Purple text to be added	Dfl Modification (Text highlighted in yellow reflects updates made following the Department’s consideration of the recommended amendments under Section 12 of the 2011 Act)
MOD 01	RA001		Various	Various Parts 1 & 2	Save for TY25, incorporate “Typographical Errors Local Development Plan 2032, draft Plan Strategy” (SUBDOC-032) into the plan where appropriate.	Dfl directs the Council to modify the draft Plan Strategy in accordance with this PAC Recommended Amendment. Note: Exception of TY25 which is amended by MOD02 below
MOD 02	RA002	TY25	Policy HE9	Page 79, Part 2	First sentence of the policy, the word “Proposal” is missing the letter “s” and should read “ Proposals ”.	Dfl directs the Council to modify Policy HE9 in accordance with this PAC Recommended Amendment.
MOD 03	RA003	MA001	Draft Sustainability Appraisal SUBDOC-005	Page 47	2 nd last line – Option 6B to re-designate the area to be replaced by Option 6A to re-designate the area.	Dfl directs the Council to modify the draft Sustainability Appraisal (SUBDOC-005) in accordance with this PAC Recommended Amendment.
MOD 04	RA004	MA001	Draft Sustainability Appraisal SUBDOC-005	Page 235	Top left hand corner of first row – replace 6B with 6A.	Dfl directs the Council to modify the draft Sustainability Appraisal (SUBDOC-005) in accordance with this PAC Recommended Amendment.
MOD 05	RA008		Strategic Policy 07	Page 46, Part 1	Delete footnote 17.	Dfl directs the Council to modify SP07 in accordance with this PAC Recommended Amendment.
MOD 06	RA011	MC3A	Strategic Policy 08	Page 57, Part 1	An additional paragraph to be added to the J&A text of Strategic Policy 08 to read: “ For the purpose of this Plan Strategy, the current definition of affordable housing accords with the SPPS definition provided in its Glossary (page 114). ”	Dfl directs the council to modify the J&A text of SP08 with an additional paragraph on page 57, to read as follows:

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						<p>“For the purposes of this Plan Strategy affordable housing is defined as per the SPPS and is set out in the Glossary of this Plan Strategy”.</p> <p>Note: MOD57 (RA135) includes a definition for affordable housing for inclusion into this Plan Strategy.</p>
MOD 07	RA013	MA011	Chapter 5 Monitoring and Review	Page 158, Part 1	2 nd bullet point to read: “The number of net additional housing units built in the period since the LPP was first adopted. ”	Dfl directs the Council to modify Policy HE9 in accordance with this PAC Recommended Amendment.
MOD 08	RA014		Appendix E – Monitoring Framework	Page 175, Part 1	The 1 st row under the heading “Monitoring Target” to read: “(HGI) figure of (10,700 housing units 2016- 2030) and projection in Plan Strategy for 12,335 housing units 2017-2032 (Strategic Housing Allocation).”	<p>Dfl directs the council to modify Appendix E – Monitoring Framework, as follows:</p> <p>The 1st row under the heading “Monitoring Target” to read: “(HGI) figure of (10,700 housing units 2016- 2030) and projection in Plan Strategy for 12,375 housing units 2017-2032 (Strategic Housing Allocation).”</p> <p>Note: Typo, the figure in the last sentence of the PAC RA, should say 12,375, not 12,335- this refers to supply and not the identified future housing need as indicated in this MOD.</p>
MOD 09	RA015	M A 0 1 2	Appendix E – Monitoring Framework	Page 175, Part 1	The 1 st row under the heading “Trigger Point” to read: “Building more than 750 housing units per year or less than 700 housing units per year in the Council Area”.	<p>Dfl directs the council to modify Appendix E – Monitoring Framework, first row under the heading “Trigger Point”, in accordance with this PAC Recommended Amendment.</p> <p>Dfl also directs the council to modify Appendix E – Monitoring Framework, fourth row under the heading “Trigger Point”, to read “Planning approvals above the density bands which are not located in the city centre, town centres or other highly accessible locations.</p>

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						Note – these changes are subject to MOD12 below and will require the Council to identify highly accessible locations at LPP stage.
MOD 10	RA018	FC5A	Policy HOU2	Page 12, Part 2	Second paragraph of J&A text to read: “In all cases proposed alternative uses must comply with the requirements criteria a), b), g), h), i), j) and l) of Policy HOU4 to ensure...”	Dfl directs the Council to modify Policy HOU2 in accordance with this PAC Recommended Amendment. As a result of this modification (MOD10), Dfl direct the Council not to bring forward FC5A as HOU4 no longer needs amended as the issue has been addressed.
MOD 11	RA019	MA013	Policy HOU3	Page 13, Part 2	Final paragraph of the policy to read: “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 and space standards should be in accordance with published Department guidance. ”	Dfl directs the Council to modify Policy HOU3 in accordance with this PAC Recommended Amendment.

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<p>MOD 12</p>	<p>RA021</p>		<p>Policy HOU4</p>	<p>Page 15, Part 2</p>	<p>An additional bullet point to be added to criterion d) prescribing what density bands will apply in Town Centres and other locations that benefit from high accessibility to public transport facilities.</p>	<p>Dfl directs the council to modify Policy HOU4 by adding an additional bullet point to criterion d) in accordance with this PAC Recommended Amendment.</p> <p>For clarity, which includes the change taken forward by FC5B (RA020) within Schedule 1A, for clarity this should read as follows:</p> <p>“d) residential development should be brought forward in line with the following density bands (2-footnote):</p> <ul style="list-style-type: none"> • City Centre Boundary :120-160 dwellings per hectare • Settlement Development Limit 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” <p>Dfl also directs the council to update the J&A of Policy HOU4 (page 15), by adding an additional paragraph following the first paragraph, regarding Supplementary Planning Guidance.</p> <p>For clarity, this 2nd paragraph should read:</p> <p>“Please note the Supplementary Planning Guidance on design of residential development that will support the implementation of this policy”.</p> <p>Dfl also directs the council to amend SUB DOC003 - (A: A Quality Place - Enabling Sustainable Communities and</p>
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						Delivery of New Homes) to take account of the additional paragraph within the J&A, above.
MOD 13	RA022	MC13	Policy HOU4	Page 15, Part 2	LCCC to review criterion e) and its proposed “minor change” MC13 in light of comments at paragraphs 5.89 – 5.91 inclusive of the associated report.	<p>DFI direct the council to modify HOU4, criterion e), in accordance with this PAC recommended amendment, as follows:</p> <p>Policy HOU4 criterion 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.</p> <p>Furthermore, DFI directs the Council to modify the J&A of Policy HOU 4, paragraph subtitled ‘Adaptable Accommodation’ in Part 2, page 17, to read as follows:</p>

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						<p>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.</p>
MOD 14	RA023		Policy HOU5	Page 20, Part 2	1 st sentence of policy to read: “Adequate provision must be made for green and blue infrastructure in public open space and for open space that links with green and blue infrastructure where possible...”	<p>Dfl directs the Council to modify the first sentence of Policy HOU5, of the draft Plan Strategy on page 20, in accordance with this PAC Recommended Amendment.</p> <p>Note: MC14 in Schedule 1B, updates the J&A to this policy.</p>
MOD 15	RA027		Policy HOU10	Page 25, Part 2	The J&A text needs to explain when a developer might be required to provide more than 20% affordable housing within a development proposal – see paragraph 5.112 of the associated report.	<p>Dfl directs the Council to modify the J&A of HOU10 by inserting a new paragraph after the second paragraph of the draft Plan Strategy on page 26.</p> <p>For clarity this should read:</p> <p>“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.”</p>
MOD 16	RA033	MC21A & FC6	Policy COU5	Page 34, Part 2	Amend the wording of the 1 st paragraph of policy so that it reads: “...provide affordable housing which	Dfl directs the council to modify Policy COU5 in accordance with this PAC Recommended Amendment.

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					<p>meets a an-identified need identified by the North Ireland Housing Executive.”</p>	<p>Note: Typo in the RA, this should read <u>Northern</u> Ireland rather than <u>North</u> Ireland.</p> <p>DfI also directs the council to withdraw FC6 and instead amend the last paragraph of COU5 to read:</p> <p>“Generally only one group will be permitted in close proximity to any particular rural settlement which cannot readily be met within an existing settlement in the locality.”</p> <p>For clarity Policy COU5 should now read, to also include MOD17 below:</p> <p>Planning Permission will be granted by exception for a small group of no more than 14 dwellings adjacent to or near a village or small settlement to provide affordable housing which meets a need identified by the Northern Ireland Housing Executive.</p> <p>Planning permission will only be granted where the application is made by a registered Housing Association or the Northern Ireland Housing Executive.</p> <p>In assessing the acceptability of sites, the following sequential test in terms of location will be applied:</p> <ul style="list-style-type: none"> a) Land adjacent to the existing settlement limit, subject to amenity and environmental considerations, b) a site close to the settlement limits which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment,
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Schedule 2 – Table of amended Council focussed changes/minor changes and new Commissioners changes – DfI Modifications

						<p>c) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.</p> <p>Generally, only one group will be permitted in close proximity to any particular rural settlement which cannot readily be met within an existing settlement in the locality.</p>
MOD 17	RA034	MC21B	Policy COU5	Page 34, Part 2	Amend the wording of what is currently the final paragraph of the J&A text and move it up so that it becomes the new 2 nd paragraph of policy and reads: “..by a registered Housing Association or the Northern Ireland Housing Executive. ”	<p>DfI directs the Council to modify Policy COU5 in accordance with this PAC Recommended Amendment.</p> <p>Note: the full Policy COU5 is written out above under MOD16</p>
MOD 18	RA038		Strategic Policy 11 & Table 5 Strategic Employment Allocation over Plan period	Pages 76 & 85, Part 1	Not all the sites that make up the strategic employment location are located within settlements; the last two entries on Table 5 of the dPS appear under the heading “Rural Employment Sites”. These are Local Employment Sites as defined on page 77 of Part 1 of the dPS. Criterion b) of Strategic Policy 11 Economic Development in Settlements relates specifically to such sites. LCCC needs to provide a form of wording that will reconcile this discrepancy.	<p>DfI directs the Council to modify Policy SP11 in accordance with this PAC Recommended Amendment, renaming the title to “Strategic Policy 11 Economic Development” (page 76)</p> <p>DfI also directs the Council to modify the first sentence of the first paragraph of the J&A of Policy SP11.</p> <p>For Clarity the first paragraph Justification and Amplification to read as follows: “The strategic policy for economic development has been informed by regional and local policy which aims to promote employment, encourage job creation, facilitate growth of existing businesses, attract inward investment and address deprivation.”</p>
MOD 19			SMU01 West Lisburn/Blaris	IE Report paras 5.34- 5.5 &	There is no Recommended Amendment by PAC.	DfI directs the Council to modify the wording of SMU01 West Lisburn/Blaris in accordance with the revised policy wording set out in Schedule 2A (attached at end of this table)

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				5.68- 5.75		<p>Note: The Department considers that amended wording is required in respect of criteria (b) and (f) and paragraphs 1 and 2 of the associated Justification & Amplification on page 78 of Part 1 of the Plan Strategy (highlighted yellow, in Schedule 2A). The Department considers that these changes are necessary to reflect the consideration of the Commissioner in the IE Report. In particular they are required to help ensure that the aim of the RDS in respect of identifying and protecting key locations for economic growth and ensuring that sufficient land is available for jobs. The changes also reflect the Commissioners comments that the proposed M1-Knockmore link provides a strong physical and visual boundary to the edge of the city.</p> <p><u>Para 5.39</u> identifies that even with the yield halved by comparison with the MEL in dBMAP 2015 it would still be a “key location within the BMUA”.</p> <p><u>Para 5.45</u> concludes “the provision of the link road would enhance the locational benefits of Lisburn and associated employment opportunities identified at paragraph 3.36 of the RDS”.</p> <p><u>Paragraph 5.48</u> states “verbal evidence was given on how the proposed co-location of housing and employment has the potential to reduce dependency on the private car”.</p> <p><u>Paragraph 5.68</u> states “there is no persuasive evidential basis for the strategic need to extend the site to the west of the proposed link road...Whilst not an existing feature.... It would form a strong physical and visual boundary to the edge of the city”.</p>
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MOD 20	RA039		Policy ED4	Page 47, Part 2	Add a final paragraph to the policy that reads: “Exceptionally, proposals for social and affordable housing may be permitted on former industrial sites that cannot realistically be redeveloped for industry, provided they meet the policy provisions of Policy COU5 Affordable Housing”.	DfI directs the Council to modify Policy ED4 in accordance with this PAC Recommended Amendment.
MOD 21	RA043 B	MC63	Policy MD1	Page 51, Part 1	Final sentence of first paragraph of J&A text to read: “Within the Council area there is one Special Protection Area (SPA) and Ramsar Site at Lough Neagh including the water body of Portmore Lough.”	DfI directs the Council to modify Policy MD1 in accordance with this PAC Recommended Amendment.
MOD 22	RA046		Strategic Policy 14	Page 96, Part 1	Delete penultimate paragraph of J&A: It acknowledges the importance of Sprucefield Regional Shopping Centre as a designation (see SMU03 Sprucefield Regional Shopping Centre).	DfI directs the Council to modify SP14 in accordance with this PAC Recommended Amendment.
MOD 23	RA48		TC4 District and Local Centres	Page 57, Part 2	As set out in paragraphs 7.24 and 7.25 of the report, provision needs to be made in strategic and/or operational policy for local neighbourhood shops within settlement development boundaries but outwith retail designations, villages and small settlements.	DfI directs the Council to modify operational policy in accordance with this PAC Recommended Amendment. DfI directs council to modify Policy TC4 District and Local centres as follows: Following Criteria (d) of TC4 add the following: Outside of these Centres, planning permission for local neighbourhood shop proposals will be granted where: a) it is demonstrated that it meets a local need that cannot be met by locating within a District or Local Centre b) it would not adversely affect the vitality and viability of existing centres in the catchment area of the proposal Proposals for local neighbourhood shops must be of an appropriate scale to ensure that their retail function, providing for everyday local convenience shopping needs does not undermine the vitality and viability of

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						<p>Town, District and Local Centres.</p> <p>In addition the following should be added to the J&A of TC4:</p> <p>Applicants must clearly demonstrate a need for local neighbourhood shops. Local Neighbourhood Shops can play a significant role in the provision of everyday convenience shopping to existing or new residential areas (in accordance with Operational Policy HOU2 b) of the Plan Strategy), that are deficient in such provision and which other defined centres cannot readily serve. They should be small in scale appropriate to the local need only. The development of new buildings will not be permitted where there are existing vacant and suitable premises in the locality to accommodate the proposal.</p> <p>All proposals must comply with the other relevant operational policies contained within the Plan Strategy. The amount of retail floorspace permitted will be controlled by planning condition.</p>
MOD 24	RA049		Plan Objective C	Pages 36 & 92, Part 1	Delete Action 7 (see RA044): Support the role of Sprucefield as a regional retail destination at a key strategic location within Northern Ireland	DfI directs the Council to modify Plan Objective C in accordance with this PAC Recommended Amendment.
MOD 25	RA050		C: A Vibrant Place	Page 92, Part 1 Page 94 Part 1	Under heading “Lisburn & Castlereagh Community Plan 2017 – 2032” delete 3 rd bullet point: Sprucefield Regional Shopping Centre	<p>DfI directs the Council to delete 3rd bullet point under sub-heading “Lisburn & Castlereagh Community Plan 2017 – 2032” of “C: A Vibrant Place” in accordance with this PAC Recommended Amendment.</p> <p>In addition, DfI directs the Council to remove the first paragraph of page 94.</p> <p>For clarity the following paragraph should be deleted:</p>

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						‘The SPPS is silent in relation to the Sprucefield Regional Shopping Centre. The Council sets out its own strategic policy approach in this respect under policy SMU03 Sprucefield Regional Shopping Centre’.
MOD 26	RA051	MC5 & MA003	SMU03 Sprucefield Regional Shopping Centre	Pages 103 & 104, Part 1	Delete policy/Strategic Designation and its justification and amplification text.	DfI directs the Council to modify SMU03 in accordance with this PAC Recommended Amendment.
MOD 27	RA052	MA003	SMU03 Sprucefield Regional Shopping Centre	Page 105, Part 1	Delete Map 10 Strategic Designation Sprucefield Regional Shopping Centre	DfI directs the Council to modify SMU03 in accordance with this PAC Recommended Amendment.
MOD 28	RA053		The Retail Hierarchy	Page 97, Part 1	Amend Footnote 37 to read: “Excludes the Regional Shopping Centre at Sprucefield which is subject to a separate policy. ”	DfI directs the Council to modify The Retail Hierarchy in accordance with this PAC Recommended Amendment.
MOD 29	RA054		Sprucefield Regional Shopping Centre	Page 94 & 102, Part 1	Delete final paragraph on page 102.	<p>DfI directs the Council to move the last sentence of paragraph subtitled ‘Laganside Quarter Comprehensive Development Scheme 2015’ from page 102 and add it to the same subheading on page 94, after the first sentence.</p> <p>For Clarity the first paragraph of ‘Laganside Quarter Comprehensive Development Scheme 2015’ on page 94, should read as Follows:</p> <p>The scheme’s main objective is to secure a comprehensive, major mixed used scheme, which would regenerate the Laganbank Quarter area of Lisburn and enhance the city centre’s regional role. The connectivity between Lisburn city and its environs is heavily</p>

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						<p>promoted to take advantage of all possible social and economic benefits that new development may bring. The scheme remains a key driver in regenerating the city centre as a whole.</p> <p>The aims of the scheme</p> <p>Furthermore, DfI then directs the Council to delete the remainder of page 102 in its entirety.</p>
MOD 30	RA060	MA003	Policy TC1	Page 56, Part 2	Delete Footnote ²¹ .	DfI directs the Council to modify Policy TC1 in accordance with this PAC Recommended Amendment.
MOD 31	RA061		Policy TC2	Page 56, Part 2	Amend 1 st sentence of 2 nd paragraph of policy as follows: “Non-retail development will be restricted within the primary retail frontage so that no more than 40% 25% of the frontage of the street to which it relates is in non-retail uses...	<p>DfI directs the Council to modify Policy TC2 in accordance with this PAC Recommended Amendment.</p> <p>DfI also directs the council to amend SUB DOC003 - C: A Vibrant Place – Growing our City, Town Centres, Retailing and Other Uses (page 25) under subheading Town Centres, to now refer to 25%.</p> <p>For clarity this should read:</p> <p>“no more than 25% of the frontage of the street is in non-retail use; and,</p>
MOD 32	RA063	MC28 & MA005	Policy TC4	Page 57, Part 2	Insert an opening sentence into the 1 st paragraph of <u>policy</u> to read: “ The role and function of a District Centre is to perform a complementary role in providing consumers with convenience and choice in locations outside of, and coexisting with, city and town centres: the role and function of a Local Centre, comprising small groups of shops and offices, is to provide commerce and community	<p>DfI directs the Council to modify the 1st Paragraph of J&A of Policy TC4 in accordance with this PAC Recommended Amendment.</p> <p>Note: TYPO in the RA063 (underlined) which refers to insertion into 1st Paragraph of “Policy” rather than “J&A of Policy TC4”, as detailed in Paragraph 7.71, page 86 of</p>

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					services to a local population”.	the PAC’s IE Report.
MOD 33	RA064	MA006	Policy TC6	Page 58, Part 2	Delete criterion a) of Policy TC6. Criteria b), c) and d) shall become a), b) and c) respectively.	DfI directs the Council to modify Policy TC6 in accordance with this PAC Recommended Amendment.
MOD 34	RA065	MA006	Policy TC6	Page 58, Part 2	Amend penultimate paragraph of policy to read: “An exception may be permitted for proposals on the trunk road network* in the countryside, subject to compliance with the above policy criteria and where it is demonstrated a clear need for the facility exists that cannot be provided within a defined settlement limit”.	DfI directs the Council to modify Policy TC6 in accordance with this PAC Recommended Amendment. Note that a footnote must be added after “trunk road network” as detailed in MOD35 (below)
MOD 35	RA066	MA006	Policy TC6	Page 58, Part 2	Add associated footnote to read: “ *As designated by Article 14 of The Roads (Northern Ireland) Order 1993. Details of Trunk Roads can be obtained from the Department for Infrastructure – Eastern Roads Division. ”	DfI directs the Council to modify Policy TC6 in accordance with this PAC Recommended Amendment and MOD34 (above).
MOD 36	RA069	MA007	Supplementary Planning Guidance SUBDOC-003	Page 33, Part 3	Under the heading “Tourism Benefit Statement” amend the second sentence to read: “Where such proposals are of regional significance, or significant in terms of a new build or the scale of engineering operations, a planning application must be accompanied by a tourism benefit statement and a sustainable benefit statement to demonstrate the benefits of the proposal to the locality . Benefit statements should detail the following: A new heading “ Sustainable Benefit Statement ” should then be inserted together with associated text – “ A sustainable benefit statement should detail the following: ”	DfI directs the Council to modify Supplementary Planning Guidance SUBDOC-003 in accordance with this PAC Recommended Amendment.
MOD 37	RA072	MC32B	Policy TOU3	Page 64, Part 2	The following to be inserted as the new 4 th paragraph of the J&A text; “ In the case of replacement of a vernacular building or a suitable locally important building in the countryside, a proposal must be accompanied by evidence reports to ascertain its structural soundness and the	DfI directs the Council to modify Policy TOU3 in accordance with this PAC Recommended Amendment.

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					economic feasibility of repairing and maintaining it. Such reports must be submitted by suitably experienced and accredited engineers, architects or building surveyors in the conservation field.”	
MOD 38	RA089 A		Policy HE11	Page 82, Part 2	The second paragraph of policy will end: “..where the overall character and appearance of the area will be maintained”.	DfI directs the Council to modify Policy HE11 in accordance with this PAC Recommended Amendment.
MOD 39	RA089 B	MC40	Policy HE11	Page 82, Part 2	A new third paragraph will read: “ All proposals must also meet the requirements of operational policy AD1 Amenity and Public Safety ”.	DfI directs the Council to modify Policy HE11 in accordance with this PAC Recommended Amendment.
MOD 40	RA091		Strategic Policy 19	Page 127, Part 1	Criterion b) to read: “Maintain and, where possible, enhance landscape quality....”	DfI directs the Council to modify Policy SP19 in accordance with this PAC Recommended Amendment.
MOD 41	RA092	MC7B	Strategic Policy 19	Page 127, Part 1	Text under the “International Designations” sub-heading to read: “Within the Council area there is one Special Protection Area (SPA) and Ramsar site at Lough Neagh including the water body of Portmore Lough ”.	DfI directs the Council to modify Policy SP19 in accordance with this PAC Recommended Amendment.
MOD 42	RA093	MC43	Policy NH1	Page 85, Part 2	The third paragraph of policy refers to “exceptional circumstances” and lists three associated criteria. “ ; and ” should be inserted after each of criterion a) and criterion b). In the final paragraph of policy, criteria a) should read” ...of primary importance to the environment; or	DfI directs the Council to modify Policy NH1 in accordance with this PAC Recommended Amendment.
MOD 43	RA095	MC45	Policy NH3	Page 86, Part 2	Additional criterion to be added: d) A Marine Conservation Zone	DfI directs the Council to modify Policy NH3 in accordance with this PAC Recommended Amendment. DfI also directs the council to insert a footnote 2 to criterion d) to read: “Paragraph 215 of the Draft Marine Plan for Northern Ireland, April 2018.”
MOD 44	RA096		Policy NH5	Page 88, Part 2	Amend criterion i) other natural heritage features worthy of protection including trees and woodland.	DfI directs the Council to modify Policy NH5 in accordance with this PAC Recommended Amendment.

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MOD 45	RA098	MA014	Policy SP 20	Page 136, part 1	<p>Sub-heading M1 to A1 Link to be amended to refer to M1/A1 Bypass and Widening of the M1 between Blacks Road and Sprucefield (Lisburn) – These schemes involve the widening of the M1 between Blacks Road and the Sprucefield Regional Shopping Centre; and the provision of a new road scheme between the M1 and A1 at Sprucefield (Lisburn) to improve connectivity. The M1/A1 (A101) Link Road is now constructed.</p>	<p>DfI directs the Council to modify Policy SP20 in accordance with this PAC Recommended Amendment and remove the word ‘the’ before Sprucefield Shopping Centre.</p>
MOD 46	RA105	FC12 & MA015	Policy TRA3	Page 94, Part 2	<p>Text under sub-heading “Other Protected Routes – Outside Settlement Limits” to read:</p> <p>Planning permission will only be granted for a development proposal in the following circumstances:</p> <ul style="list-style-type: none"> i. For a replacement dwelling in accordance with Policy COU3 where the dwelling to be replaces is served by an existing vehicular access onto the Protected Route; ii. For a farm dwelling or a dwelling serving an established commercial or industrial enterprise where access cannot be reasonably achieved from an adjacent minor road. Where this cannot be achieved, proposals will be required to make use of an existing vehicular access onto the Protected Route; and iii. For other developments which would meet the criteria for development in the countryside where access cannot be reasonably achieved from an adjacent minor road. Where this cannot be achieved, proposals will be required to make use of an existing vehicular access onto the Protected Route. <p>In all cases the proposed access must be in compliance with the requirements of Policy TRA2.</p>	<p>DfI directs the Council to modify Policy TRA3 in accordance with this PAC Recommended Amendment, superseding FC12 and MA015.</p>

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MOD 47	RA108		Policy TRA9	Page 98, Part 2	Delete footnote 36.	DfI directs the Council to modify Policy TRA9 in accordance with this PAC Recommended Amendment.
MOD 48	RA115	MC52A MC52D	Policy RE1	Page 100, Part 2	Amend the third paragraph of the J&A text to read: “All renewable energy proposals, including proposals to reutilise established sites , will be assessed against this planning policy having regard to the Departmental publications: Best Practice Guide to Renewable Energy (published by the former Department of Environment 2009), Draft Supplementary Planning Guidance Anaerobic Digestion (published 2013) ; and...”	DfI directs the Council to modify Policy RE1 in accordance with this PAC Recommended Amendment and also include the word ‘on’ after ‘guidance’ in the last sentence. For Clarity: Draft Supplementary Planning Guidance on Anaerobic Digestion (published 2013); and...”
MOD 49	RA117	FC14A, Part of FC14B and MA009	Policy UT1	Page 104, Part 1	In addition to RA118-120 inclusive, in order to address concerns set out in paragraphs 10.47 – 10.51 inclusive LCCC needs to undertake some or all of either: amending the policy; amplifying J&A text or introducing <u>SPG to accompany the PS at the time of adoption.</u>	DfI directs the Council to modify Policy UT1 by pulling through FC14a and part of FC14b. For clarity, the whole of Policy UT1 should read as follows, this also includes MODS 50 and 51 below: “To ensure that the visual and environmental impact of utility development is kept to a minimum, the provision of utility services such as water, wastewater, electricity and gas to new development proposals should be laid underground where considered feasible and viable. Proposals for all overhead electricity lines and associated infrastructure, either regional transmission or local distribution networks, will be subject to the following: a) pylons, poles and overhead lines should follow natural features of the environment, having regard to designated areas of landscape or townscape sensitivity, to minimise visual intrusion b) avoidance of areas of nature conservation, the historic environment or archaeological interest, where

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						<p>possible in particular where there is the potential for significant effects upon any international site either alone or in combination with other plans and projects</p> <p>c) wirescape should be kept to a minimum</p> <p>d) associated infrastructure works should be visually integrated, making use of existing and proposed landscaping</p> <p>Proposed power lines should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP).</p> <p>Regional transmission network pylons and overhead lines will be considered against this policy.</p> <p>Dfl also directs the council to amend SUB DOC003 - F: A Connected Place – Supporting Sustainable Transport and Other Infrastructure (page 55) following the 'Telecommunications Systems' section. As indicated in RA117 and also paragraph 10.5.1 of the PAC Report, this amended SPG is required to accompany the Plan strategy at the time of adoption.</p>
MOD 50	RA118	Part of FC14B	Policy UT1	Page 104, Part 1	<p>Criterion b) to read: "Avoidance of areas of nature conservation, historic environment or archaeological interest, where possible"</p> <p>LCCC needs to make it clear that criterion b) relates to the potential for likely significant effects upon any International site, either alone or in combination with other plans and projects.</p>	<p>Dfl directs the Council to modify Policy UT1 in accordance with this PAC Recommended Amendment as follows:</p> <p>Criterion b) to read: "Avoidance of areas of nature conservation, historic environment or archaeological interest, where possible, in particular where there is the potential for significant effects upon any International Site either alone or in combination with other plans and projects"</p> <p>Note: See MOD49 above for full Policy UT1.</p>

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MOD 51	RA119	Part of FC14B	Policy UT1	Page 104, Part 1	Criterion e) to be included as a free-standing, new penultimate paragraph to policy, succeeded by criteria a) – d) inclusive.	Dfl directs the Council to modify Policy UT1 in accordance with this PAC Recommended Amendment. Note: See MOD49 above for full Policy UT1.
MOD 52	RA122	MA010 & MA016	Policy WM1	Page 105, Part 2	Add final sentence to 1 st paragraph of J&A text to read: “A need for the facility is established through the WMS and the relevant WMP.”	Dfl directs the Council to modify Policy WM1 in accordance with this PAC Recommended Amendment
MOD 53	RA124		Policy WM1	Page 107, Part 2	2 nd sentence of 1 st paragraph of J&A text on page 107 to read: “..and gasification, should maximise energy recovering recovery in the form of...”	Dfl directs the Council to modify Policy WM1 in accordance with this PAC Recommended Amendment.
MOD 54	RA125	MC54A MC54B	Policy WM2	Page 107, Part 2	2 nd paragraph of policy to read: “..that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk. ”	Dfl directs the Council to modify Policy WM2 in accordance with this PAC Recommended Amendment. For clarity the second paragraph of Policy WM2 should read: “Development relying on non mains sewage treatment will only be permitted where it is demonstrated to the Council and its statutory consultees that there is sufficient capacity to discharge treated effluent to a watercourse and that this will not create or add to a pollution problem or create or add to flood risk.”
MOD 55	RA128	MC56A and MC56B (In part)	Policy FLD1	Page 110, Part 2	First sentence of policy to read: “New development will not be permitted within the 1 in 100 year fluvial flood plain (AEP of 1%) unless the applicant...”	Dfl directs the Council to modify the first paragraph of Policy FLD1 to read as follows: “New development will not be permitted within the 1 in 100 year fluvial flood plain (AEP of 1%) plus the latest mapped climate change allowance, unless the applicant

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						can demonstrate that the proposal constitutes an exception to the policy in the following cases:" Dfl direct the council not to bring forward MC56A as this is superseded by modifications MOD55 and MOD56.
MOD 56	RA129	MC56C	Policy FLD1	Page 110, Part 2	Amend 1 st sentence under sub-heading Exceptions in Defended Areas to read: "On previously developed land protected by flood defences (confirmed by Dfl Rivers as shown on Dfl Flood Maps NI) that are structurally adequate..."	Dfl directs the Council to modify the paragraph under the sub-heading 'Exceptions in Defended Areas' of Policy FLD1 to read as follows: "Exceptions in Defended Areas On previously developed land protected by flood defences, (confirmed by Dfl Rivers as structurally adequate) in a 1 in 100 year plus climate change allowance fluvial flood event."

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<p>MOD 57</p>	<p>RA132</p>	<p>FC15</p>	<p>Policy FLD5</p>	<p>Page 116, Part 2</p>	<p>Policy to read:</p> <p>“new development will only be permitted within the potential flood inundation area of a “controlled reservoir” as shown on the Strategic Flood Maps Dfl Flood Maps NI if:</p> <p>a) It can be demonstrated The applicant can demonstrate that the condition, management and maintenance regime of the reservoir is appropriate to provide sufficient assurance regarding its reservoir safety, so as to enable the development to proceed; or</p> <p>b) where assurance on the condition, management and maintenance regime of the relevant reservoir(s) is not demonstrated, the application is accompanied by a Flood Risk Assessment, or other analysis, which demonstrates:</p> <p>1.—an assessment of the downstream flood risk in the event of:</p> <ul style="list-style-type: none"> —a controlled release of water —an uncontrolled release of water due to reservoir failure —a change in flow paths as a result of the proposed development and, <p>2.—that there are suitable measures to manage and mitigate the identified flood risk, including details of emergency evacuation procedures assesses the downstream flood risk in the event of an uncontrolled release of water due to reservoir failure as being acceptable to enable the development to proceed.</p> <p>Replacement buildings within the potential flood inundation</p>	<p>Dfl directs the Council to modify Policy FLD5 in accordance with FC15, to read as follows:</p> <p>“New development will only be permitted within the potential flood inundation area of a “controlled reservoir” as shown on Dfl Flood Maps NI if:</p> <p>a) It can be demonstrated that the condition, management, and maintenance regime of the reservoir is appropriate to provide sufficient assurance regarding reservoir safety, so as to enable the development to proceed; or</p> <p>b) where assurance on the condition, management and maintenance regime of the relevant reservoir(s) is not demonstrated, the application is accompanied by a Flood Risk Assessment, or other analysis, which assesses the downstream flood risk in the event of an uncontrolled release of water due to reservoir failure as being acceptable to enable the development to proceed.</p> <p>There will be a presumption against development within the potential flood inundation area for proposals that include:</p> <ul style="list-style-type: none"> • Essential infrastructure: • Storage of hazardous substances; and • Bespoke accommodation for vulnerable groups. <p>Replacement Building(s): Where assurance on the condition, management and maintenance of the relevant reservoir(s) is not demonstrated, planning approval will be granted for the replacement of an</p>
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				<p>area downstream of a controlled reservoir must be accompanied by a Flood Risk Assessment.</p> <p>Planning permission will be granted provided it is demonstrated that there is no material increase in the flood risk to the development or elsewhere.</p> <p>With all development proposals There will be a presumption against development within the potential flood inundation area for proposals that include:</p> <ul style="list-style-type: none"> • Essential infrastructure; • Storage of hazardous substances; and • Bespoke accommodation for vulnerable groups. <p>and for any development located in areas where the Flood Risk Assessment indicates potential for an unacceptable combination of depth and velocity (See Policy FLD1).</p> <p>Replacement Building(s): Where assurance on the condition, management and maintenance of the relevant reservoir(s) is not demonstrated, planning approval will be granted for the replacement of an existing building(s) within the potential flood inundation area of a controlled reservoir provided it is demonstrated that there is no material increase in the flood risk to the proposed development or elsewhere.”</p>	<p>existing building(s) within the potential flood inundation area of a controlled reservoir provided it is demonstrated that there is no material increase in the flood risk to the proposed development or elsewhere.”</p> <p>DfI will need to direct council to amend the last paragraph of the J&A on page 116 of the dPS, to read as follows:</p> <p>“Applications for development proposals affected by policy FLD5 should note the information contained in DfI Rivers Technical Advice Note 25 – The Practical Application of Strategic Planning Policy for ‘Development in Proximity to Reservoirs’, revised June 2020.</p>
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<p>MOD 58</p>	<p>RA135</p>		<p>Glossary</p>	<p>Page 160, Part 1 Page 119 Part 2</p>	<p>Include the following definition: “Affordable Housing – For the purpose of this Plan Strategy, the current definition of affordable housing accords with the SPPS definition provided in its Glossary (page 114).”</p>	<p>Dfl directs the Council to modify the Glossary in Part 1, page 160, to include a definition on ‘Affordable Housing’ and update the definition on ‘Affordable Housing’ in the Glossary in Part 2, page 119, as follows:</p> <p>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.</p> <p>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.</p>
<p>MOD 59</p>						<p>As a result of the modifications contained within this direction, Dfl directs the Council to ensure that any other presentational or factual amendments, typographical errors and grammatical errors are updated as necessary to the overall Plan Strategy upon adoption. These updates should not amend the nature and intent of the modifications.</p>

Schedule 2A – Amended text of SMU01 West Lisburn/Blaris

SMU01 West Lisburn/Blaris

The Plan will support development of the Strategic Mixed Use Site at West Lisburn/Blaris in accordance with an overall Concept Masterplan for the site incorporating a Transport Assessment to be agreed with the Council.

The Masterplan shall outline:

- a) The provision of the M1-Knockmore Link Road
- b) The overall design concept, objectives and priorities for the site, including provision of approximately half of the developable area for employment uses and up to half of the developable area for residential dwellings
- c) A block structure defined by a hierarchy of routes and spaces
- d) Appropriate scale, massing and design variety of building blocks
- e) A linear riverside park and other appropriate open space and public realm works with linkages to Blaris Old Cemetery and the wider Lagan Corridor
- f) Appropriate landscaping including site boundary planting to include along the M1 - Knockmore Link Road and around Blaris old cemetery
- g) Appropriate provision for public transport, walking and cycling infrastructure, both within the site and linking to existing or planned networks, including the West Lisburn railway halt
- h) Implementation within the site of a car-free Primary Strategic Greenway linking the National Cycle Network (NCN9) from Union Locks west towards Portadown
- i) The proposed phasing of development
- j) The following uses, as defined in the Planning (Use Classes) Order (Northern Ireland) 2015 (or as amended) will only be acceptable:
 - employment (Use Classes B1, B2, B3 and B4)
 - dwellings (Use Class C1)
 - small scale local needs convenience retailing (Use Class A1)healthcare facilities (Use Class D1(a))
- k) The total amount of floor space for use within Use Class B1(a) within the overall zoning shall not exceed 10,000 square meters
- l) Funding of the M1-Knockmore Link Road shall be the responsibility of the developers either in full or a very substantial part.

Justification and Amplification

This strategic site provides approximately 100 hectares of developable land in a highly-accessible location along a major transport corridor. Approximately half of the site (52 hectares) is designated for the creation of new employment opportunities which are accessible to all sections of the community. The provision of the Knockmore Link Road is central to realising the potential of this zoning. It will also facilitate further growth in Lisburn City and unlock the development potential of West Lisburn in general. While acting as a strong physical and visual boundary to the edge of the city it also has the potential to realise the wider government ambitions for the Maze Lands.

The development of this site will only be permitted subject to a Comprehensive Masterplan prepared in accordance with these key site requirements. The Masterplan shall detail a block structure that demonstrates compatibility between acceptable uses and ensures residential amenity. Uses deemed acceptable are employment (industrial and business/light industrial/general industrial/ storage and distribution) and dwellings in addition to healthcare, open space and small-scale retail developments.

Proposals for office development (details of which are provided in Technical Supplement 4 Office Capacity Study) include the provision of office development in this location up to 10,000 square meters, where it can be demonstrated that the proposal cannot be accommodated within Lisburn City Centre.

The Masterplan must identify a linear riverside park which will form part of the West Lisburn Strategic Greenway (refer to Strategic Policy 20) to include pedestrian and cycle corridors connecting the proposed development with the Blaris Old Cemetery and the wider Lagan corridor. The need for a Section 76 Planning Agreement will be considered through the parallel development of a Section 76 Development Framework.

**Department for Infrastructure Planning Act (Northern Ireland) 2011, Adoption of
Lisburn and Castlereagh City Council Plan Strategy, (s12) Direction 2023 -
Explanatory Note**

Context

As part of the two-tier planning system, which commenced in April 2015 along with the transfer of planning powers to Councils, the Department holds a dual role in the Local Development Plan process. This dual role includes that of statutory consultee, as well as providing for oversight responsibilities.

At this point in the Council's Local Development Plan (LDP) process, the Department is undertaking its oversight responsibility as required by legislation. The Department must consider the Planning Appeals Commission (PAC) Independent Examination (IE) report before directing a council to adopt (or otherwise) their Plan Strategy.

This Explanatory Note accompanies the direction for Lisburn and Castlereagh City Council to adopt the draft Plan Strategy with modifications as required by s12 of the Planning Act (Northern Ireland) 2011 (the Act). The intention of this Note is to set out reasoning of how the Department has reached certain conclusions in respect of some of the Commissioner's recommendations. In that respect, this reasoning is not exhaustive and does not cover all aspects of the Department's consideration under s12.

Planning Appeal Commission Independent Examination Report

The IE for the Lisburn and Castlereagh City Council draft Plan Strategy was held by the PAC from 28 March to 6 April and 16 May to 26 May 2022. The IE report was subsequently received by the Department on 30 November 2022.

A total of 141 recommended amendments (RAs) that were required to make the Plan Strategy sound were appended to the main report (Appendix 6).

Schedule 2 of the direction identifies **59** modifications that the Department is directing the Council to take forward. These modifications include amended focussed and minor changes along with new changes recommended following the conclusion of the IE process. In line with the PAC report, the Department has specified wording, where

necessary, to address the recommendations within this Schedule.

Consideration of the PAC IE Recommendations

Following consideration of the IE report and Commission's recommendations, the Department confirms its acceptance of the concluding findings of the report, in that the Plan Strategy is sound subject to modifications,

This Note addresses instances where the Department has reached a conclusion that is at variance to that of the Commission in terms of recommendations and resulting modifications and these are outlined in the following sections.

Focussed Changes and the Commission's Approach

There are 141 RAs set out in the IE report and a significant number of these constitute focussed changes or minor changes which were taken forward by the Council prior to the submission of the dPS to the Department.

It is the Department's position that as these changes were publicly consulted on in January 2021, in line with the provisions of Development Plan Practice Note (DPPN) 10 'Submitting Development Plan Documents for Independent Examination', they form an addendum to the Plan Strategy. These are contained in Schedule 1 of the direction.

Schedule 1A and 1B

Schedule 1A of the direction contains the Council's focussed and minor changes (January 2021) that have not been subject of any change throughout the IE process, though have been given a RA reference by the Commissioner, as she **does consider** these amendments are required for soundness.

Schedule 1B of the direction sets out focussed and minor changes that have not been given a RA reference by the Commissioner as she **does not consider** these are required for soundness.

However, as outlined above these changes have all been the subject of public consultation, are in line with DPPN 10 and therefore constitute an addendum to the draft Plan Strategy which has been through IE.

Therefore, the Department commends the Council to reflect Schedule 1A & 1B as part of the adoption of the Plan Strategy.

Schedule 2

Schedule 2 of the direction sets out the modifications that are required for the Council to undertake for the adoption of the Plan Strategy.

Strategic Issues

MOD 19: SMU01 - West Lisburn/Blaris

In respect of proposed policy SMU01, the Commissioner has accepted the position of the Council in that the report concludes that the site is appropriate for mixed use development.

Having had regard to the IE report and findings within it, the Department directs the adoption of the plan strategy inclusive of the mixed-use designation (SMU01). While in the Department's view, this represents a departure from the Regional Development Strategy (RDS), the Department has accepted, in this instance, the Commissioner's reasoning in respect of the benefits of a strategic mixed-use designation. In order for the site to still maintain its importance as a location for employment and industry, and in line with the commentary of the Commissioner at paragraphs 5.34 – 5.52 and 5.68 – 5.75, the Department considers the need for amendments to the wording of SMU01. These are as follows:

SMU01 criteria (b) and (f) and paragraphs 1 and 2 of the associated Justification & Amplification on page 78 of Part 1 of the dPS are to be modified as set out in the direction MOD 19.

The Department considers that these changes are necessary and appropriate to better reflect the consideration of the Commissioner in the IE Report.

In respect of criteria (b) the decision to amend the wording from:

“approximately half of the developable area for employment uses and half of the developable area for residential dwellings” to instead read,

“approximately half of the developable area for employment uses and up to half of the developable area for residential dwellings”

This is intended to provide a greater assurance that the remaining (approximately) 50% of the site shall continue to reflect the role identified for this location in the RDS as a major employment / industrial location to be protected as a key location for economic growth and to ensure land remains available for jobs.

Criteria (f) changes from:

“Appropriate landscaping including site boundary planting and around Blaris Old Cemetery” to,

“Appropriate landscaping including site boundary planting to include along the M1 - Knockmore Link Road and around Blaris Old Cemetery”.

This change is intended to reflect the Commissioner’s observation that the Link Road shall form a strong physical and visual boundary to the edge of the city.

The additional text inserted into paragraph 1 of the J&A is also reflective of this observation. The further change to paragraph 2 of the J&A is intended to complement criteria (c) by highlighting the need for any block structure to demonstrate and support residential amenity and the development of the remaining land for employment purposes.

MOD 22-28: SMU03 - Sprucefield Regional Shopping Centre

The Department accepts the recommendation and reasoning presented by the Commissioner in the IE report in respect of Sprucefield and draft policy SMU03 including the overall conclusion that this element of the dPS is not coherent and effective and is therefore unsound. Paragraphs 7.27 - 7.55 of the IE report set out the Commissioner’s commentary on draft policy SMU03 and conclusions on the evidence base provided to support this draft designation.

Therefore, Modifications in Schedule 2 direct the deletion of the strategic mixed use policy and designation for SMU03 Sprucefield Regional Shopping Centre and any additional references within the Plan Strategy.

In carrying out duties under section 10(6)(b) of the Act, the Commissioner has not adjudicated on which planning authority should provide additional strategic and / or

operational policy for Sprucefield. However, the Commissioner has recognised in principle, that planning policy for Sprucefield may be provided in the Council's LDP.

Following the adoption of the Plan Strategy, the Department will issue a subsequent direction (under S.14 of the 2011 Act) and will direct the Council to prepare a revision to the adopted Plan Strategy in order to provide new strategic and operational policy for Sprucefield. This Plan revision will be subject to the same plan preparation process that applies to all development plan documents and would therefore be the subject of further Independent Examination.

Policy Prescription

Although the IE report adjudicates on a range of issues which result in recommended amendments, there are several RAs that have required further policy prescription. In these instances, the RAs do not detail the final wording required for adoption. To ensure that the direction is clear and the Council understand what is required prior to proceeding to adoption, the Department have prescribed policy wording where necessary.

MOD 23: Policy TC4 - additional provision for Neighbourhood shops

The Commissioner concluded that policy provision was required to be made in strategic and / or operational policy for local neighbourhood shops within settlement development boundaries, but outwith the other retail designations and villages and small settlements. Provision has been made for this under Policy TC4 District and Local Centres (please refer to MOD 23 / RA48 of PAC IE report Appendix 6).

MOD 47-49: Policy UT1 – Utilities

The Department acknowledges the Commissioner's position regarding Policy UT1 'Utilities', and the associated RA117 - RA120 put forward, including the recommendation that the Council should not take forward focussed changes at FC14A and FC14B (with regards to the changes to the first paragraph of Policy UT1 only (Part 1 and 2)). The other changes within FC14B have been accepted by the Commissioner.

In respect of FC14A & FC14B (Part 1 and 2), these focussed changes introduced a policy requirement to ensure that the visual and environmental impacts of utilities services should be laid underground, where considered feasible and viable. The PAC determined that a presumption in favour of undergrounding would be the effect if the focused changes were brought forward in their entirety, albeit it is noted the Council indicated this was unintentional.

The Commissioner raised concerns over the Council's evidence base in support of Policy UT1 as it did not include a cost benefit analysis of undergrounding overhead lines. In addition, a review of the technical constraints associated with engineering, or the policy implications for new connections for development in the plan area was not provided.

The issue of feasibility and viability of undergrounding would therefore be assessed on a case-by-case basis by criterion b) of UT1, however the Commissioner observes that this is not supported by supplementary planning guidance to inform the developer of what evidence is required to demonstrate feasibility or viability.

The Commissioner considered that policy UT1, as presented at IE, would not strike the appropriate balance between regional policy requirements and guidance, **without** clarification to be provided in SPG or the J&A. The Commissioner recommended RA117 – RA120, though some of the focussed changes presented by the Council were not considered appropriate by the Commissioner to be pulled through.

However, the Department considers the requirements of MOD 47- 49, **which do** include the changes brought forward by the Council (FC14A & FC14B) to be appropriate in balancing the requirements. This includes the required clarification to be brought forward in SPG.

Other matters

It should also be noted, and as set out in the direction, that the Council should ensure that any other presentational or factual amendments, typographical and grammatical errors, within the Plan Strategy, are updated as a result of all modifications and minor

editing changes. These updates should not amend the nature and intent of the modifications as directed.

Publicity

The Department considers that the publicity of the IE report is for the Council to undertake, in conjunction with the publication of the direction as set out in regulation 24 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015. The Council should however provide notification of the adoption of the draft Plan Strategy by resolution of the council, to the Department.

Supplementary Planning Guidance (SPG)

The Department acknowledges the Council's SPG (2018) to supplement the Plan Strategy, however, where indicated in the direction, updated and additional SPG is required upon adoption of the Plan Strategy. The Department would highlight that SPG is intrinsically complementary to policy and should assist in its interpretation and implementation but should not expand the scope of that policy or introduce more onerous obligations or undertakings.

Monitoring and Review

The IE report acknowledges the essential role that monitoring plays as part of the wider plan, monitor and manage approach. It is acknowledged that the main device for reporting on the performance of the plan will be the Annual Monitoring Report (AMR). The Commission considered representations regarding the Monitoring Framework and made recommended amendments where appropriate. Subsequently the Department has directed updates to the Monitoring Framework where necessary.

The report accepts that not all policies require associated indicators within the Monitoring Framework. The Council will be aware that the plan should be reviewed, or partially reviewed, to take account of changing conditions as this is a statutory duty in accordance with Section 13 of the Planning Act (NI) 2011. As a matter of good practice, it is the Department's view that monitoring of the policies of the Plan Strategy should commence once the development plan document is adopted as this will assist in informing the preparation of the Local Policies Plan.

Transitional Arrangements

In accordance with the transitional arrangements set out at paragraph 1.11 of the Strategic Planning Policy Statement (SPPS), policy retained by the Department, and detailed on the DfI website (www.infrastructure-ni.gov.uk/publications/retained-planning-policy) will cease to have effect upon adoption, in the Lisburn and Castlereagh City Council area. The retained policy shall therefore no longer be material in the consideration of applications or appeals from the date of adoption, regardless of whether a planning application has been received before or after the date of adoption. The SPPS shall continue to be a material consideration in the determination of planning applications following adoption of the Plan Strategy.

This Explanatory Note should be read in conjunction with DfI Direction Department for Infrastructure Planning Act (Northern Ireland) 2011 Adoption of Lisburn and Castlereagh City Council Plan Strategy (s12) Direction 2023.