

November 24th, 2025

Notice Of Meeting

You are requested to attend the meeting to be held on **Tuesday, 2nd December 2025 at 7:00 pm** in **Hybrid, Church Street, Newtownards via zoom.**

Agenda

Agenda

 *Agenda PC 02.12.2025.pdf*

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1 Apologies

2 Declarations of Interest

3 Matters arising from the Planning Committee Minutes of 04 November 2025

Copy attached.

 *251104 PC 4th November 2025 Minutes.pdf*

Not included

 *251104 PC 4th November 2025 Minutes PM.pdf*

Page 4

4 Planning Applications

4.1 LA06/2025/0623/F

Demolition of existing dwellings, erection of discount supermarket, provision of access, car parking, landscaping, removal of bus lay-by, relocation of bus shelter, relocation of pedestrian footway between Bloomfield Road South and Skipperstone Avenue, and associated site works (Relocation of existing Lidl supermarket from 97 Bloomfield Road to west of Bloomfield Road South and South of Skipperstone Park. Existing building at 97 Bloomfield Road to be retained but retail use to be extinguished). 1-15 (odds) Skipperstone Park, 11-33 (odds) Skipperstone Avenue, 1-6 Skipperstone Gardens, and 100-122 (evens) Bloomfield Road South, Bangor

 *Item 4.1 - LA06-2024-0623-F.pdf*

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 *Item 4.1a - Addendum LA06-2024-0623-F.pdf*

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4.2 LA06/2019/0888/F

Residential development comprising the erection of 62no. dwellings (mix of detached and semi-detached) with access via Tullynagardy Avenue with associated site works and landscaping. Lands off Tullynagardy Avenue to West of 46-54 Tullynagardy Lane 30m South of Tullynagardy Road North of 21-25 Valencia Way North and 17a-21 Gallaway, Newtownards.

 *Item 4.2 - LA06-2019-0888-F.pdf*

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4.3 LA06/2022/0262/F

Retention of private amenity/shelter building made from sustainable recycled materials, wildlife hide, timber footbridge and associate landscaping and planting. Approximately 200m SE of 110 Kempe Stones Road, Newtownards.

 *Item 4.3 - LA06-2022-0262-F.pdf*

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4.4 LA06/2025/0564/F

Extension to rear raised terrace (retrospective) with new steps. 16 The Brae, Groomsport.

 *Item 4.4 - LA06-2025-0564-F.pdf*

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 *Item 4.4a - LA06-2025-0564-F Addendum 1.pdf*

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 *Item 4.4b - LA06-2025-0564-F Addendum 2.pdf*

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4.5 LA06/2025/0544/F

Replacement field gate and upgrade of mown grass trails to compacted gravel trails, with trail infrastructure including signage, wayfinding and seating.

Lowry's Wood, Donaghadee Road, Groomsport.

 *Item 4.5 - LA06-2025-0544-F.pdf*

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4.6 LA06/2025/0104/F

Permanent retention of parklet (consisting of public seating and planting). Parking bays to front 22 Frances Street, Newtownards.

 *Item 4.6 - LA06-2025-0104-F.pdf*

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4.7 LA06/2025/0102/F

Permanent retention of parklet (consisting of public seating and planting). Parking bays to front of 44a-46 High Street, Newtownards.

 *Item 4.7 - LA06-2025-0102-F.pdf*

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4.8 LA06/2025/0101/F

Permanent retention of parklet (consisting of public seating and planting). Parking bays to front of 63-65 High Street, Bangor.

 *Item 4.8 - LA06-2025-0101-F.pdf*

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4.9 LA06/2025/0100/F

Permanent retention of parklet (consisting of public seating and planting). Paved area to front of 78-80 Main Street, Bangor.

 *Item 4.9 - LA06-2025-0100-F.pdf*

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4.10 LA06/2025/0099/F

Permanent retention of parklet (consisting of public seating and planting). Parking bays to front of 117-119 High Street, Bangor.

 *Item 4.10 - LA06-2025-0099-F.pdf*

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4.11 LA06/2025/0105/F

Permanent retention of parklet (consisting of public seating and planting). Paved area to front of St Mary's Parochial Hall, 24 The Square, Comber.

 *Item 4.11 - LA06-2025-0105-F.pdf*

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Reports for Approval

5 DFI Consultation on Sustainable Urban Drainage Systems

Report attached.

 *Item 5 - DFI Consultation on SuDS - draft response.pdf*

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 *Item 5a - DFI Consultation document on SuDS in new housing developments.pdf*

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 *Item 5b - May 2022 Response to DFI Consultation on SuDS.pdf*

Page 284

 *Item 5c - Research Paper to NI Assembly re SuDS 15 October 2025.pdf*

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 *Item 5d - draft Response to DFI consultation re SuDS.pdf*

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6 Street Naming – The Dairy, Cloughey

Report attached.

 *Item 6 - Street Naming - The Dairy, Cloughey.pdf*

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Reports for Noting

7 Planning Appeals Update

Report attached.

 *Item 7 - Planning Appeals Update.pdf*

Page 311

8 Performance Reporting April – September 2025

Report attached.

 *Item 8 Performance Reporting April -Sept 2025.pdf*

Page 312

9 Planning Service Budgetary Control Report - September 2025

Report attached.

 *Item 9 - Planning Service Budgetary Control Report - Sept.pdf*

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10 DFI Correspondence re Planning Improvement Programme - Update of Development Plan Practice Notes

Report attached.

 *Item 10 - DFI Correspondence re updates to Practice Notes.pdf*

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ARDS AND NORTH DOWN BOROUGH COUNCIL

25 November 2025

Dear Sir/Madam

You are hereby invited to attend a hybrid meeting (in person and via Zoom) of the Planning Committee of Ards and North Down Borough Council which will be held in the Council Chamber, 2 Church Street, Newtownards, on **Tuesday 02 December 2025** commencing at **7.00pm**.

Yours faithfully

Michael Steele
Acting Chief Executive
Ards and North Down Borough Council

A G E N D A

- 1. Apologies
- 2. Declarations of Interest
- 3. Matters arising from the Planning Committee minutes of 04 November 2025 (Copy attached)
- 4. Planning Applications (Reports attached)

4.1	LA06/2025/0623/F	Demolition of existing dwellings, erection of discount supermarket, provision of access, car parking, landscaping, removal of bus lay-by, relocation of bus shelter, relocation of pedestrian footway between Bloomfield Road South and Skipperstone Avenue, and associated site works (Relocation of existing Lidl supermarket from 97 Bloomfield Road to west of Bloomfield Road South and South of Skipperstone Park. Existing building at 97 Bloomfield Road to be retained but retail use to be extinguished) 1-15 (odds) Skipperstone Park, 11-33 (odds) Skipperstone Avenue, 1-6 Skipperstone Gardens, and 100-122 (evens) Bloomfield Road South, Bangor
4.2	LA06/2019/0888/F	Residential development comprising the erection of 62no. dwellings (mix of detached and semi-detached) with access via Tullynagardy Avenue with associated site works and landscaping

		Lands off Tullynagardy Avenue to West of 46-54 Tullynagardy Lane 30m South of Tullynagardy Road North of 21-25 Valencia Way North and 17a-21 Gallaway, Newtownards
4.3	LA06/2022/0262/F	Retention of private amenity/shelter building made from sustainable recycled materials, wildlife hide, timber footbridge and associate landscaping and planting Approximately 200m SE of 110 Kempe Stones Road, Newtownards
4.4	LA06/2025/0564/F	Extension to rear raised terrace (retrospective) with new steps 16 The Brae, Groomsport
4.5	LA06/2025/0544/F	Replacement field gate and upgrade of mown grass trails to compacted gravel trails, with trail infrastructure including signage, wayfinding and seating Lowry's Wood, Donaghadee Road, Groomsport
4.6	LA06/2025/0104/F	Permanent retention of parklet (consisting of public seating and planting) Parking bays to front 22 Frances Street, Newtownards
4.7	LA06/2025/0102/F	Permanent retention of parklet (consisting of public seating and planting) Parking bays to front of 44a-46 High Street, Newtownards
4.8	LA06/2025/0101/F	Permanent retention of parklet (consisting of public seating and planting) Parking bays to front of 63-65 High Street, Bangor
4.9	LA06/2025/0100/F	Permanent retention of parklet (consisting of public seating and planting) Paved area to front of 78-80 Main Street, Bangor
4.10	LA06/2025/0099/F	Permanent retention of parklet (consisting of public seating and planting) Parking bays to front of 117-119 High Street, Bangor
4.11	LA06/2025/0105/F	Permanent retention of parklet (consisting of public seating and planting) Paved area to front of St Mary's Parochial Hall, 24 The Square, Comber

Reports for Approval

- 5. DFI Consultation on Sustainable Urban Drainage Systems (Report attached)
- 6. Street Naming – The Dairy, Cloughey (Report attached)

Reports for Noting

- 7. Planning Appeals Update (Report attached)
- 8. Performance Reporting April – September 2025 (Report attached)
- 9. Planning Service Budgetary Control Report - September 2025 (Report attached)
- 10. DFI Correspondence re Planning Improvement Programme - Update of Development Plan Practice Notes (Copy letter attached)

MEMBERSHIP OF PLANNING COMMITTEE (16 MEMBERS)

Councillor Cathcart	Councillor McCollum
Alderman Graham	Alderman McDowell
Councillor Harbinson	Alderman McIlveen
Councillor Hennessy	Councillor McKee
Councillor Kendall	Councillor Morgan
Councillor Kerr	Councillor Smart
Alderman McAlpine	Alderman Smith
Councillor McClean (Chair)	Councillor Wray (Vice Chair)

ITEM 7.1

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ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of the Planning Committee was held in the Council Chamber, Church Street, Newtownards on Tuesday 4 November 2025 at 7.00 pm.

PRESENT:

In the Chair: Councillor McClean

Aldermen: Graham
McAlpine (Zoom)
McDowell (Zoom, 19:10)
McIlveen
Smith (Zoom)

Councillors:	Cathcart	Kendall (Zoom)
	McCollum	McKee (Zoom)
	Harbinson	Morgan
	Hennessy	Smart
	Kerr (Zoom, left 20:40)	Wray

Officers: Director of Place and Prosperity (B Dorrian), Principal Planner (G Kerr), Planning Managers (J Hanna & A Todd) and Democratic Services Officer (S McCrea)

1. APOLOGIES

Apologies had been received from the Head of Planning.

2. DECLARATIONS OF INTEREST

Councillors Harbinson and Kendall declared an interest in Item 4.2 - LA06/2018/1328/F

Alderman McIlveen declared an interest in Item 4.4 - LA06/2024/0242/F

3. MATTERS ARISING FROM THE PLANNING COMMITTEE MINUTES OF 7 OCTOBER 2025

PREVIOUSLY CIRCULATED:- Copy of the above.

AGREED on the proposal of Alderman McIlveen, seconded by Councillor McCollum, that the minutes be noted.

4. PLANNING APPLICATIONS

4.1 LA06/2023/2012/F - Land between 3 and 4 Sheridan Drive, Helen's Bay Deferred from previous meeting with 'Minded to Refuse' motion

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Holywood & Clandeboyne

Committee Interest: Six or more representations contrary to the officer's recommendation

Proposal: Dwelling (change of house type from approval W/2011/0015/RM)

Site Location: Land between 3 and 4 Sheridan Grove, Helen's Bay

Recommendation: Minded to refuse (02.09.25 Initial Officer recommendation to approve planning permission)

The Principal Planner explained that Item 4.1 - LA06/2023/2012/F was an application for a dwelling (change of house type from approval W/2011/0015/RM) at Lands between 3 and 4 Sheridan Drive, Helen's Bay.

Members would have recalled that this presentation was presented at Committee on 2 September 2025 and Committee determined that they were minded to refuse the application which allowed due consideration to be given to the drafting of refusal reasons provided by Members. Consultation had taken place with the Council's legal advisors to ensure that they were legally sound.

In summary the legal advisors had provided comment on the proposed draft refusal reasons – reducing the number of recommended refusal reason from 5 to 3 refusal reasons. Of the three remaining refusal reasons, legal advisors had commented that the suggested refusal reasons may be lawful but there were concerns over robustness.

Legal advisors were unable to provide any comfort that there would not be any challenge to the refusal reasons. The applicant was entitled to appeal any refusal of planning permission to the Planning Appeals Commission (PAC) should they decide on this course of action. If an appeal was lodged, it would be for the PAC to consider all material matters presented in order to determine the proposal in deciding whether or not the justification was enough to uphold any appeal which may be brought.

RECOMMENDED that Council notes the content of this report and attachments and agrees the reasons for refusal.

Speaking against the recommendation, Mr Brian Kee was invited to the Chamber to speak and reminded that he had three minutes to speak.

Mr Kee thanked the committee for the opportunity to speak and explained that, in 2011, the Case Officer stated in respect of the approved development, that the scale of the building was still very substantial but was probably acceptable. The proposal that was before Members was significantly larger than the 2011 approval. It was 10% bigger in floor area, taller by half a metre—a 7% increase—and longer at the rear. These increases might have seemed small in percentage terms, but they had created a building that was overbearing in scale and dominance

and out of keeping with the lower elevation property.

Its visual impact upon Fort Road, Church Road, Grey Point Road, the Coastal Path and the Golf Course was stark and detrimental to the area. Mr Kee advised that, unfortunately, the photographs in the report did not adequately convey the adverse visual impact. The development was very different to the properties in Sheridan Grove; it was aligned differently, had no garage and minimal garden space and appeared to be a 2,200 square foot property shoe-horned into a small side garden.

Mr Kee explained his other concerns, such as overlooking, loss of privacy and loss of sunlight; the latter point he clarified had been confirmed in the Report on page 25 as breaching the Sunlight Good Practice Guide, as well as the Prescriptions Act of 1832. The large overlooking, overbearing window on the North elevation, a deviation from the 2011 approval which had conditioned against such a window, whilst the largest window of the property looked directly into Mr Kee's living areas, a bedroom and the garden. Dwelling No. three and four had no windows on the north elevation. Although coloured, see-through glazing had been added, however the effect remained one of intrusion. The perception of being overlooked was itself a serious loss of amenity, contrary to PPS7. The location of that window served no purpose other than to provide clear views of the sea.

Mr Kee continued, explaining that there were multiple departures from the approved drawings and conditions. These included a large sliding window which allowed access onto a flat roof where a small recessed window had been expected. There were two large roof panels instead of six rooflights, a balcony on the western elevation and larger windows all around the property. Deficiencies had been found by the Enforcement Team and non-compliances which had required many amended plans to be submitted. Such changes, Mr Kee believed demonstrated a pattern of building first and seeking permission later, which undermined confidence in the process and, if retrospective approval had been agreed, it would have set a damaging precedent.

Mr Kee explained that there had been a loss of amenity and environmental value with the original hedge, tree and screening having been removed and the replacement planting being of limited quality and tokenistic nature – it did not restore what had been lost, either in privacy or biodiversity terms.

In conclusion, Mr Kee believed that the development had gone beyond what had originally been approved with its scale, massing and dominance causing harm to residential character and neighbour amenity. Mr Kee applauded the Committee's decision on 2 September in being minded to refuse, asking that it continue to do the right thing and refuse planning permission.

With no questions from Members, Mr Kee returned to the public gallery at 19:08.

Speaking in support of the application, David Mills (Agent), Peter Thompson (Applicant) and Joanna Thompson (Applicant's Daughter) joined the Committee Chamber and were reminded that they had three minutes to speak.

Ms Thompson thanked the Committee for the opportunity to speak and advised that her father, Mr Thompson had bought the site which had planning permission but they had not been aware of its history and previous applications. They had wished to make some small changes to improve the original design of the house and knew that there was a prerequisite to seek planning permission which was submitted before work had started. Ms Thompson and Mr Thompson had both been optimistic that the process would be quick and any changes were expected to be minor.

Several times during the process, they had been asked to make changes and did so without question, despite said changes not being preferred options. They had taken out an extra bedroom to reduce the overall size from the top floor which was relocated to the front left side of the ground floor which had no window on the north-facing left gable. There had also been a want to have a window in the kitchen but Mr Thompson and Ms Thompson had compromised. The only window found on the north gable wall was that of the stairwell. Ms Thompson advised that neither she, nor Mr Thompson had any wish to look into the property at No. 2 and would have liked a roof balcony to appreciate the sea view, but instead had large roof lights installed.

The balcony at the front, Ms Thompson advised was done so for aesthetic reasons which added character and charm to the property which would otherwise have bland frontage. Similarly, the roof height had been lowered as well as omission of a chimney to the front which she believed improved on the original design. Mr Thompson had also installed obscure glass panels at considerable extra cost and despite requested and minor changes, the house was largely the same as the original approved plan. Ms Thompson advised that her father, Mr Thompson was 84 years of age, had been unwell and was awaiting surgery. These factors had influenced their approach of time being of the essence.

The Chair (Councillor McClean) advised Ms Thompson that three minutes had passed. Ms Thompson queried the speaking time limit, believing that it was three minutes each. Councillor McClean clarified that three minutes had been the limit for any speakers on the subject and apologised to Ms Thompson. With no questions posed from Members, Mr Thompson, Ms Thompson and Mr Mills returned to the public gallery at 19:12.

Proposed by Councillor McCollum, seconded by Alderman Graham, that the recommendation be adopted.

Councillor McCollum understood that residential matters could be particularly difficult and understood the points put forth by Ms Thompson. However, the Planning Committee was required to act upon the facts available to them and in an independent manner. She was grateful for the time to draft refusal reasons in a coherent fashion. With Planning having sought legal advice, Councillor McCollum believed the Committee had demonstrated and evaluated planning judgement on Planning Policy. She cited refusal reasons;

- 1 – contrary to QD1, Criterion A of PPS7
- 2 – contrary to QD1, Quality Residential Environments, Criterion H
- 3 – contrary to QD1, Quality Residential Environments , Criterion F.

Alderman McIlveen had not agreed with being minded to refuse as he had wanted time to review reasons for refusal whilst also wanting to remain consistent in his approach to planning matters such as impact on light assessments. He did not believe the reasons put forth for refusal were sufficiently robust despite being grounded in policy. Though he was not personally accepting of the application, those beliefs paled in comparison to his responsibility as a Member of the Planning Committee. Alderman McIlveen believed if he supported the refusal, it would be an inconsistent approach and explained that he did not believe determinations should be equal, exemplifying Helen's Bay applications being treated no different from those in Newtownards or the Ards Peninsula.

Councillor Cathcart explained that he did not agree with all the reasons that had been provided in the principle of development and welcomed the reduction of refusal reasons. He did not believe the parking element should have been included and suggested the main refusal reasons were scale and massing when comparing the original approved application to what was now too much for a neighbourhood environment.

Alderman Smith shared Alderman McIlveen's views, explaining his concerns of the robustness of reasons proposed, as well as alluding to Councillor Cathcart's remarks upon parking being one of those refusal reasons. Whilst he accepted the impact on No. 2 with overlooking and loss of light, he did not believe he could support the proposal to refuse.

The proposal was put to the meeting and declared CARRIED with 8 voting FOR, 4 voting AGAINST, 4 ABSTAINED and 0 ABSENT.

FOR (8) Aldermen Graham McAlpine	AGAINST (4) Aldermen McIlveen Smith	ABSTAINED (4) Aldermen McDowell	ABSENT (0) Aldermen
Councillors Cathcart Harbinson Kendall McCollum Smart Wray	Councillor Hennessy Kerr	Councillors McClean McKee Morgan	Councillor

RESOLVED, on the proposal of Councillor McCollum, seconded by Alderman Graham, that the recommendation be adopted.

(Councillors Harbinson and Kendall left the meeting at 19:23 due to Declarations of Interest in Item 4.2.)

4.2 LA06/2018/1328F - Lands at No. 5 Woodlands Avenue, North of Whinney Hill SE and NE of No. 3-6 The Cottages Whinney Hill and SE of No. 1 and 3 Woodlands Avenue, Hollywood

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Hollywood & Clandeboye

Committee Interest: Six or more representations contrary to the officer's recommendation

Proposal: Residential development of 27 No. units (11 No. detached and 16 No. apartments), includes upgrade of existing access at Whinney Hill, landscaping and associated site works.

Site Location: Lands at No. 5 Woodlands Avenue, North of Whinney Hill SE and NE of No. 3-6 The Cottages Whinney Hill and SE of No. 1 and 3 Woodlands Avenue, Hollywood

Recommendation: Grant Planning Permission

The Principal Planner explained that Item 4.2 was for a Residential development of 27 No. units (11 No. detached and 16 No. apartments), which included an upgrade of existing access at Whinney Hill, landscaping and associated site works at lands at No. 5 Woodlands Avenue, North of Whinney Hill SE and NE of No. 3-6 The Cottages Whinney Hill and SE of No. 1 and 3 Woodlands Avenue, Hollywood.

The application was before Members as it was an application in the major category of development as well as a number of objections contrary to the Officer's recommendation.

In total, 70 objections from 32 separate addresses had been received since the application was first submitted in 2018. Members were asked to note that the application had gone through considerable alteration in layout and design with a reduction in number of objections submitted as a result of these alterations. All representations made had been fully addressed and detailed in the Case Officer report and the recommendation was to grant planning permission

The site lay on the outskirts of Hollywood on the northern side of Whinney Hill approximately two miles from Hollywood town centre and was set within a mature landscape setting with surrounding areas of woodland to the north and south. Access could be gained to the site from both Whinney Hill and the A2 Belfast/Bangor Road. The site was located in an elevated position with the site rising steeply upwards from north-west to south-east. Members were shown a slide which presented a substantial dwelling with outbuildings, known as Woodlands House which was to be demolished.

Land to the immediate south-east was agricultural whilst land to the north-west and the south on the opposite side of Whinney Hill was residential. Existing residential development on the northern side of Whinney Hill was characterised predominantly by detached dwellings set within large, mature plots while the southern side of the road had detached dwellings on smaller plots.

There was a long history of planning approvals for residential units on the application site which had been renewed, the details of which were contained in the Case Officer's report. Members were shown photographs to provide context for the site and wider area.

As had been referred to earlier, the scheme had been significantly amended since it was first submitted. One slide showed the original proposal which was for 42 residential units – the planning department had found this scheme unacceptable in relation to residential policies PPS7 and the addendum to PPS7. There was also insufficient information to fully assess the proposal. Refusal was recommended and once the agent was advised of this, the scheme was reduced to 37 units but this was still considered to be unacceptable. A further amendment was then submitted reducing the scheme to 27 units. Since then, there had also been the submission of additional supporting information to address consultee comments - it was the reduced scheme of 27 units which was for Members' consideration this evening.

With regard to the Development Plan, the site lay outside the settlement limit of Hollywood in the NDAAP. In draft BMAP, the site was also located outside the settlement limit. In the unlawfully adopted BMAP, the site was incorporated into the settlement limit of Hollywood following DoE Planning agreeing with the PAC's opinion that the land should be included within the settlement limit. It was considered that the position of the site which was surrounded by existing and approved development, its current use as a residential curtilage, the PAC's recommendations and its status as conceded by DOE at Public Inquiry, were all important material factors which were considered to outweigh the NDAAP and Draft BMAP in respect of the settlement limit in this case with the residential development of the site being acceptable in principle. In the event of BMAP being lawfully adopted, it was highly likely that the revised development limit which had been considered during the Public Inquiry, and accepted by DoE Planning, would be adopted again.

Within BMAP, the site was located within the proposed Folk Park/Creighton Local Landscape Policy Area (LLPA) (designation HD15). Draft BMAP identified a number of features which were considered to contribute to the environmental quality, integrity or character of the area. One of these included the listed building known as The Hill and its associated expansive grounds. Historic Environment Division was content with the proposal for 27 units subject to a condition requiring a landscape buffer along the north eastern boundary of the site to protect the setting of the listed building and the overall environmental quality of the LLPA.

A revised landscaping plan which had been conditioned showed an extensive landscaping scheme including retention of existing landscaping features with additional trees and shrubs planted through the site which would respect the LLPA. Extensive planting of woodland areas were proposed within the site as indicated in dark green on presented slides. These would include a mix of semi-mature, extra-heavy standard and 60-80cm trees with the larger trees ensuring that these areas would be able to become established and have effect as soon as possible. It was considered that the extensive woodland planting would greatly enhance the overall environmental quality of the site.

The site was not subject to a Tree Preservation Order. In total there were 21 no. trees within the application site itself. The majority of these trees were to be retained and incorporated into the development with only 4no. proposed for removal as recommended in the submitted tree survey due to poor condition. The proposed development would all be located outside the root protection areas of the trees and the Council's Tree Officer was content with the proposal. A long-term management and maintenance plan for the landscaping had been submitted which covered a period of up to 20 years.

The existing access off Whinney Hill was to be upgraded proposed to current standards to provide visibility splays along with A 2m wide footpath along the frontage of the site to the right-hand side of the access along with a crossing point. The existing access serving Woodlands Avenue would remain unaltered and was to serve 2 No. new detached dwellings only. A Transport Assessment form had been submitted in support of the application and there was no intensification of use onto the A2 Belfast Bangor Road. It should be noted that existing dwellings already used this access. Following the receipt of amended drawings DFI Roads had no objection to the proposal and appropriate conditions had been provided. There was also adequate car parking for the overall proposal which met car parking standards

There were a variety of existing densities of development within the immediate area. Following the amendments to the proposal, the site layout now respected the sensitive 'edge of settlement' location with the proposed development respecting its context. Given the mix of densities in the immediate vicinity, the density of the development at 11.25dph was considered to be acceptable. The layout of the proposal had been carefully considered with amendments submitted to ensure there would be no unacceptable overlooking, loss of light, overshadowing as per the requirements as set out in QD1 PPS7

With regard to the main apartment block, the height, scale and massing of, was originally a concern due to the prominent location of the site but following amendments reducing the overall height and massing of the block, the building would not sit above that of the existing dwelling.

The next slides showed the location of the proposed apartment a CGI image helpfully showed that only the roof of the apartment block would be visible on approach along Whinney Hill travelling towards Hollywood. Additional landscaping would also soften the impact of the building.

The Proposed apartment block adjacent to Whinney Hill was to be sited to the front of the existing dwellings at The Cottages a minimum of 25m away which was in excess of recommended standards. This was a significant improvement from the original proposal which not only had the apartments closer to the existing dwellings but there was also another block now removed.

The amount of development fronting onto Whinney Hill had been reduced to a single building housing 4no. apartments. Additional landscaping was proposed between the proposed apartments and the existing dwellings which would provide a degree of screening to further mitigate against any potential impact on the existing dwellings.

As could be seen in CGI images, the building had been designed to have the appearance of cottages, restricted to one and a half storey. It had also been set further back from the road than the original proposal, thereby reducing any dominant impact.

The row of House Type C dwellings right at the edge of the settlement limit were positioned closely together with the access road running in front. The design was split level to respect the levels on the site. Members were shown another slide which identified the approximate location of where these would sit on the site, indicated in red. Again, the CGI image showed how the dwellings would sit within the site and how they were well integrated. Due to the falling topography, only the roof of the dwellings would be seen when travelling along Whinney Hill towards Holywood. Travelling out of Holywood, the row of houses would also be well concealed behind the existing cottages and given their set-back from the road, would not appear prominent.

Given the topography of the land, sections were taken at various points through the site to assist in the overall assessment of the proposal and any impacts on existing dwellings further down the slope on Woodlands Avenue. The impact of the proposal had been assessed for numbers 1, 3 and 5 Woodlands with Members being provided with slides that showed separation distances between the properties ranging from 26.6 metres, 38.7 metres and 40 metres. Further slides showed sections of the site which sloped quite significantly from south-east to north-west. The proposed development would sit at a higher level than the existing adjacent dwellings on Woodlands Avenue.

Given the topography of the land and that this was a residential area, there would be some views of the development from lower ground on Woodlands Avenue. Those views were to be partially screened by the existing dwellings at Nos. 1 and 3 Woodlands and mature trees and planting along the existing lane and to the rear of the existing dwellings.

Existing development already at a higher level had to be considered when weighing up the current proposal. The views of the proposed development would be intermittent and the proposed dwellings were to be sited at a similar or lower level than the existing large dwelling on the site.

There was good screening between existing and proposed development with additional planting as shown in slides, and, given the tiered levels of the site, there would be no unacceptable adverse impact or unacceptable overbearing impact or loss of light given the proposed separation distances. Consideration also had to be given in the assessment of the proposal to extant permissions already on the site, in particular to an extant permission for a large two and a half storey dwelling in a similar position at the top of the slope and different to what was proposed in this application

Public open space was required for a development of this size which had been assessed and was acceptable, meeting requirements set out in Creating Places Guidelines and also met with policy requirements contained within OS 2 of PPS 8. An area significantly in excess of 10% with a total area of approximately 6,400sqm of

the total area of the site at 2.4 hectares had been set aside for open space taking the form of an arboretum located centrally within the site, as well as the creation of woodland linkages which would offer visual amenity value and enhance the overall environmental quality of the development.

In conclusion having assessed all material planning considerations as detailed in the Case Officer report and in the presentation, all concerns raised by objectors had been fully considered and were dealt with in detail in the report with the agent working with Planning Officers to reach an acceptable scheme which had included for example, reducing the number of units on the site, lowering the heights of building, detailing more sympathetic finishes, removal of balconies to dwellings orientated towards Woodland Avenue. The Principal Planner concluded that the planning application should be approved, subject to the conditions.

RECOMMENDED that Council grants planning permission.

Councillor McCollum advised that she was familiar with the road and the site's location on Whinney Hill and queried which parts of the proposed development would be accessed via Woodlands.

The Principal Planner responded that two dwellings would be accessed from Woodlands, but there would be no intensification of use onto the A2. She noted that No. 5 would be demolished and that there was extant planning permission in place. Following the publication of the report, some objectors had requested that construction traffic be directed via Whinney Hill which had been conditioned.

Councillor McCollum referred to previous conditions that blocked access from Woodlands and asked whether these were relevant to the current application. The Principal Planner clarified that those conditions were not relevant to this assessment, as each planning application had to be considered afresh and the previous condition had not been relied upon in this case.

Councillor McCollum asked about the location of the main access point on Whinney Hill and how far it would be from the corner. The Principal Planner stated she was unsure of the exact distance but confirmed DfL Roads had required amended drawings and that the access would be upgraded to meet site requirements. DfL Roads had raised no objections.

Councillor McCollum queried whether only one property used the entrance on the right-hand side when exiting. The Principal Planner explained that several cottages already used that same entrance and noted that, as Whinney Hill was not a protected route, there was no issue with intensification of use.

Councillor McCollum expressed concern about morning traffic, particularly traffic travelling downhill, and the potential buildup when turning left onto the A2. The Principal Planner acknowledged that the area was residential and already experienced significant traffic, but reiterated that there was no issue with intensification in relation to the proposed access.

Councillor McKee was surprised to hear of the No. 5's demolition, noting that this detail had been omitted from the description and key information. The Principal Planner clarified that the site was not located within an Area of Townscape Character, there was no requirement for the demolition to be included in the description, explaining that an apartment block was planned to replace the demolished building and confirmed that all necessary surveys related to the demolition had been completed.

Councillor McKee referenced the planning history of the site, and asked whether any current or active permissions would remain relevant if the new application were approved. The Principal Planner confirmed that extant permissions would remain valid alongside the current proposal, should it be granted. She added that it would be up to the developer to decide which permissions to proceed with and noted that a speaker was present who could provide further clarification.

Alderman McAlpine raised concerns regarding whether Woodlands was an adopted road and queried the implications for bin collection and deliveries, particularly in light of the intensification of development in the area. The Principal Planner confirmed that Woodlands was unadopted but noted that her Planning Manager had observed a bin lorry accessing the lane during a recent site visit.

Alderman Graham questioned the massing of the proposed apartment block and asked whether the redesign had sufficiently addressed the visual impact of the original larger block. In response, the Principal Planner presented comparative slides showing the initial and revised designs, highlighting the reduction in scale. She also pointed out that the height of the new apartment block would not exceed that of No. 5, which was scheduled for demolition.

Speaking in support of the application, Mr Chris Bryson of Gravis Planning was invited to the Chamber and reminded that he had three minutes to speak. Mr Bryson thanked the Committee for the opportunity to speak. Mr Bryson expressed full support for the officer's recommendation to approve the application. He noted that the proposal had been under consideration for many years and had undergone thorough scrutiny by Planning Officers which should have provided Members with confidence that all aspects had been properly considered and that the application complied with planning policy requirements. He acknowledged the collaborative efforts with The Principal Planner and her team. In response to Councillor McKee's earlier query regarding planning history, Mr Bryson clarified that there were several extant permissions for single dwellings on the site which had been submitted by the previous owner. He added that, should the current application be approved, the developer would be inclined to proceed with the scheme currently before Members rather than pursue the individual house permissions.

In response to questions from Members, Councillor Morgan raised concerns about the removal of pedestrian access and questioned how individuals would be able to enter the site. Mr Bryson explained that a shared surface was proposed for most of the avenue leading to the site, and a new through-path was planned via Whinney Hill which would provide a dedicated footpath running into and throughout the site. He referred to the 27-unit proposal, noting that a footpath on the southern side would

follow the road leading to the proposed apartment block, as illustrated on the screens.

Councillor McCollum asked how far the footpath would extend and how pedestrians would safely exit the development and access the A2. Mr Bryson advised that the site would be exited via a new footpath to the south of the proposed internal access road, which would connect to Whinney Hill. He added that other pedestrians would use existing routes down the hill to reach the A2. When asked whether the footpath extended all the way down, Mr Bryson suggested it might cross the road. Councillor McCollum expressed concern about the presence of a chicane and the increased number of pedestrians on the hill, noting that there was a verge rather than a proper footpath. Mr Bryson pointed to the lower image on the screen, indicating an existing footpath at the access point near a telegraph pole, which ran down to the A2 on the opposite side. He confirmed that DfI Roads had been consulted and would have considered pedestrian connections, implying they were satisfied with both the proposed and existing arrangements.

Councillor McCollum raised a policy concern under PPS3 AMP3, suggesting that the intensification of traffic during peak hours could impede the free flow of traffic, especially given the existing congestion near the A2 and its slow-moving traffic lights. Mr Bryson explained that the policy test had determined the impact to be within acceptable limits. He acknowledged an increase in traffic but stated that both Planning and DfI Roads technical experts considered it to fall within tolerable thresholds.

With no further questions from Members, Mr Bryson returned to the public gallery.

Proposed by Alderman Graham, seconded by Alderman Smith, that the recommendation be adopted.

Alderman Graham commented that the development and associated plans had clearly been given considerable thought and would result in highly attractive accommodation. While he acknowledged concerns regarding pedestrian access, he noted that the DfI had either provided views or had not objected, indicating their contentment with the application. He concluded that, on balance, it represented a good plan.

Alderman Smith agreed, stating that the plans had evolved positively and expressed gratitude to the Planning team for their efforts. He concurred with Alderman Graham's assessment that the proposal was a sound plan and a worthwhile development.

Councillor McKee, however, did not support the recommendation, citing road safety as a major concern and stated that it was evident local residents shared similar views who would be better positioned to understand difficulties and dangers of the area.

The proposal was put to the meeting and declared CARRIED with 10 voting FOR, 2 voting AGAINST, 1 ABSTAINED and 3 ABSENT.

**FOR (10)
Aldermen**

Graham
McAlpine
McIlveen
McDowell
Smith

**AGAINST (2)
Aldermen**

**ABSTAINED (1)
Aldermen**

**ABSENT (3)
Aldermen**

Councillors

Cathcart
Hennessy
Morgan
Smart
Wray

Councillor

McCollum
McKee

Councillors

McClean

Councillor

Harbinson
Kendall
Kerr

RESOLVED, on the proposal of Alderman Graham, seconded by Alderman Smith, that the recommendation be adopted and that planning permission is granted.

[Councillors Harbinson and Kendall returned to the meeting at 19:59]

4.3 LA06/2024/0116/F - 20no. dwellings – 16no. semi-detached and 4no. detached – adj. to and accessed via Rockfield Park

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Ards Peninsula

Committee Interest: Six or more representations contrary to the officer's recommendation

Proposal: 20 dwellings - 16 semi-detached dwellings, 4 No. detached dwellings.
Adjacent to and accessed via Rockfield Park

Site Location: Lands immediately to the east of 31 Rockfield Park and to the rear of Nos. 9 – 31 Rockfield Park, Portaferry

Recommendation: Grant Planning Permission

The Planning Manager (A Todd) advised Members that Item 4.3 sought full planning permission for 20 dwellings at lands immediately to the east of 31 Rockfield Park and to the rear of 9-31 Rockfield Park, Portaferry. The application had been recommended for approval and was being presented to Planning Committee as six or more representations contrary to the officer's recommendation had been received.

The site occupied an area of land to the south-east of Rockfield Park at the edge of the settlement limit of Portaferry. The site lay within an area designated as Housing Policy Area three within the Ards and Down Area Plan and also within the Strangford and Lecale Area of Outstanding Beauty. The site was comprised of grass and scrub land with existing trees and vegetation just beyond the south-eastern boundary. The

topography was such that the land fell from the rear of Rockfield Park towards the south-eastern boundary and then rose slightly towards the south-western boundary. The third slide showed views of the site looking towards the south-west and also towards the rear of the existing dwellings on Rockfield Park which abutted the site. Slide four showed views of the site looking towards the north-east and the recently constructed dwellings within the northern end of the designation.

The proposal would involve the development of the remainder of housing designation HPA3 with planning permission having already been granted for 19 detached and semi-detached dwellings in the northern portion of the designation under application LA06/2017/1046/F.

The current application proposed an additional 20 dwellings, 16 of which were semi-detached and four detached. Designation HPA3 included a number of key site requirements as were shown on the slide. The first was the requirement that the development should have a minimum density of 20 dwellings per hectare. While the density of the development was slightly below this at 17.5dph, it was considered that other material planning considerations outweighed this key site requirement. The proposed density was comparable to the density of 16dph previously approved in the northern section of the designation and also similar to other existing dwellings in the area. The slightly lower density was also necessary to enable compliance with other policy requirements including, the provision of a badger sett protection zone, provision of adequate open space and the establishment of a landscaped buffer along the edge of the settlement limit.

Another key site requirement of the Designation was that access should be taken directly off the Ballyphillip Road rather than through Rockfield Park. The proposed development was also in non-compliance with this key site requirement as access was proposed off Rockfield Park. However, the principle of access from Rockfield for the designation had already been established through the approval of the previous application for 19 dwellings. DFI Roads was also content that the existing road at Rockfield Park met the required standards in order to accommodate the additional traffic.

The general layout of the development met the requirements of policy QDI of PPS7. Housing would front and overlook the area of open space, a landscaped buffer would be provided along the edge of the settlement limit and each dwelling was to have adequate private amenity space and parking in line with the recommended standards. There would also be no unacceptable adverse impact on the amenity of any existing dwellings with back to back separation distances of 20m or greater in line with the Creating Places standard and as the site generally sat at a slightly lower level than the properties in Rockfield, there would be no overbearing impact.

In terms of design, there was a wide variety of different house types and materials and finishes within the immediate area ranging from single storey to two storey. The two storey design of the proposed dwellings with render and stone cladding finishes, would be acceptable within this existing context, being very similar in style to those recently constructed in the northern portion of the designation.

A detailed landscaping scheme had also been submitted with the application. While there were already some existing trees and vegetation just beyond the south-eastern boundary of the site, a new 5m wide landscape buffer was also proposed to provide additional screening and a softer edge to the settlement limit. Approval would also be subject to a condition requiring the communal open space area to be permanently retained and to be managed and maintained in the long term by a management company to be commissioned by the developer.

In terms of the wider impact of the development, there would be no critical or long distance views of the development from within the AONB. The site was well set back from the adjacent public roads and lay on relatively low land as shown on slide 11. A total of 14 objections from 6 separate addresses had been received in relation to the application. The main concerns raised included:

- Impact on wildlife
- Impact on drainage and flooding
- Traffic impact
- Impact on sewerage infrastructure
- Impact on privacy and daylight
-

All of these concerns had been considered in detail in the Case Officer's report and all of the statutory consultees are also content with the proposal subject to the recommended conditions set out in the planning report.

In summary, the Planning Department was satisfied that the proposed residential development met all of the relevant planning policy requirements contained within the SPPS and Planning Policy Statement 7. While the proposal did not meet two of the key site requirements for Housing Designation HPA3, as outlined, it was considered that this was outweighed by other material planning considerations and the proposal would result in no significant departure from the Plan.

All of the statutory consultees were content with the proposal subject to the recommended conditions as set out in the planning report.

RECOMMENDED that Council grants planning permission.

Alderman McIlveen noted in the PAC history that access had previously been barred through Rockfield Park whilst the Planning Committee had deemed it acceptable. He was curious as to what reasoning had led to that result. The Planning Manager advised that she had reviewed the report submitted to the Planning Appeals Commission and found no specific objections. She confirmed that the DfI was satisfied that the existing road could accommodate the access and that it met the required standards. Alderman McIlveen remarked that it seemed an odd condition to include. The Planning Manager explained that if access had been taken from Ballyphillip Road, it would have necessitated the demolition of four or five houses, making Rockfield Park the more logical option. Alderman McIlveen added that while he was generally reluctant to go against what was stated in the plan, he could not see a clear reason for the condition.

Councillor McCollum raised concerns about a pond that previously contained open water but now appeared dry, asking about potential ecological and health and safety impacts should it fill with water once again. The Planning Manager clarified that although the area had once been a pond, there had been no visible water in recent years. An ecological survey had identified the area as marshy land rather than a pond. There would be no physical access through this area, as the pond lay outside the site boundary and a five-metre-wide planting belt had been proposed.

Councillor Kendall queried why a 25-metre buffer zone had been chosen for the protection of badger setts, noting that most guidance recommended 30 metres. The Planning Manager explained that the 25-metre buffer had been recommended by NIEA Natural Heritage. She was unsure whether the recommendation depended on the size or number of setts, but confirmed that the ecologist had complied with NIEA's request.

Proposed by Alderman McIlveen, seconded by Councillor Morgan, that the recommendation be adopted.

Alderman McIlveen was content with the presentation and report, as was Councillor Morgan. However, Councillor Kendall asked that it be noted she was not in support of the proposal. As such, the Chair, Councillor McClean advised the Committee would enter a vote.

The proposal was put to the meeting and declared CARRIED with 14 voting FOR, 1 voting AGAINST, 1 ABSTAINED and 0 ABSENT.

FOR (14) Aldermen Graham McAlpine McIlveen McDowell Smith	AGAINST (1) Aldermen	ABSTAINED (1) Aldermen	ABSENT (0) Aldermen
Councillors Cathcart Hennessy Harbinson Kerr McCollum McKee Morgan Smart Wray	Councillor Kendall	Councillors McClean	Councillor

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor Morgan, that the recommendation be adopted, and that planning permission is granted.

[Alderman McIlveen left the meeting at 20:13 due to a Declaration of Interest in Item 4.4]

4.4 LA06/2024/0242/F - The Spar, 2 Saintfield Road, Ballygowan

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Comber

Committee Interest: Six or more representations contrary to the officer's recommendation

Proposal: Proposed extension and alteration of car park including demolition of no.23 Church Hill Park.

Site Location: Spar, 2 Saintfield Road, Ballygowan

Recommendation: Grant Planning Permission

The Planning Manager (A Todd) explained that Item 4.4 sought full planning permission for the demolition of 23 Church Hill Park and the extension and alteration of the existing car park at The Spar, 2 Saintfield Rd, Ballygowan.

The application had been recommended for approval and was being presented to Planning Committee as six or more representations contrary to the Officer's recommendation had been received.

The site occupied a central location within the village of Ballygowan. There was a mix of uses within the immediate area including a retail unit, bus depot and car sales yard opposite and housing to the immediate East and South-East. The site encompassed the existing Spar retail unit, petrol filling station and dwelling at 23 Church Hill Park and had both a vehicular entrance and exit onto the Saintfield Road along with 14 existing car parking spaces.

In terms of the development plan context, the site was not zoned for any particular use nor was it subject to any designations. Regional planning policies relevant to the assessment of the proposal included the SPPS, PPS2 Natural Heritage and PPS3 Access, Movement and Parking.

The application proposed the demolition of the end terrace dwelling at No. 23 Church Hill Park as shown on the existing site layout. The demolition of the dwelling would facilitate the extension of the existing Spar and petrol filling station car park which would provide 10 additional parking spaces bringing the total number to 24. No works were proposed to the existing Spar building itself.

Slide six provided Members with views of the original proposed site layout which included a pedestrian link from the extended car park through to Church Hill Park. This pedestrian link had been removed at the request of the Planning Department as it was considered that this would result in an unacceptable impact on the amenity of existing residents by way of disturbance and loss of privacy.

A further slide showed the amended site layout plan with the pedestrian link removed. Instead, a 2.1m high retaining wall was to be erected along the boundary along with planting to screen the extended car park area from the residential properties. The SPPS stated, in relation to retail-related development proposals in villages, that they were to be consistent with the aim, objectives and policy approach for town centres and retailing, meet local need and be of a scale, nature and design appropriate to the character of the settlement. The proposed development for a small number of additional parking spaces to serve the existing retail unit, was consistent with SPPS policy in this regard.

The proposal aimed to improve the operation of the filling station and retail unit with the provision of the additional 10 parking spaces. These were much needed at this location with the existing car park regularly reaching capacity particularly at peak times and resulting in overspill parking on the public road.

Policy AMP 7 of PPS3 required that development was served by adequate car parking provision having regard to published standards. The gross retail floorspace of the unit was such that according to the standards requiring 1 space per 14sqm, the site, should have around 23-24 parking spaces. The provision of 10 additional spaces would give a total of 24 spaces, meeting the standards and representing a significant improvement.

The site was not in a Conservation Area or Area of Village Character and, as such, the demolition of No. 23 Church Hill Park was permitted development and did not require planning permission. Slide eight showed the existing and proposed elevations. It was not considered that the proposal would result in any unacceptable adverse visual impact. It was considered that the visual impact of the proposal on the surrounding area would be minimal.

The dwelling proposed for demolition was a small two storey end of terrace unit and it was not considered that its demolition would undermine the overall design or symmetry of the existing terrace in any way.

The gable wall of the adjoining residential unit would be made good following the demolition of No. 23 with a new render finish and works to the roof and eaves. A total of 16 letters of objection from 13 separate addresses had been received from nearby residents. However, 14 of these were submitted in relation to the original proposal which included the pedestrian link through to Church Hill Park with only 2 objections relating to the amended proposal omitting the link. The main material planning considerations raised included:

- Noise and disturbance from building works
- Noise from additional traffic using the car park
- Visual impact of the extended car park
- Loss of privacy to residents in Church Hill Park
-

With regard to potential noise impact, a Noise Impact Assessment was undertaken and submitted with the application. Environmental Health had reviewed the Assessment and were content that the proposal would not result in any unacceptable impact subject to a condition requiring the installation of a 1.8m high acoustic fence

along the party boundary with No. 21 Church Hill Park and a condition restricting the hours of construction activity and deliveries. It was not considered that the proposal would result in any significantly greater traffic noise given the existing established retail use and car park and existing background noise from traffic on the main road.

In terms of potential impact on the privacy of the adjacent dwellings, the extended car park would result in no greater impact. As already outlined, an acoustic fence was to be provided along the boundary with No. 21 similar to the existing fence along the boundary with No. 23. A 2.1m high blockwork wall would also be constructed to the rear of the car park with additional planting which would provide effective screening and privacy to the dwellings within Church Hill Park. As the car park would also sit slightly below the level of Church Hill Park, this would further help to reduce any impact.

In summary, the Planning Department was satisfied that the proposed car park extension met all of the relevant Planning Policy requirements. The extension would provide much needed additional parking for the existing retail unit, reducing the potential for congestion at peak times. Furthermore, the proposal would not result in any unacceptable adverse impact on the character of the area or the residential amenity of adjacent properties. All of the consultees were content with the proposal subject to the recommended conditions as set out in the planning report.

RECOMMENDED that Council grants planning permission.

Speaking in support of the application, Mr David Mountstephen (Agent), Mr William Adams (Property Director, Henderson Group) and Mark Collins (Architect, Collins Rolston) joined the Chamber and were reminded that they had five minutes to speak.

Mr Mountstephen outlined that the details of the proposal had been clearly set out in the planning report. He explained that the current site comprised a shop, forecourt, and car parking, with a residential property adjacent, and that the proposed development would replicate this arrangement. He noted that these uses coexisted at present and would continue to do so. While acknowledging existing operational issues with the car park, he emphasised the investment in a service that played an important role in the area.

He confirmed that the application had been thoroughly assessed, including considerations such as noise, and was deemed capable of operating without causing unacceptable impacts. Conditions had been proposed to address matters such as deliveries and landscaping. Mr Mountstephen recognised the objections raised and explained that changes had been made to the scheme in response, including the provision of a wall with a buffer boundary and a grassed area to help mitigate potential impacts. He stressed the importance of keeping local residents satisfied, adding that the demolition would be carried out by a reputable contractor and completed to a high standard. Mr Mountstephen concluded by commending the recommendation to approve the application.

Speaking next, Mr Adams advised that the Henderson Group had operated the store since June 2021 and had made significant investments since then, including a £450,000 investment associated with the current proposal. He acknowledged the

objections raised and confirmed that the plans had been amended in response. As an experienced developer, Mr Adams emphasised the Group's commitment to ensuring that all parties were confident the project would be delivered to the highest quality standards, noting that an experienced contractor would be engaged to carry out the works successfully and that long-term upkeep, including maintenance of landscaped areas, would be ensured. In conclusion, Mr Adams stated that the development would provide much-needed parking to help alleviate pressures during peak times.

The Chair, Councillor McClean invited questions from Members.

Alderman Smith, as a regular user of the site, acknowledged the existing parking issues and noted that customers would welcome the additional provision. He referred to Mr Mountstephen's earlier comments about engagement with property owners who might be affected by the development, such as the resident of No. 22, and asked whether they had experience with similar projects and how they would reassure those impacted that the work would be carried out to a high standard with minimal disruption to their living environment.

Mr Adams responded that, as an experienced developer, he had delivered over 40 projects across various locations. He explained that a system was in place to engage with those locally affected, including neighbourhood notifications, and that work would be undertaken in accordance with management and construction plans, which were often subject to planning conditions. He noted that while each project was not identical, he had experience managing large-scale demolitions in confined spaces.

Alderman McAlpine was curious whether consideration had been given to using the other side of the site to avoid demolishing houses. Mr Mountstephen replied that the alternative side lay beyond the settlement limit, which was likely the more significant factor making that option unfeasible.

With no further questions, Mr Mountstephen, Mr Adams and Mr Collins returned to the public gallery.

Proposed by Councillor Wray, seconded by Councillor McCollum, that the recommendation be adopted.

Councillor Wray advised that he was familiar with the site's inadequate parking and was pleased that the pedestrian link had been removed as it was an unacceptable impact. With only two objections, the proposed acoustic fence and positive engagement with locals, he was happy to propose.

Councillor McCollum welcomed the parking being extended to meet increased demand and commended the developers for their engagement with the local populace.

RESOLVED, on the proposal of Councillor Wray, seconded by Councillor McCollum, that the recommendation be adopted, and that planning permission is granted.

[Alderman McIlveen returned to the meeting at 20:30]

4.5 LA06/2025/0454/F - Victoria Primary School, 2 Victoria Road, Ballyhalbert

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Ards Peninsula

Committee Interest: Six or more representations contrary to the officer's recommendation

Proposal: Temporary Double Classroom Modular Building, permanent security fencing and associated site works (Retrospective)

Site Location: Victoria Primary School, 2 Victoria Road, Ballyhalbert

Recommendation: Grant Planning Permission

The Planning Manager (J Hanna) explained that Item 4.5 was an application that sought temporary planning permission for the a Double Classroom Modular Building with permanent security fencing and associated site works.

The application was before Planning Committee for consideration as it involved land in which the council had an interest. No objections had been received in relation to the application and consultees were also content and had raised no objection to the proposal.

The site was located within the grounds of Victoria Primary School which was within the settlement limit of Ballyhalbert as designated within the Ards and Down Area Plan 2015. The surrounding area was dominated by a variety of residential properties to the north and west.

Slide three provided a display of the block plan of the development and its siting within the area. Whilst the proposed classroom was set within a school site, beyond its boundaries, there was residential development in close proximity. The dwellings to the south on Victoria Gardens in particular shared a boundary with the site.

Separation distances between the southern edge of the classroom to the shared boundary with No's 06, 08 and 10 was within a range of 5.5m to 6.5m. It was noted that both land uses (i.e. education and residential), had co-existed for a considerable period. The use of the classroom would be limited to the school's operational hours and the boundary was made up of well-established hedge. as, it was not anticipated that the addition of this classroom to the overall site would be of significant detriment to the amenity of neighboring dwellings. The fourth slide illustrated the floorplans of the modular building incorporating two classrooms.

Elevations were shown to Members in the fifth slide which was a typical design that had been employed in other school settings. Given its temporary nature, the proposal was considered acceptable in context of visual amenity.

The next slide demonstrated views of the approach to the front of the school site. The classroom was located to the front of the existing school building facing the main road and was set back approximately 44.4m from the road. There would be no long-distance views of the unit, except when passing directly adjacent along High Street.

It was considered that the development absorbed well into the established school site and would not be of detriment to the character of the area.

Classrooms could be seen in the images on the seventh slide as well as their placement. The area the site was located within would be considered as open space under PPS8. In this instance, OS1 was a material consideration. Under Policy OS1 of PPS8, there was a presumption against the loss of open space. However, an exception was permitted where redevelopment would bring substantial community benefits that would outweigh the loss of open space and it considered that the proposed development would meet this exceptional test as it would provide the school with additional essential classrooms.

In summary, the Planning Department was satisfied that the proposal met the relevant planning policy requirements contained within the SPPS and PPS8. The development would not adversely affect any designated features, nor would it adversely impact on residential amenity or access. Therefore, on this basis it was recommended that temporary planning permission should be approved.

RECOMMENDED that Council grants planning permission.

Councillor Cathcart asked for clarification on why the application had come before the Committee. The Chair, Councillor McClean explained that it was a retrospective application whilst the Principal Planner corrected the Chair and clarified that the site was on land in which the Council had an interest.

Alderman McIlveen queried whether there was a policy reason for limiting the approval to five years, acknowledging that it was a temporary arrangement. The Planning Manager advised that five years was generally the standard timeframe for temporary permissions, although applicants sometimes specified the duration they required. In this case, the school's needs were subject to change, particularly in relation to special education provision, and the temporary nature of the approval allowed for controlled use of the site. He noted that the applicant had not requested a longer period, but if they did so at the end of the five years, the matter would be reviewed at Committee once again.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman McIlveen, that the recommendation be adopted, and that planning permission is granted.

4.6 LA06/2025/0538/F - Bryansburn Rangers Football Club, Ballywooley Playing Fields, Crawfordsburn Road, Bangor

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Bangor West

Committee Interest: Application on land in which the Council has an interest

Proposal: Single storey extension to front and rear of clubhouse and a first floor extension to include a new viewing gallery and balcony

Site Location: Bryansburn Rangers Football Club, Ballywooley Playing Fields, Crawfordsburn Road, Bangor

Recommendation: Grant Planning Permission

The Planning Manager (J Hanna) explained Item 4.6 was an application seeking full permission for a Single storey extension to front and rear of clubhouse and a first floor extension to include a new viewing gallery and balcony.

The application had been brought before Planning Committee for consideration as it involved land in which the Council had an interest. No objections had been received in relation to the application and it had attracted one letter of support. Consultees were content and had raised no objection to the proposal.

The site was located south of the Crawfordsburn Road and was situated within the grounds of Ballywooley Playing Fields. It was outside of any settlement limit as indicated by Draft BMAP 2015 and the North Down and Ards Area Plan 1984-1995. As stated, the use of the site was as a playing field with an existing clubhouse on site and a hardcore area for parking. The majority of the site was surrounded by fields with a group of residential dwellings located across the Crawfordsburn Road to the Northeast.

The fourth slide illustrated the position of the development within the site which was a modest increase in footprint and the existing vehicular access and parking areas were to remain in situ. As this proposal was for an upgrade of facilities already in use by Bryansburn Rangers FC, it was not envisaged that there would be an increase in traffic and would therefore not affect the existing parking provision.

Proposed floor plans and elevations were shown in the fifth slide. The proposals sought to increase the size of team dressing rooms and also provide a first floor extension and balcony. This part of the extension would be visible from Crawfordsburn Road however, would be read as part of the clubhouse and would not cause an unacceptable impact on the visual amenity of the area. It would still benefit from the roadside hedging and trees which provided some screening and assisted integration into the countryside beyond and the proposal did not include any changes to the roadside boundary treatment.

With regard to residential amenity, the proposal would not cause any unacceptable impacts to any neighbouring properties. The closest dwellings were located on the opposite side of the road beyond the vehicular access into the sports ground at 136-144 Crawfordsburn Road, with the closest dwelling being approximately 88m away from the clubhouse. This was considered to be an acceptable separation distance so as not to be directly impacted.

Members were shown photos of the site on the seventh slide. As the site was part of a Playing Field, the provisions within PPS8 were material. Policy OS1 of PPS 8 sought the protection of open space and prevent its loss. As the proposal was to maintain, support and improve the existing use of Ballywooley Park as a football pitch, and sustain its future use, it was in line with strategic policy objectives. The proposed development would not encroach onto the football pitch and would not result in any loss of open space.

Policy OS3 was also material to the consideration of the application, stipulating that proposals for outdoor recreational use in the countryside would be permitted where all criteria was met. The development was considered to meet all criteria as detailed within the case officer report.

In summary, the Planning Department was satisfied that the proposal met the relevant Planning Policy requirements contained within the SPPS and PPS8. The development would not adversely affect any designated features, nor would it adversely impact on residential amenity or access.

RECOMMENDED that Council grants planning permission.

Proposed by Councillor Cathcart, seconded by Councillor Harbinson, that the recommendation be adopted.

Councillor Cathcart recalled that in 2024-25 during his Mayoral year, he had been invited to the Club to celebrate its 50th anniversary at which the Club had discussed its plans with enthusiasm. He was pleased to see it had succeeded and congratulated the Club. Councillor Harbinson concurred with Councillor Cathcart's statement.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Councillor Harbinson, that the recommendation be adopted, and that planning permission is granted.

5. DRAFT RESPONSE TO DFI CONSULTATION ON PLANNING FEES

PREVIOUSLY CIRCULATED:- Report from the Director of Place and Prosperity which explained that the Council had responded to the Department for Infrastructure's (DFI) consultation on 'The Review of the Implementation of the Planning Act (NI) 2011' in April 2021 (see Item 7 of meeting of Planning Committee 13 April 2021).

The final page of that response highlighted the need for the current fees as set by central government to be overhauled immediately to properly reflect inflation and the costs to councils and to bring us into line with other jurisdictions whereby the planning service should be cost neutral. Further, that fees should include Discharge of Conditions and Non-Material Change applications among other work which is currently non-fee attracting but which must be managed in parallel with planning application caseloads.

Review of the Implementation of the Planning Act (NI) 2011 Report (RIPA)

The RIPA was published in January 2022 and DFI considered there was merit in reviewing planning fee categories and the fees themselves to establish if they remain fit for purpose and cover the costs of processing planning application in line with the requirements of Managing Public Money.

Northern Ireland Audit Office Report on Planning in NI (Feb 2022)

Recommendation 9 emerging from the above Report was *that the Department and councils work in partnership to ensure that the planning system is financially sustainable in the longer term* (See Item 6 of Planning Committee meeting of 01 March 2022).

Addressing Financial Stability of Planning Report (Nov 2023)

The Head of Planning previously brought a report to Planning Committee (Item 12 of meeting of 07 November 2023 – copy attached) which set out an explanation of a Discharge of Condition and a Non-Material Change. The purpose was to seek Council approval to introduce fees for these categories of work, subject to legal advice on legislative provision. Unfortunately, it was not possible to proceed in light of the lack of legislative provision, and the legal advice was that to try and introduce then could lead to challenge.

DFI Public Consultation on Review of Planning Fees

As part of the second phase of the Northern Ireland Planning Improvement Plan, DFI, in conjunction with local councils, had been scoping the challenges and opportunities around increasing levels of cost recovery to support the longer-term financial sustainability of the planning system, in response to the NIAO recommendation.

As such, it had published the attached consultation which focused initially on proposed introduction of fees for Discharge of Conditions and applications for Non Material Changes to planning approvals.

Within the consultation, DFI suggested the following set charges:

Non-material Change	Discharge of Condition
£130	£115 (to discharge as many conditions as may be submitted at one time.)

Members were asked to note the detail proposed in Item 12 attached in relation to charging – set out below.

Non-material change	Discharge of condition
£35 (householder application)	£35 (householder application)
£200 (all other)	£100

The consultation also invited comments on other elements of Planning for which was no fee attracted at the time of writing.

Officers had reviewed the consultation and drafted a response as appropriate.

RECOMMENDED that Council approves the attached response to the DFI Consultation on Planning Fees to be submitted by the closing date of 23 December 2025.

Initially, Councillor Wray proposed that the recommendation be adopted, seconded by Councillor Morgan who wished to do so with a caveat, that Council look toward how any additional fees would be used for planning service improvements to householders and developers.

The Principal Planner explained that the matter had originated as a consultation from the DfI, which included a set of questions that had been completed and were being submitted to the Committee for review. She noted that any changes to the proposal would need to go through DfI, and the Council would have limited authority in terms of imposing additional charges.

The Chair, Councillor McClean responded positively, expressing support for the spirit of Councillor Morgan's comments and asked whether she would be happy to liaise with Planning or if there was an intention to make a formal amendment to this evening's proposal. As there was no indication, the Chair asked for a seconder to Councillor Wray.

Proposed by Councillor Wray, seconded by Councillor Cathcart, that the recommendation be adopted.

Councillor Cathcart asked, in terms of increased fees, what may be expected regarding improvement of the planning system and services.

The Principal Planner explained that this was the paper-based element of the improvement programme, which had progressed to step two. The aim was to identify ways to make the planning system financially sustainable. She acknowledged the need for fees, such as those for discharging applications, but felt the current fee level was insufficient. She also noted disagreement with DfI's proposal for a single flat fee regardless of the number of discharges, arguing that discharges could not be compared with non-material changes due to the different processes involved.

Discharge applications required consultation responses and were more labour intensive. These points were outlined in the formal response, which also addressed the question raised by Councillor Morgan regarding other areas where charges might be imposed. Officers had contributed to the response, suggesting charges for repeated site visits, meetings, and office consultations beyond those already held with agents. The Principal Planner added that the team continued to explore ways to raise revenue outside the legislative process, referencing a paper brought forward a few months earlier that increased service administration costs. She concluded by noting that legislative boundaries still had to be respected.

Councillor Cathcart commented on large applications involving non-material changes, expressing hope that better quality applications would emerge. He suggested that professionalising the PAD process could lead to improved qualifications and standards. He noted that if Officers spent less time on applications that attracted no fees, it would free up resources for other cases. Councillor Cathcart added that the proposed charging structure aligned with practices across the UK and had been discussed extensively over the years. In his view, most people would be willing to pay if it resulted in a more streamlined and efficient planning system, and he believed service improvements could be achieved through appropriate fees.

Alderman McIlveen remarked that planning fees remained behind those of other jurisdictions due to the lack of previous increases. Referring to question 8, he asked whether there had been any indication that, similar to public sector rental models using CPI plus 1%, a percentage uplift could be applied over a number of years to help realign fees, or whether the current year was considered a new baseline from which inflation would be applied going forward.

The Principal Planner responded that the Council was dependent on the DfI to notify them of any fee increases. She noted that there had been few such increases since the transfer of powers, and when they did occur, they were often below what was needed. There had been a one-off fee introduced in 2018, but the Council continued to lobby DfI through meetings at the Strategic Planning Group. She emphasised that while they followed DfI's direction, they consistently responded to say the increases were insufficient in light of inflation.

Alderman McIlveen stressed that service improvements could only be achieved if the system was adequately funded. He highlighted the staffing gaps in local authority planning teams, which made it difficult to attract new planners and contributed to delays and increased workloads.

He reiterated the need to align fees with those in other jurisdictions and suggested that the Council's response could be strengthened by explicitly requesting a process for fee alignment. Alderman McIlveen asked whether there had been any indication of such alignment. The Principal Planner was not aware of any but agreed to include that point in the response.

Councillor Kendall agreed with previous speakers, noting the ongoing challenges related to resourcing. She raised the issue of fees associated with Tree Preservation Orders (TPOs), particularly in the context of encouraging tree retention and community involvement and questioned whether a fee had been sourced for this.

Whilst acknowledging the rationale for charging due to officer time, Councillor Kendall also expressed concern that if the fee was not set at the right level, individuals might avoid paying it and proceed with unauthorised tree works. The Principal Planner advised that there should indeed be a fee for processing such applications, given the additional Officer time involved. She explained that the Tree Officer also handled consultation responses for planning applications and had a broad remit; it was not uncommon to pay service fees in other areas. She added that unauthorised works on TPO-protected trees carried serious consequences, as any breach or unauthorised removal constituted a criminal offence. While the Principal Planner could not confirm the exact fee, she estimated it might be in the range of a few hundred pounds, though this was purely speculative.

Councillor Morgan stated that she had no objection to charging appropriate fees but emphasised the need for clear evidence that such charges would lead to improved service, expressing concern that this evidence had not yet been provided, noting that the last report on the improvement plan had shown little progress. While supportive of the idea of a sustainable planning system and appropriate charges, Councillor Morgan questioned whether this was the right time to introduce them. She suggested

that a report should be produced outlining how any additional funds would be used, whether by the Council or the DfI, to ensure service improvements rather than simply increasing revenue.

Councillor Morgan was supportive of aligning costs with those in England and Wales but pointed out that in England, the target processing times were eight weeks for household applications and thirteen weeks for more complex ones. If higher fees were to be introduced, she argued, the system would need to improve accordingly. Her criticism was directed at the broader planning system rather than the local planning authority of Ards and North Down. She highlighted ongoing issues such as the shortage of Planning and Tree Officers, which required long-term investment.

She also voiced strong opposition to the idea of charging fees for submitting objections or requesting enforcement action, stressing that these were integral to the democratic process and already covered by ratepayers.

Councillor McCollum expressed general support for extending the range of services for which fees could be applied. However, she noted that delays in finalising planning applications often stemmed from statutory consultees rather than the planning authority itself. Councillor McCollum was concerned about the potential for fees to be charged for meetings requested by agents or applicants who were anxious about the process, particularly when the underlying issues were the responsibility of other agencies. She felt it would be inappropriate to impose charges in such cases.

The proposal was put to the meeting and declared PASSED with 13 voting FOR, 1 AGAINST, 1 ABSTAINED and 1 ABSENT.

FOR (13) Aldermen Graham McAlpine McIlveen McDowell Smith	AGAINST (1) Aldermen	ABSTAINED (1) Aldermen	ABSENT (1) Aldermen
Councillors Cathcart Hennessy Harbinson McClean McCollum McKee Smart Wray	Councillor Kendall	Councillors Morgan	Councillor Kerr

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor Cathcart, that the recommendation be adopted.

6. UPDATE ON PLANNING APPEALS

PREVIOUSLY CIRCULATED:- Report from the Director of Place and Prosperity which explained that: the following appeal was dismissed and the Enforcement Notice upheld on 3 October 2025.

PAC Ref	2024/E0044
Council Ref	LA06/2021/0144/CA
Appellant	William & Helen Wylie
Subject of Appeal	Alleged 1. unauthorised ancillary building; 2. unauthorised wooden pergola; 3. unauthorised extension of domestic curtilage which includes concrete path; 4. unauthorised building; 5. unauthorised building; 6. unauthorised shelter; 7. unauthorised laying of hardstanding laneway
Location	Land at 107 Comber Road, Newtownards

- This appeal was brought under grounds (a) [deemed planning application], (b), (c) and (e) of section 143 (3) of the Planning Act (Northern Ireland) 2011.

- **Ground (b) asserts that the breach has not occurred.**

The appellant withdrew Ground (b) at the hearing.

- **Ground (c) states that if the matters have occurred they do not constitute a breach of planning control.**

In relation to the hardcore laneway the appellant stated that as this was beyond the residential curtilage, which was established under LA06/2024/1040/CLEUD - certified the appellant's dwelling as lawful on 06/12/2024, it remained in agricultural use where he had rights and was therefore agricultural permitted development. However, the Commission did not accept this view nor that it was necessary for the purposes of agriculture. Therefore, it is not permitted, and ground (c) of appeal fails.

- **Ground (e) states that copies of the Enforcement Notice were not served properly.**

The Commissioner was not persuaded by the evidence submitted by the appellant under this ground and referred to the requirements under section 24(2)(e) of the Interpretation Act 1954, which the Council had met. The PAC did not accept the appellant's view that they had been prejudiced and considered the appeal under ground (e) failed.

- **Ground (a) states that planning permission ought to be granted.**

Firstly, the PAC found that there was not an active and established agricultural business for more than six years as required by PPS 21 Policy CTY 12.

Appellant initially submitted LA06/2022/0445/F for an extension to the residential curtilage and retention of ancillary buildings, which were to be domestic. This was subsequently withdrawn when it was to be refused. The appellant stated that since this date circumstances had changed, and buildings were now used to house chickens and approximately 40 sheep.

The PAC was not persuaded by appellant's argument that the buildings were required for the welfare of the animals, and he could be criminally prosecuted if they had to be removed – therefore it was not deemed an exception to the policy under CTY 12. Additionally, the most substantial building was only in partial use for agriculture, and the PAC concluded the appeal development was not necessary for the efficient use of the agricultural holding. As the EN development did not meet the requirements of policies CTY 1 and 12 of PPS 21 the first and second reasons for refusal were sustained.

The PAC found that under policy CTY 13 the appeal development does not integrate harmoniously with its surroundings and appears obtrusive, within LLPA 5 (Scrabo Tower & Landform) & Strangford & Lecale AONB, with the third reason for refusal sustained.

The Commissioner considered the expansive appeal development suburbanised in form not respecting the existing pattern of development and further eroding the rural character due to build up as set out in policy CTY 14. The 4th reason for refusal was sustained.

The PAC found that given the open views possible from Comber Road, the expansive development is inappropriate in design, size and scale within the relatively flat landscape and is not sensitive to the special character of the area. The fifth reason for refusal was sustained.

Finally, the sixth reason was not sustained as information was submitted demonstrating that the appeal development would not likely harm protected species including badgers and their setts, with NIEA content.

The appellant's argument that one of the appeal buildings could not be removed in case it caused damage to a close badger sett, was not accepted by the PAC, given that the construction of the building was judged not to have damaged the badger sett with no substantial evidence presented that careful removal of the building would cause such damage.

- The PAC concluded that as the unauthorised development fails all appeal grounds the Enforcement Notice is upheld.

2. The following appeal was dismissed and the Enforcement Notice upheld on 01 October 2025:

PAC Ref	2018/E0010
Council Ref	LA06/2016/0187/CA
Appellant	Ian Walsh
Subject of Appeal	The alleged 1. Alleged unauthorised change in the use of the land from quarrying to a mixed use comprising processing and quarrying; 2. Alleged unauthorised erection of an earthbund; 3. Alleged unauthorised erection of a weightbridge; Alleged unauthorised erection of a portaloo;

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	Alleged unauthorised erection of a portacabin; Alleged unauthorised erection of a storage container; 4. Alleged unauthorised development of an area of hardstanding; and 5. Alleged unauthorised use of an area of hardstanding for parking.
Location	Land at Fishquarter Quarry located on Coulters Hill Lane between Parsonage Road and Rubane Road, Kircubbin

- An appeal was brought on Grounds (a), (c), (d), (e), (f) and (g) as set out in Section 143 (3) of the Planning Act (Northern Ireland) 2011.
- As a background - A hearing took place on 27 September 2018 to consider the legal grounds of appeal against the Enforcement Notice only.
- The then Commissioner issued an enforcement appeal decision on 30 October 2018 which considered Grounds (c) and (d), which was then challenged by way of Judicial Review in both the High Court and the Court of Appeal. The Court of Appeal issued its judgement in December 2020, which upheld the decision of the Planning Appeals Commission.
- This left the remaining parts of the appeal to be assessed.
- Ground (a) and the deemed application – paragraphs 27 – 44 of the attached decision set out the Commission's consideration of the elements listed as bullets in the table above. In considering that the identified elements should be approved, the Commissioner did not have to consider the remaining grounds of appeal.
- The appeal decision set out conditions of the approval, and details of the amended Enforcement Notice.
- This brought to a close the long running enforcement case, which had been reported previously to Committee.

3. The following new appeals had been received since the last report:

PAC Ref	2025/A0073
Council Ref	LA06/2025/0228/O
Appellant	Philip Kerr
Subject of Appeal	Refusal of planning permission for a Replacement dwelling
Location	13A (approximately 500m North East of No. 13) Cunningburn Road, Newtownards

PAC Ref	2025/L0004
Council Ref	LA06/2025/0189/CLOPUD
Appellant	Alannah Savage

Subject of Appeal	Refusal of Certificate of Lawfulness regarding Proof of Commencement of works for dwelling – X/2008/0101/RM
Location	140m South of Loughdoo Road, Kircubbin

PAC Ref	2025/A0079
Council Ref	LA06/2023/1556/O
Appellant	William Gilmore
Subject of Appeal	Refusal of planning permission for a Dwelling on a Farm
Location	50m NE of 51 Kempe Stones Road, Newtownards

PAC Ref	2025/A0076
Council Ref	LA06/2025/0388/O
Appellant	Castlesaint LLP
Subject of Appeal	Refusal of planning permission for 8no. apartments with associated carparking and landscaping
Location	Land south of 1-17, NE of 2 and SE of 4 Rockfield Meadows, Carrowdore

Details of appeal decisions, new appeals and scheduled hearings can be viewed at www.pacni.gov.uk.

RECOMMENDED that Council notes the report and attachments.

AGREED TO RECOMMEND, on the proposal of Alderman Graham, seconded by Councillor Smart, that the recommendation be adopted.

7. DFI TO CHIEF EXECUTIVES LETTER OF 21 OCTOBER 2025 ON REVISIONS TO THE REGIONAL POLICY FRAMEWORK FOR THE TWO-TIER PLANNING SYSTEM

PREVIOUSLY CIRCULATED:- Letter from DfI to the Chief Executive

RECOMMENDED that Council notes the letter.

AGREED TO RECOMMEND, on the proposal of Councillor McCollum, seconded by Councillor Smart, that the recommendation be adopted.

TERMINATION OF MEETING

The meeting terminated at 20:59.

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2024/0623/F	DEA: Bangor Central	
Proposal:	Demolition of existing dwellings, erection of supermarket, provision of access, car parking, landscaping, and associated site works (Relocation of existing Lidl supermarket from No 97 Bloomfield Road. Existing building to be retained but retail use to be extinguished).		
Location:	1-15 (odds) Skipperstone Park, 11-33 (odds) Skipperstone Avenue, 1-6 Skipperstone Gardens, and 100-122 (evens) Bloomfield Road South, Bangor		
Applicant:	Lidl Northern Ireland		
Date valid:	31/07/2024	EIA Screening Required:	Yes
Date last advertised:	16/10/2025	Date last neighbour notified:	29/07/2025
Letters of Support: 0	Letters of Objection: 10 (from 4 addresses)	Petitions: 0	
Consultations – synopsis of responses:			
DFI Rivers		No Objection subject to conditions	
DFI Roads		No Objection subject to conditions	
Environmental Health		No Objection subject to conditions	
NI Water		No Objections	
Council Tree Officer		No Objections	
NIEA WMU		Negative Condition	
NIEA Regulation Unit		No Objection subject to conditions	
NIEA NED		No Objection subject to conditions	
Summary of main issues considered:			
• Principle of development • Design, visual impact and impact on the character and appearance of the area • Impact on residential amenity • Flood risk and drainage • Access, road safety and parking • Loss of existing Open Space • Retail Impact Assessment • Sequential approach for main town centre uses • Use of existing Lidl site			

• Impact on water and sewerage infrastructure
Recommendation: Grant Planning Permission
Report Agreed by Authorised Officer
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal.
1. Site and Surrounding Area
The application site is located within the settlement limit of Bangor on lands to the south of the Bloomfield Road roundabout and west of Bloomfield Road South. The site is located on land shown as whiteland in the extant North Down and Ards Area Plan (NDAAP) and the draft Belfast Metropolitan Area Plan (BMAP). The site, upon which the supermarket is to be located, occupies an area of approximately 1.15 hectares and is currently occupied by vacant residential properties. These bungalows are grouped in blocks of three or four houses and are finished with rough cast render or red brick walls and concrete roof tiles. The site generally falls from south to north and west to east, with those dwellings to the north, south and east of the site being relatively level with the adjacent roads. Those dwellings to the west of the site are located at a lower level than the road, with concrete steps leading down to the front of the houses and providing access to the rear. All the dwellings have grassed areas directly to the front of the houses with the occasional tree. Red brick walls and wooden gates previously prevented access to the rear of the dwellings, although many of these gates have now been removed. The southern most group of three dwellings are separated from the others by a footpath between Skipperstone Avenue and Bloomfield Road South. The dwellings exhibit an informal layout and are clustered around a shared communal amenity area. This communal area within the centre of the site was overgrown at the time of my site visit. A telegram post is also located within this grassed area. The site is secured by Heras metal security fencing. The dwellings along Skipperstone Park and Skipperstone Avenue which overlook the site, are all single storey and of the same finishes as the houses within the site. The dwellings outside the site to the south, west and southwest, all have shared communal amenity areas to the rear of the properties. To the north of the site, there is a grassed area with some trees between the dwellings and South Circular Road. To the east of the site, on the opposite side of Bloomfield Road South, there is an off-sales, public house and car wash. The existing Lidl supermarket is located north of the dwellings, on the opposite side of the Bloomfield Road roundabout. The supermarket is finished with rendered walls and

zinc cladding, red roof tiles and signage on two sides. The supermarket and car park both sit below road level, with retaining walls and grass banks adjacent to the road.

2. Site Location Plan

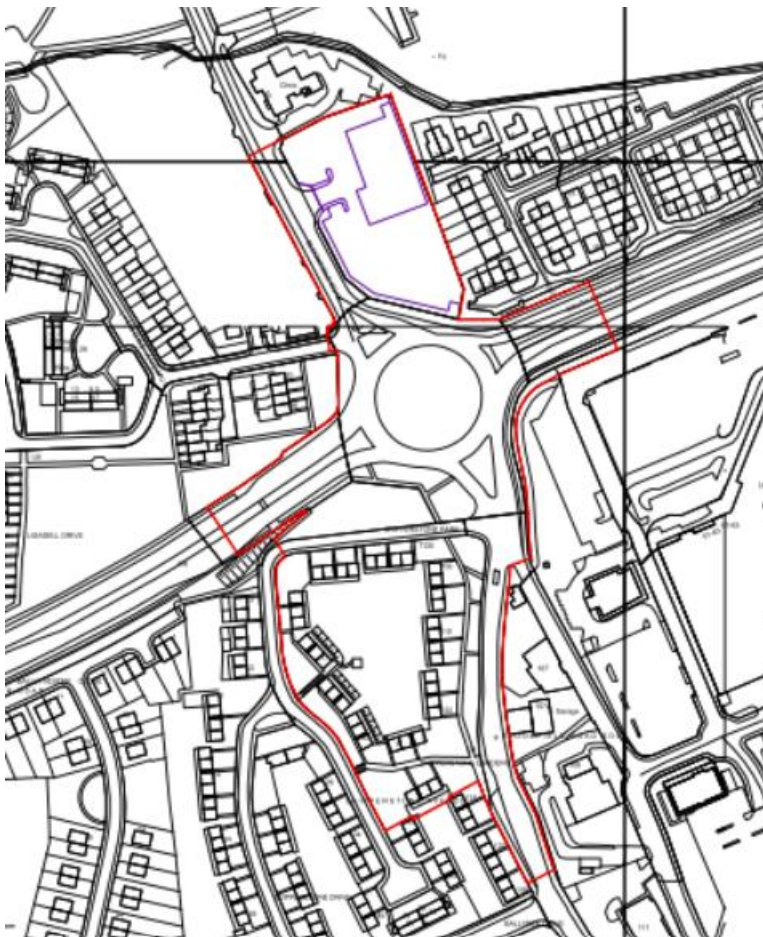


Figure 1 – Site Location Plan



Figure 2 – Aerial View of Site and Surroundings

3. Relevant Planning History

Site

LA06/2024/0084/PAN - Demolition of existing dwellings, erection of discount supermarket, provision of access, car parking, landscaping, and associated site works (Relocation of existing Lidl supermarket from No 97 Bloomfield Road to west of Bloomfield Road South and south of Skipperstone Park. Existing building at No 97 Bloomfield Road to be retained but retail use to be extinguished) – PAN acceptable (21/02/2024).

101 – 107 Bloomfield Road South, Bangor

LA06/2023/2296/F - Demolition of existing buildings and provision of 20no. electric vehicle ("EV") charging units, electrical infrastructure and all associated infrastructure (including hard and soft landscaping, height barrier, CCTV, drainage and lighting columns) (29/03/2024).

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan (NDAAP)
- Draft Belfast Metropolitan Area Plan (BMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)
- Planning Policy Statement 3: Access, Movement & Parking
- Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
- Planning Policy Statement 13: Transportation and Land Use
- Planning Policy Statement 15 (Revised): Planning and Flood Risk

Planning Guidance:

- Creating Places
- Living Places
- DCAN 15 – Vehicular Access Standards

Legislative Requirements

Proposal of Application Notice (PAN) and Consideration of Pre-Application Community Consultation (PACC) Process

As the proposal falls within the category of major development as outlined in The Planning (Development Management) Regulations (Northern Ireland) 2015, this proposal was subject to legislative requirements to carry out pre-application community consultation prior to submission of the planning application. A PAN was submitted to the Council on 25 January 2024. The Council wrote to the applicant on 21 February 2024 confirming that the PAN submission was acceptable. The current planning application was submitted to the Council on 15 July 2024, more than 12 weeks after receipt of the PAN, as required by Section 27 of the Planning Act (Northern Ireland) 2011 ('the Act').

In accordance with Section 28 of the Act, a Planning Application Community Consultation (PACC) Report was submitted with the application. The report satisfactorily outlines how community consultation was carried out in accordance with the requirements of Section 27 of the Act and Regulation 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 ('the DM Regs').

The PACC states a number of responses were received and these came from local residents attending the public consultation event which was held on 19th March 2024 between 4.30pm and 6.30pm at the existing Lidl store.

The PACC Report on page 8 details the issues raised by those attending the public consultation event – none of which appeared to be in relation to the principle of development, but rather in relation to pedestrian linkages which have been addressed in the application as submitted.

Having reviewed the PACC Report, I am satisfied that the PACC was meaningful and in accordance with statutory requirements and current best practice. The PACC resulted in amendments to the proposal where possible in response to concerns raised.

Design and Access Statement (DAS)

As the proposal involves major development, a DAS has been submitted in accordance with the legislative requirements of the Act and The Planning (General Development Procedure) Order (Northern Ireland) 2015.

The submitted statement provides an analysis of the existing site conditions and surrounding context. The statement identifies the constraints which limit expansion on the existing site and opportunities that are provided by the proposal site. The statement outlines the design principles and concepts that have been applied to the development. The key design principles set out in the DAS are summarised as follows:

- The larger store means products can be stacked at a lower density, making them more accessible to all, including the elderly and mobility impaired;
- Additional storage space ensures deliveries are kept to a minimum, improving sustainability of store;
- The proposed store is set back from Bloomfield Road South to allow sufficient room for access;
- The store roughly follows the existing building line along Bloomfield Road South;
- The proposed store will have a crisp modern appearance including finishes of white render and metallic cladding;
- The proposed store will be located at a lower level than Skipperstone Avenue to ensure it is not prominent;
- 147 car parking spaces, 2.7m wide, are larger than standard (2.4m wide) to ensure good accessibility;
- Disabled spaces in close proximity to the proposed store entrance and other access feature such as dropped kerbs, level accesses and pedestrian crossings;
- The provision of 2no. electric vehicle charging spaces and 8 cycle spaces;
- The provision of over 100 new trees and new hedging and shrubs;
- Roof mounted PV panels to generate renewable energy.

Environmental Impact Assessment

A determination was carried out upon receipt of the application under Regulation 12(1) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as to whether the proposal would be EIA development. Based on the submitted information provided by the applicant, the Planning Department determined that the proposal was not considered to be EIA development and as such did not need to be accompanied by an Environmental Statement.

Assessment

Principle of Development

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Court of Appeal declared the adoption of the Belfast Metropolitan Area Plan 2015 (BMAP) to be unlawful on 18 May 2017. The North Down and Ards Area Plan 1984 - 1995 (NDAAP), despite its vintage, operates as the LDP for the area the site lies in. A further consequence of the Court of Appeal judgment is that the draft BMAP, published in 2004, is a material consideration in the determination of the application.

The site for the proposed supermarket lies within the development limit for Bangor and is identified as whiteland in both the NDAAP and draft BMAP. The NDAAP at section 13.7 states that new development should be carefully designed to respect the scale and character of existing buildings, using sympathetic building materials and should respect existing street patterns, landmarks, topographical and other features which contribute to the character of each town.

Section 9.7 of the NDAAP states that in assessing applications for commercial development outside established town centres, the Department's aim will be to strike a balance between the needs of the district population and the need to protect town centres from developments which might seriously impair their viability.

It is important to note that the existing Lidl store situated across the roundabout was approved by the Planning Appeals Commission (PAC) under 2000/A281 (application reference W/2000/0143/O) on appeal against the non-determination of an application for planning permission for a local food store with associated car parking at the site of the former Elim Pentecostal Church, Bloomfield Road, Bangor. That application was considered under PPS 5 – Retailing and Town Centres, and the then Department of the Environment considered the application should be refused for three reasons based on that PPS. The PAC did not sustain any of the Department's proposed reasons for refusal and the appeal was allowed. It was followed by approval of reserved matters in August 2003.

PPS 5 was cancelled by the publication of the SPPS in 2015.

This site is located c1300m from the town centre boundary, and the proposed site is located c75m further away from the town centre boundary.

The draft BMAP Retail Strategy states proposals for convenience retailing above 500 square metres gross floorspace will be directed to designated district centres in line with Policy R 5 – District Centres. However, objections were received to both the BMA Retail Strategy and Policy R 5. Following the draft BMAP public inquiry, the Planning Appeals Commission (PAC) recommended Policy R 5 be omitted from the plan.

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

Given the site’s location within the settlement limit of Bangor, it is considered that the principle of development is acceptable subject to complying with all policy requirements including those relating to retail. The retail impact of the proposed development will be considered in detail in the subsequent sections of this report.

Retail Impact Assessment

The Strategic Planning Policy Statement for Northern Ireland ‘Planning for Sustainable Development’ (SPPS) explains at paragraph 6.270 that “The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS”.

Paragraph 6.273 states planning authorities must adopt a town centre first approach for retail and main town centre uses. Paragraph 6.280 states that a sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date LDP. Where it is established that an alternative sequentially preferable site or sites exist within a proposal’s whole catchment, an application which proposes development on a less sequentially preferred site should be refused.

Paragraph 6.281 requires applications for main town centre uses to be considered in the following order of preference (and consider all of the proposal’s catchment):

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

Regarding ‘retail impact’, the SPPS seeks to sustain Northern Ireland’s vibrant town centres through the provision of paragraph 6.283 which require “All applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location and are not in accordance with the LDP should be required to undertake a full assessment of retail impact as well as need”

The proposed replacement supermarket has a gross internal floor area of 2560sqm and a net sales area of 1742sqm of which 1,463sqm is for the sale of convenience goods with 279sqm for the sale of comparison goods. This represents an increase of 562sqm convenience and 183sqm of comparison floorspace in relation to the existing store which is proposed to be relocated from its current location. The below table sets out the floorspace details for ease of reference:

	Existing store (sqm)	Proposed store (sqm)	Increase (sqm)
Convenience floorspace	901	1,463	562
Comparison floorspace	96	279	183
Total net sales floorspace	997	1,742	745
Gross internal floorspace	1,276	2,560	1,284

The proposal relates to a named operator in Lidl, who are already operating at the existing site and from other locations within the Borough. It should be noted however, that any planning permission cannot be linked to an operator, rather the scale and nature of retailing can only be linked to the site. Thus, if permission was granted, any operator could trade from the retail unit subject to compliance with any conditions deemed appropriate.

The site is outside any designated retail centres identified within both the draft BMAP and North Down and Ards Area Plan. It is therefore sited in an ‘out of centre’ location.

Accordingly, in keeping with 6.290 of the SPPS, the applicant is required to address the following factors in a retail impact and assessment of need:

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

The applicant submitted a Retail Impact, Need and Sequential Assessment (RINSA) with the application in which they addressed each of the above. The Council instructed Nexus Planning, independent retail planning specialists, to provide retail policy advice

in respect of this planning application. This includes an evaluation of the RINSA provided, the findings of which are set out below.

Catchment Area

The RINSA explains that defining a catchment area is a matter of judgment and that, in doing so, the applicant has had regard to a number of factors including the nature of the application proposal itself, as well as the size, type and geography of similar stores.

The RINSA then explains how the Lidl business model impacts their likely catchment area as the “more limited offering affects the distance people are willing to travel to shop there” and that this is generally 10 minutes in urban contexts such as this site. The RINSA also explains that the proximity of other discount stores with a similar offer is also relevant and that, in the absence of any Aldi stores in Northern Ireland, “proper regard should be had to the location of other Lidl stores as there are no other deep discounters with the same offering”.

Nexus, in their consideration of the RINSA, state they are mindful that a catchment area serves two purposes. Ostensibly, it defines the area within which the application proposal is expected to derive the majority of its custom. Secondly, it can also be used to define the extent of the search for sequentially preferable sites (see Sequential Assessment below). It should not be the purpose of defining a catchment area, to deliberately obfuscate the potential search area for sequential sites. Equally, an applicant should not have to extend their catchment area beyond that which is reasonable in terms of defining where the proposal would attract the majority of its trade.

In this case, it is unfortunate that the RINSA makes explicit reference only to the presence of Lidl stores elsewhere, as opposed to the presence of other food store brands (e.g. Tesco, Sainsbury’s or Asda).

On this, notwithstanding the references to Lidl stores, Nexus were minded to accept the applicant’s suggestion of the catchment area set out at Figure 6 of the RINSA. In doing so, Nexus was cognisant not only of the presence of other Lidl stores, but also the presence of a wider range of food stores. In coming to this conclusion, Nexus was able to draw upon a household telephone survey for the area which they had conducted in 2021.

The RINSA catchment area incorporates the whole of the Bangor urban area, as well as Donaghadee to the east. Using the existing store, which is to be replaced, Nexus established 95.9% of its trade was likely to be from the Bangor and Donaghadee areas. Although the proposed new store is larger, Nexus do not consider it is likely it would draw from any materially different area to the catchment area used in the RINSA and were therefore content the vast majority of the trade would be from the applicant’s proposed catchment area.

Population and Spending

Nexus was satisfied the population estimates used in the RINSA were a sound basis for the assessment on spending. Nexus was also content that the methodology and figures used within the RINSA for assuming expenditure within the catchment area were robust and, importantly, were unlikely to over-estimate available expenditure on both convenience and comparison goods.

Proposal Turnover

Nexus disagreed with the estimated potential turnover for the proposed larger store. The existing store is trading significantly above company sales density, however the RINSA argued the proposed store would trade at company average levels due to the aisles being wider and not being as densely stocked. Nexus felt this suppressed the impacts of the proposal by reducing the difference between the turnover of the smaller existing and larger proposed store. Practically, it should be noted it is beyond planning control to dictate internal aisle widths and stock density.

Nexus thought it was more appropriate to assume both the existing and proposed Lidl stores traded at company average levels in order to examine the net difference between the two stores in terms of impact assessment. Nexus also used the most recently published Lidl sales density average figures to assess the existing and proposed store turnovers.

Nexus concluded that by making these amendments the result was a materially larger gap in turnover than the figure assumed in the RINSA.

Existing Retail Provision

The RINSA sets out the market shares and resultant turnover of the range of convenience and comparison goods retailers within the catchment area. Nexus was reasonably content with the figures used, employing more recent statistics and their own information to corroborate key aspects of the assessment.

Most relevant to that is the convenience turnover of key centres, including Bangor City Centre, Donaghadee Town Centre, Bloomfield District Centre, Springhill District Centre. Nexus set out a comparison between their survey assessed findings and those provided by the applicant within the RINSA. This comparison shows a high degree of similarity between the two. As a result, Nexus was satisfied the RINSA provides a proportionate basis upon which to assess existing convenience goods turnovers. The same is true of comparison goods, though the potential is lessened in that case in view of the lower turnover of that element of the application proposal.

Retail Impact

Convenience Goods

The RINSA includes an assessment of convenience goods trade diversion, that is the amount of trade being diverted from stores and/or centres elsewhere. This naturally assumes that all of the existing Lidl store's trade will be diverted to the new store. Nexus

agree it is logical to assume there will be this overlap of trade from one store to the other.

Thereafter, the RINSA exercise entails making assumptions around trade diversion from elsewhere in order to account for the proposed uplift in turnover as a result of the greater floorspace. The RINSA explains that the majority of trade is assessed to be diverted from supermarkets within a 5-minute drivetime of the site. In terms of existing centres, 8.1% of trade is assessed to be diverted from Bloomfield Shopping Centre (largely Tesco and M&S, 2.8% is assessed to be diverted from Bangor City Centre (entirely from ASDA), 1.6% is assessed to derive from Springhill District Centre (entirely from Tesco), 0.2% of trade is assessed to be diverted from Ashbury Avenue Local Centre (entirely from Eurospar) and 0.1% of trade is assessed to derive from Donaghadee Town Centre shops in general. A cumulative 5.2% is assessed to be diverted from out-of-centre stores, with the largest diversion coming from Sainsbury's on Balloo Link (2.5%). 'Inflow' is assessed to account for 2% of trade.

Nexus state they are satisfied that the convenience goods trade diversion assessment has largely been carried out on a reasonable basis. The diversions are logical based on relative geography and the offers of the various stores/centres concerned. The estimate of 2% of trade diversion from 'inflow' is not justified in the RINSA according to Nexus. However, Nexus notes their own survey information found 1.4% of trade to the existing Lidl was from outside the catchment area as set out by the applicant, as such, this would give credence to the 2% assumption set out in the RINSA.

The earlier assessment of turnover of the proposal by Nexus results in adjustments in order to consider the full uplift of trading between the existing and proposed Lidl stores. Absorbing all of the existing benchmark turnover of the Lidl store equates to 61.6% of the turnover of the new proposed store, as opposed to the 80% stated in the RINSA. As a result, Nexus state it is necessary to proportionately uplift other trade diversions pro-rate to the diversions assumed (and accepted) in the RINSA.

This revised assessment by Nexus suggests the greatest impacts would be felt at Bloomfield District Centre, with an averaged 3.9% of convenience goods trade. Lesser impacts will be felt in Bangor City Centre (2.3%), Ashbury Avenue Local Centre (2.8%), Springhill District Centre (0.8%) and Donaghadee Town Centre (0.3%).

Comparison Goods

Paragraph 79 of the RINSA states that "Lidl is not a comparison goods destination given that comparison items are typically sold on a promotional basis and tend to be purchased by customers who are visiting the store for convenience goods". Nexus concurs that comparison goods shopping at most food stores tends to be incidental to main food purchases, but they disagree with the statement "Lidl is not a comparison goods destination", as it clearly is. Lidl make considerable effort to market the 'middle of Lidl' and the applicant's own estimates suggest this floorspace would attract £1.3m of expenditure per annum.

The RINSA sets out the equivalent comparison goods impact assessment. As with the convenience goods assessment, the RINSA assumes the entire turnover of the existing Lidl store is subsumed into the new Lidl store and this is accepted by Nexus. Thereafter,

the RINSA models diversion from a range of competing comparison goods destinations including predominantly from Bloomfield District Centre, Bloomfield Retail Park and Bangor City Centre, which Nexus broadly agree with.

Nexus revised the comparison goods impact figures in keeping with the convenience goods assessment they had earlier undertaken and used the suggested turnover for different centres modelled in the RINSA.

The resulting modelled comparison goods impacts on existing centres are relatively minor, with the greatest forecast impact on Bloomfield District Centre (a 0.5% loss of comparison goods trade to the application proposal). Lesser impacts of 0.2% and 0.1% are forecast on comparison goods trading at Springhill District Centre and Bangor City Centre respectively.

Combined Impact

Nexus then assessed the combined retail impact, with the proposals forecast to have an overall impact of 0.9% on Bangor City Centre, 2.2% on Bloomfield District Centre and 0.6% on Springhill District Centre. These forecast impacts contrast with those set out in the RINSA where the equivalent figures for Bangor, Bloomfield and Springhill are 0.4%, 1.2% and 0.3% respectively. Therefore, the impact figures assessed by Nexus are materially higher in each instance.

Other Impacts

The RINSA (Para 42) sets out the requirements of the impact test in the SPPS (Para 6.290). Beyond the financial impacts, Para 6.290 also states consideration should be given to the impact of the proposal on existing committed and planned public and private sector investment and investor confidence in town centres.

The RINSA discusses this at Paragraph 82 and concludes there would be no such adverse impacts as there are no committed or planned developments within the local area. However, this fails to take into account the well-advertised Queen’s Parade development in Bangor, or discussions on redeveloping The Flagship Centre in Bangor. That being said, the proposal application has been advertised, and no representations have been submitted on behalf of either the developer of Queen’s Parade or The Flagship Centre owner.

It should also be noted the Queen’s Parade development has now commenced, whilst there are no current plans for redevelopment of the Flagship Centre which remains in receivership. The Queen’s Parade development includes limited convenience retail floorspace and the development itself should improve the vitality and viability of Bangor City Centre which should also prove beneficial to any future redevelopment plans for The Flagship Centre and vice versa. The RINSA also points to job creation and investment generated by the new store, with £7.5m invested in the construction and fit out of the new store and a total of 18 new jobs created.

Retail Impact Conclusions

It can be seen by the evidence provided within the RINSA and also from that provided by Nexus, that both Bloomfield Shopping Centre and Springhill District Centre are trading well. Nexus is of the opinion the respective overall impacts on these centres of 2.2% and 0.6% are not insignificant, and that neither is likely to lead to a significant adverse impact which would warrant refusal under the SPPS.

The impact of the proposal on Bangor City Centre is admittedly more finely balanced. Although the assessed impact is only 0.9%, this could still be significant in a town centre which is suffering low vitality and viability. Nexus is of the opinion this level of impact is likely to be noticed in Bangor City Centre. Although the RINSA points to the vacancy rates of 20.6% in October 2023 being lower than the NI average at the time of 22.2%, this still equates to 1 in 5 units in the town centre being vacant at this time. The UK average, in contrast, is 14.2%.

However, even when the impact of the proposal is considered cumulatively with other retail proposals at Bloomfield, Nexus note the meaningful investment coming forward in terms of the Queen's Parade development and the potential regeneration of The Flagship Centre and conclude the proposal is unlikely to prejudice the planned public and private development in the town centre.

I am satisfied the proposal will not adversely impact upon these proposed regeneration schemes for Bangor town centre. The Queen's Parade development has a limited amount of convenience floorspace included within the proposal, much lower than that of the proposed application. The Queen's Parade redevelopment in particular has been planned for a number of years, with both public and private interests involved. The aim of Queen's Parade is to provide much needed regeneration to Bangor City Centre and increase the overall vitality and viability of the city centre. Along with the planned Bangor waterfront redevelopment it is hoped this will result in further regeneration and investment throughout the town centre and the overall benefits this will bring, not only to Bangor City Centre, but the town and Borough as a whole. The application has been advertised in the local press and no representations have been received from developers of potential regeneration schemes within the town centre.

Overall, although the Nexus report concludes the impacts on existing centres to be materially higher than those set out within the RINSA, it considers that the proposed Lidl will not result in direct store closures. Although Nexus is concerned about Bangor City Centre, they do not find the impacts of the proposal would reach the level of 'significant adverse' as stated in the SPPS. In drawing this conclusion, Nexus was mindful of planned investments and their findings set out in the needs assessment (see below).

In terms of the sequential test, recognition also needs to be afforded to the fact that the existing Lidl store already trades in an out of centre location (situated c 1300m from the town centre boundary).

Generally, I agree with these considerations and findings and although there is diversion between the RINSA and the findings by Nexus, both indicate no significant adverse impact on existing centres, including Bangor City Centre. As such, the proposal would not adversely affect the vitality and viability of protected centres within its catchment area.

Need Assessment

Paragraph 6.282 of the SPPS requires applicants, in the absence of a current and up-to-date LDP, to prepare an assessment of need which is proportionate to support their application. This may incorporate a qualitative and quantitative assessment of need, taking account of objectively assessed needs of the local town and committed development proposals and allocated sites. Paragraph 6.283 states applications above a threshold of 1000sqm gross which are not within town centres and are not in accordance with the LDP, should be required to undertake a full assessment of retail impact as well as need.

The factors to be addressed in retail impact and assessment of need are set out at Paragraph 6.290, this includes such factors as impact on local traders and allocated sites and committed development proposals. Paragraph 6.291 states “Where an impact on one or more of these criteria is considered significantly adverse or when in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it should be refused. As such, it can be interpreted that the presence or absence of an identified need is a relevant material consideration in the overall consideration of impact.

The RINSA indicates the site is located within the top 6% of deprived areas in Northern Ireland in terms of income and this argument is put forward to support the need for additional discounted goods, as evidenced by the stated overtrading of the existing store. Nexus agrees with the general proposition that residents within the area are likely to be price-conscious but note this would not be a personal permission for Lidl and that other retailers within the area are also likely to market themselves as being price-conscious, as such limited weight can be attributed to this factor.

The RINSA also notes the age and dated appearance of the existing Lidl store and compares to the modern requirements regarding accessibility for all, including the impaired, sustainability initiatives and staff respite areas. Nexus agrees there is room for improvement and give moderate weight to this consideration.

A quantitative assessment of need is provided in Table 11-13 of the RINSA. Paragraph 55 explains the proposal would represent only a fraction of the available retail expenditure within the catchment area, equating to 0.65% of all total retail expenditure (Table 13). However, Nexus finds this assessment to be simplistic as it fails to factor in all of the other aspects which would feature in a typical ‘capacity assessment’. This includes a detailed and up-to-date assessment of the market share of all existing retailers within the catchment area and a thorough examination of any commitments within the catchment area. The flawed nature of this exercise is highlighted by Nexus in Paragraph 4.6 of their report. This argues that the RINSA shows there is considerably more supply of convenience goods floorspace in the catchment area, around 17%, than demand would suggest is necessary. Again, these figures fail to take into account any commitments within the catchment area.

Nexus believes the quantitative case set out in the RINSA holds no positive weight and raises concerns for impacts in general. Overall, there are aspects of qualitative need

which weight moderately in favour of the proposed development, but these are off set by the quantitative need findings, which equate to a considerable negative weighting.

In considering the need for the proposal, it is agreed the existing site is aging and requires considerable investment and regeneration for the reasons set out in the RINSA and it is considered there is an element of public interest in an appropriate redevelopment of the site, as demonstrated by response to the public consultation and representations received. These quantitative issues are noted; however, these matters are not, in themselves justification for need for a new store, and the qualitative matters put forward offer nothing favourable to the argument. As set out in the RINSA, the existing store is functioning more than adequately in its current form. An improved customer/user experience is not a matter of public interest and carries limited planning weight.

Sequential Assessment

Paragraph 6.280 of the SPPS explains that a sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date LDP. Applicants are required to define the catchment area and within that, examine sites in order of preference in primary retail core, town centre, edge of centre and out-of-centre locations. In this case the primary retail core and centres are set out within draft BMAP, before considering out of centre locations. These out of centre locations must also be accessible by a choice of good public transport.

Paragraph 6.289 of the SPPS confirms flexibility should be adopted in seeking to accommodate developments with a constrained development footprint and that applicants will be expected to “identify and fully demonstrate why alternative sites are not suitable, available and viable”. The SPPS does not provide any definition of “suitable, available and viable” and no guidance has been issued by the Department.

An important consideration is the legal case of *Tesco Stores v Dundee City Council 2012*. Here, the Court held that the question of suitability was to be interpreted objectively in accordance with the language used, read in its proper context. The court held that “suitable site” in the sequential test refers to sites suitable for the proposal actually being put forward by the developer, not scaled-down or alternate schemes aimed at addressing identified retail gaps.

In applying the sequential test, the nature of the developer’s proposal must be taken into account. Paragraph 6.289 of the SPPS states that ‘flexibility may be adopted to accommodate developments onto sites with a constrained development footprint’. Paragraph 6.289 continues ‘Applicants will be expected to identify and fully demonstrate why alternative sites are not suitable, available and viable’.

The RINSA explains that the need is location specific as the proposals relate to the closure of the existing Lidl. Nexus is of the opinion this is reasonable and, as such, the area of the sequential search can be contained to the Bangor area.

Paragraph 102 of the RINSA includes a bullet point list of features of the application proposal. The applicant equates these aspects to legal cases such as *Dundee* and the

requirement for sequential sites to be those which are suitable for the development proposed, rather than the development being retrofitted to suit particular sites. Nexus agrees with this approach; however, they express some concern the RINSA does not sufficiently explore site flexibility in terms of area. It is accepted the proposed larger store could not fit on sites the equivalent size of the existing store (0.58ha), however, the applicant has only considered sites of equivalent size to the proposal site (1ha). There are large areas of landscaping to the north of the proposal site which could provide some flexibility regarding the size of the site needed. As such, Nexus suggests an element of flexibility in site area, with a minimum site area of 0.8ha being a more reasonable site search parameter.

Further parameters set out within Paragraph 102 of the RINSA include a dedicated surface level car park, visual presence, HGV servicing etc and whilst the majority of these are reasonable, some are very specific (e.g. a sales floor measuring 26.5 x 64m which is not interrupted by columns). Whilst columns may not be ideal, they could still be incorporated into a food store development, and these are not viewed as being a determining factor under the sequential test.

Site Assessment

The assessment within the RINSA considers the four development opportunity sites (DOSs) within Bangor City Centre as designated within the draft BMAP. The applicant's assessment of these is summarised below:

- DOS BR42 – Lands between Southwell Road and Main Street – *This site is too small at just 0.35ha.*
- DOS BR43 – Lands to the rear of High Street, Stanley Road, Holborn Avenue and Clifton Road – *The site lacks visual prominence and, in any event, is too small at 0.56ha.*
- DOS BR44 – Lands between Queen's Parade and King Street – *The site benefits from mixed-use planning permission (the 'Queens Parade development') under LA06/2020/0097/F and, whilst this includes retail development, the largest planned units to Queen's Parade is 463sqm and would therefore be too small. There is total retail floorspace to Main Street of 1,088sqm, but this is 38% smaller than the application proposal of 1742sqm, and is 3-storey. The layout would be interrupted by columns. Parking would be within an undercroft and would be accessed via a public street and then stairs or a lift. This is not suitable for bulk shopping, especially for those with mobility impairments.*
- DOS BR45 – Lands bound by Springfield Avenue and Hamilton Road – *The site is too small at just 0.26ha.*

It is also notable that the Department intended to accept the Planning Appeals Commission's criticism regarding the proposed DOS policy and designations in Bangor, in that there were no specified preferred land uses, and given the time that had elapsed since the draft Plan was prepared, the sites as identified no longer provided an accurate

picture of sites best placed to meet town centre regeneration objectives. As such the Department did not intend to adopt those DOSs identified for Bangor.

Beyond the sites allocated in the draft BMAP, the RINSA states Bangor City Centre is densely developed with no sites suitable for the development of a supermarket of the size proposed. The RINSA then goes on to consider the potential availability of other sites within the City Centre. Units within the vacant Flagship Centre are considered; however, with the largest available unit measuring 210sqm, they dismissed as being too small. A further submission by the agent considers other units within the Flagship Centre, including the former Dunnes store. This unit is at the rear of the centre, approximately 100m from the main entrance on Main Street and lacks any visual presence from the street. In addition to this, with the centre having been vacant since 2019, the RINSA flags that it has no footfall and is unsuitable from a market attractiveness perspective. The agent also notes there is no dedicated surface level car park and there would be a reliance on a charged car park at a different level to the store. The former TK MAXX unit at No. 48 Main Street is also considered and discussed as being too small, at 1105sqm. The applicant identified no appropriate edge-of-centre sites.

Nexus state, and I am in agreement with this opinion, that they are satisfied the applicant has considered an appropriate range of sites and that, having regard to appropriate case law, the majority can be readily dismissed as being too small for the application proposal, even after applying some flexibility.

Nexus agrees the retail component of the Queen's Parade development is not suitable for a large food store, being split across 3 floors and with a floorspace significantly lower than the application proposal.

In terms of the Flagship Centre, Nexus do not accept that the lack of footfall stemming from its long terms vacancy would be a reason for dismissing the site. This is demonstrably flawed as this would be the case with almost all vacant sites/properties. Upon re-occupation by the application proposals, footfall would presumably flow, and the site is very well connected to the rest of the city centre. Notwithstanding, Nexus agree that the likely floorspace, even if amalgamation was considered, would be significantly below the level proposed under the application scheme.

Overall, Nexus is satisfied that the requirement is location specific to Bangor and that the applicant has appropriately reviewed available town and edge-of-town centre sites and that none have been found to be suitable, viable and available.

Although there are a number of small sites available within the city centre, none of these would be suitable for the proposed developed due to their size. It should also be noted the sequential approach within paragraph 6.281 of the SPPS does not require consideration of potential sites within District Centres.

Therefore, at the time of writing, the agent has demonstrated there are no sequentially preferable sites available that could facilitate the proposal, largely due to the size of the store proposed. The site is an out of centre location with a bus stop and lay-by located adjacent to the site. Although the lay-by is to be removed, the bus stop is to be retained.

As such, the proposal would be an out of centre location accessible by public transport. The proposal would therefore meet the sequential test.

Retailing Conclusions

Taking into account both the RINSA submitted by the applicant and the Nexus report, the assessment of retail impact for the proposal indicates there will be no significant adverse impact on existing centres and no adverse impact on the vitality and viability of protected centres within the proposal’s catchment area.

Having taken into account the Needs Assessment, I consider that moderate to no weight can be attached to the qualitative and quantitative need for the proposal put forward by the applicant. However, the proposal is unlikely to cause significant adverse impacts on proposed centres, and this outweighs the needs assessment.

Finally, in terms of the sequential approach, the sites identified within existing centres are too small. The site is an out of centre location and is well served by public transport; therefore, the location of the proposal is found to be acceptable.

Overall, the proposal would, on balance, not result in any significant adverse impact when considered against the factors set out within Paragraph 6.290 of the SPPS and is judged not to be harmful to Bangor City Centre.

Paragraph 6.292 states that in order to ensure development proposals are of a high quality and otherwise satisfactory, retail development or main town centre uses will also be assessed in accordance with normal planning criteria including transportation and access arrangements, design, environmental and amenity impacts.

Visual Impact and Impact on Character of the Area

The site is located within an existing residential development in the settlement development limit for Bangor. The site currently contains a number of vacant dwellings which surround an enclosed amenity area. To the immediate south and west are other residential properties of similar design and finishes to those existing dwellings upon the site. To the north of the site is the South Circular Road and Bloomfield Road Roundabout, with the existing Lidl supermarket located on the northern side of Bloomfield Road Roundabout. To the east of the site, on the opposite side of Bloomfield Road South, is the Bloomfield Shopping Centre, including associated car parking.

The application proposal is for a supermarket to replace the existing Lidl supermarket on the northern side of Bloomfield Road Roundabout. The design is contemporary, with a mono-pitched roof finished with metallic cladding and PV panels to the rear part of the roof. The height of the proposed building increases from approximately 5m at the rear to 7m at the front. The front, rear and southern gable are all finished with painted render to the walls, broken up with some windows. The northern boundary is proposed to be entirely glazed, with the floor to roof glazed panels increasing in height from the rear to the front.

The proposal includes cutting into the site and lowering the ground level with tree and shrub planting around the boundaries and within the car park. The location of the

proposed building is such that it maintains the existing building line of properties facing onto Bloomfield Road South.

The proposal will be most prominent when viewed from the existing dwellings within Skipperstone Drive, Skipperstone Avenue and Skipperstone Park. From here the character of the site will change from residential to commercial. Whilst the outlook for the existing dwellings will change, the proposed landscaping will help soften the appearance of the commercial development.

More medium range views of the site will be visible when approaching from the south along Bloomfield Road South. From this location, views of the site will be partially interrupted by existing buildings and vegetation. Medium range views will also be available from the west when approaching the Bloomfield Roundabout from South Circular Road. Again, views of the site from this direction will be disrupted by existing dwellings and trees.

Longer range views of the proposal will be possible from both the north and east. From the north, open views are available from Bloomfield Road when travelling south towards Bloomfield Roundabout, with open views across the roundabout. From the east, views will be available from the South Circular Road when approaching Bloomfield Road Roundabout. The open nature of Bloomfield Shopping Centre car park allows for this longer distance view. From both of these directions, the site will be seen alongside the buildings and car park associated with Bloomfield Shopping Centre. Therefore, the proposal will not appear out of keeping with the character of the area but will read closely with the existing Bloomfield Shopping Centre and car park.

Open Space

Policy OS1 of PPS 8 operates a presumption against the loss of existing open space. This presumption against the loss of open space applies irrespective of its physical condition and appearance.

Paragraph 4.11 of PPS8 states that existing open space, regardless of whether it is identified on plan maps or not, benefits from the protection afforded by Policy OS1 unless the site is identified for an alternative use in the plan itself.

Policy OS1 states that an exception to the presumption against the loss of open space will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh its loss. An exception will also be permitted where it can be demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area *and* alternative equivalent provision is provided by the developer (my emphasis).

For the purpose of policy, open space is taken to mean all open space of public value. Paragraph A2 of PPS 8 lists the broad range of open spaces that are of public value. These include areas of amenity green space, communal green spaces, and informal recreation spaces in and around housing.

PPS8 indicates that open space can have visual amenity even where there is no public access. It can provide an outlook, variety in the urban scene, or be a positive element in the landscape.

The application site forms part of an existing housing estate which exhibits an informal layout in which curtilage boundaries are generally poorly defined. The dwellings collectively encircle and enclose a larger central landscaped area. Access to this area can only be achieved through the houses or their associated side gates. It is relevant that the houses are now vacant and the entirety of the land within the redline boundary of the application site is to be comprehensively redeveloped as part of the proposed retail scheme.

The proposal site comprises 38 No. residential units. The applicant advised the Council in writing that then the site was acquired in January 2023, 19 units were occupied with 19 vacant and in significant disrepair. Lidl collaborated with the appointed managing agent, tenants and a well-established property company who owned the other units within Skipperstone to ensure all tenants were afforded the opportunity to relocate to superior quality housing at Skipperstone at the same cost. The applicant also confirmed that in respect of the existing Bangor site, Lidl has engaged with Housing Associations in relation to the prospect of redeveloping the site for affordable housing in the event that the current application is successful.

Given the existing estate layout, I am satisfied that this shared communal amenity area solely served the now vacant residential dwellings proposed for demolition. I do not consider the land would be used by the wider community as a place to congregate or hold events. Its value is therefore limited to occupiers of the dwellings, and with their removal, the area would no longer serve its original function as a communal amenity area.

A completed Biodiversity Checklist and Preliminary Ecological Appraisal (PEA) was submitted with the application. It states the site provides very little semi-natural or structurally-diverse habitat or vegetation, is devoid of cover and foraging resources for wildlife, and lacks boundary vegetation – physical and functional habitat connectivity is very limited. It states that while the site contains a couple of small groups of urban trees and bushes, it includes no woodland, mature/veteran trees, hedgerows, or scrub. The PEA concludes that the site is otherwise highly modified, species poor, and devoid of semi-natural habitat or vegetation communities of note. DAERA Natural Environment Division has been consulted, and no natural heritage concerns were raised. I am therefore satisfied that the site does not offer a valuable habitat for flora and fauna.

Due to the enclosed nature of the existing estate layout, wider public views of the communal amenity area are extremely limited and can only be achieved through narrow gaps between the walls or fencing. As already stated, there is no public access to the amenity area. This is a common feature in the area. Whilst the area would constitute a visual amenity for the existing dwellings that back onto the amenity area, these dwellings are proposed to be demolished as part of the overall redevelopment of the site. I am satisfied that the landscaped area does not function as a visual amenity for the wider community.

I consider that whilst the proposal would result in the loss of an existing communal amenity area, its public value relates solely to the houses proposed to be demolished

and not the wider housing estate. On balance, I consider that this material consideration should be afforded determining weight and outweighs the non-compliance with Policy OS1.

The site also includes landscaped areas immediately to the front and sides of the houses. While the estate layout is somewhat unusual in that front gardens are not strongly defined by boundaries, on balance, I consider that due to the scale and position of these areas, relative to the existing houses, they read and would function as front and side gardens rather than communal open space. On balance, I therefore consider that these landscaped areas serve as private amenity space associated with individual dwellings, rather than as open space of public value.

It is noted that an existing path connects Skipperstone Avenue with Bloomfield Road South. Whilst this existing path will be lost as a result of the proposed development, the site layout shows an alternative path (in close proximity to the original path) along the southern boundary of the site. It is considered that any approval of the application should be conditional on the provision of this path prior to the commencement of development and its subsequent retention thereafter to ensure this pedestrian link remains.

A detailed landscaping scheme, prepared by Park Hood Chartered Landscape Architects, has been submitted with the proposed development. The landscaping plan shows landscape buffers along the boundaries of the site comprising native species hedges, trees and shrubs. It is recommended that any approval of the application be subject to a planning condition to ensure this landscaping is carried out to soften the appearance of the built form and to help create an attractive urban environment.

Impact on Residential Amenity

The dwellings which will be impacted most by the proposal are those which have front or gable elevations either directly adjacent the site, or facing towards the site. No. 35 Skipperstone Avenue and No. 124 Bloomfield Road South are the two dwellings located closest to the proposed supermarket, both of these dwellings have gable elevations within 10-15m of the side elevation which includes the HGV loading bay.

A Noise Impact Assessment (NIA), dated 26th March 2024, was submitted with the application. The Council’s Environmental Health Department was consulted and provided the following advice.

Noise from the proposed supermarket development will principally consist of:

- Noise from deliveries at the dedicated loading bay.
- Noise from any external plant or equipment.
- Noise breakout from the proposed supermarket.
- Noise from car movements within the associated car park.

Servicing of the new Lidl store will be through the loading bay located at the southern end of the building. The servicing of the building will take place between 07:00 and 23:00hrs. It is anticipated that a maximum of two 16.5m articulated lorries will access

the site per day. It is noted from the auto-tracking that the HGV will enter the site, manoeuvre and then reverse into the loading bay.

The NIA has identified the closest noise sensitive receptors, with the closest being 124 Bloomfield Road South and 35 Skipperstone Avenue located approximately 10m to the south. Noise levels were measured at the proposed development site between the 27th of February and 1st March 2024.

The consultant employed Soundplan noise modelling to predict the noise levels at the nearest dwellings. Source levels have been input into the model including anticipated HGV movements and mechanical plant.

Residual sound levels during the day are dominated by road traffic noise, whilst at night noise impacts include only the mechanical plant. The plant is associated with refrigeration /air conditioning and this temperature control is likely to result in on/ off operation.

This report has confirmed that the typical daytime rating level is 4.7dB lower than the daytime 'typical' background level and the nighttime typical rating level is 0.9dB higher than the nighttime typical background level.

The report concluded this is an indication of the specific source having a low impact. As such, Environmental Health has no objections to the proposal and recommend a number of conditions, to prevent an unacceptable impact to existing residential amenity including limiting the opening hours of the premises and times for deliveries.

Therefore, the Council is content the proposal will not result in an adverse impact by way of noise on either No. 124 Bloomfield Road South or No. 35 Skipperstone Avenue, or on any other noise sensitive receptor within close proximity to the site.

Both No. 124 Bloomfield Road South and No. 35 Skipperstone Avenue have windowless gable walls facing towards the site. Given the setback between the retail unit and the shared communal space to the rear of these properties, I am satisfied that the proposed development will not appear unduly dominant or overbearing from these properties.

The proposed side elevation of the supermarket, which is closest to these two dwellings, does not include any windows and as such no unacceptable adverse overlooking will occur.

The proposed ground level of the loading bay is approximately 1.3m lower than the level of the adjacent houses. A retaining wall is proposed adjacent to the loading bay and this area will also be defined by a pedestrian path, boundary hedge, trees and shrubs. Given the separation distance to the existing dwellings, together with the proposed retaining wall and planting, I am satisfied that there will be no unacceptable adverse overlooking or loss of amenity as a result of deliveries to the site.

The proposal involves the removal of the existing footpath at Skipperstone Gardens which links Bloomfield Road South and Skipperstone Avenue. This will be replaced with a new footpath beside the gable walls of No. 35 Skipperstone Avenue and No. 124 Bloomfield Road South. This footpath would be primarily used by pedestrians

accessing the existing properties within Skipperstone Avenue, Skipperstone Park, Skipperstone Drive and potentially the properties within Ballyvester Close. Given the likely limited use of this footpath and the proposed new boundary hedge to the communal rear amenity area, I do not consider its relocation will result in an unacceptable adverse impact on the existing dwellings at No. 35 Skipperstone Avenue and No. 124 Bloomfield Road South.

With regards to other dwellings within Skipperstone Avenue, the row comprising Nos. 26-32 Skipperstone Avenue is located closest to the proposed supermarket building. These dwellings are at a slightly higher level than the existing ground level of the site and a further reduction in ground levels is proposed (by approximately 2.1m). These existing dwellings will be located approximately 20.3m-20.5m from the proposed rear elevation of the supermarket building.

The proposed rear elevation is to be approximately 5.1m high, with the mono pitch roof increasing in height to 7m at the front of the building. The exception to this is a 5m long section above the loading bay which is to be approximately 8m high. With the proposed changes in ground levels, for the proposed rear elevation, approximately only 3m of the vast majority of the rear elevation will extend above the finished ground level at the rear of the site.

The boundary with Skipperstone Avenue will be defined by a 3.2m high block retaining wall, finished with white render, which increases in height to 3.8m at the rear of the loading bay. When taking into account the differences in ground level, only a modest portion of this retaining wall will be visible above ground level to the rear of the proposed building (1.1m, increasing to 1.7m).

The rear elevation of the proposed supermarket is approximately 75.4m in length and contains high level windows. The proposal includes a hedge along the rear boundary with some trees and shrubs to soften the overall built form of the retail unit. Although the proposal will change the existing outlook of these existing dwellings, it is not considered that it will have an unacceptable impact on the amenity of these properties. Given the modest height of the retail unit, and the intervening separation distance, the proposal will not result in an unacceptable adverse impact to existing residential amenity in terms of overshadowing, overlooking, overbearing impact or dominance.

The dwellings at Nos. 12-22 Skipperstone Avenue have separation distances between 18.8m (No. 12) to 26m (No. 22) to the closest part of the proposed parking area to the north of the site. These dwellings are also located at a level between 1.9m (No. 12) and 2.8m (No. 22) above the proposed car park. The proposed landscaping plan indicates a hedge is to be planted along the boundary of the site with trees and shrub planting between the hedge and the car park. As such, it is considered these dwellings will not be subject to any unacceptable adverse impact by way of noise or disturbance from the proposed car park.

Overall, having carefully considered the layout and design of the proposed development and the consultation response from the Council's Environmental Health Department, I am satisfied that the proposed development will not result in any unacceptable adverse impact to existing dwellings.

Access, Road Safety and Parking

The application has been accompanied by a Travel Plan Framework, a Transport Assessment (TA), a Transport Assessment Scoping Study and a Service Management Plan.

Whilst DfI Roads expressed initial concerns regarding the proposed development, this was subsequently addressed through amended access/road layout drawings and supporting technical information. DfI Roads, having considered the proposed amendments and additional information, advised that it has no objections to the proposed development.

A number of objections have been received which raise concerns regarding road safety and the potential traffic impacts of the proposed development. One objector has made reference to the possible future engagement of a Road Engineer and the intention to submit additional information/comments in due course. The Transport Assessment for the application was submitted in July 2024, with a supporting technical note provided in May 2025 and plans last updated/amended in July 2025. The objector was formally notified of the additional information to provide them with an opportunity to review, and provide comment.

Whilst the objector’s concerns are acknowledged, the Council also has a duty to progress applications in an efficient and timely manner. Accordingly, it is considered that the application must be determined on the basis of the information currently before the Council, together with any representations raising material planning considerations properly submitted within the statutory consultation period.

DfI Roads was asked to consider all the information submitted by the objector along with the rebuttals provided by the Applicant’s Agent. DfI Roads confirmed that it considered all information provided and has no further objections to the proposed application.

The Parking Standards state one car parking space is required per 14 square metres Gross Floor Area (GFA) for retail food stores. ‘Gross floor space shall be calculated by way of internal measurement to the inner face of the exterior wall and shall include any mall, covered entrance lobby, enclosed circulation space, staff accommodation and other ancillary space’, as such, the proposal involves a total of 2560sqm GFA. Therefore, a total of 183 car parking spaces is required in accordance with the Parking Standards.

The proposal includes the provision of 147 car parking spaces, including 8 accessibility spaces, six child friendly spaces and two electric vehicle charging points. This equates to one car parking space per 17.5sqm. Provision is also made for 8 bicycle parking spaces.

The agent explained the reasoning behind this level of parking within the submitted Transport Assessment. Justification for the deficit, in terms of the Parking Standards, includes the likelihood of shared trips and parking due to the proximity to Bloomfield Shopping Centre. The TA also states the proximity to residential properties, and a

school means there is an expectation of a high percentage of pedestrian trips to the supermarket.

The TA included parking surveys undertaken at three existing Lidl stores in Belfast. The results of these surveys show the lowest observed parking ratio at the Lidl stores surveyed was 1 space per 23sqm GFA. When applying the 1 space per 23sqm GFA, this results in a parking requirement of 111 car parking space for the proposal. The 147 spaces provided was therefore deemed to be a sufficient level of provision.

The TA included a further survey of three other Lidl stores in Northern Ireland, all recently constructed (within three years of the survey). Using information available, it was calculated that at the weekends, the lowest parking ratio at these three stores was 1 space per 25sqm GFA. When applying the 1 space per 25sqm GFA, this results in a parking requirement of 103 car parking space for the proposal.

DFI Roads has considered the application and has provided no objection in terms of parking. Although the proposed number of car parking spaces is below the standards set out within the Parking Standards, taking into account the information provided in the TA, I am satisfied that the level of provision is sufficient to serve the proposed development and that the application satisfies the requirements of PPS3, Policy AMP7.

Designated Sites and Natural Heritage Interests

The applicant submitted a Biodiversity Checklist, Preliminary Ecological Appraisal and a Bat Survey Report with the application, which were reviewed by NIEA Natural Environment Division (NED).

The Bat Survey Report indicated that no bats were recorded emerging from the buildings. As such, NED advised it was content the buildings on the site were unlikely to support roosting bats.

NIEA's Biodiversity Checklist was employed as a guide to identify any potential adverse impacts on designated sites.

No such scenario was identified. The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has therefore been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

No other natural heritage interests were identified and as such, the proposal satisfies Policies NH 2 and NH 5 of Planning Policy Statement 2 'Natural Heritage'.

Flood Risk and Drainage

DfI Rivers Directorate considered the Flood Risk and Drainage Assessment provided in support of the Application. DfI Rivers has raised no objection, subject to any approval

of the application being subject to a Grampian planning condition requiring the submission and agreement of a final Drainage Assessment.

Section 73 Planning Agreement

The proposal seeks to move the existing Class A1 retail use from the existing Lidl located at 97 Bloomfield Road, Bangor to this new proposed store, the subject of this planning application. To facilitate this arrangement the applicant suggested an Order being made under Section 73 of the Planning Act (Northern Ireland) 2011 (discontinuance of use) by the Council, commonly referred to as a Discontinuance Order. Such an Order effectively takes away the existing rights to use land and property.

This is the same approach as taken by the Council when it approved LA06/2018/1388/F in June 2020 in respect of the Lidl store at Jubilee Road, Newtownards, which was redeveloped at Castlebawn.

Section 73 reads as follows:

73—(1) If it appears to a council that it is expedient in the interests of the proper planning of an area within its district (including the interests of amenity), regard being had to the local development plan and to any other material considerations—

(a) that any use of land should be discontinued, or that any conditions should be imposed on the continuance of a use of land; or

(b) that any buildings or works should be altered or removed;

the council may by order require the discontinuance of that use within such time as may be specified in the order, or impose such conditions as may be so specified on the continuance thereof, or require such steps as may be so specified to be taken within such time as may be so specified for the alteration or removal of the buildings or works, as the case may be.

In this case it was proposed that a Discontinuance Order would be made to discontinue the Class A1 retail use of the existing Lidl food store before the new Lidl store becomes operational.

Section 74 of The Planning Act (Northern Ireland) 2011 requires that the Department for Infrastructure (DFI) confirms the Section 73 Discontinuance Order. Legislative provisions exist for compensation to be paid when a Discontinuance Order is made by a Council.

The Council sought advice in relation to the proposed use of a Discontinuance Order as intended and in particular the issues of compensation as detailed. To that end, the statutory right to apply for compensation extends for a 6-month period from the date the Order becomes effective. Given this period and inability to fetter the statutory right to seek compensation the Council considers that the prospect of waiting 6 months would be unpalatable to the planning applicants in this matter.

Further, it is considered that a planning agreement is the appropriate mechanism to bind both the existing Lidl site and the proposed Lidl site the subject of the application

to ensure that the obligations of closure / requirement to close are enforceable against both the interests held in the existing site and the proposed site. Ultimately the Council has to ensure that the existing site will close and remain closed in perpetuity when the proposed site opens to avoid any harm arising in planning terms.

It is therefore intended a legal planning agreement be drafted and will be finalised with the planning applicants upon approval by Planning Committee.

5. Representations

Ten representations have been received to date. Three of these are each from separate addresses and the remaining seven are from the same address.

It was queried why an existing unit within Bloomfield Retail Park could not be adapted. As stated in the Retail Assessment consideration above, the RINSA submitted with the application considered a number of alternative sites, but none were deemed to be suitable. Paragraph 6.281 of the SPPS, which sets out the sequential test for proposed main town centre uses not in an existing centre, does not include district centres, which Bloomfield Shopping Centre is designated as within draft BMAP. Also, it should be noted Bloomfield Retail Park is located outside this district centre.

An objector also queried if any approval could be conditional on the redevelopment of the existing Lidl retail site for social housing to help off-set the loss of residential dwellings in the planning proposal. Whilst another representation advised a condition should be attached to the approval ensuring the immediate redevelopment of the existing supermarket site. The applicants submitted a letter to the Council in October 2024 confirming that Lidl have engaged with Housing Associations in relation to the prospect of redeveloping the site for affordable housing in the event that the current application is successful. To date, no further proposals regarding the existing supermarket site have been submitted. A legal planning agreement is to be prepared as this approach is seen as the appropriate mechanism to bind both the existing Lidl site and proposed site subject of the application and remove the use as a supermarket on the existing site. Any future application to redevelop the existing retail site would be considered on its own merits in the context of prevailing planning policy.

A representation was received on behalf of Tesco Stores Limited. This raised concerns about the qualitative and quantitative needs test submitted with the application. This matter has been considered in the main body of this report. It is also notable that Tesco Stores Limited did not engage with the Pre Application Community Consultation event.

This representation also raises concerns about the risk of a significant adverse impact on designated town centres. It states Bangor City Centre is vulnerable as a result of the growth of Bloomfield Shopping Centre and Retail Park and that a growth of even 0.9% must still be considered significant due to this vulnerability. The representation also raises the prediction in the RINSA that 8.1% of the proposals turnover would be derived from Bloomfield District Centre, resulting in an adverse impact of 1.7% on this centre. It is stated this expected impact on centres and the failure to provide robust evidence of qualitative need should result in refusal of the application in line with paragraphs 6.282 and 6.291 of the SPPS. This has also been addressed in the main body of this report.

The representation also refers to Policy R1 and R5 of the draft Belfast Metropolitan Area Plan. It should be noted that, at the time of the Public Inquiry into objections to Draft BMAP, the Department withdrew the majority of Policy R5 in their evidence submitted to the Inquiry; however, the Planning Appeals Commission (PAC) recommended Policy R5 be completely omitted. Regarding Policy R1, the PAC recommended an amendment to the Policy to include “The Primary Retail Cores will be the preferred location for new comparison and mixed retail development. Outside designated Primary Retail Cores, planning permission will only be granted for comparison and mixed retail development where it can be demonstrated that there is no suitable site within the Primary Retail Core”. There is no mention of comparison goods within the proposed PAC policy wording. It should be noted the new food store is proposed to have a net sales area of 1,742sqm, split 1,463sqm net for the sale of convenience goods and 279sqm net for the sale of comparison goods. Since the publication of the PAC’s report on draft BMAP, the SPPS has been published which cancelled PPS 5 on Retailing and Town Centres, and this includes the sequential test undertaken in the RINSA and discussed within the Nexus report.

This representation on behalf of Tesco also raises the need for a Section 76 Planning Agreement to ensure food retailing cannot take place from the existing store upon the opening of the new store. The need for a Legal Agreement is also addressed above in respect of discontinuance of the retailing use and one will be prepared if the application is approved.

A representation references the need for flexibility and realism in the application of the sequential test, with an open mind required when considering alternative sites. This representation quotes paragraph 6.289 of the SPPS which states ‘applicants will be expected to identify and fully demonstrate why alternative sites are not suitable, available and viable’, as well as employing a creative and innovative approach to design on sites with a constrained footprint. This representation also highlights the vacancy rates within Bangor City Centre. I am satisfied the issues raised have been addressed in both the RINSA and Nexus report, which includes a consideration of the Tesco Dundee case law from which the need for flexibility and realism arises. Nexus has addressed the alternative sites and reasoning included within the RINSA and the Planning Department is content there are no alternative sites which may be suitable for the proposal.

Concerns are raised about the traffic generated by the proposal and the provision of a right-hand turning lane and length of the taper. A conflicts plan was also submitted to show the conflicts between the proposed access arrangements and the existing and approved access arrangements. However, DfI Roads has been consulted on the proposal and has not raised any concerns about traffic or proposed access arrangements. A further representation alleges that the application involves changes to the north and south arms of the Bloomfield Road roundabout and these haven’t been included in the proposal description or drawings. However, the Applicant’s Agent has confirmed that the application does not propose any such amendment to the existing road network.

The objector presented accident figures for the Bloomfield Roundabout and queried the use of dated data in the TA, stating 2025 data should have been presented. However, the application was submitted in 2023, and the data would have been up to date at the

time of submission. Concerns were also expressed about the use of TRICS data; however, I am content this data is widely used in Northern Ireland and provides robust evidence.

Concerns are also raised about the loss of existing open space in accordance with Policy OS 1 of PPS 8. This matter has been considered in detail within the main body of this report.

A further representation raised specific issues with the quantitative and qualitative assessment undertaken within the RINSA and the Nexus report to address the Needs Assessment. However, these matters have been well discussed in both reports as detailed in above.

This representation also claims the proposed development has not been re-advertised or re-neighbour notified. Following receipt of additional information and amended plans, an additional round of neighbour notification was undertaken in July 2025. This included notification to all parties who had previously submitted objections to the application, as well as other relevant neighbouring properties.

It is acknowledged that re-advertisement of the application took place more recently. However, all representations received will be duly considered as part of the assessment of the application.

Procedural Issues

Members should be aware that this application underwent Pre-Application Community Consultation (as detailed earlier in this report) as required for applications in the major category of development, followed by submission of this planning application which was deemed valid on 31 July 2024.

As detailed previously, the Protocol for the Operation of the Planning Committee stipulates that, in the interests of efficient and timely decision-making, it is imperative that all relevant and appropriate information as required should have been received, whether in support of or in opposition to a proposal. The Protocol states that no additional information will be accepted after one full week prior to the date of the meeting whereby the application is due to be heard. At present Officers attempt to review any late information by way of addendums for Members where no new information is submitted.

The Planning Service is cognisant that if a material consideration arises for the first time immediately before the authorised officer signs the decision notice, the officer should err on the side of caution and refer the application back to the authority for specific reconsideration in the light of that new factor.

6. Recommendation

Grant Planning Permission

7. Conditions

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

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

- 2. The vehicular access/ egress, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Nos. 03D & 10A prior to the commencement of any development hereby permitted.

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

- 3. The area within the visibility splays and any forward sight line shall be cleared, prior to the commencement of development, to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

- 4. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10 m outside the road boundary.

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

- 5. The proposed pedestrian path connecting Skipperstone Avenue with Bloomfield Road South as shown on Drawing No. 03D shall be constructed, in accordance with the approved details, and shall be made available for use prior to the commencement of development. This pedestrian link thereafter shall kept open, maintained in a safe usable condition, and shall be retained permanently for unrestricted public pedestrian access at all times unless otherwise agreed in writing by the Council.

Reason: To provide and retain a pedestrian link.

- 6. No development hereby permitted shall be commenced until the road works indicated on Drawing No 03D have been fully completed in accordance with the approved plans.

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

7. Prior to the commencement of development, details regarding the proposed relocation of the existing bus stop and shelter shall be submitted to and agreed in writing by the Council, in consultation with DFI Roads. The approved relocation shall be subsequently carried out in accordance with the approved details, prior to the commencement of development hereby approved.

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

8. Prior to the construction of the drainage network, a final Drainage Assessment, compliant with FLD 3 and Annex D of PPS 15, shall be submitted to and agreed in writing by the Council. The final Drainage Assessment must demonstrate the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change and urban creep. The drainage network must be provided in accordance with the approved details prior to the occupation of the development hereby approved.

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

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

Reason: To ensure a practical solution to sewage disposal is possible at this site.

10. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned and removed from the site in line with current Guidance for Pollution prevention (GPP 2) and relevant waste regulations. Should any new contamination be found during this process, the requirements of condition 11 and 12 shall apply.

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

11. If during development works, new contamination or risks are encountered which have not previously been identified, works shall cease, and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council, and shall be subsequently

implemented and verified to its satisfaction. This strategy shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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

12. After completing all required monitoring and remediation works, under condition 10 and prior to occupation of the development, a Verification Report shall be submitted to and shall be agreed in writing by the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

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

13. A noise barrier enclosing the external rooftop plant shall be installed prior to the operation of the development hereby approved in accordance with the details shown on Drawing no. 07B. The barrier shall be composed of a solid material with no gaps and shall have a mass of no less than 15kg/m²

Reason: Protection of public health to ensure the site is suitable for use.

14. Within one month of the supermarket becoming operational (and at any other time requested by the Council), a noise verification report shall be submitted to and approved in writing by the Council. The noise verification report must demonstrate that the cumulative noise impact associated with the proposed development, (from all sources operating simultaneously), does not exceed the predicted noise levels (day and night) at all receptors as specified in Section 6.4 of the submitted Noise Impact Assessment Lidl Bangor, prepared by Irwin Carr Consulting (Lidl Bangor) and dated 7th November 2024.

Reason: Protection of public health to ensure the site is suitable for use.

15. If the cumulative noise impact at any receptor exceeds that as stated in Section 6.4 of the submitted Noise Impact Assessment Lidl Bangor, prepared by Irwin Carr Consulting (Lidl Bangor) and dated 7th November 2024, then further noise attenuation/mitigation works shall be undertaken within 3 months to reduce noise levels in order to comply with the predicted levels in Section 6.4. Within one month of the completion of the additional works, a further noise survey shall be completed as per condition 14.

Reason: Protection of public health to ensure the site is suitable for use.

16. No deliveries shall be received or dispatched from the site and no delivery or dispatch vehicles shall enter or leave the site (whether laden or unladen), outside the hours of 07.00hrs and 23:00hrs.

Reason: Protection of public health to ensure the site is suitable for use.

17. The opening hours for the supermarket hereby permitted shall be restricted to 08:00 to 21:00 Monday to Saturday and 13:00 to 18:00 Sunday.

Reason: Protection of public health to ensure the site is suitable for use.

18. No retailing in or from the building hereby permitted shall commence until hard surfaced areas have been constructed within the site and permanently marked to provide parking and servicing in accordance Drawing No. 03D. No part of the hard-standing surfaced areas shall be used at any time other than for the parking and movement of vehicles.

Reason: To ensure that parking, servicing and traffic circulation within the site is provided.

19. The gross floorspace of the food store hereby permitted shall not exceed 2560sq. metres, of which the net floorspace shall not exceed 1742sq. metres when measured internally.

Reason: To enable the Council to retain control over the scale of retailing activity so as not to prejudice the continued vitality and viability of existing retail centres.

20. The retail unit hereby permitted shall be limited to the display and sale of convenience goods with the exception of an area not exceeding 279 sq. metres of the total net retail floor space that may be used for non-convenience retailing.

Convenience goods for this purpose are hereby defined as: -

- (a) Food and drink, including alcoholic drink;
- (b) Tobacco, newspapers, magazines, confectionery;
- (c) Stationery and paper goods;
- (d) Toilet requisites and cosmetics;
- (e) Household cleaning materials; and
- (f) Other retail goods as may be determined in writing by the Council as generally falling within the category of 'convenience goods'.

Reason: To enable the Council to ensure the comparison functions of the existing retail centres are not adversely affected by the development.

21. No internal operations, including the installation of mezzanine floors, shall be carried out to increase the gross retail floorspace for retail use without the express grant of planning permission by the Council.

Reason: To enable the Council to retain control over the nature, range and scale of retailing activity so as not to prejudice the continued vitality and viability of existing centres.

22. The floorspace of the food store hereby approved shall be operated as a single unit and shall not be sub-divided into independent or separate retail units.

Reason: To enable the Council to retain control over the nature, range and scale of retailing activity so as not to prejudice the continued vitality and viability of existing retail centres.

23. All hard and soft landscaping works shall be carried out prior to the operation of the development hereby approved and in accordance with the approved details as indicated on Drawing No. 04B. All hard landscaping works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

24. Any proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

25. All existing trees and landscaping within the site identified for retention on Drawing No. 04B, shall be retained. No retained tree shall be cut down, uprooted, damaged or destroyed or otherwise removed without prior written approval from the Council. Any existing trees or planting indicated on the approved plans which, within a period of five years from the completion of development, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

26. A detailed landscape management and maintenance plan including long term design objectives, performance indicators, management responsibilities, and maintenance schedules for all landscaped areas shall be submitted to and agreed in writing by the Council prior to the operation of any part of the

development hereby approved. The landscape management and maintenance plan shall be permanently carried out as approved.

Reason: To ensure the sustainability of the approved landscape design through its successful establishment and long-term maintenance.

Informative

This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees, where relevant, on the Portal.

Annex A – Photographs and Plans



Photograph 1 – Dwellings within Skipperstone Park



Photograph 2 – Dwellings within Skipperstone Park



Photograph 3 – Dwellings within Skipperstone Avenue



Photograph 4 – Path from Skipperstone Avenue leading to Bloomfield Road South



Photograph 5 – Path from Bloomfield Road South leading to Skipperstone Avenue



Photograph 6 – View between dwellings on Skipperstone Avenue towards central enclosed amenity area to the rear of dwellings



Photograph 7 – Central enclosed amenity area to the rear of dwellings



Photograph 8 – Central enclosed amenity area to the rear of dwellings



View of site from the north as approaching Bloomfield Road Roundabout.



View of site from the east as approaching Bloomfield Road Roundabout.



Proposed Site Layout Plan



Proposed Landscaping Plan



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Addendum to Planning Report

Application Ref: LA06/2024/0623/F

Proposal: Demolition of existing dwellings, erection of discount supermarket, provision of access, car parking, landscaping, removal of bus lay-by, relocation of bus shelter, relocation pedestrian footway between Bloomfield Road South and associated site works (Relocation of existing Lidl supermarket from No 97 Bloomfield Road to west of Bloomfield Road South and South of Skipperstone Park. Existing building at 97 Bloomfield Road to be retained but retail use to be extinguished).

Location: 1-15 (odds) Skipperstone Park, 11-33 (odds) Skipperstone Avenue, 1-6 Skipperstone Gardens, and 100-122 (evens) Bloomfield Road South, Bangor.

Addendum Introduction

This addendum has been prepared to address a further representation received from Martin Robeson (acting on behalf of Tesco Stores Ltd) on 2 October 2025 and an additional representation received from Andy Stephens on 6 October 2025. Both were submitted following completion and publication of the main Case Officer Report.

Preliminary Note

Following publication of the main Case Officer Report, the description of the proposal was subsequently amended. In accordance with statutory requirements, neighbour notification letters were issued and the application was re-advertised in the local newspapers to ensure that all interested parties were duly informed of the amendment.

Summary of Issues Raised in Representations

The issues raised within the Mr Robeson representation can be summarised as follows:

- Retail impact on Bangor City Centre
- Failure to demonstrate quantitative need
- Sequential test not robust
- Loss of Open Space

Mr Stephens' representation included a review of the Transport Assessment (TA) and Travel Plan prepared by a Chartered Roads Engineer (SW Consultancy). The representation also responds to a number of rebuttals submitted by the applicant in response to earlier correspondence from Mr Stephens. The issues raised can be summarised as follows:

- Traffic and road safety
- Information and methodology used in the TA
- Loss of public infrastructure
- Removal of public infrastructure not included within the proposal description
- Inadequate parking provision
- Air quality and environmental concerns

The representations are available to view on the Northern Ireland Planning Register.

Retail Impact on Bangor City Centre

This issue has already been addressed within the Case Officer Report. It is acknowledged the impact on Bangor City Centre is finely balanced. However, having considered all available evidence, it is concluded that the proposal, either individually or in combination with other developments, is unlikely to have a significant adverse impact on Bangor City Centre.

Failure to demonstrate quantitative need

This issue has also been considered in detail within the main Case Officer Report. The applicant's retail assessment puts forward a case of need for the development based on both quantitative and qualitative factors.

Paragraph 6.282 of the SPPS states that in the absence of a current and up-to-date LDP, councils should require applicants to prepare an assessment of need which is proportionate to support their application. This *may* (my emphasis) incorporate a quantitative and qualitative assessment of need. It is accepted that the presence or absence of an identified need is a relevant material consideration in the overall consideration of impact.

I accept the conclusions by Nexus that there are aspects of qualitative need which weigh moderately in favour of the proposed development. This includes the dated appearance of the existing Lidl store and added modern requirements in terms of accessibility to all shoppers, including the impaired, as well as sustainability initiatives and staff respite spaces. However, this must be considered alongside the quantitative evidence which has been afforded no positive weight.

Following publication of the main Case Officer Report, Nexus was asked to clarify its position in relation to the weighting attributed to both qualitative and quantitative need assessments. As a result, paragraphs 4.8 and 6.3 of the Nexus report have been amended and the amended report was published on the NI Planning Portal on 13 October 2025.

The amended Nexus report clarifies there are some qualitative benefits to the proposal which carry limited/moderate weight but that this is fully offset by the quantitative need assessment which equate to a negative weighting. Nevertheless, the conclusion of the

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Nexus report remains unchanged, in that either in solus or cumulatively, the proposal is unlikely to have a significant adverse impact.

As highlighted in the objection letter, paragraph 6.290 of the SPPS sets out the range of factors to be addressed in a retail impact and assessment of need. These include the impact of trade on the town centre, impact on planned development, impact on vitality and viability of existing centres, and a review of local economic impacts.

Paragraph 6.291 states, *"Where an impact on one or more of these criteria is considered significantly adverse or where in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it should be refused"*.

The impact of the proposal on Bangor City Centre has been carefully considered in the Nexus report and in the Case Officer Report.

The overall conclusions of the Nexus Report are accepted. Having weighed all material factors it is considered, on balance, that the proposal is unlikely to have a 'significant adverse impact' on Bangor City Centre or any other identified centre. Whilst it is recognised that the impact on Bangor City Centre is undoubtedly a concern, there is evidence of planned investment for the city centre. Having regard to this planned investment, it is considered that the proposal, when considered alone and cumulatively with other planned development, would not reach the magnitude of resulting in a 'significant adverse impact.'

Sequential Test Not Robust

This issue has also been considered in detail within the main Case Officer Report. Nexus suggested an element of flexibility be applied in terms of the site area, with a minimum site area of 0.8ha being considered a more reasonable search parameter than 1ha which is the equivalent size of the proposal site. Considering the degree of flexibility suggested by Nexus, three of the four Development Opportunity Sites considered in the RINSA were still ruled out due to size, whilst the remaining site was discounted for other reasons.

Whilst the former Dunnes Stores unit in the Flagship Centre was not considered by the applicant in the original RINSA, this was addressed in a subsequent submission to the Council. The current status of the Flagship Centre, the location of the proposed unit, the lack of footfall, unsuitability from a market attractiveness perspective due to the lack of a strong visual presence, and unsuitable parking were put forward as reasons as to why this unit, and other smaller units in the Flagship Centre, were unsuitable. Although Nexus disagreed with some of the reasons put forward by the applicant, it ultimately discounted any sequentially preferable sites for the reasons already outlined in the main Case Officer Report.

Overall, it is concluded the requirement is location-specific to Bangor and that the applicant has appropriately reviewed available city and edge of city centre sites and, at the time of writing, none has been found to be suitable, viable and available. It is therefore considered that the proposal satisfies the sequential test.

Loss of Open Space

This issue has already been considered in detail within the Case Officer Report.

Removal of public infrastructure not included within the proposal description

In response to concerns raised by Mr Stephens, the proposal description has been amended to reflect the relocation of the bus shelter and removal of the bus lay-by. The application has been re-neighbour notified and re-advertised as a result of this amendment and no further objections have been received to date.

Information and Methodology used within the Transport Assessment

The representation prepared by SW Consultancy (on behalf of Mr Stephens) raises concern regarding the adequacy and accuracy of the Transport Assessment (TA), submitted in support of the application. In particular, it is asserted that the TA underestimates baseline traffic conditions within the surrounding road network. The findings of a traffic survey conducted on by SW Consultancy on 12 June and 14 June 2025 have been provided.

The objection states that the methodology used in the TA to calculate trip generation is flawed and resulted in an underestimation of vehicle trips. It also states that the TA fails to take account of all existing and committed development associated with Bloomfield Shopping Centre and Retail Park.

In response to the concerns raised, the Council sought the professional opinion of DFI Roads as the statutory consultee for transport matters. DFI Roads reviewed both the TA and the technical points raised in the objection. Following this review, DFI Roads confirmed that it has no objection to the proposed development. No amendments to the TA were requested.

Inadequate Parking Provision

The SW Consultancy letter contends that the proposed level of on-site parking would be insufficient to serve the development. Car parking has been considered in detail within the main Case Officer Report. DFI Roads has raised no concern in relation to the level or layout of parking proposed. I am satisfied that the level of provision is sufficient to serve the proposed development and that the application satisfies the requirements of PPS3, Policy AMP7.

Loss of Public Infrastructure

SW Consultancy also raises concerns regarding the potential impact of the proposal on existing public infrastructure. The application includes the relocation of an existing

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bus stop and shelter. Although the removal of the existing bus lay-by is proposed, DFI Roads has raised no objection to this element of the scheme.

The final location of the relocated bus stop and shelter will be subject to discussions between Translink NI and DFI Roads. The recommendation to approve this application is subject to a condition requiring that the bus stop and shelter be relocated prior to the commencement of development, in accordance with details to be formally agreed by the Council in consultation with DFI Roads.

Traffic and Road Safety

SW Consultancy highlights potential roads safety and traffic impacts and referenced the collision history at Bloomfield Roundabout mapped by Matrix Planning Consultancy (2014-2025). It recommended that a Road Safety Audit (Stage 1-2) be carried out in support of the application.

An analysis of collision history over a three year period between 2020-22022 has been included in the TA. It concludes that all collisions occurred on different arms of the junctions and/or due to driver error and not due to geometric design of the junctions. Therefore, the TA concludes that there is not an collision problem in the vicinity of the site.

DFI Roads has been consulted on multiple occasions to consider the traffic and road safety impacts of the proposed development. The proposal was previously amended as a result of concerns raised by this consultee. DFI Roads was also asked to consider the technical collision data and road safety concerns included in SW Consultancy's letter. Having considered the information, DFI Roads has raised no objection to the proposed development and has requested no further information or design amendments.

Air Quality and Environmental Concerns

SW Consultancy refers to the potential for traffic generated by the proposal to impact climate change as a result of increased emissions.

The Council's Environmental Health Department has been consulted on the application and has not raised any air quality or other environmental concerns. Having regard to the scale of the proposed development, I am satisfied that the proposal is unlikely to result in a significant increase in emissions or cause significant harm to the environment as a result of climate change.

Report Correction

It should be noted that the Heading 'Section 73 Planning Agreement' within the main Case Officer Report should be corrected to 'Section 76 Planning Agreement'.

Conclusion

The matters raised in the objection letters have been considered in detail by the Council's Planning Service and additional consultation with expert bodies has taken place, where appropriate.

It is considered, on balance, that the proposal is unlikely to result in a significant adverse impact on Bangor City Centre or any other identified centre.

Given the statutory expertise of DFI Roads, significant weight is afforded to its professional advice. Having considered the information submitted in support of the application, the third party objections (including the representation from SW Consultancy) and the consultation responses from DFI Roads, I am satisfied that the proposed development will not result in unacceptable adverse harm in terms of traffic and roads safety. I am also satisfied that the level of car parking provision is sufficient to serve the proposed development.

The recommendation to GRANT planning permission remains unchanged subject to the conditions outlined in the main Case Officer Report.

Development Management Case Officer Report			 Ards and North Down Borough Council	
Reference:	LA06/2019/0888/F	DEA: Newtownards		
Proposal:	Residential development comprising the erection of 62 No. dwellings (mix of detached and semi-detached) with access via Tullynagardy Avenue, associated site works and landscaping.			
Location:	Lands off Tullynagardy Avenue to the West of Nos. 46-54 Tullynagardy Lane, 30m south of Tullynagardy Road and North of Nos. 21-25 Valencia Way North and 17a-21 Galla Way, Newtownards			
Applicant:	Northland Developments (C&T) Ltd.			
Date valid:	02/09/2019	EIA Screening Required:	Yes	
Date last advertised:	22/05/2025	Date last neighbour notified:	15/05/2025	
Letters of Support: 0		Letters of Objection: 22 (from 13 separate addresses)		Petitions: 0
Consultations – synopsis of responses:				
Environmental Health		No objection subject to conditions		
Shared Environmental Services		No objection		
DFI Roads		No objections subject to conditions		
DAERA Water Management Unit		No objections subject to conditions		
DAERA NIEA Natural Heritage		No objection subject to conditions		
NI Water		Refusal recommended due to network capacity issues.		
DfC Historic Environment Division		No objection subject to conditions		
DFI Rivers		No objection subject to condition		
Summary of main issues considered: • Principle of development in context of Development Plan • Visual impact and impact on character of area • Impact on residential amenity • Access, road safety and parking • Impact on biodiversity and natural heritage • Impact on existing landscape features • Drainage and sewerage infrastructure				

Recommendation: Grant Planning Permission

Report Agreed by Authorised Officer

Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal [Northern Ireland Public Register \(planningsystemni.gov.uk\)](http://Northern Ireland Public Register (planningsystemni.gov.uk))

1. Site and Surrounding Area

The application site is located within the settlement limit of Newtownards on land zoned for housing under designation NS27 in the Ards and Down Area Plan 2015. The site extends over an area of approximately 3.2 hectares at the western side of the designation and is comprised of two agricultural fields and originally a small group of outbuildings at the northern end which have since been demolished. There are also a significant number of mature trees within the northern end of the site (the majority of which are subject to a Tree Preservation Order).

Access to the group of outbuildings and fields was originally via a private lane off Tullynagardy Road. The lane has since been upgraded and now serves as an access to the new apartment development at Tullynagardy Green (see Figures 1 and 2 below). Access to the proposed housing development will be through the existing residential development via Tullynagardy Avenue off the Tullynagardy Road (see Figure 3 below).



Figure 1 - 2016 Orthophotography



Figure 2 - 2025 Orthophotography



Figure 3 - Proposed Site Access

The site occupies an elevated position in the landscape and lies within LLPA2 – ‘Lieutenant Hill, Slopes and Properties on Belfast Road’ as designated in the Ards and Down Area Plan. The topography of the site is sloping with the highest part of the site at the northern end where the group of outbuildings originally stood. From here, the ground falls steadily across the first field in a south easterly direction by approximately 10m. In the second field, the ground then rises steadily in a south easterly direction by approximately 7m towards a peak in the centre of the eastern boundary of the field and then falls again quite steeply in a south westerly direction towards the south-western corner of the site by approximately 16m. The site has good natural boundaries on all sides, consisting of mature hedgerows and trees.

The housing designation has already been substantially developed with the application site representing the last area of the designation to be developed. Existing dwellings within the new development adjacent to the site are predominantly two storey with a mix of detached, semi-detached, townhouses and apartments. Finishes to the dwellings include a mix of brick, render and stone cladding.

The following images below show various views of the application site and from within the surrounding area starting at the northern end of Tullynagardy Road and moving south.



Figure 4 – View looking south towards site from Tullynagardy Road (site is on lower ground beyond trees) (Google Streetview March 2022)



Figure 5 – View of site from new development at Tullynagardy Green



Figure 6 – View of site from Tullynagardy Grove



Figure 7 – View of site from Tullynagardy Brae



Figure 8 – View of site from Tullynagardy Courtyard



Figure 9 – View of site from Tullynagardy Avenue (main access to site)



Figure 10 – View towards site from Korona Park



Figure 11 – View towards site from Valencia Way



Figure 12 – View towards site from Galla Way





Figure 13 – Views of site from 17a Galla Way



Figure 14 – View of northern field looking towards south



Figure 15 – View of southern field from Tullynagardy Avenue (looking south)



Figure 16 – View of southern field looking west

2. Site Location Plan



Figure 17 – Site Location Plan



Figure 18 – Aerial view of site

3. Relevant Planning History

Site

LA06/2019/0447/PAN – Residential development at lands to West of Tullynagardy Avenue and south of Tullynagardy Road, Newtownards. **PAN Accepted 01/05/2019**

Surrounding Area

X/2010/0054/F – Residential development of 106 dwellings comprising detached, semi-detached, townhouses and apartments, associated open space landscaping, access and right turn lane on Crawfordsburn Road at Lands surrounding 8 Tullynagardy Road falling north of Saratoga Avenue and Galla Way, west of Crawfordsburn Road, and south of Tullynagardy Road Newtownards. **Permission Granted 01/03/2012.**

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- Ards and Down Area Plan 2015
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement (PPS) 2: Natural Heritage
- Planning Policy Statement (PPS) 3: Access, Movement and Parking
- Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage
- Planning Policy Statement (PPS) 7: Quality Residential Environments
- Planning Policy Statement 8: Outdoor Sport and Recreation
- Planning Policy Statement 12: Housing in Settlements
- Planning Policy Statement 15: Planning and Flood Risk

- Creating Places
- Living Places

Legislative Requirements

Proposal of Application Notice (PAN) and Consideration of Pre-Application Community Consultation (PACC) Process

As the proposal falls within the category of major development as outlined in The Planning (Development Management) Regulations (Northern Ireland) 2015, this proposal was subject to legislative requirements to carry out pre-application community consultation prior to submission of the planning application. A PAN was submitted to the Council on 18 April 2019. The Council wrote to the applicant on 1st May 2019 confirming that the PAN submission was acceptable. The current planning application was submitted to the Council on 2nd September 2019, more than 12 weeks after receipt of the PAN, as required by Section 27 of the Planning Act (Northern Ireland) 2011 ('the Act').

In accordance with Section 28 of the Act, a Planning Application Community Consultation (PACC) Report was submitted with the application. The report satisfactorily outlines how community consultation was carried out in accordance with the requirements of Section 27 of the Act and Regulation 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 ('the DM Regs').

A public event was held as part of the consultation process, in Ards Shopping Centre on Wednesday 22 May 2019 between 3pm and 7pm. The event was advertised in the both the Newtownards Chronicle and Belfast Telegraph on the week beginning 13th May 2019 in accordance with Regulation 5 of the DM Regs. A leaflet containing details of the proposal was also distributed to 615 surrounding properties with a freepost feedback form and consultation phoneline. In addition to this, a press release was issued highlighting the proposals and details of the public event. Elected Members within the Newtownards DEA and Strangford MLAs and MPs were also notified of the PAN.

In total, over 41 individuals actively took part by engaging with the project team at the public information event, completing a feedback form or providing comments via the project email. Four questions were included on the Feedback form as shown in Figure 3 below.

Table 4.1 Feedback Questions

Question
Q1. The proposed neighbourhood layout, amenity space and mix of houses will create a good quality place to live
Q2. I support the contribution these homes will make to meeting the housing needs in Newtownards
Q3. The proposals show a safe road layout and access to this neighbourhood development
Q4. Do you have any further comments?

Figure 19 – Feedback Questions

In response to feedback, changes were made to the proposed residential development, including:

- Removal of garages between sites 63 and 64 to improve their relationship with properties in close proximity, existing vegetation and common boundaries;
- Information in the form of site sections, detailed landscaping plans have been developed to demonstrate how the development will relate to existing properties around the boundary of the site.

Design and Access Statement (DAS)

As the proposal involves major development, a DAS has been submitted in accordance with the legislative requirements of the Act and The Planning (General Development Procedure) Order (Northern Ireland) 2015.

The submitted statement provides an analysis of the existing site conditions and surrounding context identifying the constraints and opportunities that have informed the development of the proposals. The statement outlines the design principles and concepts that have been applied to the development, incorporating the feedback obtained from the consultation events. The main design concept principles set out in the DAS are summarised as follows:

- Dwellings within this application have been orientated to respect the existing topography and dwellings, and to provide suitable supervision of future open space.
- The proposed dwellings represent a similar scale and massing to existing adjacent dwellings. The design respects existing building forms within the area and provides for suitable separation to mitigate overlooking and/or overbearing issues.

- A general house type range of approximately 8 types will be employed within the scheme, each plot will offer varied palettes of materiality, alongside variations to the form and massing of dwellings to produce a scheme that offers a bespoke approach to dwelling design per plot.
- Full landscaping proposals ensure that the proposed development links successfully with the surrounding landscape and visually softens the hard edges of the built environment.
- The scheme has been designed at this early stage to enhance the area and to minimise waste and pollution through effective waste management systems. The dwellings will be subject to the Building Regulations and as such, will be required to comply with the statutory requirements relating to moving towards a low carbon emission rate.

Environmental Impact Assessment

A determination was carried out upon receipt of the application under Regulation 12(1) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as to whether the proposal would be EIA development.

Based on the submitted information provided by the applicant, the Planning Department determined on 18th September 2019 that the proposal was not considered to be EIA development and as such did not need to be accompanied by an Environmental Statement.

Development Plan

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The site lies within the settlement limits of Newtownards as identified in the Ards and Down Area Plan 2015 and occupies 3.2 hectares of land on the western side of the NS27 Housing Designation. The site also lies within LLPA2, Lieutenant Hill, slopes and properties on Belfast Road.

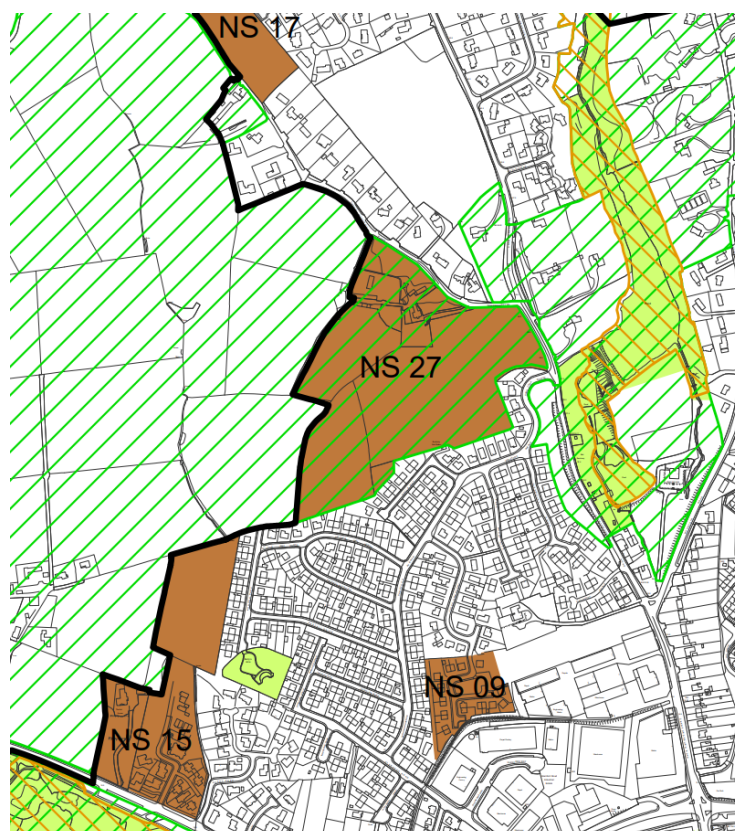


Figure 20 – ADAP Housing Designation NS27

The Plan sets out a number of Key Design Considerations for the NS27 Designation. Each are considered in turn below.

- **Housing development to be a minimum gross density of 15 dwellings per hectare and a maximum of 20 dwellings per hectare.**
62 dwellings are proposed in total on a site area of 3.2 hectares which equates to a density of 19 dwellings per hectare in compliance with the above requirement.
- **Development of the site will be dependent on the upgrading of the junction at Talbot Street/Crawfordsburn Road and Hardford Link. A developer contribution will be required for this upgrade and will be directly proportional to the impact of the NS27 development on this junction. A Transport Assessment will be required to accompany any future development.**
Improvements to this junction were conditioned under the previous planning approval for the designation (X/2010/0054/F for 106 dwellings). This development has now been completed.
- **A footway will be required along the entire site frontage onto both the Crawfordsburn Road and Tullynagardy Road and to the existing footway network.**
Road improvement works were conditioned under the previous planning approval for the designation (X/2010/0054/F for 106 dwellings). This development has now been completed including the extended footway.

- **A right turning facility will be required at the junction of Crawfordsburn Road and Tullynagardy Road**

Road improvement works were conditioned under the previous planning approval for the designation (X/2010/0054/F for 106 dwellings). This development has now been completed including the right turning lane.

- **A full survey of existing vegetation within the site and retention of trees and hedgerows where possible, allowing for safe and controlled access with replacement planting of an indigenous species.**

A full survey has been submitted with the application. The majority of existing trees and mature hedgerows within the site will be retained. See consideration below under PPS7 for further detail.

- **The mature vegetation around the existing two storey dwelling and outbuildings at No. 8 Tullynagardy Road is to be retained.**

The original dwelling and outbuildings at 8 Tullynagardy Road have been demolished to accommodate new residential development. Only the outbuildings were located within the current application site with the site of the original dwelling having already been subject to residential development approved under previous applications. The trees on the site are subject to a Tree Preservation Order and the potential impact of the development on these trees is considered in detail under Policy QD1 of PPS7 below.

- **Access arrangements and dwelling layout to be designed to ensure that houses front onto existing and any proposed access roads.**

All dwellings within the development will front onto access roads.

- **The boundaries of the site adjacent to the open countryside to be landscaped with 8-10m belt of trees of native species to provide screening for the development and help integrate it into the surrounding countryside and give definition to the edge of the settlement limit.**

A landscaped buffer varying between 6-11m in width has been proposed along the western boundary of the site at the edge of the settlement. This will include a number of extra heavy standard trees planted throughout along with retention of the existing mature trees and hedgerows already located along this boundary. It is considered that the proposed buffer planting along with the existing retained trees and hedgerows will provide sufficient definition to the edge of the settlement limit at this location.

- **Positive management arrangements to protect and maintain open space and landscaping.**

A Landscape Management and Maintenance Plan covering a 20-year period, has been submitted with the application and implementation of this plan would be subject to a condition of planning permission. Planning permission would also be subject to a condition requiring a developer led management company to be set up to manage the areas of communal open space in the long term.

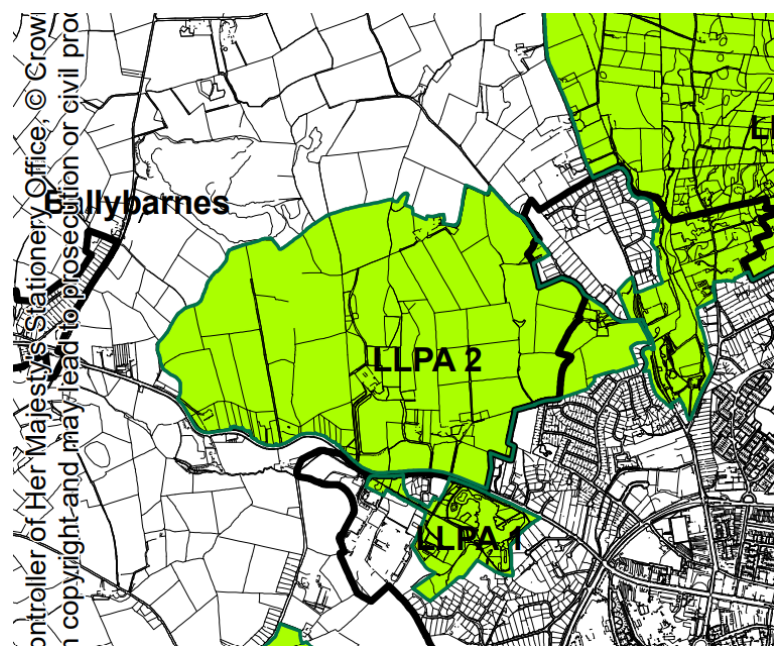


Figure 21 – ADAP LLPA2 Lieutenant Hill, slopes and properties on Belfast Road

The Plan sets out a number of features of LLPA2 as follows:

- Localised hill and vegetation form distinctive landscape setting for the town, especially when viewed from Scrabo Hill or Kempstones Road.
- Attractive lush green slopes with significant numbers of mature trees along boundaries and important tree groups around Concorde Cottage on the ridge.
- Listed Lodge at Milecross and surrounding mature trees form important entrance and exit feature to the town and coincide with a sharp bend in the road.
- Frontage of detached houses onto Belfast Road between Ballybarnes and Milecross Road have distinctive architectural character.
- Trees around the Ard House provide appropriate visual stop to the edge of the settlement limit.
- Archaeological interest in the form of an enclosure on Lieutenant Hill.

Policy CON2 of the Plan advises that planning permission will not be granted for development proposals which would be liable to adversely affect the environmental quality, integrity or character of an LLPA.

The entirety of Housing Designation NS27 in which the site lies, is located within the LLPA. It was therefore considered that residential development of the density set out in the key site requirements for the designation could be accommodated on the site without causing any adverse impact on the characteristics of the LLPA. The design, scale and massing of the proposed housing is very similar to that already developed on the previously approved section of the designation. The retention of existing trees and hedges within and along the boundaries of the site including an additional landscaped buffer along the western boundary of the site will also help to mitigate the visual impact of the development on this elevated site.

It is acknowledged that given the elevated nature of the site, any development will have the potential to be visible from longer distance views within the surrounding area, one of which is from the Hardford Link area (see Figure 22 below). In considering this potential impact, the scheme was amended at the request of the Planning Department during the processing of the application to reduce the finished floor level and overall height of some of the proposed dwellings to lessen the potential for the development to appear overly prominent.



Figure 22 – View towards site from Hardford Link showing existing dwellings at Galla Way in skyline

Figures 23 to 25 below show some of the streetscape drawings for the original and amended proposals. As can be seen, the overall height of the development along the edge of the settlement limit has been reduced significantly by amending the house types from three storey to two storey and also reducing some finished floor levels (overall height reduction of between 3-3.7m). Therefore, in light of the housing designation and the amendments to the proposal, I am satisfied that the development will not adversely affect any of the listed features of the LLPA.



Figure 23 – Location of Streetscapes 1 and 2



Figure 24 – Streetscapes 1 and 2 – Original Proposal



Figure 25 – Streetscapes 1 and 2 Amended Proposal

Strategic Planning Policy Statement for Northern Ireland (SPPS)

The SPPS states that ‘sustainable development should be permitted having regard to the development plan and all other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance’. The core principles of the SPPS include improving health and well-being, creating and enhancing shared space, supporting sustainable economic growth, supporting good design and positive place making and preserving and improving the built and natural environment. As outlined under the above development plan consideration, the principle of residential development is considered to be acceptable on this site. There are no policies within the SPPS which are considered to conflict with the retained Planning Policy Statements in respect of residential development.

Planning Policy Statement (PPS) 7 - Quality Residential Environments

Policy QD1 – Quality in New Residential Development

Policy QD1 states that Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

All proposals for residential development will be expected to conform to all of the following criteria:

- (a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas***

The potential impact of the development on the wider area and landscape has been considered above in light of the LLPA designation however it is also important to consider the impact of the development on the character of the immediate surrounding area. As already outlined, the site constitutes the last section of housing designation NS27 to be developed. The designation has already been substantially developed and comprises mainly two storey detached, semi-detached and townhouse units however there are also a couple of two and half and three storey apartment buildings. The images below show examples of some of the existing dwellings.





Figure 26 – Examples of house types within adjacent completed development

The images below show some examples of the house types within the proposed development which are very similar in style to the existing adjacent dwellings. It is therefore considered that the scale, proportions, massing and appearance of the dwellings respect the established character of the area.



Figure 27 – Examples of House Types within Proposed Development

The overall layout of the development respects the characteristics of the site and its setting (see Figure 28 below). The development will link with the existing dwellings through to the Tullynagardy Road via a vehicular and pedestrian access from Tullynagardy Avenue and also a pedestrian access from Tullynagardy Grove providing a good level of permeability at both ends of the site. All housing will front the roads and open space within the development, and 'double fronted' design houses have been positioned as feature buildings on corner sites. Extensive landscaping is proposed throughout as well as the retention of the mature trees and hedgerows to help integrate the development and provide a soft edge to the settlement limit.



Figure 28 – Proposed Site Layout

As already outlined above, the development has been designed to respect the topography of the site with the height of dwellings at the edge of the settlement reduced to mitigate any potential prominence. The site is undulating but generally slopes downwards to the south and west. The layout has been designed so that the dwellings will step down to the south and west in line with the natural topography of the site. Some cutting and filling will be needed in places which is unavoidable for a development of this size given the sloping topography, however the extent of this is not considered to be significant. Some sections have been shown below in figures 29-37 demonstrating areas where cutting and filling will take place.

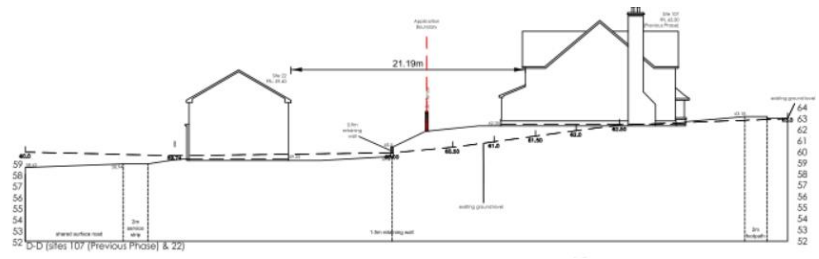


Figure 29 - Section D-D

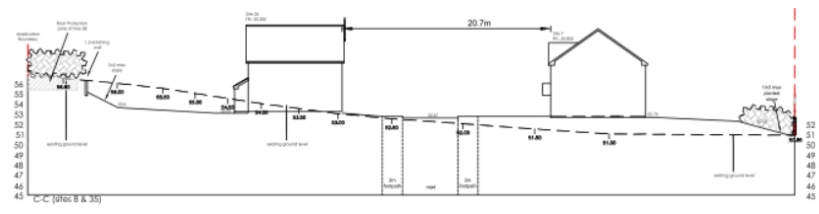


Figure 30 - Section C-C

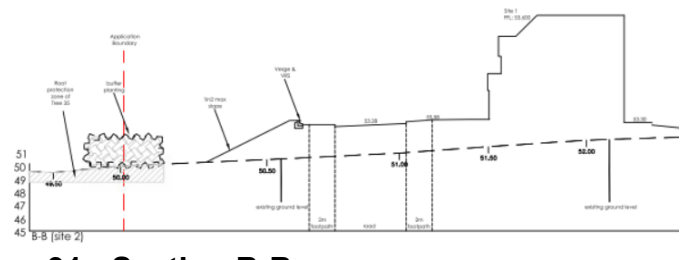


Figure 31 - Section B-B



Figure 32 - Section F-F

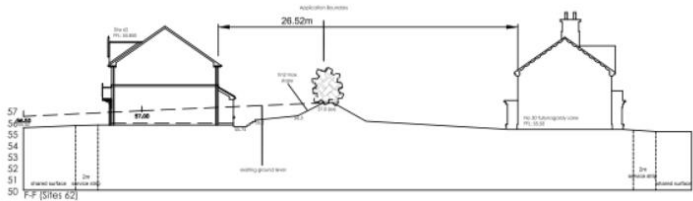


Figure 33 - Section A-A



Figure 34 - Section I-I

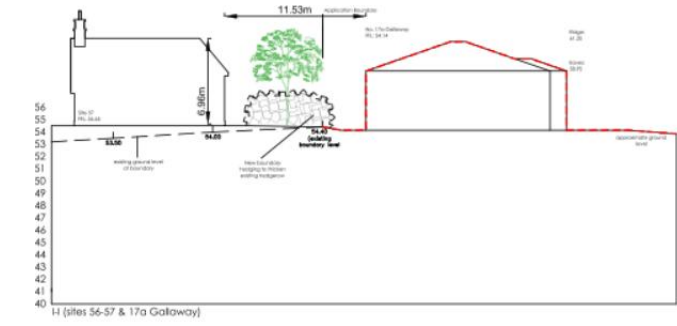


Figure 35 - Section J-J

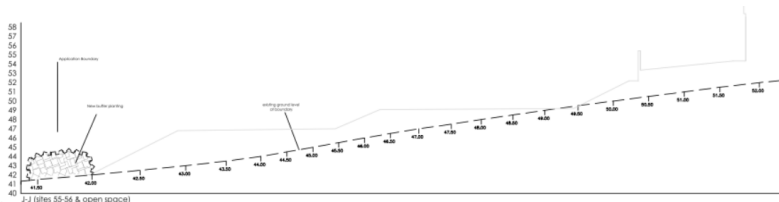
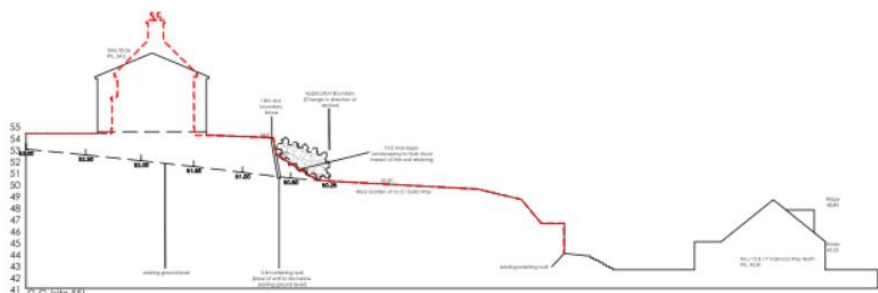


Figure 36 - Section G-G



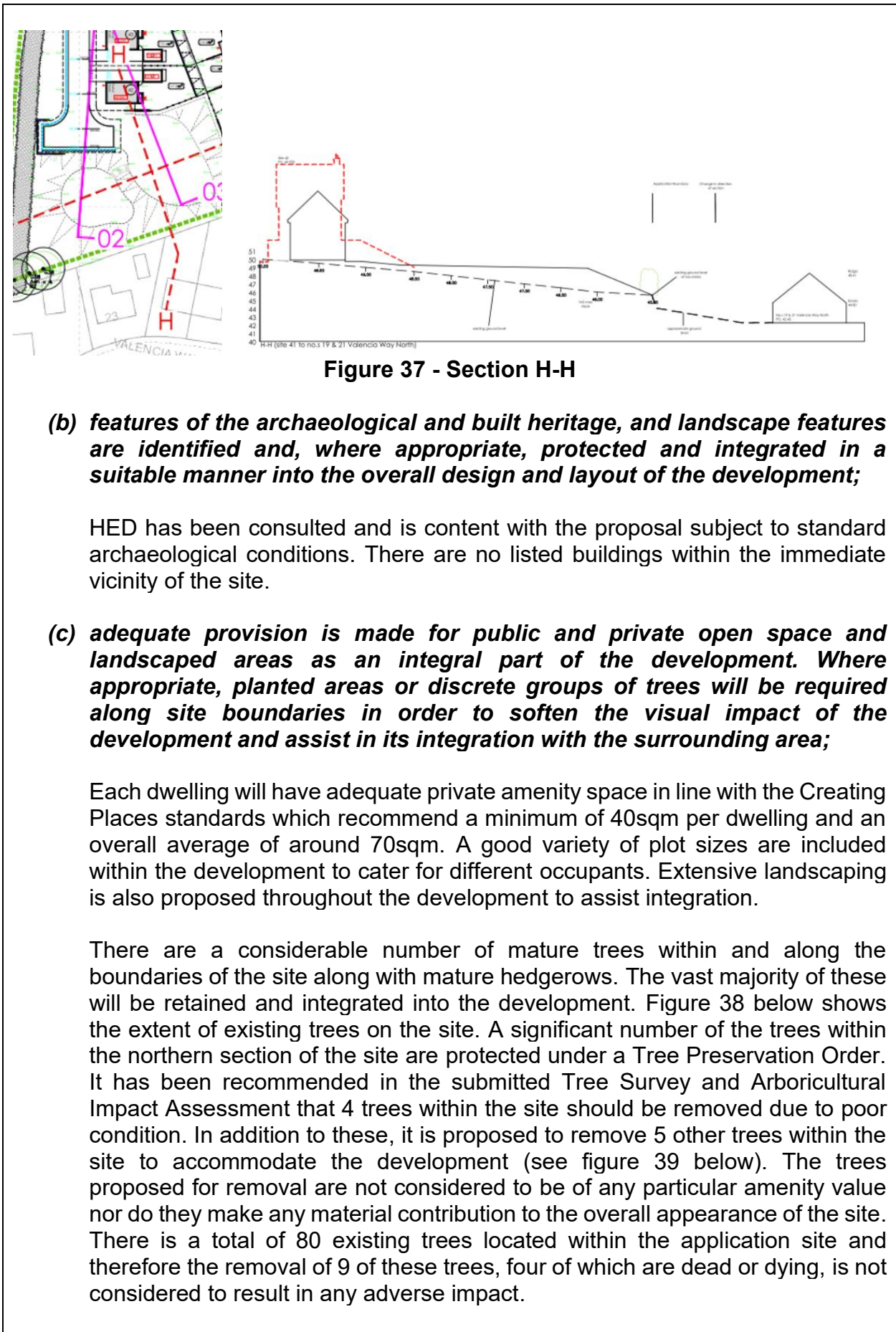


Figure 37 - Section H-H

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

HED has been consulted and is content with the proposal subject to standard archaeological conditions. There are no listed buildings within the immediate vicinity of the site.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

Each dwelling will have adequate private amenity space in line with the Creating Places standards which recommend a minimum of 40sqm per dwelling and an overall average of around 70sqm. A good variety of plot sizes are included within the development to cater for different occupants. Extensive landscaping is also proposed throughout the development to assist integration.

There are a considerable number of mature trees within and along the boundaries of the site along with mature hedgerows. The vast majority of these will be retained and integrated into the development. Figure 38 below shows the extent of existing trees on the site. A significant number of the trees within the northern section of the site are protected under a Tree Preservation Order. It has been recommended in the submitted Tree Survey and Arboricultural Impact Assessment that 4 trees within the site should be removed due to poor condition. In addition to these, it is proposed to remove 5 other trees within the site to accommodate the development (see figure 39 below). The trees proposed for removal are not considered to be of any particular amenity value nor do they make any material contribution to the overall appearance of the site. There is a total of 80 existing trees located within the application site and therefore the removal of 9 of these trees, four of which are dead or dying, is not considered to result in any adverse impact.

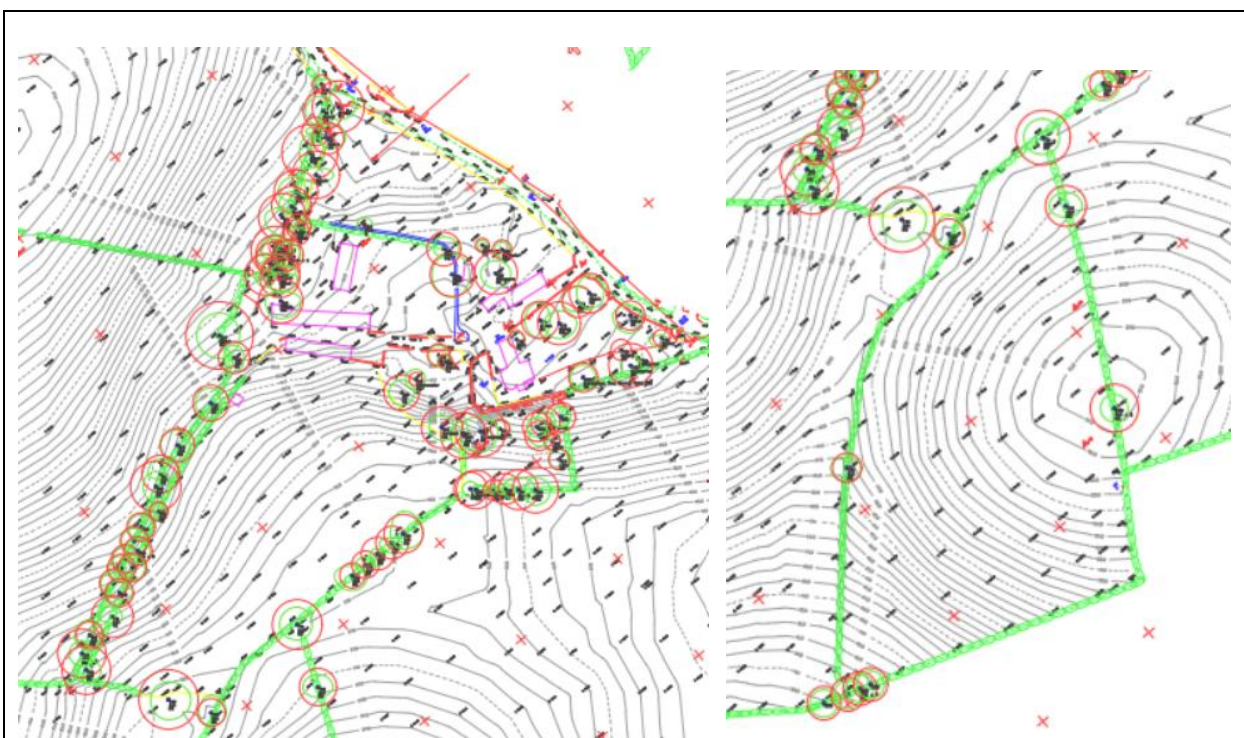


Figure 38 - Survey of existing trees

The Council's Tree Officer has been consulted extensively on the development proposals and is broadly content subject to conditions. All development including utility apparatus, has been shown to be located outside of the root protection areas of existing trees to be retained and protective fencing will be erected prior to commencement of development. While an Arboricultural Method Statement has been submitted, the Tree Officer has requested further details relating to the construction of fences and other structures within the root protection area of trees to be retained. A methodology is required including details of foundation depths, mitigation measures to ensure that there is no contamination of the soil and what measures will be taken if roots are encountered. I am content that this information can be conditioned to be submitted to and approved by the Council prior to commencement of development.

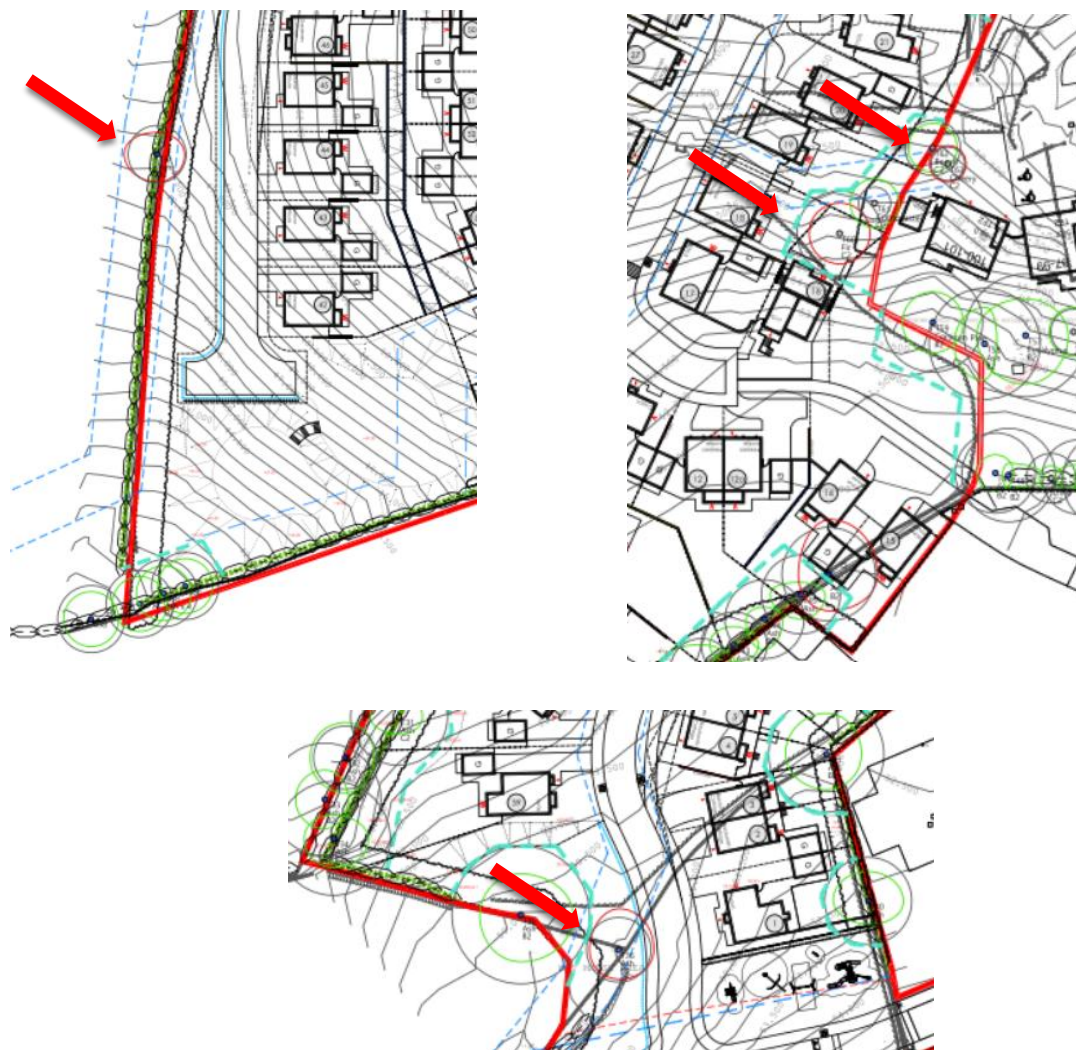


Figure 39 - Trees to be removed to facilitate development

While the Tree Officer had initially expressed some concern regarding the proximity of some of the dwellings to existing trees, a Tree Constraints Plan was submitted which demonstrates compliance with the recommended distances, 6m from the edge of the crown spread to the front or rear of a dwelling and 3m to the gable (see Tree Constraints Plan in figure 40 below).

In summary, I am fully satisfied that every attempt has been made to ensure that the maximum number of trees possible will be retained and incorporated into the proposed development in line with best practice. Recommended conditions will ensure that construction is carried out in line with the agreed protection measures and construction methods and that the trees are appropriately maintained in the long term.

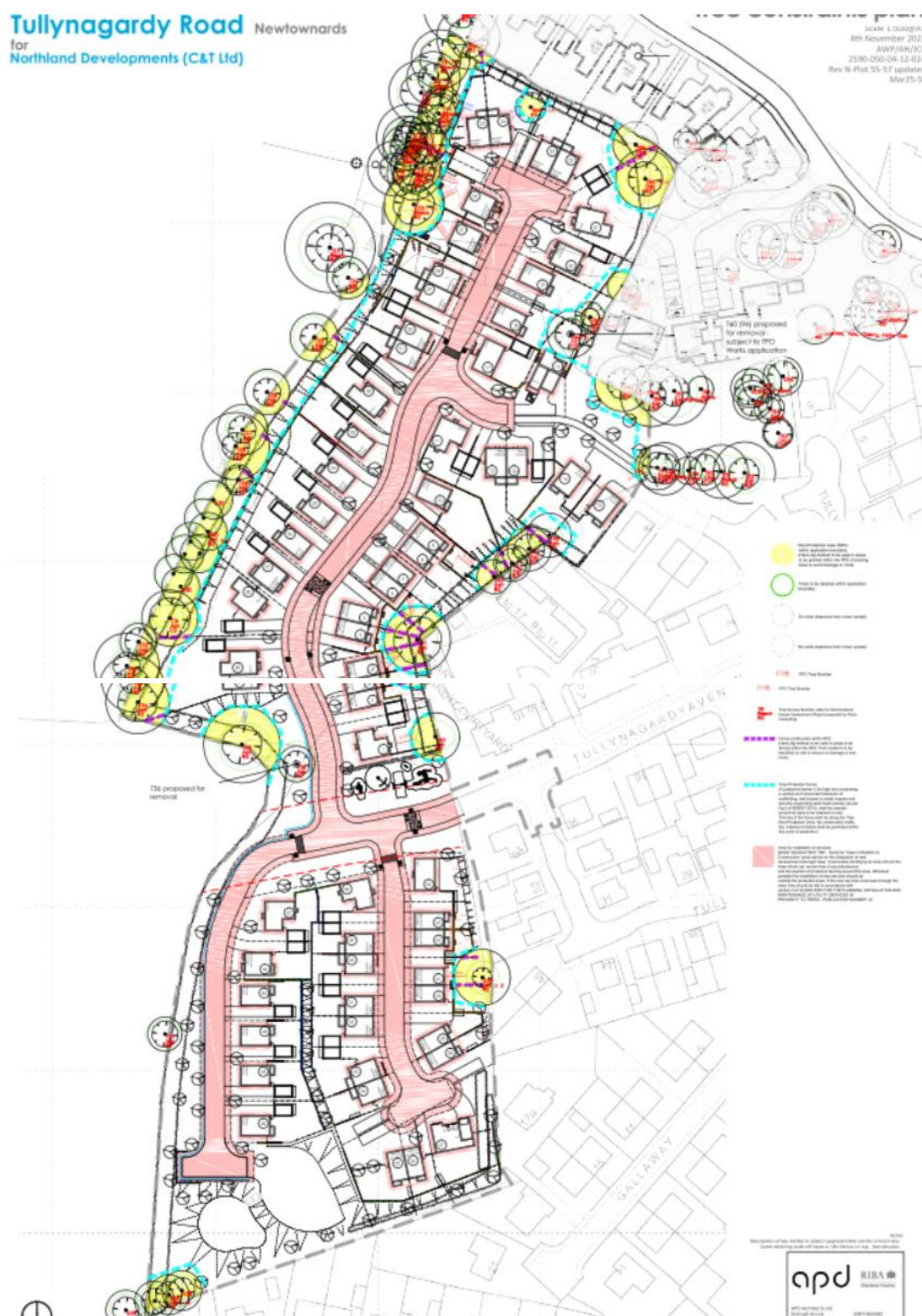


Figure 40 - Tree Constraints Plan

(d) *adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;*

No neighbourhood facilities are required under housing designation NS27. There is a convenience store within walking distance of the site at the Spar Hardford Link just over 0.5 miles away and both the town centre and Ards shopping Centre are within approximately 1 mile of the site.

(e) *a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;*

As outlined above, there is good pedestrian permeability from the site through to Tullynagardy Road and onward to Crawfordsburn Road. No public rights of way are affected by the development.

With regard to cycling, a review of the network surrounding the site shows that the majority of roads are well maintained and of a reasonable width to encourage cycling to the development. National Cycle Network (NCN) Route 93 is within 1km of the development. NCN Route 93 is an on-road cycle route which runs from Derry to Bangor via Coleraine, Ballycastle, Larne, Mossley near Newtownabbey and Belfast. Future links to the route will join Bangor and Belfast via the coast. The Bicycle Strategy for Northern Ireland (August 2015) sets out a 25-year horizon on how the Department for Regional Development plan to make Northern Ireland a cycling community and how they propose to achieve this vision. This strategy will strengthen the sustainable modes of future travel for residents to and from the site and provide confidence to travel by bicycle in a safer environment.

There are no bus stops located within a 400m radius of the development location (accessibility distance recommended by Transport Assessment Guidelines for Development Proposals in Northern Ireland 2006). There are however a number of bus stops located in Newtownards, the town centre lies approximately 1.2km south of the proposed development. The nearest bus stops to the development are located on William Street and Talbot Street.

Individual dwellings will be provided with level access to the front door where possible and where the topography of the site affects this provision, the level access will be provided to an alternative door in line with building regulations.

(f) *Adequate and appropriate provision is made for parking;*

Parking provision is considered below under policy AMP7 of PPS3.

(g) *the design of the development draws upon the best local traditions of form, materials and detailing;*

As already outlined under criterion (a) above, I am satisfied that the design of the development respects the established built form. The adjacent completed development within the designation is of a very high quality by way of finishes, detailing, hard and soft landscaping and boundary treatments. The proposed

development will be completed by the same developer, Northland Developments and therefore it is anticipated that the standard of this development will be equally as high. Proposed materials include a palette of render, brick, stone cladding and quoins.

- (h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;***

I have considered all of the proposed new dwellings in the context of the adjacent existing dwellings and am satisfied that the proposal would not result in any unacceptable adverse impact on amenity by way of loss of light, loss of privacy or an overshadowing/overbearing impact due to the proposed separation distances and landscaped buffers proposed between all of the existing and proposed dwellings.

The Creating Places Guidelines recommend a minimum separation distance of 20m between the rear first floor opposing windows of dwellings. A greater separation distance is recommended on sloping sites. A minimum distance of 10m is recommended between the rear of a dwelling and the party boundary with another dwelling.

Starting at the northern end of the site, the separation distance between units 22-25 and the existing dwellings at 8-14 Tullynagardy Road will be between 22-26m. As the proposed dwellings will sit approximately 2-3m below the finished floor level of these existing dwellings, I am satisfied that the separation distances will be more than adequate to ensure that no adverse loss of light, privacy or overbearing impact will occur.

The rear of units 18-21 will mainly face onto the front and side of the apartments at Tullynagardy Green. Again, the separation distances proposed are more than adequate at around 21-37m and the proposed dwellings here will also sit at a slightly lower level than the apartments, therefore no adverse impact would occur.

The rear of units 1-9 will be located between 23-41m from the closest points of the apartment buildings within Tullynagardy Courtyard in line with the standards. The finished floor levels of the existing and proposed buildings here would be similar.

Moving further south, unit 64 will be positioned approximately 19m from the rear of 54 Tullynagardy Lane and will have a similar finished floor level. While slightly below the recommended 20m separation distance, it is noted that the house type at unit 64 will have no overlooking windows at first floor with only two obscured bathroom windows. I am therefore content that no unacceptable loss of privacy would occur. I am also content that the separation distance will ensure no unacceptable loss of light would occur.

Units 58-63 will be positioned between 21-26m from the rear of the existing dwellings at 46-52 Tullynagardy Lane with numbers 50 and 52 having a similar finished floor level to the proposed dwellings and numbers 46 and 48 sitting at a slightly higher level. I am therefore content that no unacceptable loss of privacy or overbearing impact would occur to these existing dwellings.

Proposed unit 57 is closest to the existing dwelling at 17a Galla Way. The side elevation of unit 57 will face the front of 17a with a separation distance of approximately 11m. The house type for unit 57 has been specifically designed so that no first-floor windows are located on the side elevation facing No. 17a, thereby removing any potential for overlooking. Section I-I as shown in figure 41 below, also demonstrates that the dwelling at unit 57 will be no higher than 17a, thereby also ensuring that no unacceptable overbearing impact or overshadowing would occur.

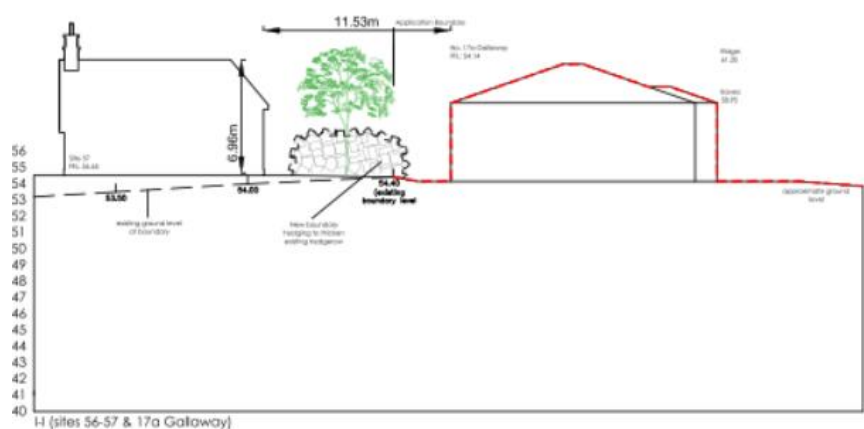


Figure 41 – Section I-I

The rear of units 55-57 will face the rear gardens of Nos. 19 and 21 Galla Way (see figure 42 below). The separation distance between the rear of unit 57 and the rear of 19 Galla Way would be 23m and the separation distance between units 55-56 and No. 21 Galla Way would be between 25-29m. While units 55-57 will sit approximately 5m above the rear gardens of Nos. 19 and 21, their rear elevations would be orientated towards the south so that they will not have direct views towards the rear elevations of Nos. 19-21. Each new dwelling will also have rear garden depths of between 12-16m which is in excess of the recommended minimum depth of 10m. The existing mature hedgerow along the party will be retained and supplemented with additional buffer planting and trees to ensure that there will be a good level of screening between these existing and proposed dwellings. Therefore while it is acknowledged that units 55-57 will sit at a considerably higher level than the existing dwellings at 19 and 21 Galla Way, it is considered that no unacceptable degree of overlooking or dominance will occur given the orientation of the dwellings which will ensure that there will be no direct views towards the rear of the existing dwellings and also given the generous separation distances and boundary planting.



Figure 42 – Extract from Landscape Plan showing relationship of development with dwellings at Galla Way and Valencia Way North

Units 55 and 56 will also face towards the rear of numbers 15 and 17 Valencia Way North. These units will sit considerably higher than the dwellings at Valencia Way North (approximately 12m above) however there will be a significant 'back to back' separation distance of 41-45m between the existing and proposed dwellings, well in excess of the recommended 20m set out in Creating Places (see figure 43 below). It is considered that this separation distance will ensure that no unacceptable degree of overlooking or overbearing impact will occur.

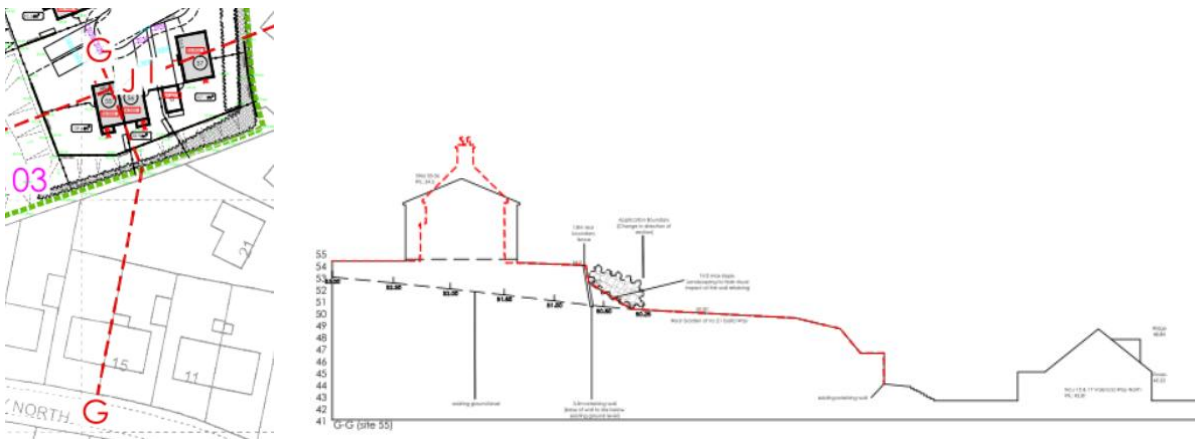


Figure 43 - Section G-G through 15-17 Valencia Way North

There will be no proposed dwellings which would face towards the rear of the existing dwellings at Nos. 19-23 Valencia Way North. Instead, there will be an area of open space (see figure 42 above). It is proposed to raise the ground

levels within this area by a maximum of approximately 3m to create two level surfaces which will be more usable for play etc. (see section drawings in figure 44 below). The raised areas of ground will be located approximately 17.5m to 23.5m from the rear elevations of Nos. 19-23. The existing mature boundary hedgerow will be retained and supplemented with additional tree planting which will provide a suitable degree of screening. I am content that the separation distances and boundary screening will provide sufficient mitigation to ensure that no unacceptable adverse impact will occur by way of loss of privacy or noise and disturbance to the existing dwellings.

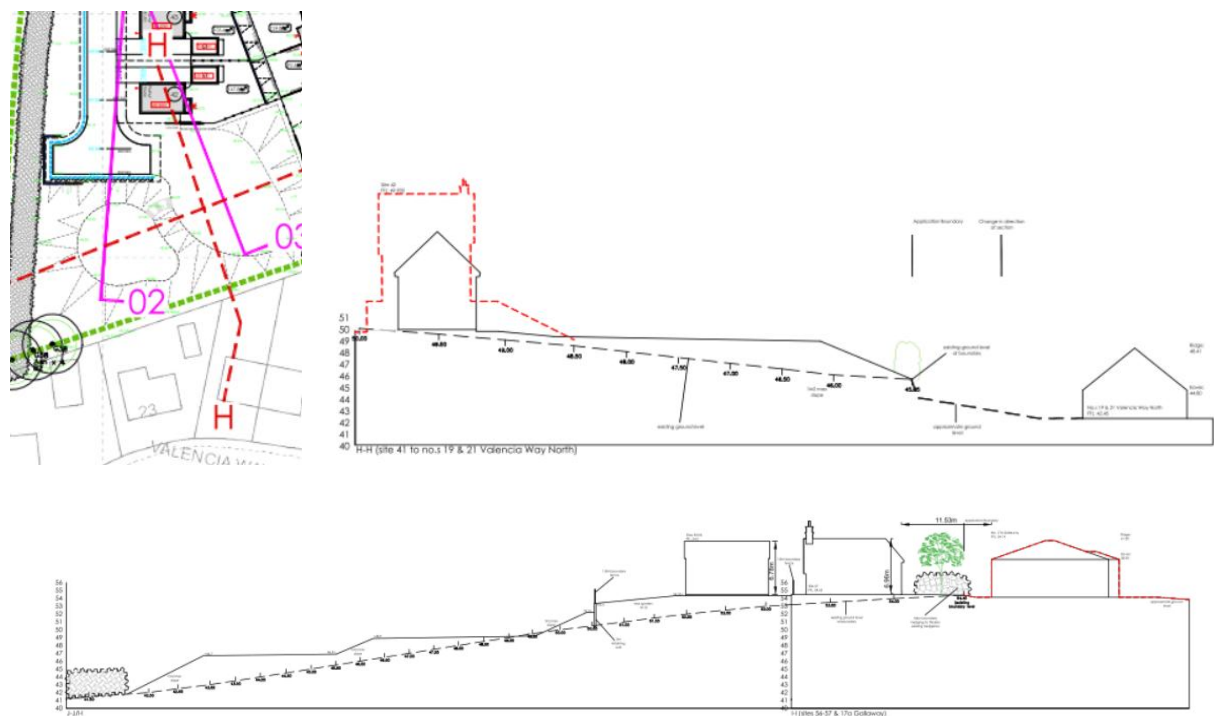


Figure 44 – Sections H-H and J-J through open space

Overall, taking account of all of the above considerations, I am content that the proposed development will not result in any unacceptable adverse impact on any existing dwellings by way of loss light, loss of privacy or dominance.

(i) the development is designed to deter crime and promote personal safety

I am satisfied that the development has been designed to deter crime and promote safety. Areas of open space and access roads will be well overlooked.

Planning Policy Statement 8 Open Space, Sport and Outdoor Recreation

Policy OS2 – Public Open Space in New Residential Development

Proposals for new residential development of 25 or more units or on sites of one hectare or more, will only be permitted where public open space is provided as an integral part of the development. Where the provision of public open space is required, the precise amount, location, type and design will be negotiated with applicants taking account of

the specific characteristics of the development, the site and its context. The policy advises that a normal expectation will be at least 10% of the total site area.

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

- it is designed in a comprehensive and linked way as an integral part of the development
- it is of demonstrable recreational or amenity value
- it is designed wherever possible to be multi-functional
- it provides easy and safe access for the residents of the dwellings
- its design, location and appearance takes into account the amenity of nearby residents and the needs of people with disabilities
- it retains important landscape and heritage features and incorporates and protects these in an appropriate fashion.

In addition, planning permission will not be granted until the developer has satisfied the Department that suitable arrangements will be put in place for the future management and maintenance in perpetuity of areas of public open space.

There are a number of pockets of communal open space proposed throughout the site. In total these provide an area of approximately just over 4000sqm. As the site is 3.2 hectares, this open space provision would exceed the required 10% (3200sqm).

Starting from the northern end of the site, the first area of open space is a small area to be planted with trees which will link in with the existing adjacent treed area of open space to the east (see figure 45 below). Houses have been orientated to face onto the space, and a pedestrian path will link through from the new development to Tullynagardy Grove.



Figure 45 – Proposed open space adjacent to Tullynagardy Grove

The next areas of open space are located in a central position within the site (see Figure 46 below) and include a small, equipped play area. These areas are also well overlooked with dwellings designed to be ‘double fronted’. Any planning approval would be subject to a condition requiring the submission of final details of the proposed play equipment for approval prior to commencement.



Figure 46 – Central areas of open space

The final area of open space includes a larger area at the southern end of the site which will be overlooked by the ‘double fronted’ design dwelling at site 42. As this part of the site slopes down quite steeply towards the south, the ground level will be raised and levelled to provide two level areas which will be usable for play.



Figure 47 – Area of open space in southern end of site

It is recommended that any planning approval is subject to a condition requiring details of the responsibility for long-term management arrangements for the areas of open space to be submitted to the Council for approval prior to commencement. A Landscape Management and Maintenance Plan covering a 20-year period has already been submitted with the application and would also be conditioned.

Planning Policy Statement (PPS) 3: Access, Movement and Parking

Policy AMP 2: Access to Public Roads

The development will be accessed off Tullynagardy Avenue with the exception of two dwellings which will be accessed off Tullynagardy Grove.

A junction operational assessment of the Hardford Link/Crawfordsburn Road/Talbot Street/William Street signal-controlled junction was undertaken. The analysis indicated that with the addition of the anticipated traffic flows associated with the development proposals, the signal-controlled junction will continue to operate well within acceptable capacity thresholds during the revised design horizon of 2030.

DFI Roads have been consulted on the application and having reviewed both the submitted Transport Assessment and Junction Assessment have raised no concerns in terms of impact on road safety or traffic progression subject to standard conditions. All roads within the development are to be adopted.

Policy AMP 7 Car Parking and Servicing Arrangements

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

A car parking schedule has been submitted with the application which demonstrates compliance with the standards set out in the Creating Places guidelines. A minimum of two in curtilage spaces have been provided for each dwelling. In addition to this, 45 on street visitor parking spaces have also been provided.

Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage

Policy BH2 – The Protection of Archaeological Remains of Local Importance and their settings & Policy BH 4 - Archaeological Mitigation

The application site is located close to the historic settlement of Newtownards. The settlement has origins in at least the early medieval period with evidence of earlier human activity in the wider area.

Large development sites such as this are rarely archaeologically sterile, and given the known archaeology within the immediate area, there is the potential for previously unrecorded below-ground archaeological remains to be found during ground works for the proposal. Consequently, archaeological mitigation is required ahead of site works.

Historic Environment Division: Historic Monuments (HED: HM) has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

Planning Policy Statement (PPS) 2: Natural Heritage

Policy NH 1 - European and Ramsar Sites, International

Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on –

- a European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance);
- a listed or proposed Ramsar Site

The site is located approximately 2.8km from any designated sites around Strangford Lough. There is an undesignated watercourse 100m to the West of the site which flows into Kiltonga Site of Local Nature Conservation Importance (SLNCI) and is hydrologically linked to Strangford Lough Area of Special Scientific Interest (ASSI), Special Protected Area (SPA), Special Area of Conservation (SAC) and Ramsar site.

It is proposed to pipe surface water from part of the site through the adjacent land to the west for discharge into the watercourse. Therefore, the site would have a weak hydrological connection to the Strangford Lough Ramsar site and ASSI/SAC/SPA via this watercourse. NED have however assessed the submitted Construction Method Statement with regard to the watercourse and potential hydrological connections to Strangford Lough Area of Special Scientific Interest (ASSI), Special Protected Area (SPA), Special Area of Conservation (SAC) and Ramsar site, and are content that, provided the pollution prevention measures and drainage plans, outlined in the Drainage Assessment, dated January 2023, are implemented, the proposal is unlikely to adversely affect the watercourse nearby and any designated sites downstream of this.

This proposal has been considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on the selection features, conservation objectives or status of any

European site. The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.

Policy NH 2 - Species Protected by Law

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

A Preliminary Ecological Appraisal (PEA) was initially submitted with the application which was then followed by a full Ecological Survey. The survey identified the potential for Bats, Newts and Badgers to be present on the site.

Bats

The site contains numerous mature trees along and close to the site boundaries and previously contained a cluster of farm buildings in the northern section which have since been demolished. The vast majority of the mature trees within the site or along the boundaries are to be retained and, as per the Arboricultural Impact Assessment do not require any pruning or other surgery/interventions. All but one were assessed as being of negligible or low suitability for roosting bats; a mature Ash (referenced in the PEA Report as T01) was assessed as having moderate suitability (no interventions are required for this tree). On this basis, no further surveys were required.

NED has considered the potential roost assessment carried out on all trees and remaining structures at the site and is content that, provided the trees with moderate bat roost potential (BRP) are retained and protected, as outlined in the CMS and Ecological Survey report, the development is unlikely to impact roosting bats.

Newts

The site contains two areas with potential newt breeding habitat – a small pond on the western boundary and a backed-up sheugh in the northern section. The site was surveyed on four occasions during the breeding season. No newts or eggs were found during the surveys. All parts of the pond and the backed-up sheugh were subject to thorough inspection on each occasion.



Figure 48 – Location of pond and sheugh

The pond has formed at a local low point in the site and is likely fed by surface runoff. The pond shows signs of advancing siltation from erosion and significant nutrient enrichment from agricultural runoff. Once the site is developed, with an increase in impermeable surfaces, groundwater infiltration will be much reduced and surface runoff will be discharged to the new drainage infrastructure – recharge is unlikely to be sufficient to sustain the pond in this location. Proposals also do not show retention of the pond with an area of grassed amenity space shown in its place.

NED is content that a licenced smooth newt survey was carried out at the pond and small sheugh present at the site and that no newts were found. NED has noted that the pond during the time of the survey resembled a marshy grassland due to vegetation growth since the time of the last survey, and the sheugh standing water is a temporary feature. On this basis NED has advised it is content that no further survey is required and the proposed development is unlikely to significantly impact breeding newts.

Badgers

Conclusive field evidence of regular badger activity was found throughout the site and on adjoining lands along with two badger setts. The surveys have confirmed that a single social group of badgers is active in this area, and it is clear from the well-used trails and breach points etc. that the site remains part of the territory occupied by that social group.

It will be possible to retain both setts post-development. However, it will be necessary to exclude badgers from both setts, and close them temporarily, during construction works. For longer term protection it will be necessary to install badger protection (i.e. badger-proof) fencing. The fences will encourage badgers occupying the setts to move away into the open countryside preventing access to curtilages of the newly built properties. The exclusion of badgers from a sett is a licensable operation. As a prerequisite for licensing, it is necessary to locate the main sett used by the local social group. This demonstrates that an alternative refuge is available to badgers while setts are excluded and closed. As the location of the main sett has been confirmed it is likely that the necessary exclusion licenses will be granted.

The measures to be implemented for the protection of badgers and their setts during the construction phase are set out in the submitted Badger Management Plan. Development will result in the loss of some foraging resources, but no evidence of heavy or habitual foraging was noted within the site and the total loss from what is now known to be an extensive territory is unlikely to be significant. No setts will be lost to development, and, with the licensed exclusion of setts and other standard protection measures, it is very unlikely that badgers will be harmed or disturbed during construction works. As such, the overall impact on the social group will be minor and is not expected to persist beyond the short-term, settling at de-minimis once construction works are complete.

NED has advised it is content with the badger mitigation plan provided, including pre-construction survey, monitoring throughout construction, no works within 25m of the setts present until a licenced exclusion and temporary sett closure has been carried out and the proposed planting and badger proof fencing.

Planning Policy Statement (PPS) 15 – Planning and Flood Risk

FLD1 - Development in Fluvial and coastal Flood Plains

Dfl Flood Maps (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain.

FLD2 - Protection of Flood Defence and Drainage Infrastructure

An undesignated watercourse is located along the northern boundary of the site. Under 6.32 of the revised Policy PPS 15 FLD 2, an adjacent working strip along a watercourse must be retained to facilitate future maintenance by Dfl Rivers, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5m, but up to 10m where considered necessary, and be provided with clear access and egress at all times. Dfl Rivers acknowledges the provision of a working strip for this watercourse.

FLD3 - Development and Surface Water

DFI Rivers has reviewed the revised Drainage Assessment (DA) dated January 2023. Dfl Rivers, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.

As part of a Pre Development Enquiry (PDE), NI Water advised that no existing storm sewer was available to serve the development. A Schedule 6 application was therefore submitted for discharge to the watercourse located approximately 170metres west of the site which Dfl Rivers have granted.

From site inspection and on receipt of NI Water sewer records prior to the submission of the application, it was evident that a storm requisition from Crawfordsburn Meadows discharges to a conduit within the site. However, the conduit disappeared underground with no known outfall. It was thought that historic piped field drainage may have previously picked up flows from the natural catchment and transported them along the natural gradient to the undesignated watercourse located 170 metres west of the site. The discharges into the site appeared to filter sub surface and dissipate.

Given that no formal drainage conduit was evident between the NI Water storm sewer (from Crawfordsburn Meadows) and the outlet; and following a site visit attended by Marrac Design and Dfl Rivers area office staff, Dfl Rivers agreed to localised drainage improvements being constructed to serve the catchment and provide continuity between drainage features, particularly as the conduit now serves other inhabited developments in the area.

The primary requirement for the inclusion of the localised drainage improvements is to provide continuity between existing storm connections (which have no viable outlet) and the nearest downstream watercourse to mitigate residual surface water flood risk, particularly to existing dwellings immediately south of the application site. These drainage improvements will provide a new conduit to control flows which would otherwise discharge overland in an uncontrolled manner due to the lack of an existing conveyance provision. It is a requirement of the Drainage (NI) Order 1973 for landowners to ensure that undesignated watercourses traversing their lands are adequately maintained and controlled to minimise and mitigate flood risk to themselves and others. The landowner therefore has a statutory responsibility to provide the localised drainage improvements to reduce flood risk emanating from their lands and

this would be a requirement regardless of any planning application on these zoned housing lands.

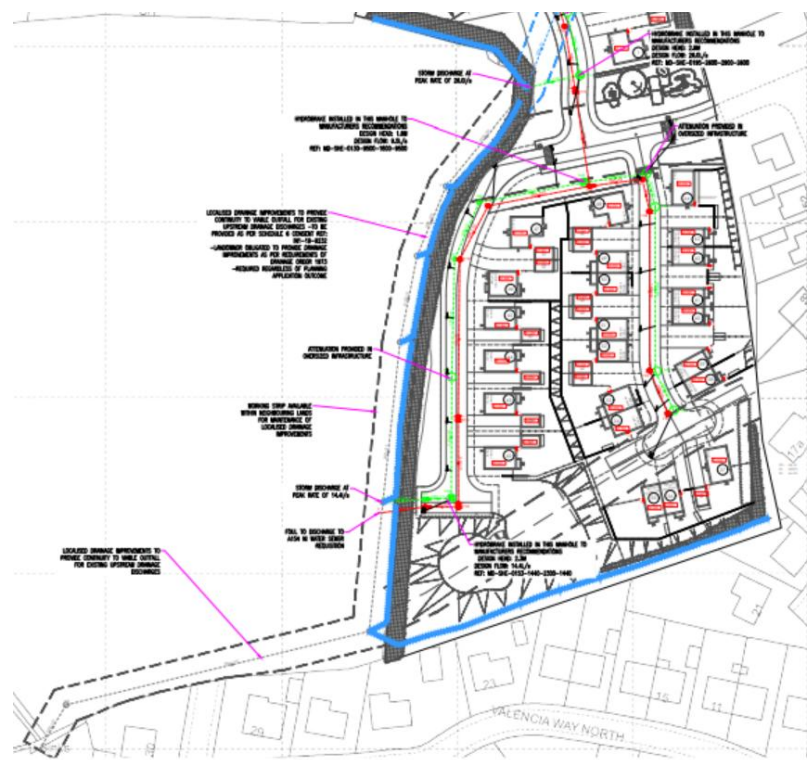


Figure 49 – Proposed conduit to existing watercourse to west of site

The DA has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event, including an allowance for climate change (10%) and urban creep (10%), could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NIW prior to adoption. However, in order ensure compliance with PPS 15, DfI Rivers requests that the potential flood risk from exceedance of the network, in the 1 in 100-year event, including an allowance for climate change (10%) and urban creep (10%), is managed by way of a condition.

The Council was informed by a local resident in September 2023 that drainage works at the site were being undertaken. This was investigated by the Council’s Planning Enforcement Team who have since confirmed that the drainage works constituting the new conduit to discharge to the watercourse to the west of the site have been carried out by Northland Developments in preparation for the residential development. While the Enforcement Team confirmed that as the residential development has not yet been approved, the works carried out are a breach of planning control, given that the land is zoned for housing and the planning application LA06/2019/0888/F was at an advanced stage, it would not be expedient for the Council to take enforcement action as the drainage works will be an essential requirement for the housing development.

FLD4 - Artificial Modification of watercourses

DfI Rivers PAMU noted during site visit that a section of the undesignated watercourse/sheugh along the northern boundary was culverted. Artificial modification

of a watercourse is normally not permitted unless it is necessary to provide access to a development site or for engineering reasons. Any culverting approved by the Planning Authority will also be subject to approval from the DfI Rivers Area Office under Schedule 6 of the Drainage Order 1973. In this case, the culverted section of the sheugh appears to be pre-existing and not associated with proposals under the current planning application.

FLD5 - Development in Proximity to Reservoirs

Not applicable to this site.

Given the above comments I am satisfied that the proposed development satisfies the relevant policies within PPS15.

Other Material Considerations

Sewerage Infrastructure

In terms of the NI Water response relating infrastructure capacity, the following comments were made:

- There is available capacity at the receiving Waste Water Treatment Works however, an assessment has indicated network capacity issues. This establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. For this reason, NI Water is recommending connections to the public sewerage system are curtailed. The Applicant is advised to consult directly with NI Water. The applicant will need to submit an application to NI Water for a Wastewater Impact Assessment. NI Water will assess the proposal to see if an alternative drainage or treatment solution can be agreed.
- There is a public surface water sewer within 20m of the proposed development boundary which can adequately service these proposals. An application to NI Water is required to obtain approval to connect. Connections will be restricted to Greenfield Runoff rate of 10 litres/second/hectare.

I am satisfied that the above capacity issues can be dealt with by attaching a negative condition stipulating that no development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water or a Consent to discharge has been granted under the terms of the Water (Northern Ireland) Order 1999 by the relevant authority.

The applicant will be able to liaise with the relevant authorities outside of the planning process to establish if a solution can be reached. If the applicant is unable to find an acceptable solution, then he/she will be unable to implement the permission. If a private treatment plant solution is required, a separate planning application for this would be required.

5. Representations

A total of 22 objections from 13 separate addresses have been received in relation to this planning application. 5 of these were received following publication and notification of the last set of amended plans and information.

The main material planning concerns raised in representations throughout the processing of the application are summarised and considered below with many issues already considered in the main body of the above report.

Existing road infrastructure and access inadequate

See consideration above under the ADAP Key site requirements and PPS3.

Impact on wildlife

See consideration above under PPS2.

Impact on protected trees

See consideration above under PPS7.

Impact of proposed playpark on 54 Tullynagardy Lane by way of loss of privacy and noise/disturbance. Concerns regarding maintenance.

The proposed playpark is small and would not be of such a size to accommodate a large number of children at any given time. It is therefore not anticipated that there would be any unacceptable level of noise or disturbance over and above that expected within any residential area with areas for children’s play. It is noted that the playpark is situated approximately 18m to the north-west of No. 54 rather than directly opposite. I am also satisfied that the boundary wall enclosing the rear private amenity space of No. 54 will ensure an adequate level of privacy will remain. With regard to maintenance, as outlined in the above the report, any planning permission would be subject to a condition requiring details of the responsibility for the management and maintenance of all areas of open space to be submitted to the Council for approval prior to commencement of development.



Figure 50 – 54 Tullynagardy Lane



Figure 51 – Location of Proposed Playpark

Impact of development on NI Water Wayleave

The images below show the location of two NI Water pipes which traverse the site and the wayleaves provided within the development.

NI Water has been consulted and has advised that NIW public watermains traverse the proposed development site. It has advised that no construction is to be made, trees planted, or other obstruction made within the permitted wayleave width. Any construction near to watermains greater than 600mm requires consultation and approval from NI Water.



Figure 52 – Location of NIW Water Network



Figure 53 – Site Layout showing wayleaves

6. Recommendation

Grant Planning Permission

7. Conditions

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

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
- 2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

Council Planning hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 52H.

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

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

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

4. The development hereby permitted shall not be commenced or adopted until any highway structure / bridge requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance CG300 of the Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with CG300 of the Design Manual for Roads and Bridges.

5. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars as detailed on Drawing No. 48F.

Reason: To ensure adequate (in-curtilage) parking in the interests of road safety and the convenience of road users

6. The finished floor levels of the dwellings hereby approved and the proposed ground levels within the site shall be in accordance with the details set out on Drawing Nos. 2G, 46G, 44E, 149 and 92B

Reason: In the interest of privacy and visual amenity.

7. Detailed drawings of all proposed retaining walls, structures and supporting banks within the development hereby approved, shall be submitted to the Council for approval prior to the commencement of development. All retaining walls, structures and supporting banks shall be designed and constructed in accordance with the relevant British Standard 8002:2015 'Code of Practice for Earth Retaining Structures'. Any such design shall be certified by an appropriately qualified structural engineer, evidence of which shall be submitted in writing to the Council alongside plans and details showing the final detailed design of all proposed retaining structures and banks, prior to the commencement of the development hereby approved.

Reason: To ensure the stability of lands and the proposed works.

8. No development shall commence on site until a Landscaping Phasing Plan has been submitted to and agreed in writing with the Council. All hard and soft landscape works shall be carried out in accordance with the approved timings and details of the Phasing Plan and in accordance with the details indicated on approved Drawing No.50G, and the appropriate British Standard or other recognised Codes of Practice.

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

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

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

- 10 The installation of utility apparatus associated with the development, including foul and storm sewers shall be completed in the positions as indicated on Drawing No. 90C.

Reason: To ensure construction is carried out without causing root damage to protected trees.

- 11.No retained tree as indicated on drawing no. 91C shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place or any retained tree be topped or lopped other than in accordance with the approved plans and particulars without written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with BS3998:2010.

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

- 12.If any retained planting is removed, uprooted or destroyed or dies, another hedgerow/tree/s shall be planted at the same place and shall be of such size and species to be agreed in writing with the Council. The planting as approved shall be planted within the next available planting season.

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

- 13.The erection of fencing for the protection of any retained tree shall be undertaken on accordance with Drawing Nos. 90C and 91C and the British Standard 5837 (2012), before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall

not be altered, nor shall any excavation be made or any other works carried out, or fires lit without the written consent of the Council.

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

14. Prior to the commencement of any development hereby approved, details relating to the construction of fences, railings, retaining walls and other structures within the root protection area of trees to be retained and a construction methodology statement including details of foundation depths, mitigation measures to ensure that there is no contamination of the soil and what measures will be taken if roots are encountered shall be submitted to the Council for approval in writing. The development shall be carried out in accordance with the details as approved.

Reason: To ensure construction is carried out without causing root damage to protected trees.

15. The Landscape Management Plan dated March 2025, compiled by LK Designspace, shall be implemented in full in perpetuity in accordance with the approved details and all works on site shall conform to the approved Landscape management plan, unless otherwise approved in writing by the Council.

Reason: To protect the biodiversity value of the site and to ensure the sustainability of the approved landscape design through its successful establishment and long-term maintenance.

16. No more than 24 dwellings shall be occupied until the open space areas shown on drawing No. 2G have been laid out in accordance with the approved details and these areas shall not thereafter be used for any purpose other than as open space.

Reason: To ensure amenity space is available concurrently with the development of the site.

17. The long-term management and maintenance of the open space and play equipment as indicated on drawing No. 2G shall be undertaken by a management company commissioned by the developer. Details of the arrangements to be put in place to establish the management company and details of the alternative measures which will take effect in the event that the management arrangements break down, must be submitted to and agreed in writing with the Council prior to the occupation of any dwelling hereby approved.

Reason: To ensure the provision and maintenance of public open space within the site.

18. No development shall commence on site until details of the proposed play equipment have been submitted to and agreed in writing with the Council. All equipment shall be installed in accordance with the approved details and shall be permanently maintained thereafter in line with the arrangements to be approved under condition 15 above.

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

- 19.No development shall take place on-site until the method of sewage and surface water disposal has been agreed in writing with Northern Ireland Water or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999 by the relevant authority, evidence of which shall be submitted to the Council prior to commencement of development.

Reason: To ensure protection to the aquatic environment and to ensure a practical solution to sewage disposal is possible at this site.

- 20.No development shall commence until the applicant has demonstrated to the satisfaction of the council that NIW are content that the proposed development will not affect this watermain, and sufficient drawings have been submitted, which clearly indicate the required wayleaves. The applicant is advised to obtain a records map from NIW and establish the exact location of the infrastructure within the site, and how it may affect the proposal.

Reason: To prevent disturbance / damage to existing watermains and in the interest of public safety.

- 21.Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed in writing with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%). The development shall be carried out in accordance with the approved details.

Reason: In order to safeguard against surface water flood risk.

- 22.The materials to be used for the raising of ground levels within the development hereby approved as indicated on Drawing Nos. 44E, 46G, 92B and 149 shall be restricted to inert materials only in line with the EWC codes detailed below.

Reason: In the interests of the amenity of the surrounding area.

Type of Waste	EWC Code
Concrete	17 01 01
Bricks	17 01 02
Tiles and Ceramics	17 01 03
Mixtures of concrete, bricks, tiles and ceramics other than those mentioned.	17 01 07
Solid and stones	17 05 04
Solid and stones	20 02 02

23. The first-floor windows on the rear elevation of house type TG6.3 – Site 64, shaded in blue on drawing Nos. 80A and 81A, shall be glazed with obscure glass prior to occupation of the dwelling and this obscure glazing shall be permanently retained thereafter.

Reason: In the interest of privacy

24. The first-floor windows on the rear elevations of the approved dwellings at sites 55-56 shaded in blue on drawing Nos. 154 and 155, shall be glazed with obscure glass prior to occupation of the dwelling and this obscure glazing shall be permanently retained thereafter.

Reason: In the interest of privacy

25. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no extension, garage, shed, outbuilding, wall, fence or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area.

Informative

This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees, where relevant, on the Portal.

Appendices

The following Plans have been attached to the report as PDF documents due to size:

- 1. Site Layout Plan
- 2. Private Streets Determination
- 3. Landscape Proposals
- 4. Tree Constraints Plan
- 5. Development Impact/Tree Protection Plan
- 6. Proposed Boundary Treatments
- 7. Proposed Drainage Layout
- 8. Car Parking Schedule
- 9. Site Sections A-E
- 10. Site Sections F-I
- 11. Site Section J-J
- 12. Site Section K-K





156 sq ft as shown (using BCS H&A method)
Blacksmith Cottage (sites 55-56)
Scale 1:100 - BS - March 25

Northland Developments (C&T Ltd)

156 sq ft as shown (using BCS H&A method)
Blacksmith Cottage (sites 55-56)
Scale 1:100 - BS - March 25

Tullynagardy Road

Newtownards



1319 sq ft as shown (using BCS H&A method)
TG19.1 Elevations reduced ridge height
Scale 1:100 - BS - 14/03/25

1319 sq ft as shown (using BCS H&A method)
TG19.1 Elevations reduced ridge height
Scale 1:100 - BS - 14/03/25

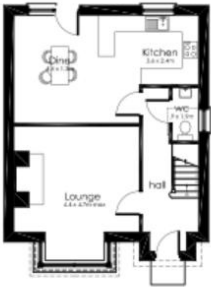


DIAGNOSTIC



Tullynagardy Road
Newtownards

2019-04-18 15:07:57
JCP



Ground Floor Plan



First Floor Plan

1130 sq ft as shown (using BIC2-HSA method)
Gardener's Cottage - sites 60-61
Scale 1:100 - A01 - Nov 24

Northland Developments (C&T Ltd)

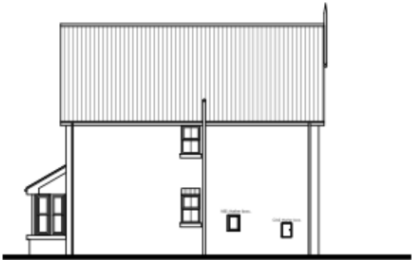
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JCP

Tullynagardy Road
Newtownards

2019-04-18 15:07:57
JCP



Rear Elevation

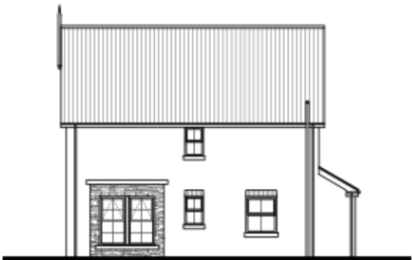


Side Elevation

- Finishes**
- Roof:**
Concrete interlocking roof tiles
In colour
 - Chimney:** select facing brick with clay pots
upvc rainwater goods
upvc fascias and soffits
 - Walls:**
Select facing brick
smooth self-coloured render or stone / flexible frame
Brick/stone quoins where shown
 - Openings:**
Windows to be double glazed with upvc or hardwood frames
upvc or hardwood doors
painted concrete cills
Decorative stone/brick detailing to openings where shown



Rear Elevation



Side Elevation

1093 sq ft as shown (using BIC2-HSA method)
Manor (site 14 & 42)
Scale 1:100 - E04H - Aug 15/Nov 18

Rev A - Site number updated - JCP 08/Nov/2018
Rev A - Site number updated - JCP 08/Nov/2018

4100 1000 1000 1000
JCP
2019-04-18 15:07:57
JCP

Tullynagardy Road
Newtownards

OPTIONAL MANAGER



1001 as first shown (using RCI NGA method) Rev A - Site number updated - JCF - Oct 22

Manor (site 14 & 42)
Scale 1:100 - 10/04/18 - Aug 15/18/18

1. All drawings are to be read in conjunction with the following information:

- 1.1. The drawings are to be read in conjunction with the following information:
- 1.2. The drawings are to be read in conjunction with the following information:
- 1.3. The drawings are to be read in conjunction with the following information:

Tullynagardy Road
Newtownards

OPTIONAL MANAGER



- Finishes**
- Roof: Concrete interlocking roof tiles in colour, up to concrete ground, up to base and walls.
 - Walls: Select facing brick, smooth self-coloured render or stone facing. Redstone quoins where shown.
 - Openings: Windows to be double glazed with up to hardwood frames, up to or hardwood doors, painted concrete cills. Decorative stone/brick detailing to openings where shown.

140

1001 as first shown (using RCI NGA method) Rev A - Finishes updated/Chimney removed - JCF - Nov 23

TG17 handed Northland Developments (C&T Ltd)

1. All drawings are to be read in conjunction with the following information:

- 1.1. The drawings are to be read in conjunction with the following information:
- 1.2. The drawings are to be read in conjunction with the following information:
- 1.3. The drawings are to be read in conjunction with the following information:



Reu. 8 - Vrijzes opstarten/stopzetten van het veld - JCF - pag. 22



Tullynagardy Road
Newtownards



Page 8 - Evaluating updates to ECF - Nov 22



Tullynagardy Road
Newtownards

2019-019-14-10-001



137

1:125 up to 600mm using RCD 1/50 method
TG6.3 - Site 55
Scale: 1:100 - A4/100mm - Sept 16/June 19

Rev A - Drawings updated - JCF - Nov 22

2019-019-14-10-001
2019-019-14-10-001
2019-019-14-10-001
2019-019-14-10-001

Tullynagardy Road
Newtownards

2019-019-14-10-001



122

1:125 up to 600mm using RCD 1/50 method
KEEPERS LODGE 600 split (sites 26-27)
Scale: 1:100 - A4/100mm - Sept 16/June 19

Northland Developments (C&T Ltd)

Rev A - Drawings updated - JCF - Nov 22

2019-019-14-10-001
2019-019-14-10-001
2019-019-14-10-001
2019-019-14-10-001

Tullynagardy Road

Newtownards



Ground Floor Plan



First Floor Plan

20/03/2019 13:45:00

- Finishes
- Roof: Concrete interlocking roof tiles in colour, upvc rainwater goods, upvc fascias and soffits.
 - Walls: Select facing brick, smooth self-coloured render or stone facing. Brickstone quoins where shown.
 - Openings: Windows to be double glazed with upvc or hardwood frames, upvc or hardwood doors, precast concrete cills. Decorative stone/brick detailing to openings where shown.

121

1:50 as shown using RCD 10A method

KEEPERS LODGE 600 split (sites 26-27)

Scale: 1:100 - A/CAN/SHW - Sept 19/Jan 18/Dec 18

Northland Developments (C&T Ltd)

Rev: A - Frames updated - JCF - Nov 18



Tullynagardy Road

Newtownards



Front Elevation



Side Elevation

20/03/2019 13:45:00

- Finishes
- Roof: Concrete interlocking roof tiles in colour, chimney - select facing brick with clay pots, upvc rainwater goods, upvc fascias and soffits.
 - Walls: Select facing brick, smooth self-coloured render or stone / render finish, Brickstone quoins where shown.
 - Openings: Windows to be double glazed with upvc or hardwood frames, upvc or hardwood doors, precast concrete cills. Decorative stone/brick detailing to openings where shown.



Rear Elevation



Side Elevation

104

1:50 as shown using RCD 10A method

COACH

Scale: 1:100 - A/CAN/SHW - Sept 18/Jan 18/June 17

Northland Developments (C&T Ltd)

Rev: A - Double doors to lounge - Frames updated - JCF - Nov 18



Tullynagardy Road
Newtownards

09/06/19 (S.C.005)



103

106/107/9 as shown using BCS/MSA method

COACH

Scale 1:100 - A2/4000mm - Sept 16/July 18/June 19

Northland Developments (C&T Ltd)

Rev A - Double Storey Cottage - JCF - Nov 12

09/06/19 (S.C.005)

09/06/19 (S.C.005)

09/06/19 (S.C.005)

Tullynagardy Road
Newtownards

09/06/19 (S.C.005)



- Notes
- Roof: Concrete interlocking roof tiles in colour.
 - Chimney - select facing brick with clay pots, upvc rainwater goods, upvc bands and soffits.
 - Walls: Select facing brick, smooth self-coloured render or stone facing. Brick/stone options where shown.
 - Openings: Windows to be double glazed with upvc or hardwood frames, upvc or hardwood doors, painted concrete eaves. Decorative stone/brick detailing to openings where shown.



102 as 9 as shown using BCS/MSA method

TG1a (4 bed) Handed

Scale 1:100 - JCF - Oct 12

Northland Developments (C&T Ltd)

09/06/19 (S.C.005)

09/06/19 (S.C.005)

09/06/19 (S.C.005)

Newtownards



First Floor Plan

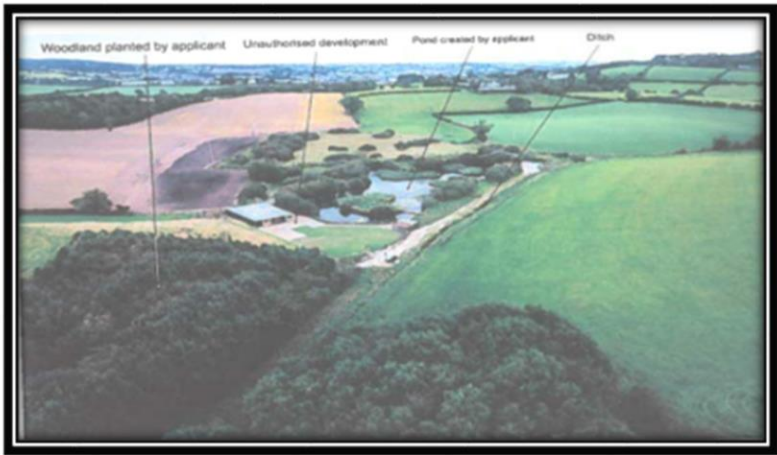
Northland Developments (C&T Ltd)



Development Management Case Officer Report			 Ards and North Down Borough Council	
Reference:	LA06/2022/0262/F	DEA: Newtownards		
Proposal:	Retention of private amenity/shelter building made from sustainable recycled materials, wildlife hide, timber footbridge and associate landscaping and planting (Retrospective)			
Location:	Approximately 200m SE of 110 Kempestones Road, Newtownards (with existing access to Greengraves Road)			
Applicant:	Mr R Shields			
Date valid:	12.04.2022	EIA Screening Required:	No	
Date last advertised:	27.04.2022	Date last neighbour notified:	N/a	
Letters of Support: 0 Letters of Objection: 0 Petitions: 0				
Consultations				
DFI Roads		No Objection		
DFI Rivers		Further review would be necessary		
NI Water (Strategic)		Standing Advice/No Objection		
NIEA (WMU & NED)		Standing Advice & No Objection		
SES		Assessment resulting in elimination		
Environmental Health (ANDBC)		No Objection		
Summary of Main issues considered:				
• Principle of Development • Impact on Visual Amenity • Impact on Residential Amenity • Impact on Natural Environment • Assessment of Flood Risk				
Recommendation: Refuse Planning Permission				
Report Agreed by Authorised Officer				
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view on the Planning Portal at Northern Ireland Public Register (planningsystemni.gov.uk)				

1. Site and Surrounding Area

The site is located on the southern side of the Kempstones Road, which is a dual carriageway and the main arterial route between Newtownards and Dundonald. Accessed via an existing laneway which directly adjoins Greengraves Road, the subject plot is located within agricultural land lying to the southeast of No. 110 Kempstones Road. Described in an Ecological Assessment (dated September 2021) the site is said to contain “an inter-drumlin hollow” and that the subject pond was “designed” by the applicant approximately 15 years ago.



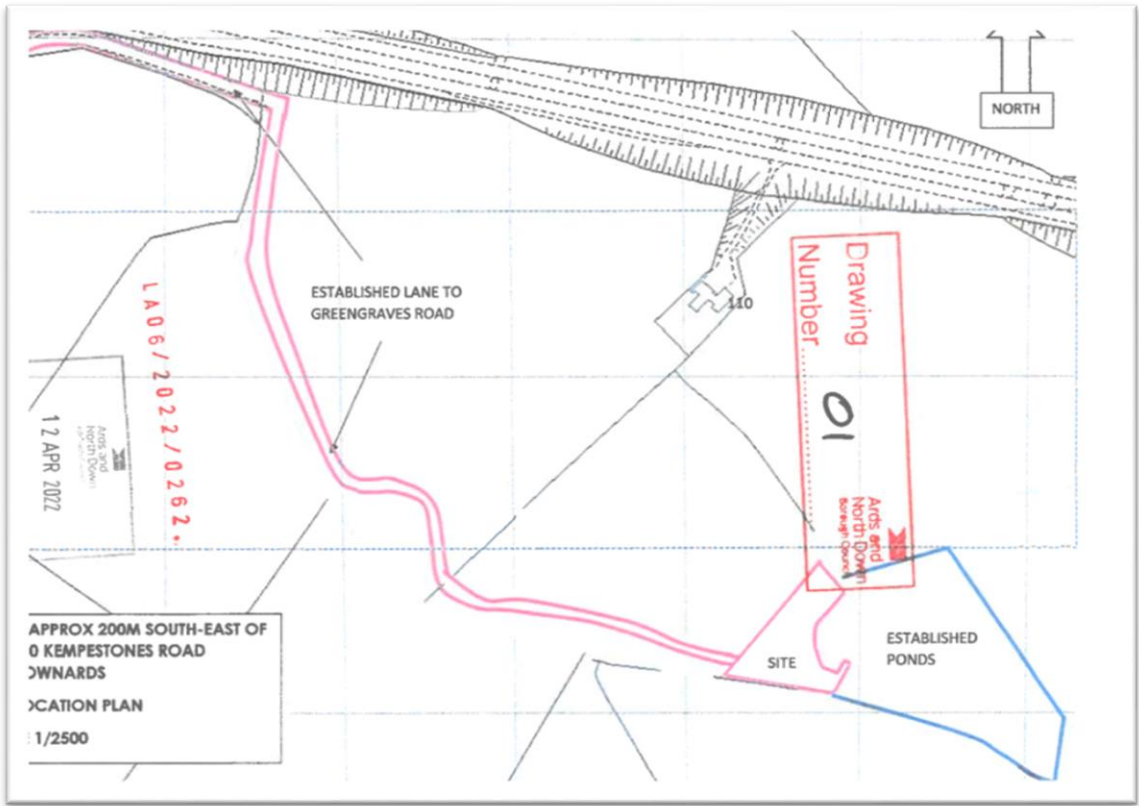
Aerial View of the Site from the west (Image courtesy of: WM Associates - Ecology NI)

Review of historical aerial imagery would suggest that in 2005 at least, there was a physical feature within the landscape that is broadly comparable with the footprint of the existing pond although it is not readily identifiable as a large body of water.



Aerial View of subject ponds and Site (ANDBC Orthophotography Image dated 2005)

2. Site Location Plan



3. Relevant Planning History

No preceding planning applications associated with the subject plot outlined in red on Drawing No. 01, bearing the date stamp of 12.04.2022.

Associated Enforcement Case in relation to subject development:

Planning Reference: LA06/2020/0204/CA

Location: Approximately 200m SE of 110 Kempestones Road, Newtownards

Description: Unauthorised Outbuildings, pathways, hardstanding, picnic tables, BBQ Area, Play Equipment, Pergolas & bridge structures

Decision: Enforcement Notice Issued 24.04.2025

Planning Applications within the immediately surrounding area:

Planning Reference: X/2003/0185/F

Location: Land to south of 110 Kempstones Road, Newtownards

Description: Agricultural Improvement (Infill with inert materials to reduce gradient of land)

Decision: Approval (09/10/2006)

Planning Reference: X/2003/0183/F

Location: Land to south of 110 Kempstones Road, Newtownards

Description: Agricultural Improvement (Infill with inert materials to reduce gradient of land)

Decision: Approval (10/10/2006)

Planning Reference: X/2006/0800/F

Location: Land at Greengraves Road, Newtownards

Description: Proposed 18 Hole Golf Course

Decision: Refusal (03/03/2011)

Planning Reference: X/2007/0638/F

Location: 420m SE of 1 Greengraves Road, Newtownards

Description: Extension to create additional stables, paddock & yard areas

Decision: Approval (17/08/2010)

Planning Reference: LA06/2018/0713/F

Location: 480m SE of 1 Greengraves Road & 60m SW of 110 Kempstones Road

Description: Retrospective reconfiguration of Equestrian Facilities
(approved under X/2007/0638/F)

Decision: Approval 30/07/2018

Planning Reference: LA06/2018/1259/F

Location: 480m SE of 1 Greengraves Road & 60m SW of 110 Kempstones Road

Description: Retrospective Permission for Stables/Livery/Menage & Floodlighting

Decision: Approval (10/06/2019)

Planning Reference: LA06/2020/0183/F

Location: 155m SW of 110 Kempstones Road, Newtownards

Description: Erection of Agricultural Storage Shed

Decision: Approval (16/08/2021)

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- Ards & Down Area Plan 2015 (ADAP)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage
- Planning Policy Statement 3: Access, Movement & Parking
- Planning Policy Statement 15: Planning and Flood Risk
- Planning Policy Statement 21: Sustainable Development in the Countryside

Description of Proposal

As presented, the development proposal seeks to retain several buildings and components of development around the site.

The largest element of site is described as a private amenity/shelter building. The building is 12m x 17m with a footprint of 204m². The building has a mix of finishes including timber cladding and metal sheeting painted green with a metal corrugated sheet roof with translucent panels.

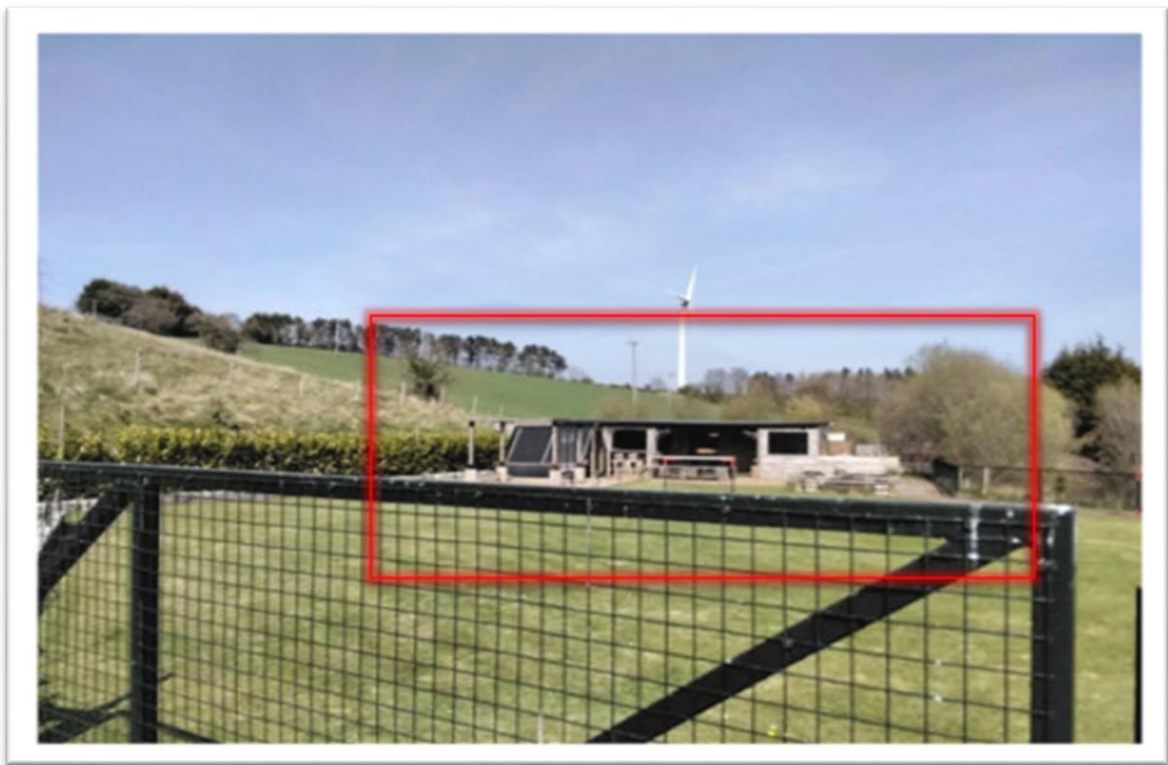


Figure 1 & 2: Photographs showing subject amenity building enclosed lawn to the south-west and picnic benches (April 2025)

Photographic evidence correlates with submitted floor plans which indicate that the south-western elevation will consist of a covered porch measuring approximately 12m x 3m (highlighted in green in the extract below) whilst internal arrangement are comprised of two store areas measuring approximately 12m x 2.5m and 11m x 2.5m (highlighted in yellow in the extract below) and equates to approximately 28% of the space provided.

Additionally, the building is inclusive of a covered amenity space with a separate a WC alongside another undesignated internal room. In total this area measures approximately 9m x 11m, as highlighted in blue in the extract to follow.

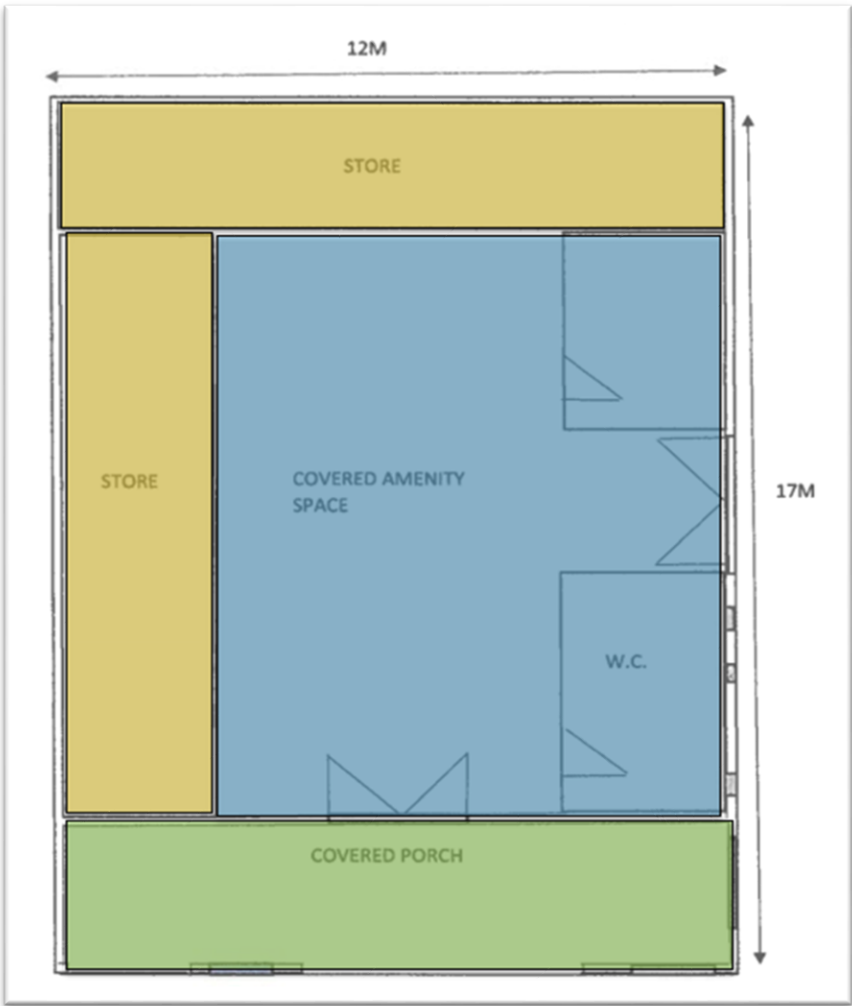


Figure 3: Floorplan of Amenity Building

In addition to the aforementioned amenity building, a wildlife hide is also a component part of the development and is located on land approximately 30m to the south within the site.



Photographs showing side of hide (in green) and wooden pergola on western elevation (April 2025)



Figure 4: Photographs showing side of hide (in green) and wooden pergola on western elevation (April 2025)

As illustrated in the extracts of Drawing No 06 (below) with a date stamp of 12th April 2022, the hide measures approximately 5.5m x 2.5m with a flat roof ridgeline of 2.5m and is finished in both timber cladding and painted metal with an additional wooden pergola structure on the western side.

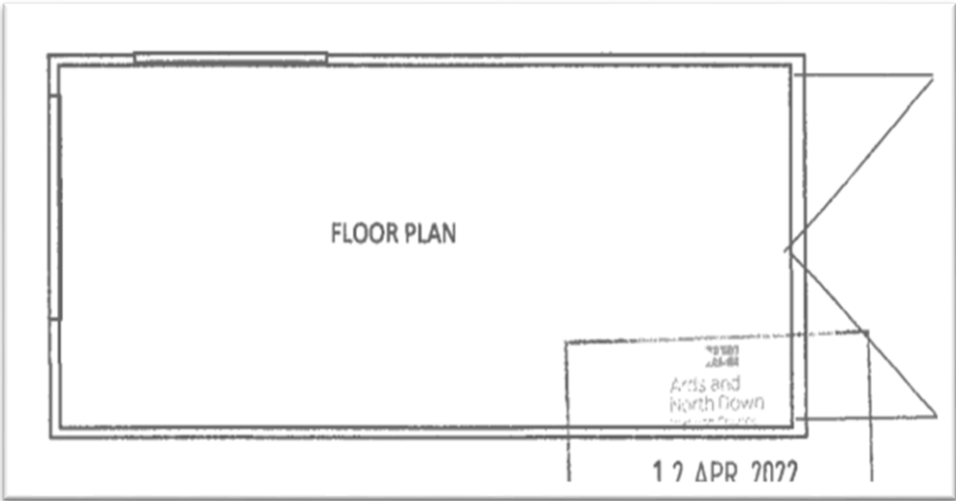


Figure 5: Floor Plan of wildlife hide

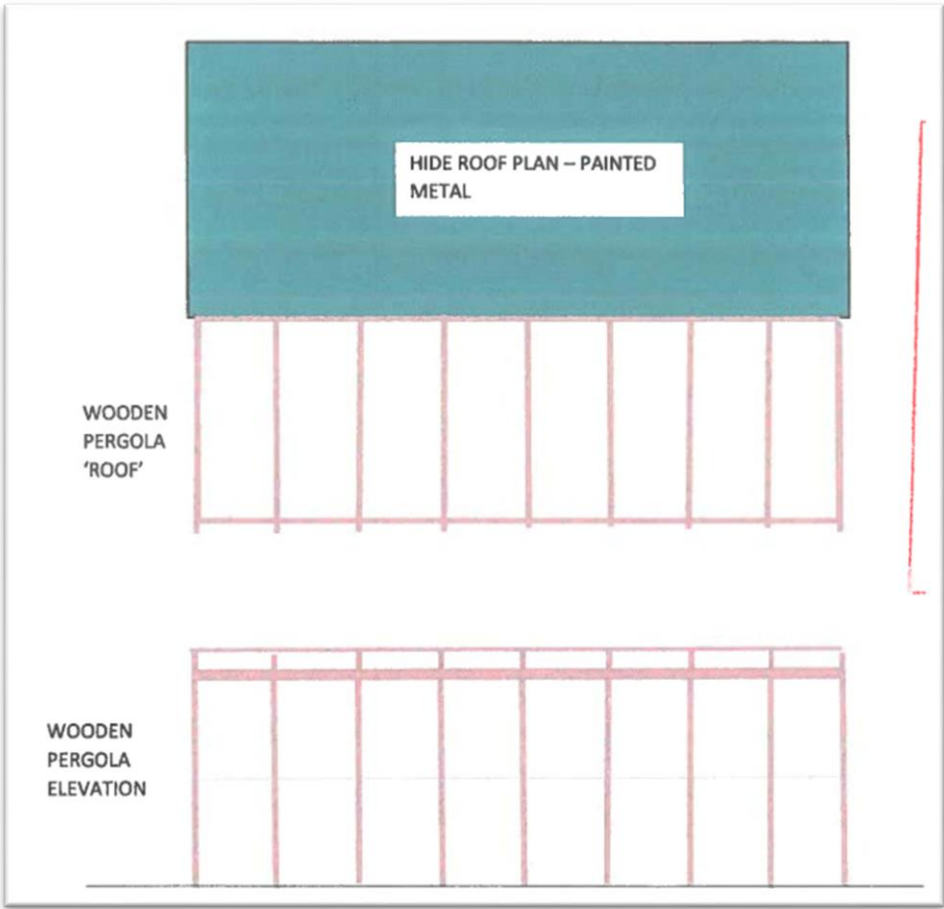


Figure 6: Roof plan and elevations of wildlife hide pergola

As stated, the proposal is situated adjacent to a pond and includes a timber footbridge which allows for access to a small island within it. As illustrated in the images below, the design is relatively simplistic and comprised of two timber planks alongside each other, measuring approx. 6m x 0.6m.



Figure 7: Image showing the footbridge from the west providing access to island within pond area. The proposal also includes associated landscaping and planting which has been carried out around the site, all of which have been included on the site layout plan and can be viewed in the extract below.

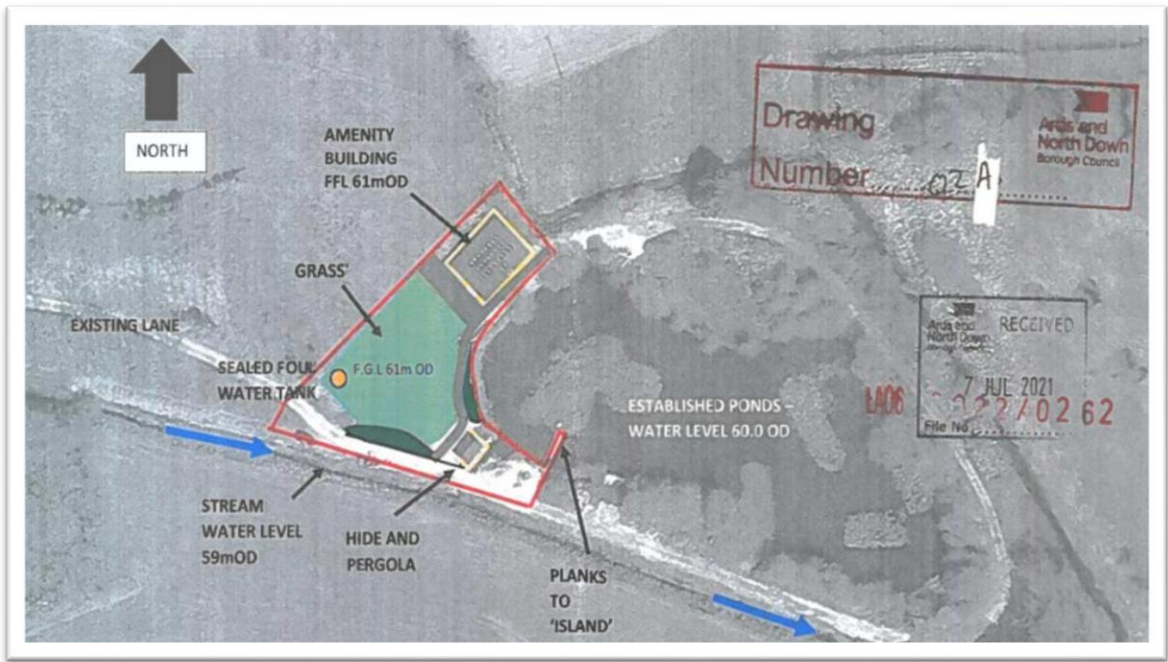


Figure 8: Extract showing Site Layout Plan

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard must be had to the local development plan, so far as material to the application. To date the Council has not adopted a Plan Strategy. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as the Council’s Plan Strategy has been adopted. During this transitional period existing policies will be applied, including the SPPS and relevant Planning Policy Statements.

Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS. For example, where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of individual planning applications.

In context of the same, it is of note that the SPPS states that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

The Ards and Down Area Plan (2015) is considered as the local development plan in accordance with the Planning (Local Development Plan) Regulations 2015. The site lies within the countryside within the Plan. There are no policies within the Plan pertinent to this application.

The policy approach set out within the SPPS with regards to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS.

PPS21 – Sustainable Development in the Countryside is material to any development situated outside settlement limits. Policy CTY 1 specifically address a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Details of these types of development are set out within the policy. The policy goes on to address that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located within a settlement, or it is otherwise allocated for development in a development plan. It is clear from CTY 1 that the first policy test set out is whether the proposed development falls within one of the detailed instances.

The proposal under consideration is for retention of private amenity/shelter building made from sustainable recycled materials, wildlife hide, timber footbridge and associate landscaping and planting.

In terms of primary use, it has been suggested by the agent/applicant in supporting documentation dated October 2023, that ***“This is a development which is integrally linked to the established wildlife facility at this location”*** and that ***“It exists simply to allow this wildlife facility to be enjoyed by the applicant and his family members.”*** It is further suggested, that prevailing policy (as detailed in PPS 8) supports recreational uses in the countryside, indicating that “this facility” must be properly described as ***“a recreational facility and due to its integral link with the pond, it cannot be located anywhere else, and certainly not in a settlement.”*** An additional statement provided in May 2025, which is broadly comparable in content, again suggests that ***“this development involves the creation of a small amenity facility whereby the landowner and his family can enjoy the recreational and amenity benefits of the established wildlife ponds on their land.”***

In examining the proposal, the most significant element is the amenity building. Following site inspection, it could be seen that there were also picnic tables and a BBQ area in its vicinity. The building also contains significant floor space for storage with no justification put forward as to its need.

While some elements are recreational in nature such as the wildlife hide, the site is largely for the provision of amenity space and is more akin to an extended garden area. This is underlined by the development both being for private use and within the supporting information stating that it is for recreational and amenity benefits.

Given the scale of the private amenity building and that the other elements within the development appear to be ancillary to this main use, it is considered that the proposal is for the purposes of providing a private amenity space. Such provision is usually considered under the policy umbrella of the PPS7 addendum – Residential Extensions and Alterations. CTY 1 sets out an instance where an extension to a dwelling house may be permitted in accordance with the addendum to PPS7. In this instance, the development is a stand-alone feature and not within the curtilage of a residential dwelling house and the proposal the instance set out under CTY1 is not applicable.

In respect of the argument put forward that the proposal should be considered as an outdoor sport and recreational use in accordance with PPS8, as stated above it is considered that the development being considered is primarily a private amenity space and any recreational element is ancillary.

As such it does not fall within the scope or purpose of the instance stipulated under CTY 1. Subsequently it is considered that the proposal falls under the description of other types of development as set out under CTY1.

It is set out that permission will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan.

There has been no reasoning put forward which argues that the proposed development is essential. In seeking to justify its location outside of a settlement, it is argued that such development could only be located here due to the ‘wildlife facility’ being present.

Whilst the proposal is located by a natural feature (the pond), there is no requirement in policy to be located in such a position for private amenity space. Indeed, the very nature of the proposed development of a wildlife hide adjacent to what is demonstrably being used as a private entertainment space seem at odds with the overall use of the site.

As there is no evidence submitted supporting why a private amenity building is essential in this location, there is no overriding reason for its need and the proposal can be seen to be in conflict with the provisions of CTY 1.

Given the private nature of the development it will also not relate to or will bring about any community, economic or tourism benefit, that might otherwise require further assessment under an alternative suite of planning policies.

Whilst it has been stated the agent that the applicant, as landowner, is merely creating a private recreational area through the advantage of natural amenity benefits on his land, prevailing policy does not deem this concept as permissible within the parameters of any policy within the PPS 21 document.

It is considered that the application remains contrary to Policy CTY 1 of Planning Policy Statement 21 in that, no overriding reasons have been proffered in any of the supporting documents to suggest that the proposed development is essential and could not be located within a settlement.

Visual Impact, Integration and Impact on Rural Character

The subject proposal is to be considered against the requirements of prevailing planning policy in context of design and any potential impact upon the character of the surrounding rural environs.

Specific direction is contained within both Policies CTY 13 & 14 of PPS 21 which necessitate that development proposals (including those which directly relate to outdoor recreation) in the countryside should have no adverse impact on visual amenity or the character of the local landscape and that the development can be readily absorbed into locale by taking advantage of existing vegetation and/or topography.

In this particular case, whilst a short and transient view of the site may be briefly achievable from the Kempstones Road travelling out of Newtownards towards Belfast, the site is observable in a nestled within the landscape and against a backcloth of rolling farmland.

From an alternative perspective and approach along the Greengraves Road, it is of note that the site is physically distant from the public road, and although located on land which is generically lower, there is a sizeable wooded area that provides good screening and views of the site are not of any significant consequence.

In context of the same, it is my professional assertion that the proposal is generally compliant with the requirements of the aforementioned planning policies, is not visually obtrusive nor presents any significant threat to the character of the rural landscape in which it is located.

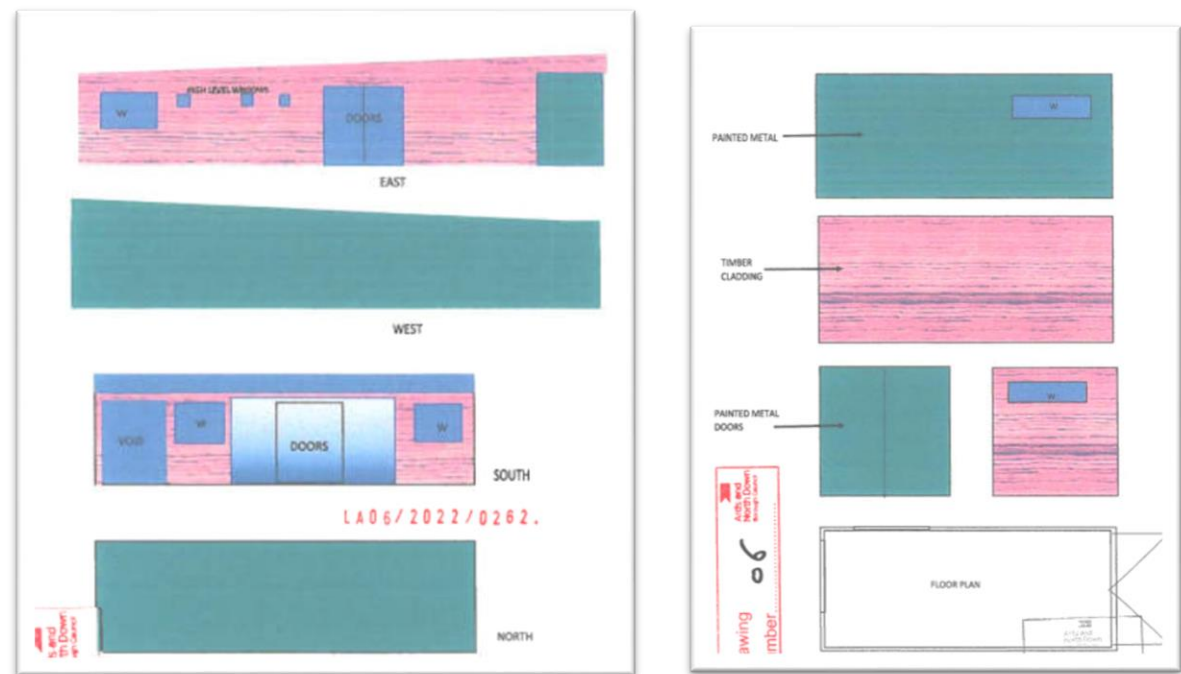


Figure 9: Amenity and Hide Buildings

Access and Roads Safety

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

- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

DFI Roads have been consulted and have offered no objections to the proposal in principle. A safe access arrangement, (using an established private laneway onto the Greengraves Road) can be achieved and one which will not be overly incongruous to the surrounding area in terms of visual impact.

Flood Risk & Drainage

Further to consultation with DFI Rivers, it has been confirmed that a watercourse (as designated under the terms of the Drainage (NI) Order 1973, known as the “Greengraves Bog Drain” is located immediately adjacent to the southern perimeter of the site. A further undesignated watercourse partially bounds the northern boundary of the site, whilst a small lake bounds the eastern perimeter of the site.

DFI Rivers have provided a comprehensive assessment in context of Planning Policy Statement 15, recommending that:

In context of Policy FLD 1, and taking a precautionary approach, the applicant/agent should establish a Q100 level of the identified watercourses and small lake and that the floor level of the buildings are set at a minimum of 600mm above the Q100 level.

With regards to the requirements of Policy FLD 2, DFI Rivers have confirmed that it would be essential to retain a 5m – 10m working strip to facilitate future maintenance by any statutory undertaker or riparian landowner.

The proposal does not engage the need for a drainage assessment under FLD03, however there is potential for surface water flooding along the existing access to the site. In such instances it is the developer’s responsibility to mitigate the risk as appropriate to manage any impacts beyond the site.

It is considered that the proposal complies with PPS 15.

Sewage Disposal

Proposed floorplans for the development confirm the inclusion of a W.C on the site and the layout drawing is inclusive of details showing a “sealed foul water tank” within an area of grass and adjacent to the existing lane into the site.

Whilst the Water Management Unit of NIEA has referred to DAERA Standing Advice in their consultation response of 23rd June 2022, the applicant/agent should note that the onus and responsibility falls to the developer to ensure that all other necessary consents are secured.

Designated Sites and Natural Heritage

The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has therefore been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

As part of the overall assessment, a consultation was sent to NIEA (NED) who duly reviewed the site and a Retrospective Ecological Appraisal document that was completed and prepared in context of the site.

Whilst it was noted that the application site is hydrologically linked to Strangford Lough Part 1 Area of Special Scientific Interest (ASSI), Strangford Lough RAMSAR site, Strangford Lough Special Protection Area (SPA) and Strangford Lough Special Area of Conservation (SAC) which are of international importance, the conclusion reached by NED was that having assessed the proposal, “has no concerns” with regards to any potential impact on designated sites and other natural heritage interests.

In addition, Shared Environmental Services were duly consulted and the proposal was considered in context of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Ards and North Down Borough Council.

Having considered the nature, scale, timing, duration and location of the project it was concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.

In context of the same, I am satisfied that the proposal would be otherwise acceptable in respect of policy requirements and would not result in any demonstrable impact upon designated sites or natural heritage features.

5. Representations

No objections have been received.

6. Recommendation

Refuse Planning Permission

7. Refusal Reasons

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2025/0564/F	DEA: Bangor East & Donaghadee	
Proposal:	Extension to rear raised terrace (retrospective) with new steps		
Location:	16 The Brae, Groomsport, BT19 6JQ		
Applicant:	Mr James Lawton		
Date valid:	07/072025	EIA Screening Required:	N/A
Date last advertised:	24/07/2025	Date last neighbour notified:	16/07/2025
Letters of Support: 0		Letters of Objection: 1	Petitions: 0
Consultations – synopsis of responses:			
None required.			
Summary of main issues considered:			
• Principle of development. • Design and appearance. • Impact on the character and appearance of the area. • Impact on privacy or amenity of neighbouring properties. • Impact on landscape features and environmental quality. • Biodiversity. • Impact on amenity and recreational space.			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received, are available to view at the Planning Portal Northern Ireland Public Register (planningsystemni.gov.uk) using Public Access			

1. Site and Surrounding Area

The site comprises a single-storey detached dwelling with the front facade facing south, located within a well-established residential area of Groomspoint. The property features a gable-fronted design with a shallow roof pitch and sits on a modest-sized plot, offering a narrow amenity space to the rear. Similar to adjacent properties, the dwelling occupies almost the full width of the plot. It includes an integral garage and in-curtilage parking. The property benefits from a sunroom to the rear and a recently constructed raised terrace.

Figure 1. Front of the dwelling



Figure 2. The rear of the dwelling



The development is on a hill, and many properties have good views towards the sea. The site is located in the residential area, within the settlement limit of Groomspoint, as shown within the Draft Belfast Metropolitan Area Plan 2015. There are no further designations affecting the application site.

2. Site Location Plan

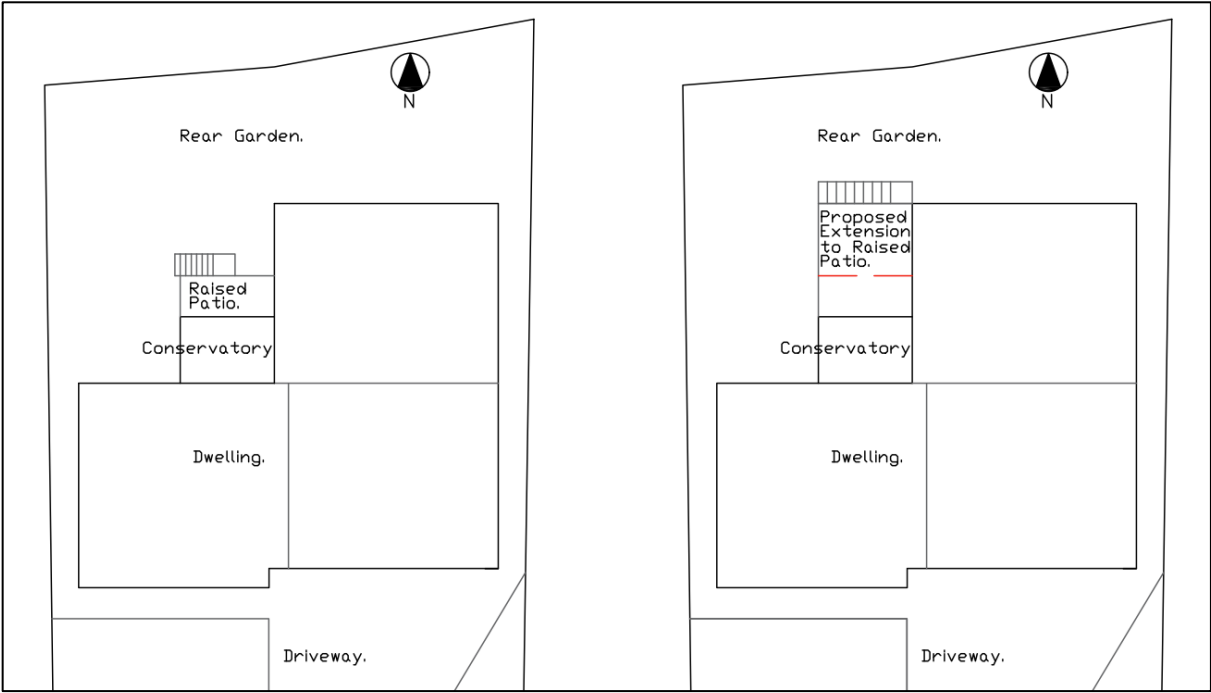
Figure 3. Site Location Plan



3. Relevant Planning History

Planning application LA06/2025/0095/F for Extension to terrace (retrospective) with new steps - withdrawn after the refusal was recommended.

Figure 4. Existing and Proposed Site plan submitted under LA06/2025/0095/F application.



The current proposal is scaled down from the previous planning application assessed under LA06/2025/0095/F.

Enforcement	
Application Number: LA06/2024/0233/CA	Decision: Enforcement Case Closed
Decision Date: 30/10/2024	
Proposal: Alleged unauthorised decking	
Application Number: LA06/2024/0304/CA	Decision: Pending
Proposal: Alleged unauthorised decking	
Application Number: LA06/2025/0167/CA	Decision: Enforcement Case Closed
Decision Date:14/10/2025	
Proposal: Alleged unauthorised fence	

4. Planning Assessment

4.1 The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan 1984-1995 (NDAAP)
- Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)
- Planning Policy Statement 7 Addendum: Residential Extensions and Alterations

Planning Guidance:

- Creating Places

4.2 Principle of Development

Area Plan and Policy Consideration

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Local Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Local Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations.

Despite its end date, the North Down and Ards Area Plan 1984-1995 (NDAAP) currently acts as the Local Development Plan (LDP) for this area, with Draft Belfast Metropolitan Area Plan (DBMAP) remaining a material consideration where applicable. As there are no material provisions in the extant Plan or DBMAP that are pertinent to the proposal, the determination will be based on all other material considerations.

The most relevant Planning Policy Guidance is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations.

The addendum sets out the following key objectives;

- *“to promote high quality in the design of residential extensions and alterations; and*
- *to ensure that such works are sympathetic to the original property; respect the character of the local area; and protect neighbouring residential amenity.”*

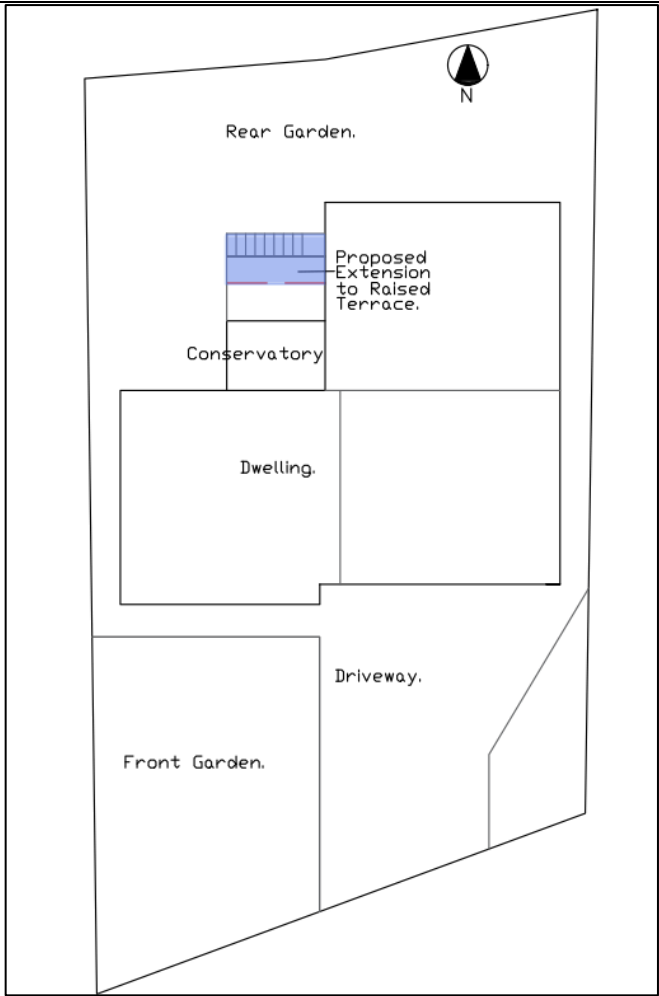
Policy EXT1 of the Addendum is material to the consideration of the application and requires several criteria to be met; these criteria are considered further in this report.

The proposal is in conformity with the Plan, subject to the PPS 7 (Addendum) and all other material considerations.

4.3 Impact on Existing Dwelling and Character of the Area

Full planning permission is sought for the retrospectively erected extension to the rear terraced with new steps. This application has been submitted after planning enforcement investigation undertaken with ref. LA06/2024/0304/CA. Figure 4 illustrates the location of the proposed development, shaded blue.

Figure 4. Proposed Site Layout



The proposed terrace extension has been constructed as an enlargement of the existing small ledge balcony located outside the fully glazed sunroom extension, an evident addition to the main dwelling, although the exact year of its construction is unknown.

The planning history on site is material in the consideration of the application. LA06/2024/0233/CA considered an alleged unauthorised decking. This concluded that there was no breach of planning control. There is no planning history on the site for the construction of the sunroom and the ledge (balcony) nor has a Certificate of lawfulness existing use or development been submitted, and no definitive construction date has been provided. However, aerial imagery indicates that the conservatory roof appeared between 2012 and 2014.

It is evident that the existing conservatory and balcony appear to have been in place for over five years and are immune from enforcement action.

Figure 5. Aerial image from the 2012

Figure 6. Aerial image from the 2014



Following the physical construction of an extension to the existing balcony ledge, another enforcement case has been opened under reference LA06/2024/0304/CA, A retrospective planning application (LA06/2025/0095/F) was subsequently submitted in an attempt to regularise the works carried out. This was later withdrawn by the agent. The current application under consideration features an amended design intended to address the issues raised by officers in their consideration of LA06/2025/0095/F.

At the time of inspection, the terrace had been extended by approximately 2.7 metres, and a clear glass balustrade had been installed around the balcony. No steps had been constructed. It is noted that the current proposal does not reflect the full extent of the structure as erected. Should the proposal be approved, the unauthorised elements would need to be removed, and appropriate conditions imposed to ensure compliance.

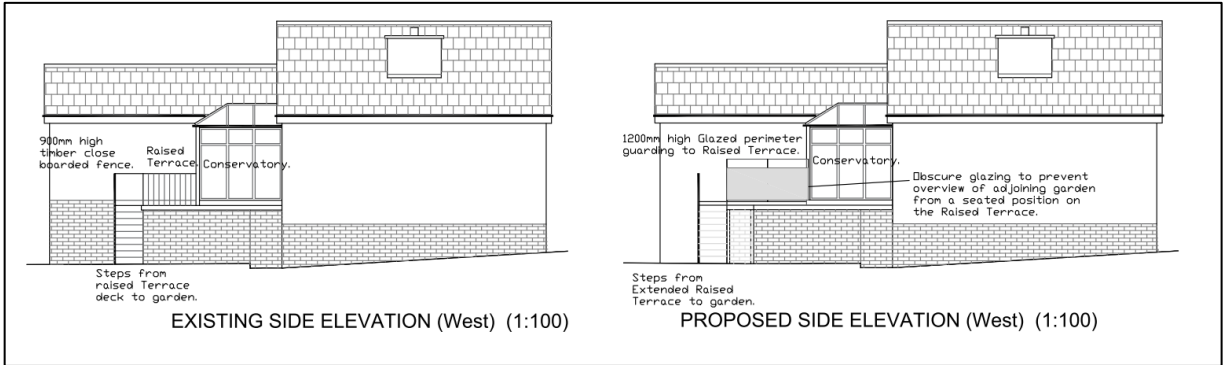
Figure 6. The existing eastern elevation



The extended section of the terrace will increase the length approximately 0.9 metres beyond the existing balcony (with a red brick base, as shown in Figure 6), resulting in a total projection of 2.4 metres from the rear wall of the conservatory. The proposal also includes the addition of steps, 0.7 metres in width, to provide access from the terrace to the rear garden.

Both the raised terrace and the conservatory are positioned approximately 1.7 metres above ground level. The existing terrace was initially enclosed with a 0.9-metre-high timber fence, while the proposal includes the installation of obscured glazed privacy screens at a height of 1.2 metres on the side of the balcony. This means that the barrier has been increased in height by 0.3 meters in comparison to the previous form of fencing around the balcony.

Figure 5. Existing and Proposed Side Elevation.

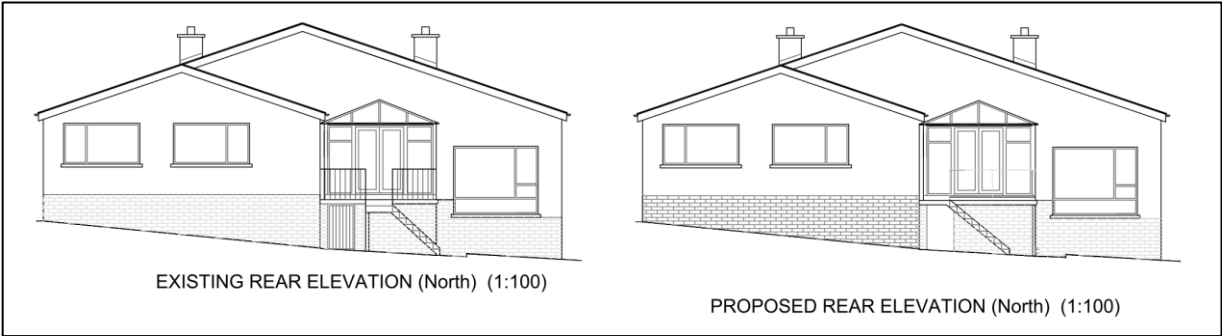


As established under LA06/2024/0233/CA, the sunroom with the raised terrace benefits from immunity and subsequently serves as a baseline for my assessment.

The proposed development has been assessed against criterion (a) of Policy EXT1, which states: *“the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area”*.

The proposed extension of the terrace is located at the rear of the property. No changes are proposed to the front elevation. Due to its position at the rear, the proposed works will have no material impact on the appearance of the dwelling or the character of the surrounding area.

Figure 6. Existing and proposed Rear Elevation



In terms of scale and massing, the proposed extension is not considered overbearing in relation to the main dwelling. Although the terrace is positioned approximately 1.7 metres above ground level, it is at the same level as the existing and immune structure, furthermore it is projecting only 0.9 meters more from the existing ledge of the balcony.

As noted within the planning history, the site is subject to enforcement action relating to the decking extending 2.7 meters. The current proposal represents a reduction to what is currently erected on site.

As the baseline for this assessment has been established by the existing section of the balcony, the proposed additional 0.9-metre projection is not considered to be out of scale or disproportionate. Therefore, it is considered that the development complies with criterion (a) of PPS 7.

4.4 Impact on Privacy and Amenity of Neighbouring Residents

The proposed development has been assessed against criterion (b) of Policy EXT1, which states: *“The proposal does not unduly affect the privacy or amenity of neighbouring residents”*.

There are two dwellings adjacent to the application site: No.18 The Brae to the west and No. 14 The Brae to the east.

The Council considers it important that the amenity of all residents is protected from ‘unneighborly’ extensions which may cause problems through overshadowing/loss of light, dominance and loss of privacy. The SPPS also makes good neighborliness a yardstick with which to judge proposed developments.

The applicant’s dwelling is designed in an ‘L’ shape, resulting in a substantial rear return. The conservatory and balcony have been constructed along the side wall of this rear return, which means there are no direct views towards the adjacent property to the west (No. 18).

As the view of the terrace from No. 18 is entirely screened by the applicant’s own dwelling, the potential impact of the proposal will be assessed primarily in relation to the neighbouring property to the east, No. 14 The Brae.

Dominance and overshadowing

The proposal will not affect the outlook from any neighbouring properties, nor will it create a sense of dominance. Due to the detached nature of the dwellings, also taking into consideration their positioning and the separation distance (approximately 4.9 metres from the boundary), it is not considered that there will be any significant loss of light or overshadowing.

Privacy

The raised platform (ledge of the balcony), along with the fully glazed sunroom as previously stated in this report, is immune from enforcement action. The extent of immunity covers the sunroom and the balcony ledge projecting 1.5 metres from the rear wall. This immune structure already impacts the neighbouring property at No. 14 The Brae through direct overlooking of its private rear garden space. The currently enforceable projection of the full 2.7 metres in length would be considered unacceptable in its entirety. This application seeks retrospective permission for the retention of a 0.9-metre projection beyond the 1.5 metres already deemed immune. Therefore, the assessment of impact relates solely to this 0.9-metre extension to the existing balcony ledge.

PPS 7 refers to the potential cause of overlooking due to the position and orientation of balconies, roof terraces, decking etc. It is considered that in an urban environment, some degree of overlooking is inevitable. However, it may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room to the most private area of the garden. As a general rule of thumb, the first 3-4m at the rear of the property is considered to be the most private area.

Figure 8. View from No.14 The Brae towards the balcony



Figure 9. View from the terrace towards No.14 The Brae



The conservatory and balcony, including the proposed extension, are situated approximately 1.7 metres above ground level. This elevated position, combined with the raised topography relative to the neighbouring property, increases the potential for overlooking and associated impact on privacy.

Consequently, the assessment of overlooking as mentioned before must take an account of potential impact on privacy, the addition of a 0.9-metre extension would have. The photographs below illustrate the difference in overlooking impact when observed from the platform at 1.5 metres and at the extended projection of 2.4 metres from the rear wall.

Figure 10. View towards No. 14 The Brea from the existing terrace (at 1.5 metres)



Figure 11. View towards No. 14 The Brea from the proposed terrace (at 2.4 metres)



As shown in the figures, the difference in the extent of potential overlooking from the terrace is not significantly greater when standing on the extended portion. From both positions the outlook towards all three windows of the neighbouring property at No.14 The Brea is of similar degree, where potential looking into the rooms is restricted to small portion of the corner in the living room in both position at very similar angle. The portion of the overlooked garden remain in almost the same degree- with the difference of ability to see half of a window of the rear extension from the 0.9 meter projection.

Additionally, the proposal includes privacy screens, 1.2 metres in height, on the sides of the balcony, which are 0.3 higher than the previous timber fencing. These screens are designed to be obscured and help prevent overlooking from seated positions. As a result, they provide a greater degree of privacy compared to the previously existing timber fencing.

Objections have been received from the adjacent property at No. 14 The Brae, raising concerns about the impact on privacy to both their rear garden and rear-facing rooms. It has been noted that the platform is positioned above the height of the boundary fence. During my site visit, I inspected the neighbouring property at No. 14 The Brae. Figures 12 to 14 illustrate views of the terrace from the living room, kitchen, and small rear return of this property, respectively.

Figure 12. View from the living room of No.12 towards the terrace at No.14 The Brae



The applicant has advised that the fence delineating the boundary between the two properties has been increased to a height of 2 metres. While this may not entirely eliminate overlooking, the increased height is expected to offer a greater degree of privacy to the neighbouring property's private amenity space.

Figure 12. Existing boundary treatment between No.16 and No.14 The Brea



Figure 13. View from the kitchen of No.14 towards the terrace at No.14 The Brae



Figure 14. View from the rear return of No.14 towards the unauthorized terrace at No.14 The Brae



As demonstrated by the views from the neighbouring property at No. 14, the most visible and intrusive element is the unauthorised 2.7-metre projection, which, as previously mentioned, would have an adverse impact. However, the proposal to be assessed is the 0.9-metre projection, which is significantly less than the current full length of the terrace shown in the photographs above.

Figures 15 and 16 illustrate the view from No. 16 The Brae towards the neighbouring rear garden and windows at No. 14. The proposed extension of the terrace will project approximately as far as the two glass panels on the side of the terrace, which are indicated in red and shown in Figures 15 and 16. These panels are proposed to be fitted with obscured glass, a condition that would be imposed.

Figure 15. View from the top of the terrace towards No.14 The Brae



Figure 16. View from the ground level of No. 16 The Brea towards No.14 The Brae



Policy guidance also acknowledges that residential areas can be sensitive to noise and general disturbance, particularly during late evenings when background noise levels are typically lower. It is generally accepted that extensions or alterations, such as balconies, can increase noise and disturbance to neighbouring residents. It is therefore concluded that, in this instance, the additional 0.9-metre extension will not result in a significantly greater impact. Currently, the existing balcony can accommodate two small chairs; with the proposed extension, it may also allow for the addition of a small table. This change does not represent a substantial intensification of use beyond what is already possible.

As noted above, the existing structure in its current form may be considered unacceptable without significant mitigation. However, the proposed additional 0.9 metres to the existing terrace does not unduly affect the privacy or amenity of neighbouring residents. Therefore, the proposal is considered to meet criterion ‘b’ of Policy EXT1.

4.5 Impact on Trees/Landscape Features

The proposed development has been assessed against criterion (c) of Policy EXT1, which states: *“the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality”*.

The proposal will not cause any loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality.

4.6 Impact on Amenity Space and Parking

The proposed development has been assessed against criterion (d) of Policy EXT1, which states: *“sufficient space remains within the curtilage of the property for recreational and domestic purposes, including the parking and manoeuvring of vehicles”*.

Parking and access are to be unaltered. The amenity space will be reduced slightly by the proposed development, but sufficient space will be retained.

4.7 Designated Sites and Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage. In safeguarding Biodiversity and protected Habitats, the Council recognises its role in enhancing and conserving our natural heritage and should ensure that appropriate weight is attached to designated sites of international, national and local importance, priority and protected species and to biodiversity and geological interests with the wider environment.

The proposal does not involve heavy construction, nor will this interfere with the roof of the dwelling with no waterways in close proximity. No priority habitat on the site. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has therefore been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

Furthermore, there will not be the removal of mature trees or hedgerows. It is therefore considered that there will be no significant impact on protected species.

5. Representations

One representation has been received, submitted by the residents of No. 14 The Brae. The concerns raised are summarised as follows:

- Loss of privacy to rear-facing rooms – The proposal sees a small extension from the existing terrace which has this affect. The report considers the impact of this in detail.
- Loss of privacy to the rear garden – Measures such as the installation of privacy screens along the side of the terrace, and the raising of the boundary fence to help mitigate this impact are considered within the report.
- Financial devaluation of property – This is not a material planning consideration and cannot be taken into account in the determination of the application.
- Emotional and mental distress – Although the personal wellbeing of residents is acknowledged, such concerns are not material in planning terms.
- Negative impact on the enjoyment of the property – This concern overlaps with general residential amenity considerations, which are addressed below.
- Impact on residential amenity – The proposal has been assessed to ensure that reasonable measures are in place to mitigate any adverse effects on neighbouring amenity, including those raised by the occupiers of No. 14.

The material planning concerns relating to residential amenity and privacy have been carefully considered and are addressed under the relevant assessment sections of this report. Other matters raised, including emotional wellbeing, enjoyment of the property, and perceived financial loss, while noted, do not constitute material planning considerations and cannot be given weight in the determination of this application. Other matters raised, such as the impact of the enjoyment of their property and personal wellbeing or financial devaluation of their property, are not material planning matters that can be considered in respect of this proposal.

6. Recommendation

Grant Planning Permission

7. Conditions

1. This planning permission has effect from the date upon which the development hereby approved was carried out.

Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.

2. The 1.2m high obscure glazed privacy screens on the side of the balcony hereby approved, highlighted in blue on Drawing No.02, shall be fitted within 8 weeks of this approval, and shall be permanently retained thereafter.

Reason: In the interest of privacy.

3. All remedial works to remove the unauthorised terrace works beyond the area shaded in red on the DRG 02 must be completed within 8 weeks in accordance with the approved plans.

Reason: As required to remedy the unauthorised works.

Informative

This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees, where relevant, on the Portal.

Addendum to COR LA06/2025/0564/F

Following inclusion on the Delegated List w/c 27 October 2025, an additional representation was received on 30 October from the current objector occupying No. 14 The Brae.

The objection raises concerns relating to privacy, stating:

“I would refer back to the originally recommended refusal where it states... In my opinion, the proposal will make a bad situation even worse, and the history of the site and surrounding area would not persuade me that protection of residential amenity can therefore be relaxed even further. Surely, any extension merits the same response? Returning it to the original state is by far the best resolution. Evidently, our right to privacy is irrelevant and has been ignored.”

The issues raised in this objection relate to neighbouring privacy, impact on residential amenity, and a preference to return the site to its original state.

The additional objection does not raise any new material considerations, all of which have already been assessed and detailed in the Case Officer’s Report.

Privacy Considerations

Privacy impacts have been assessed. The proposal involves a minor extension to the existing terrace, which already affects neighbouring properties. The report notes:

“The proposal includes privacy screens, 1.2 metres in height, on the sides of the balcony, which are 0.3 metres higher than the previous timber fencing. These screens are designed to be obscured and help prevent overlooking from seated positions. As a result, they provide a greater degree of privacy compared to the previously existing timber fencing.”

The installation of privacy screens have been considered as appropriate mitigation within the report.

Amenity Considerations

The amenity issue was also assessed, taking into account that part of the structure has already been deemed immune from enforcement. The report explains:

“The raised platform (balcony ledge), along with the fully glazed sunroom, as previously stated in this report, is immune from enforcement action. The extent of immunity covers the sunroom and the balcony ledge projecting 1.5 metres from the rear wall. This immune structure already impacts the neighbouring property at No. 14 The Brae through direct overlooking of its private rear garden space.”

The amenity space has already been affected by the original (immune) structure. The purpose of the current assessment is to determine the extent to which the proposed works would further impact the neighbouring property. The proposal has

been assessed to ensure that reasonable mitigation measures are in place to reduce any additional adverse effects on neighbouring amenity.

Suggestion to Return to the Original State

As the original (immune) structure is not the subject of this application, the current proposal relates only to the extension beyond that point. As read in the report:

“The currently enforceable projection of the full 2.7 metres in length would be considered unacceptable in its entirety. This application seeks retrospective permission for the retention of a 0.9-metre projection beyond the 1.5 metres already deemed immune.”

The planning authority is required to assess the application and proposed changes accordingly.

As outlined above, it is not considered that the proposal would have an adverse impact sufficient to warrant refusal. Therefore, the objection does not affect the recommendation.

Addendum to Case Officer Report LA06/2025/0564/F

An additional representation was received on the 7th of November from the current objector occupying No. 14 The Brae.

Summary of Representation from the 7th of November, received 12:08pm.

The objector maintains a strong objection to the proposed development, reiterating concerns regarding loss of privacy and disputing the case officer's assessment, justification, and recommendation. The representation asserts that insufficient regard has been given to the protection of residential amenity and challenges the validity of comparisons drawn with previous cases. The submitted comments state:

"The proposed approval is unacceptable – our right to privacy has been completely ignored. It has been stated that both the conservatory and the existing plinth are immune from enforcement. That may be the case, and is not under discussion, but it certainly does not legitimise them. I refer to the previous case LA06/2025/0095F where the case officer stated: "The conservatory and original platform are something of a baseline in my consideration. It is unlikely that such a structure would be approved today without substantial mitigation." Therefore, drawing a comparison to a situation that is potentially already wrong, is very questionable justification. I refer to the comment, "From both positions the outlook towards all three windows of the neighbouring property at No.14 The Brea is of similar degree, where potential looking into the rooms is restricted to small portion of the corner in the living room in both position at very similar angle. The portion of the overlooked garden remain in almost the same degree- with the difference of ability to see half of a window of the rear extension from the 0.9 meter projection." In essence, it seems that the justification is that it is acceptable to make it potentially a little more wrong! That logic is flawed and consequently I still strongly object to the approval of this proposal. That said, considering the extension alone as a unique entity. The proposed approval justifies the building of a platform 1.7m above ground level, (whether it be 0.9m or of any width), that overlooks a neighbour's rear garden and has sightlines into the rear of the property too. I would strongly contest that this is a severe breach of privacy."

The points raised in the representation have been carefully considered. A clarification to the concerns expressed is provided below.

The objector states:

"The proposed approval is unacceptable – our right to privacy has been completely ignored. It has been stated that both the conservatory and the existing plinth are immune from enforcement. That may be the case, and is not under discussion, but it certainly does not legitimise them."

It is acknowledged and established that the structures in question are immune from enforcement; however, this status does not confer lawfulness upon them. Equally, such immunity means that the Planning Department has no authority to initiate

enforcement action. Accordingly, these structures remain as existing physical features and form part of the baseline context for the current assessment.

The representation continues:

“I refer to the previous case LA06/2025/0095/F where the case officer stated: ‘The conservatory and original platform are something of a baseline in my consideration. It is unlikely that such a structure would be approved today without substantial mitigation.’ Therefore, drawing a comparison to a situation that is potentially already wrong, is very questionable justification.”

In this regard, as stated above, the existing structures form part of the baseline for assessment. It is further noted that in the previous application (LA06/2025/0095/F), the conservatory and original platform were likewise treated as baseline features. This approach to consideration of proposals is consistent in both these instances.

The issue of overlooking has also been raised:

“From both positions the outlook towards all three windows of the neighbouring property at No. 14 The Brea is of similar degree, where potential looking into the rooms is restricted to a small portion of the corner of the living room at a similar angle. The portion of the overlooked garden remains almost the same, with the difference being the ability to see half of a window of the rear extension from the 0.9 metre projection.”

It is recognised that overlooking in an urban setting cannot be entirely eliminated. Some degree of visibility between neighbouring properties is to be expected, particularly on elevated land. The level of potential overlooking in this case has been carefully considered as part of the assessment.

The objector further comments:

“In essence, it seems that the justification is that it is acceptable to make it potentially a little more wrong! That logic is flawed and consequently I still strongly object to the approval of this proposal. That said, considering the extension alone as a unique entity. The proposed approval justifies the building of a platform 1.7m above ground level, (whether it be 0.9m or of any width), that overlooks a neighbour’s rear garden and has sightlines into the rear of the property too. I would strongly contest that this is a severe breach of privacy.”

The impact on privacy is material to the assessment of the application. The extent and significance of any impact are set out and have been considered in detail within the Case Officer’s Report and subsequent addenda.

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2025/0544/F	DEA: Bangor East & Donaghadee	
Proposal:	Replacement field gate and upgrade of mown grass trails to compacted gravel trails, with trail infrastructure including signage, wayfinding and seating.		
Location:	Lowry's Wood, Donaghadee Road, Groomsport		
Applicant:	Karen Coulter		
Date valid:	23/06/2025	EIA Screening Required:	N/A
Date last advertised:	03/07/2025	Date last neighbour notified:	24/06/2025
Letters of Support: 0	Letters of Objection: 0	Petitions: 0	
Consultations – synopsis of responses:			
NIEA - NED		Content	
DFI Rivers		Advice	
Summary of main issues considered: • Principle of Development • Impact on site and character of the area • Impact on trees/landscape features • Impact on designated sites/natural heritage assets			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal			

1. Site and Surrounding Area

The application site is located at Lowry’s Wood, outside the settlement of Groomsport, consisting of a small woodland area, with grassed trails around the perimeter. The site is accessible via a metal gate to the northern boundary, with no formal car parking. The land is managed by the National Trust, with an existing information sign close to the site’s entrance.



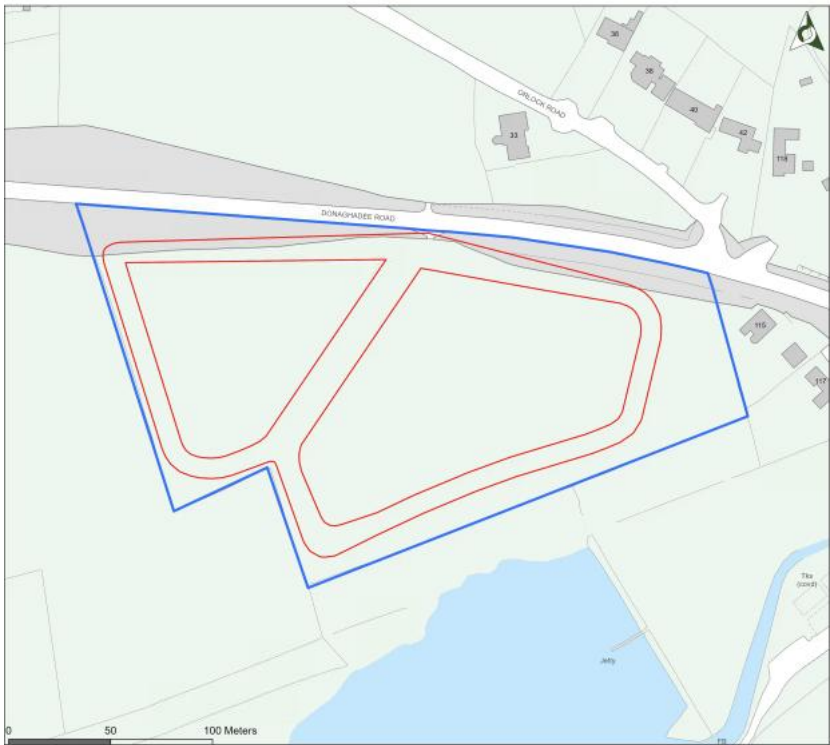
Figure 1 – view of site entrance (from within site)



Figure 2 – Existing Signage

The surrounding area is rural in character, with one neighbouring dwelling directly east of the site. The boundaries of the site are generally well-defined with woodland and other vegetation, and no public views into the site are possible when travelling along Donaghadee Road.

2. Site Location Plan



3. Relevant Planning History

No relevant planning history

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan 1984-1995 (NDAAP)
- Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)
- Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
- Planning Policy Statement 15: Planning and Flood Risk

Principle of Development

Development Plan

NDAAP currently acts as the LDP for this area, despite its end date, with dBMAP remaining a material consideration where applicable. As there are no material provisions in the extant Plan or dBMAP that are pertinent to the proposal, the determination will be based on other material considerations.

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

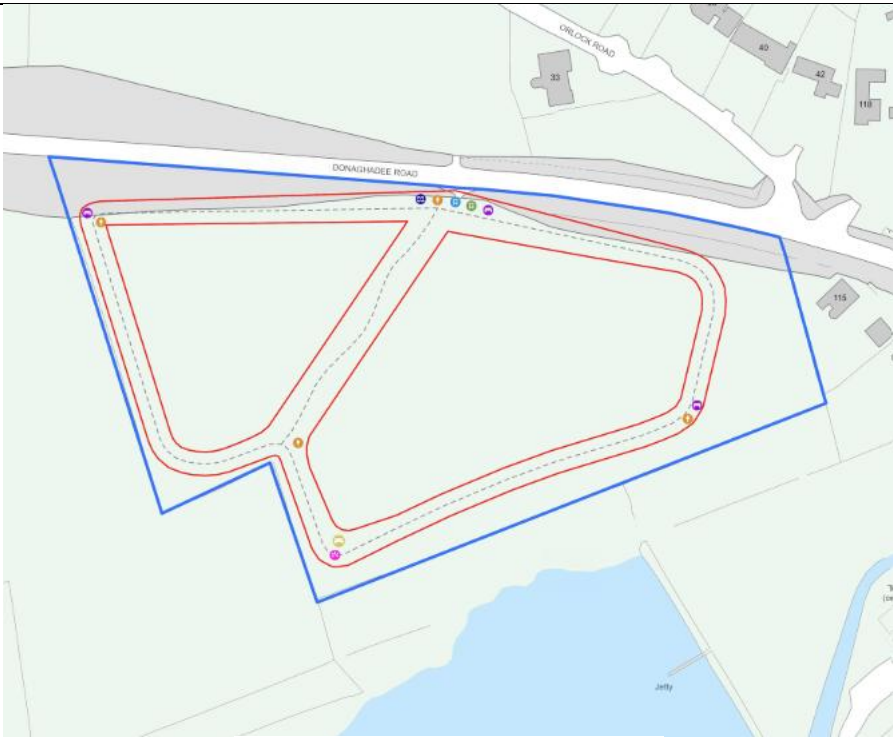
Within Paragraphs 6.199 – 6.213 of the same document, it is acknowledged that open space, sport and outdoor recreation has an important societal role to play, supporting many cultural, economic, health and environmental benefits.

Ease of access to open space and contact with nature for everyone is recognised within the Regional Development Strategy 2035 alongside a commitment to safeguard and enhance existing outdoor recreational space within the countryside in keeping with the principles of environmental conservation and the protection of biodiversity.

In direct response to this, the planning system has a contributing role to play in securing high quality and sustainable development schemes which do not damage the environmental features and qualities which are of acknowledged public importance and local amenity.

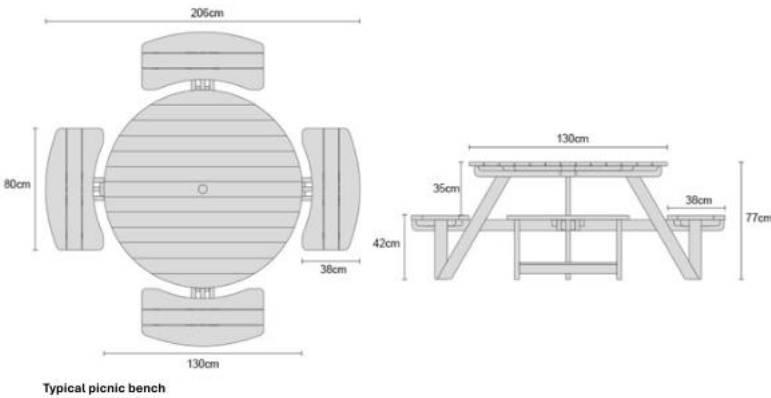
Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation provides the suitable policy context for this application, which includes:

- Replacement field gate
- Upgrade of mown grass trails to compacted gravel trails
- Trail infrastructure including signage, wayfinding and seating

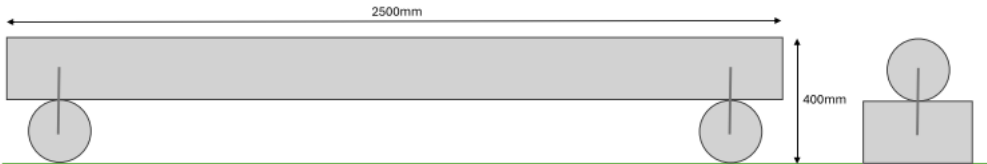


- Legend**
- Site Boundary
 - Proposed New Trail Corridor (0.95Ha)
 - Proposed Trail
- Proposed Infrastructure**
- Kissing Gate
 - Trailhead Panel
 - Waymarker
 - Picnic Bench
 - Bench
 - Viewpoint
 - Visitor Counter

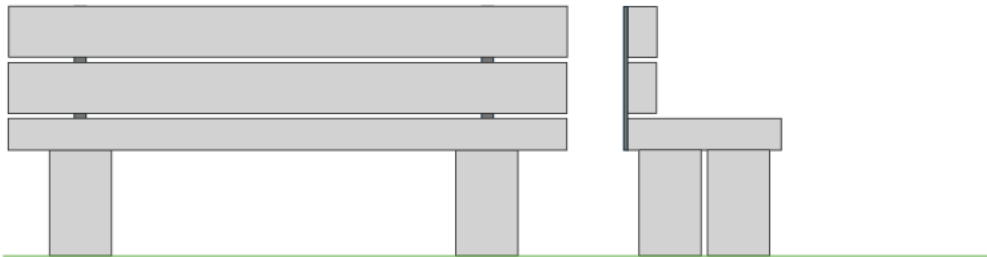
Proposed Site Layout / Key



Picnic Bench Plans

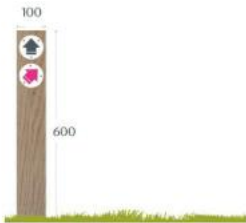


Typical bike rack



Typical seating

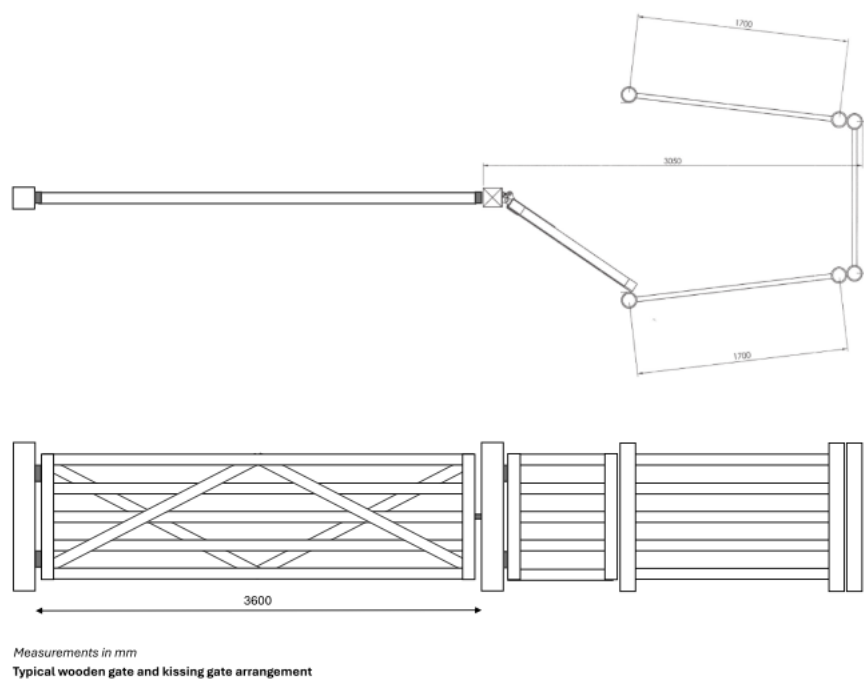
Bench Plans



Measurements in mm
Waymarker post



Trailhead panel
Wayfinder / Trailhead Plans



Entrance Gate Plans

Policy OS1 relates to the Protection of Open Space, and states that development will not be permitted where it would result in the loss of existing open space or land zoned for the provision of open space, irrespective of its physical condition and appearance. I am satisfied that the current proposal will not result in the loss of any existing open space.

Policy OS 3 relates to Outdoor Recreation in the Countryside. It stipulates that the development of proposals for outdoor recreational use in the countryside will be acceptable where the following criteria are met:

- (i) **There is no adverse impact on features of importance to nature conservation, archaeology or built heritage**

The site does not fall within the consultation zones of any built heritage assets, and is therefore not expected to have any adverse impacts on these features.

In regard to nature conservation, NIEA (NED) were consulted on the proposal, and advised that they would have no concerns with the proposal in this regard.

- (ii) **There is no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities**

The proposal does not involve the loss of any agricultural land.

- (iii) **There is no adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography**

No aspect of the proposal will have an adverse impact on visual amenity or the character of the local landscape. The proposed gate will be complimentary to the surrounding area with its timber construction, and all trail infrastructure will be of a modest scale and will not have any public views. The alterations to the trail equally will not have public views, and are deemed to be a betterment in relation to accessibility.

(iv) There is no unacceptable impact on the amenities of people living nearby

The nearest neighbouring dwelling is no.115 Donaghadee Road, which sits directly adjacent to the east of the site. Considering the nature of the proposal, no adverse impacts are perceived in relation to the amenities of the residents of this dwelling.

(v) Public safety is not prejudiced and the development is compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed

The proposal will solely be used for walking, and is not predicted to impact any other countryside uses in terms of its nature, scale, extent, frequency or timing. I am therefore satisfied that the proposal does not prejudice safety.

(vi) Any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment

No ancillary buildings or structures are proposed. Any trail infrastructure and proposed gates are of a suitable scale and design, and will not unduly impact the surrounding environment.

(vii) The proposed facility takes into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car

Considering the location of Lowry’s Wood, it is unreasonable to expect it to be accessed by means other than private car. As noted in the Design and Access Statement submitted by the applicant, the outdoor furniture will comply with the National Trust Guidance on Outdoor Furniture with respect to Disabled Access, and the introduction of a 2m wide compacted gravel trail will allow for disabled access throughout the site (as compared to the existing mown grass trails, which are not suitable for wheelchair users in particular). As such, I am satisfied that the proposal has taken the needs of people with disabilities into account.

(viii) The road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for access, parking, drainage and waste disposal.

Considering the nature of the site, it is not possible to provide on-site car parking. It is noted that there is room for cars to park close to the entrance of the site, and

pavements along the Donaghadee Road will allow for pedestrian access. Drainage and waste disposal are not of concern for an application of this nature.

PPS 15 Considerations

DFI Rivers were consulted on the proposal, due to its proximity to Portavoe Reservoir, and the presence of fluvial flooding in one corner of the site:



Upon assessment of the Flood Risk Assessment provided, with it noted that the proposal is an exception under FLD 1 of PPS 15 (as the land is to be used for sport / outdoor recreation), DFI Rivers advised they are content with the proposal in this regard, leaving it to the Planning Authority to determine if the Flood Evacuation Plan is “safe”. I am content this is the case.

The only other applicable policy from PPS 15 in this instance is FLD 5, Development in Proximity to Reservoirs. Rivers advise that the site is within an area at risk of inundation from Portavoe Reservoir, and that the maintenance regime of the Reservoir is not appropriate to provide sufficient assurance regarding reservoir safety. The site is considered to have a high hazard rating should an uncontrolled release of water from the Reservoir occur. While these points may be valid, I am not of the opinion that this should prevent the type of development proposed here, which includes trail improvements and infrastructure such as benches. Would this proposal have been for some form of habitable accommodation, I would be inclined to refuse on this basis, however, since this is for outdoor sport and recreation, I am not of the opinion that a refusal of permission would be warranted here.

Designated Sites and Natural Heritage

Part 1 of NIEA’s Biodiversity Checklist was employed as a guide to identify any potential adverse impacts on designated sites. No such scenario was identified. The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has therefore been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

In terms of protected and priority species, Part 2 of the Checklist was referred to and did not identify a scenario where survey information may reasonably be required. As noted previously, upon assessment of the Ecological Survey provided, NIEA (NED) have no concerns with the proposal in relation to protected species or other natural heritage interests, subject to informatives being followed in relation to best practice guidelines.
5. Representations
Two neighbouring properties have been notified of the proposal, as per the Council's statutory obligation. As of writing, no representations have been received.
6. Recommendation
Grant Planning Permission
7. Conditions
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
Informative
This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees, where relevant, on the Portal.

APPENDIX A – SITE PHOTOGRAPHS



FIGURE A1 – west of entrance



FIGURE A2 - entrance



FIGURE A3 – Entrance signage



FIGURE A4 – Path to east of entrance



FIGURE A5 – path around rear (south / southwest) of site

APPENDIX B – PROPOSED PLANS

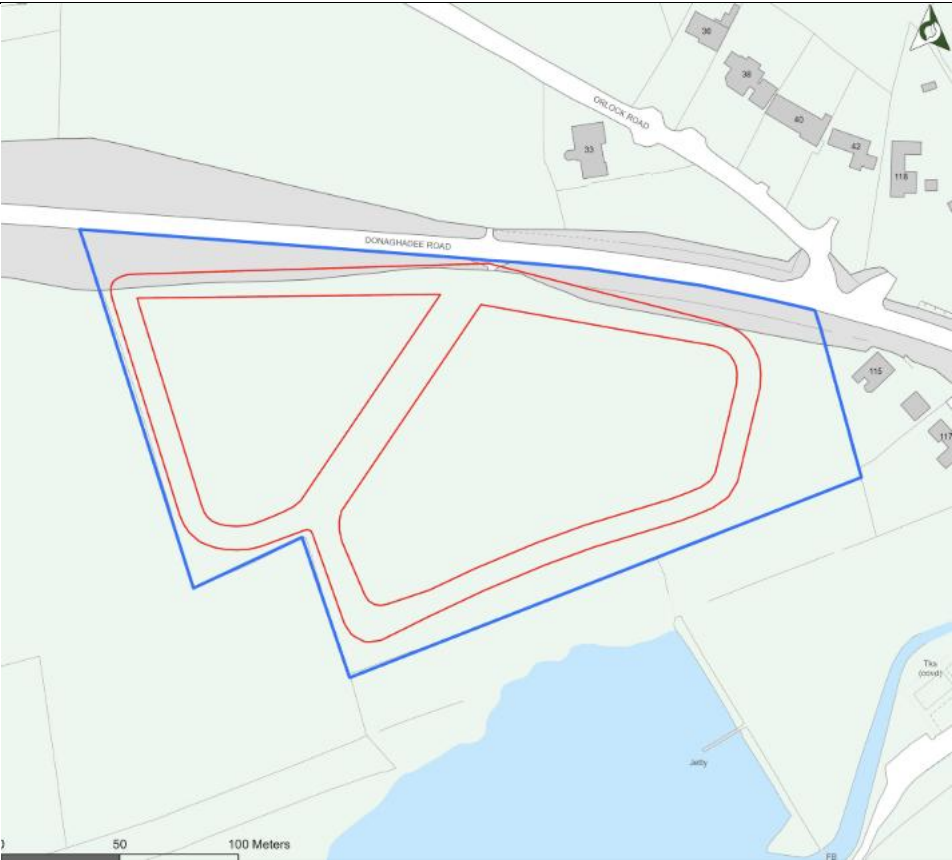


FIGURE B1 – Site Location Plan

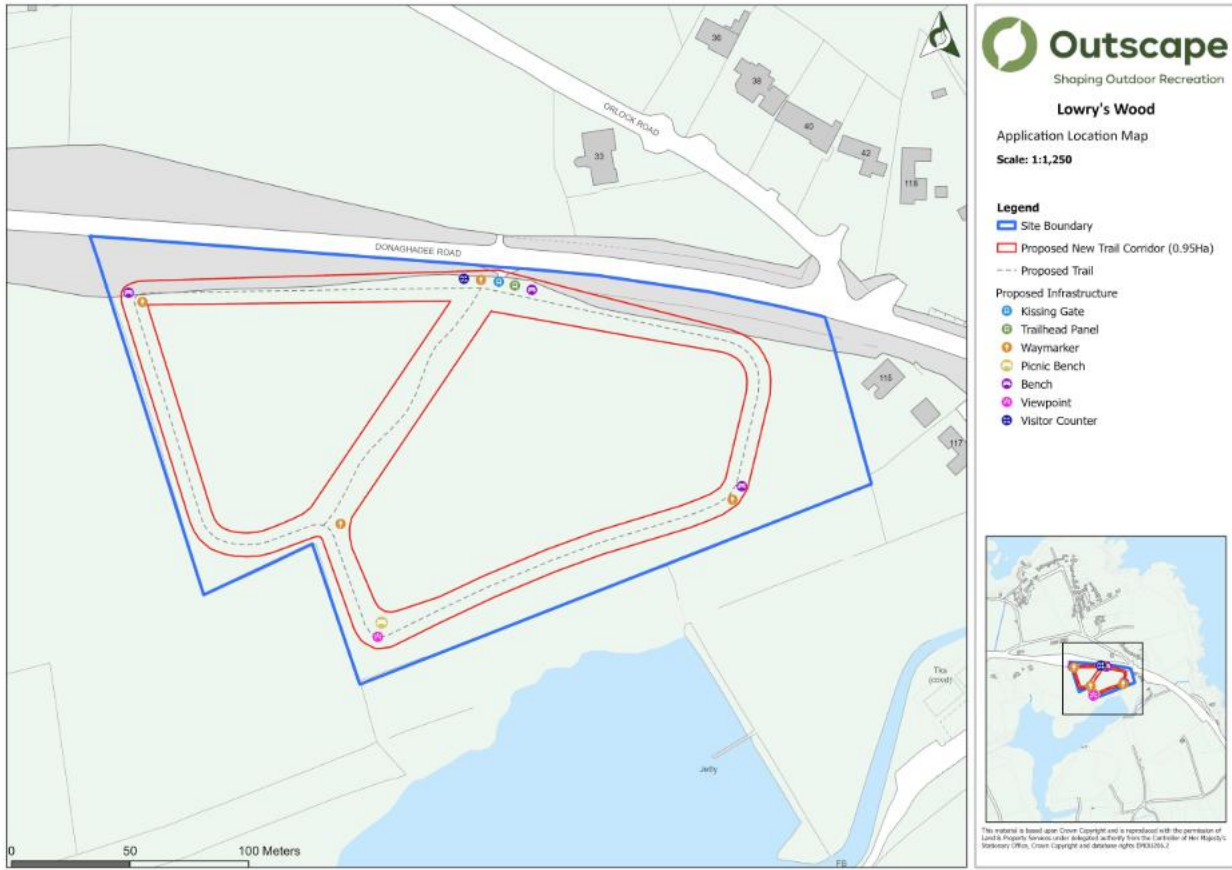


FIGURE B2 – Proposed Layout

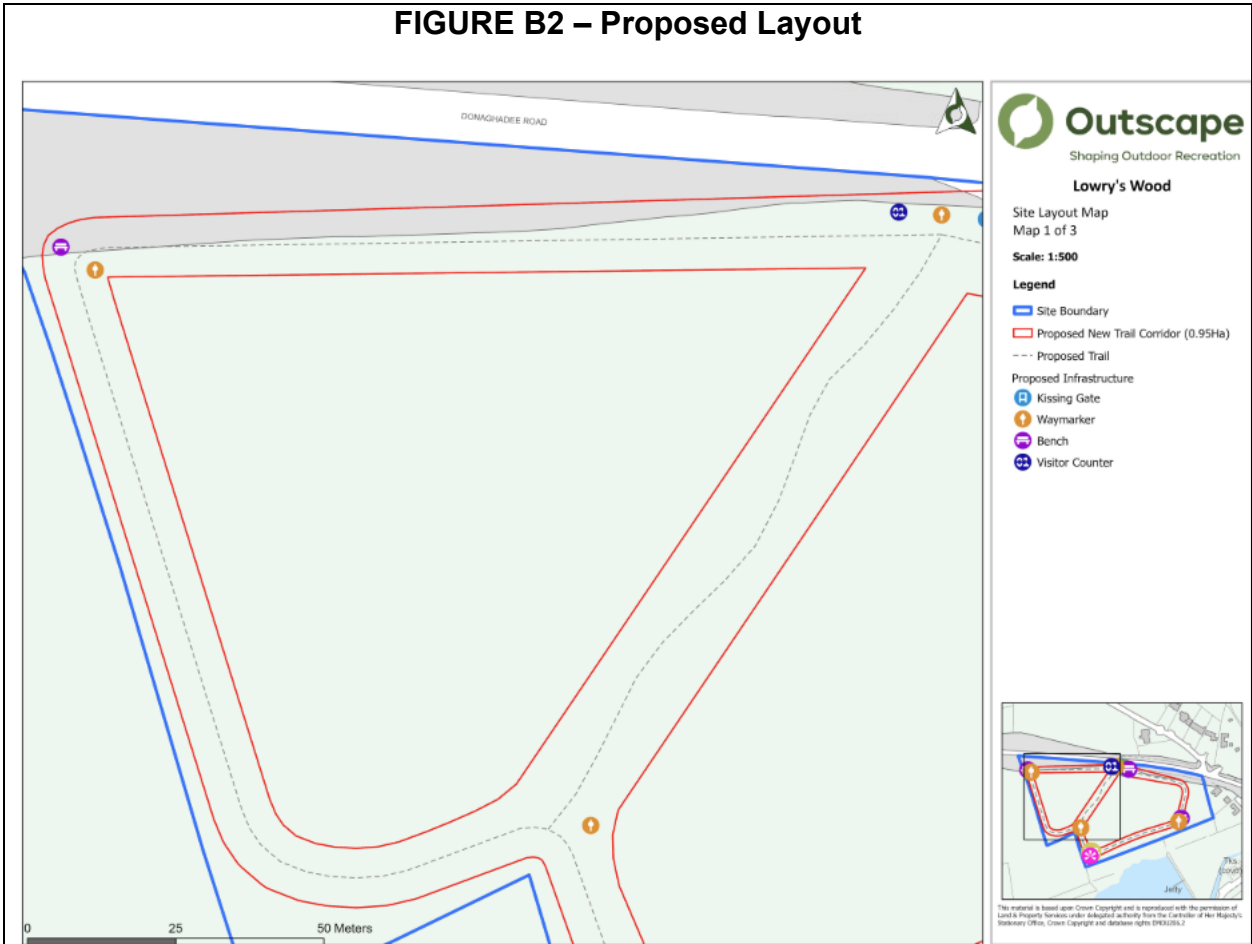


FIGURE B3 – Zoomed Site Plan 1



FIGURE B4 – Zoomed Site Plan 2

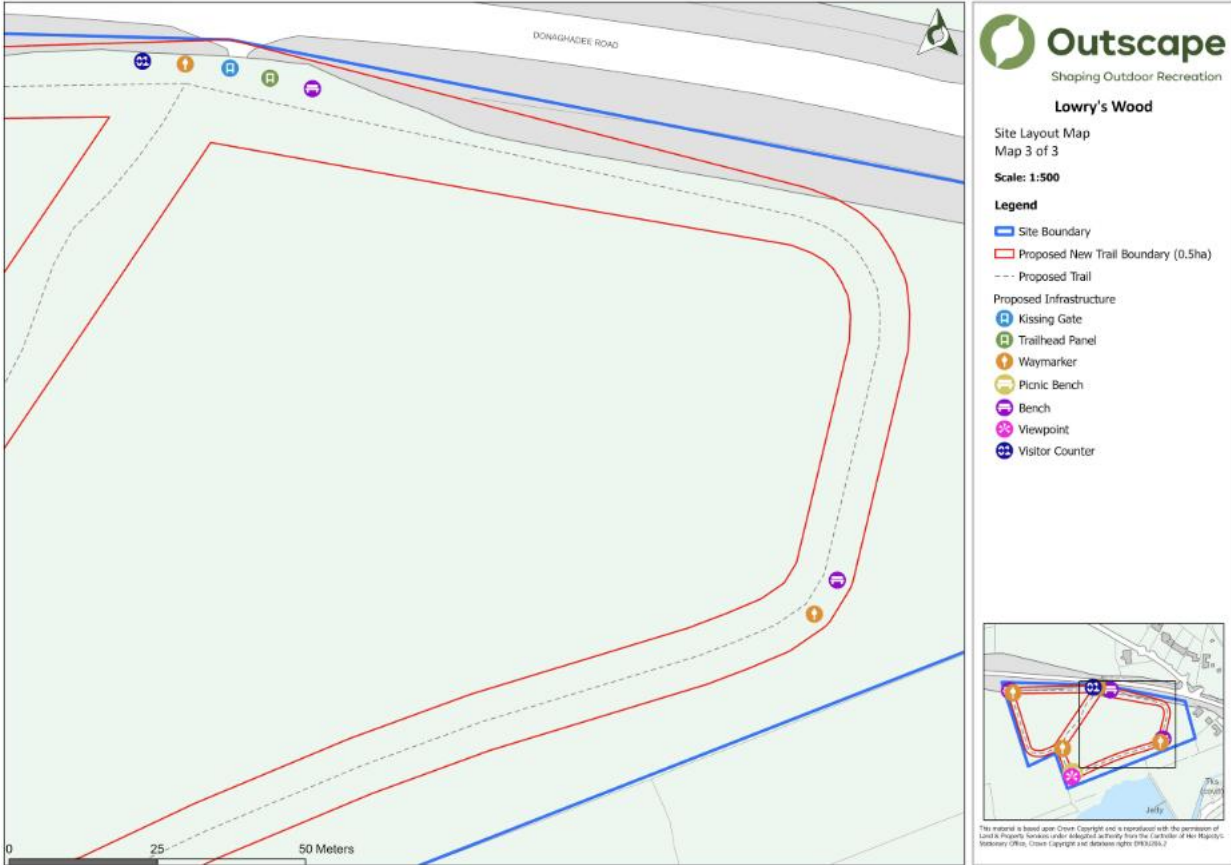
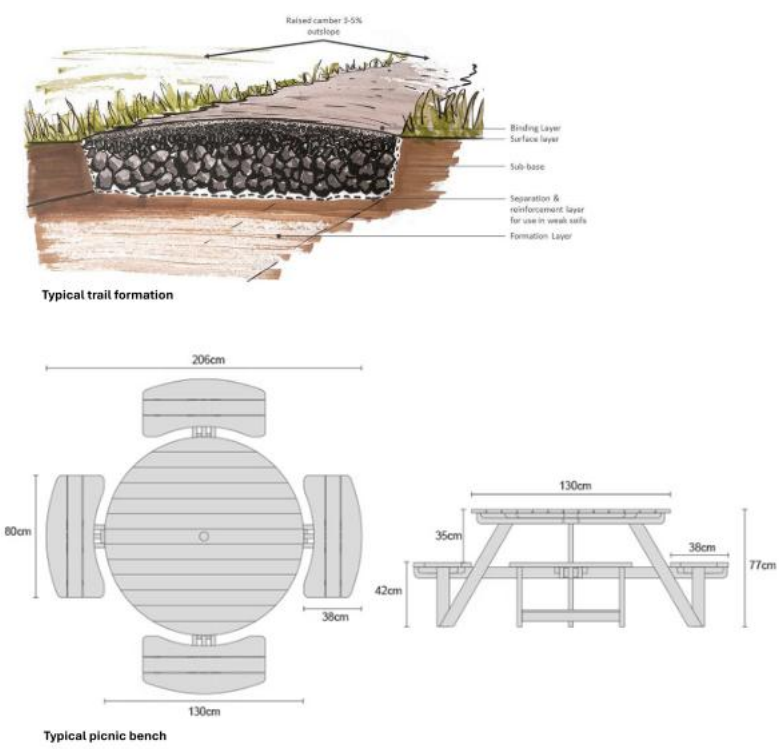


FIGURE B5 – Zoomed Site Plan 3



0.4 0.8 1.2 1.6 2 Meters
 FIGURE B6 – Proposed Trail Detail / Picnic Bench

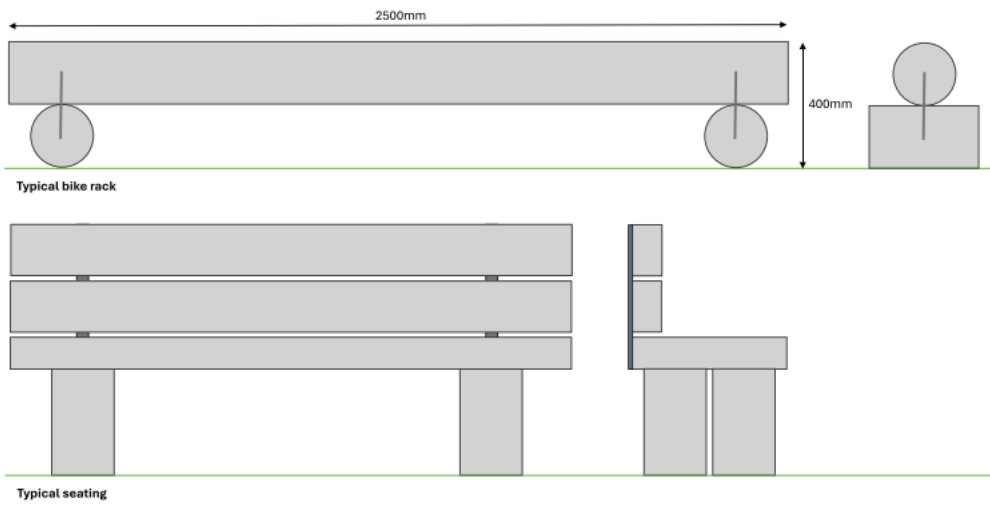


FIGURE B7 – Proposed Seating



FIGURE B8 – Proposed Trailhead / Signage

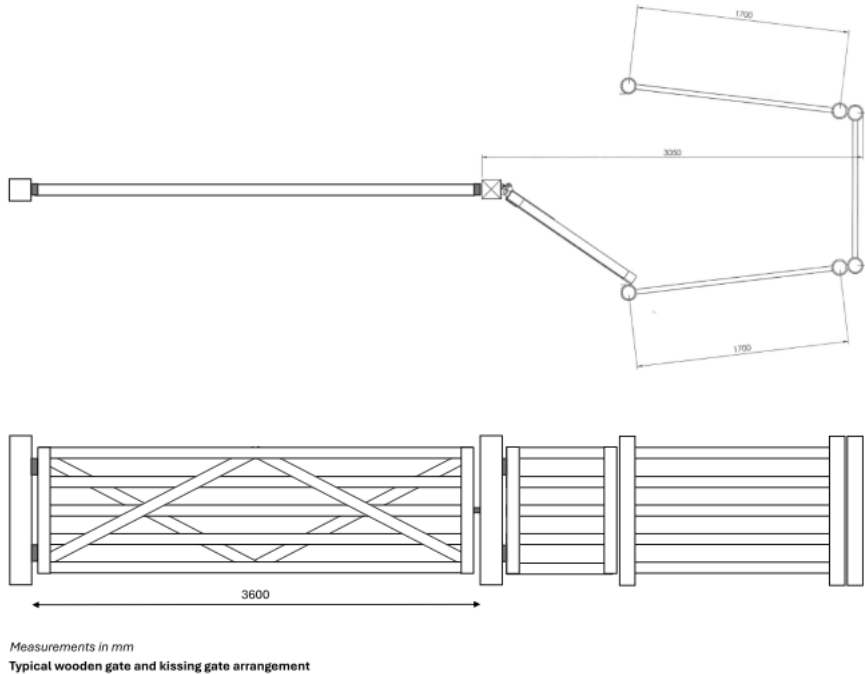


FIGURE B9 – Proposed Gate

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2025/0104/F	DEA: Newtownards	
Proposal:	Permanent retention of parklet (consisting of public seating and planting)		
Location:	Parking bays to front 22 Frances Street, Newtownards		
Applicant:	Ards & North Down Borough Council		
Date valid:	12.03.2025	EIA Screening Required:	No
Date last advertised:	27.03.2025	Date last neighbour notified:	12.03.2025
Letters of Support: 1		Letters of Objection: 1	Petitions: 0
Consultations – synopsis of responses:			
Environmental Health Office		No objections	
Historic Environment Division		No objections (subject to conditions)	
DFI Roads		Object to permanent retention	
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/			

1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure), on what was previously on-street parking bays, in the centre of Newtownards. The parklet is constructed from dark timber and is 11m wide and 2m deep. As one would expect, the seating area is open towards the footpath and closed on the roadside.

The site is located on Frances Street between the footpath on one side and the road to the other. The site occupies two parking spaces – leaving another three remaining. The site is in front of the local Ulster Bank and close to other commercial properties. Conway square is to the south on the opposite side of the road.

The area is exclusively commercial with no residential properties nearby.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in July 2022. Permission granted under application LA06/2022/0021/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- Ards & Down Area Plan 2015 (ADAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)
- Planning Policy Statement 6: Planning, Archaeology, and the Built Heritage

Principle of Development

The site described above is in the settlement of Newtownards as defined in the Ards and Down Area Plan 2015 which operates as the Local Development Plan for the area. The site is in the town centre and within the Primary Retail Core. In terms of environmental areas, the site is outside the Strangford and Lecale Area of Outstanding Natural Beauty and any other special designations. The site also falls within an Area of Archaeological Potential and Archaeological Site and Monument, but as the proposal is retrospective in nature there will be no works of heavy construction it is not considered expedient to consult Historical Monuments. There are no direct provisions in the Plan in relation to this type of development but given the town centre location it is considered the development is in general conformity with the plan, subject to the prevailing regional planning policies.

Impact on Town Centre

The Town Centre designation is to ensure the continuance of a compact and attractive shopping environment, offering both choice and convenience. Given the nature of the development, it is not considered the proposal will prejudice the objectives of the plan in relation to retail and town centres and it is considered the proposal is in general conformity with the plan, subject to the prevailing regional planning policies.

The SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.

This application relates to a small parklet and does not involve creation – or reduction - of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Primary Retail Core and Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of the Area

The parklet has been constructed so as floor level is at the street level making accessing from the footpath seamless. As referred to earlier, the structure is designed with dark timber cladding and appears to have weathered reasonably well over the past 3 years. Small plants growing along external sides of the parklet help to soften its impact on the street during summer months.



Figure 1: Parklet located in front of the Ulster Bank

The area is exclusively commercial and typical of a traditional High Street. The parklet has been in situ for over 3 years and complements the existing public seating and planters across the town centre. Conway Square is a pedestrianised public space 20m to the south and features a significant amount of seating and landscaping. The parklet is innovative and complementary to the existing town centre offering. It is of a scale that will not detract from the adjacent buildings, and I do not consider it to be a dominant feature on the street. The black cladding adjacent to the tarmac means the structure is not visually dominant on the streetscape, and overall, it is considered the proposal will not detract from the surrounding character of the area.

Impact on Privacy and Amenity of Neighbouring Residents

The SPPS also makes good neighbourliness a yardstick with which to judge proposed developments and The Council considers it important that the amenity of all residents is protected from ‘unneighbourly’ developments.

As referred to earlier, the site has a busy town-centre location in an exclusively commercial area. I did not note any residential properties at the time of my inspection. As a matter of good practise, the Council’s Environmental Health Department has been consulted and no objections were raised.

Built Heritage

The parklet is located outside the Ulster Bank. Historic Environment Division has confirmed that the Bank is ‘record only’ and not currently listed. The Town Hall –

which is Listed - is on the opposite side of the road, but HED considered that the proposal would have no detrimental impact on same. HED requested that permission be granted on the basis the structure will be removed after 3 years. I have consulted again for the current proposal and their response raise no concerns stating that the listed building (the Town Hall) has sufficient presence in situation and scale within the existing established developed environment to remain unaffected by the application.

Road safety/Parking

The proposal will result in the permanent loss of two spaces. More generally, proposals should not prejudice road safety or significantly inconvenience the flow of traffic. For new developments which creates additional parking pressures, the policy provides for a reduction in provision where the location is highly accessible one where the development is proposed close to existing public car parking. Reduced parking provision may also be acceptable in locations which are highly accessible and well served by public transport. This includes many town centres and locations close to public transport interchanges. There are several public car parks within 250metres (Ann Street, West Street and South Street), and the surrounding streets are characterised by on-street parking. The loss of spaces must be balanced against the need to support measures to improve the town-centre product. It must also be considered that the development has been in place for several years and have not created a significant adverse impact.

In relation to the previous application for temporary permission, Dfl raised no concerns (subject to conditions). They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for Dfl to further consider. This response is similar to the other concurrent applications for retention of parklets across the Borough.

As the lands are under the control of Dfl the parklet was erected following the granting of Dfl Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is external to the planning process. The absence of this Consent would not generally be an impediment to the granting of Full planning permission by the Council. I spoke with the Roads' Officer concerned and he explained that both the loss of parking spaces and the legalities around abandonment were the reasons why DFI could not support the scheme in the longer term. Council officials involved in the roll-out of the Parklets have previously liaised with DFI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

Impact on Designated Sites/Natural Heritage Interests

In relation to designated sites, it is not considered the development will have any impact. The NIEA's Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The parklet is in-situ and no further works of construction are necessary. Furthermore, the site will be 1.5km from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. Unlikely the proposal will require works of heavy construction. Therefore, the potential impact of this proposal on Special Areas of

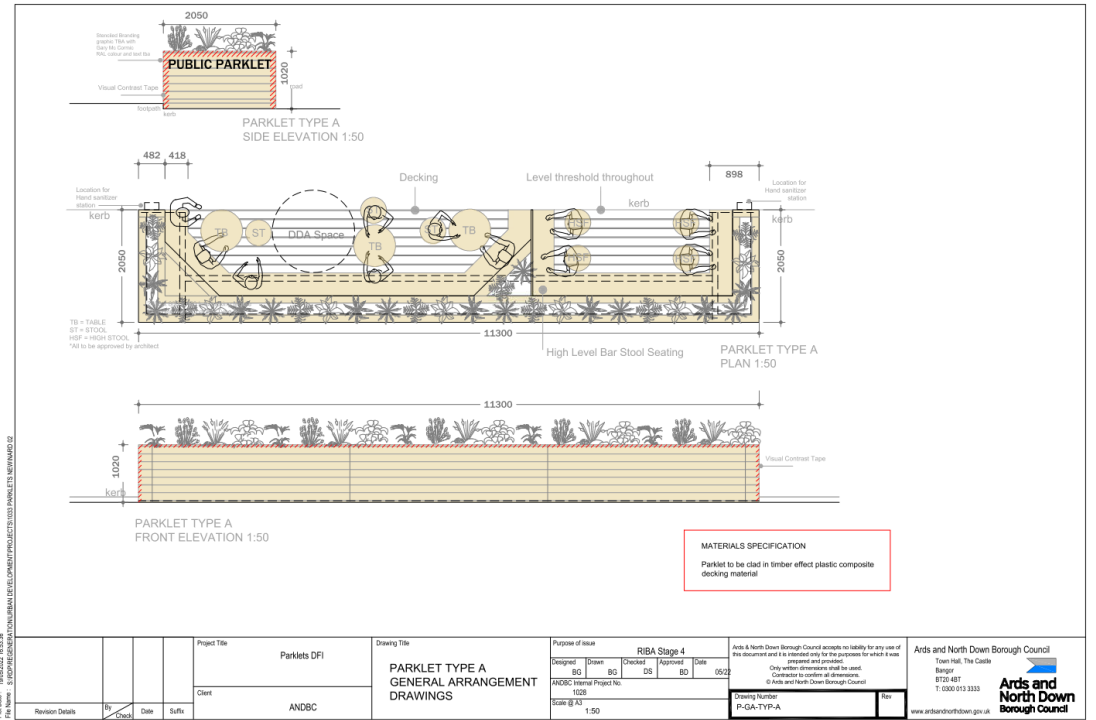
Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.
5. Representations
Two representations have been received: one suggested a bin should be made available, and one was an objection. The objection was submitted with reference to all three parklets in Newtownards. The objection raised a number of matters, including loss of parking spaces and causing flooding (this later point is more likely more pertinent to the other parklet site). More generally, the objection sees no merit in the parklets and considers them to be a negative feature that no one wanted, and not the best use of public resources. The usefulness of the parklet – either past or future – is not a material consideration for this planning assessment. The Council continues to liaise with local businesses through the Chamber of Trade and an assessment as to the ongoing success of the parklets can be made in the public interest. Loss of parking is weighed against the need to develop/innovate and, on balance, this is not considered to be determining. As mentioned, Consent from DFI Roads will be required and it is unlikely this would be forthcoming should parking becoming critical.
6. Recommendation
Grant Planning Permission
7. Conditions
1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative
This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or

any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees. A Street Works License is required for the works and the applicant is advised to contact DfI Roads Southern Division to make an application.

Annex



Site location plan



Elevations and floor plan

Development Management Case Officer Report			
Reference:	LA06/2025/0102/F	DEA: Newtownards	
Proposal:	Permanent retention of parklet (consisting of public seating and planting)		
Location:	Parking bays to front of 44a-46 High Street, Newtownards		
Applicant:	Ards & North Down Borough Council		
Date valid:	12/03/2025	EIA Screening Required:	No
Date last advertised:	27/03/2025	Date last neighbour notified:	12/03/2025
Letters of Support: 0 Letters of Objection: 2 Petitions: 0			
Consultations – synopsis of responses:			
Environmental Health Office	No objections		
DFI Roads	Object to permanent retention		
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/			

1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure), on what was previously on-street parking bays, in the centre of Newtownards. The parklet is constructed from dark timber and is 11m wide and 2m deep. As one would expect, the seating area is open towards the footpath and closed on the roadside.

There is on-street parking along High Street and the proposal occupies 3 of the spaces. The parklet is adjacent to the public footpath and outside a café and estate agents. High Street itself is lined on both sides by mainly independent shops, some offices, and on-street parking.

The area is exclusively commercial with no residential properties nearby.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in September 2022. Permission granted under application LA06/2021/1367/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment
The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows: • Ards & Down Area Plan 2015 (ADAP) • The Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 2: Natural Heritage (PPS 2)
Principle of Development Despite its end date, ADAP currently acts as the LDP for this area. The site described above is in the settlement of Newtownards. The site is in the town centre and within the Primary Retail Core. There are no environmental or architectural designations affecting the site. The site falls within an Area of Archaeological Potential and Archaeological Site and Monument but given the proposal will not require any material excavation works, it has not been considered expedient to consult Historical Environment Division. There are no direct provisions in the Plan in relation to this type of development but given the town centre location it is considered the development is in general conformity with the plan, subject to the prevailing regional planning policies. Impact of Town Centre The Town Centre designation is to ensure the continuance of a compact and attractive shopping environment, offering both choice and convenience. Given the nature of the development, it is not considered the proposal will prejudice the objectives of the plan in relation to retail and town centres and it is considered the proposal is in general conformity with the plan, subject to the prevailing regional planning policies. The SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions. This application relates to a small parklet and does not involve creation – or reduction - of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Primary Retail Core and Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of Area

The proposal is 11m long and 2m wide. The footprint of the parklet is approximately the area of three car parking spaces. The structure is open toward the footpath and enclosed by timber-effect cladding/planters on the two ends and roadside.



Figure 1: Location of parklet

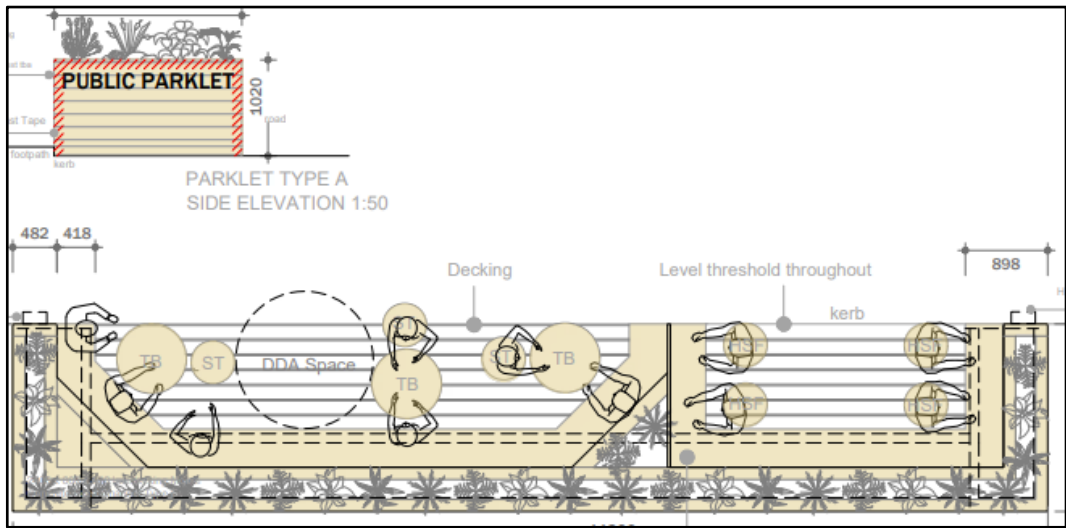


Figure 2: Floorplan and elevation

The area is exclusively commercial and typical of a traditional high street. The parklet has introduced a new feature in the town however is similar to public seating and planters are a common feature across the town centre. Conway Square is a pedestrianised public space 100m to the west and features a significant amount of seating and landscaping. The structure has a low profile in the context of the street and is not readily visible over medium or longer distances – especially when cars are parked on both sides. The black cladding adjacent to the tarmac means the structure

is not visually dominant on the streetscape, and overall, it is considered the proposal will not detract from the surrounding character of the area.

Impact on Residential Amenity

The SPPS also makes good neighbourliness a yardstick with which to judge proposed developments and The Council considers it important that the amenity of all residents is protected from ‘unneighbourly’ developments.

As referred to earlier, the site has a busy town-centre location in an exclusively commercial area. I did not note any residential properties at the time of my inspection. No noise complaints registered during previous three years. As a matter of good practise, the Council’s Environmental Health Department has been consulted, and no objections were raised.

Road safety/parking

The proposal will result in the loss of three spaces. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic. For new developments which create additional parking pressures, planning policy provides for a reduction in provision where the location is highly accessible and one where the development is proposed close to existing public car parking.

There a number of car parks in the area within two hundred metres (e.g., Ann Street and West Street) and the majority of surrounding streets are accompanied with on-street parking provision. The loss of spaces must be balanced against the need to support measures to improve the town-centre product and the wider availability of car parking spaces. It must also be considered that the development has been in place for several years and have not created a significant adverse impact.

In relation to the previous application for temporary permission, DfI raised no concerns (subject to conditions). They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for DfI to further consider. This response is similar to the other concurrent applications for retention of parklets across the Borough.

As the lands are under the control of DfI the parklet was erected following the granting of DfI Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is external to the planning process. The absence of this Consent would not generally be an impediment to the granting of Full planning permission by the Council. Following engagement with DfI Roads it was explained that both the loss of parking spaces and the legalities around abandonment were the reasons why DfI could not support the scheme in the longer term. Council officials involved in the roll-out of the Parklets have previously liaised with DfI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

Impact on Designated Sites/Natural Heritage Interests

In relation to designated sites, it is not considered the development will have any impact. The NIEA's Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The site will be 1.3km from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.

5. Representations

Two representations have been received.

One objection was submitted with reference to all three parklets in Newtownards. The objection raised several matters, including loss of parking spaces and causing flooding (this later point is more likely more pertinent to the other parklet on High Street).

More generally, the objection sees no merit in the parklets and considers them to be a negative feature that no one wanted, and not the best use of public resources. Whilst the argument that there is no merit in parklets, this speaks to a matter of opinion and not to the assessment of the application against planning policy. The issues raised regarding the loss of parking have been detailed within the relevant section of this report.

The second representation was not against the parklet in principle but did raise concerns in relation to the impact on the local drainage infrastructure.

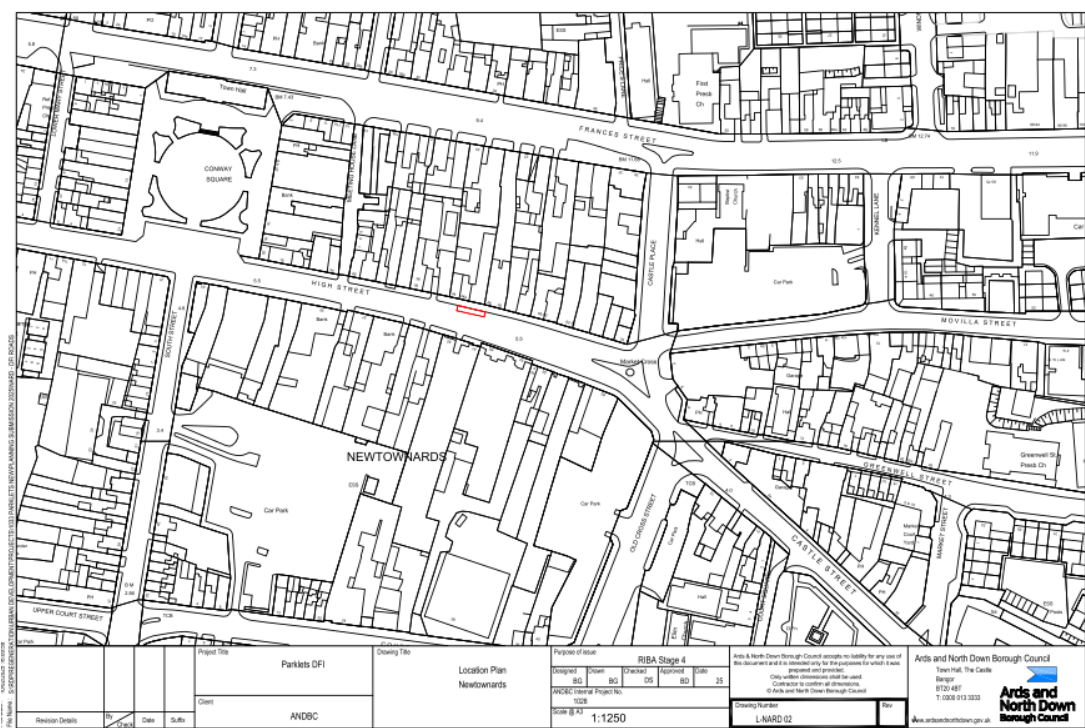
The email suggested the parklet obstructs the flow of surface water which results in flooding to adjacent parking bays. It was suggested that retention of the parklet should be conditional on upgraded infrastructure. The issue was raised with the team responsible for the parklets and was confirmed that it has been highlighted and have been out on site, met with the adjacent shop owner, and confirmed that DFI has added the issue to their programme of work to install a new drain. It is therefore hoped that this matter will be resolved in the public interest and a negative condition in this instance would not be justified.

6. Recommendation

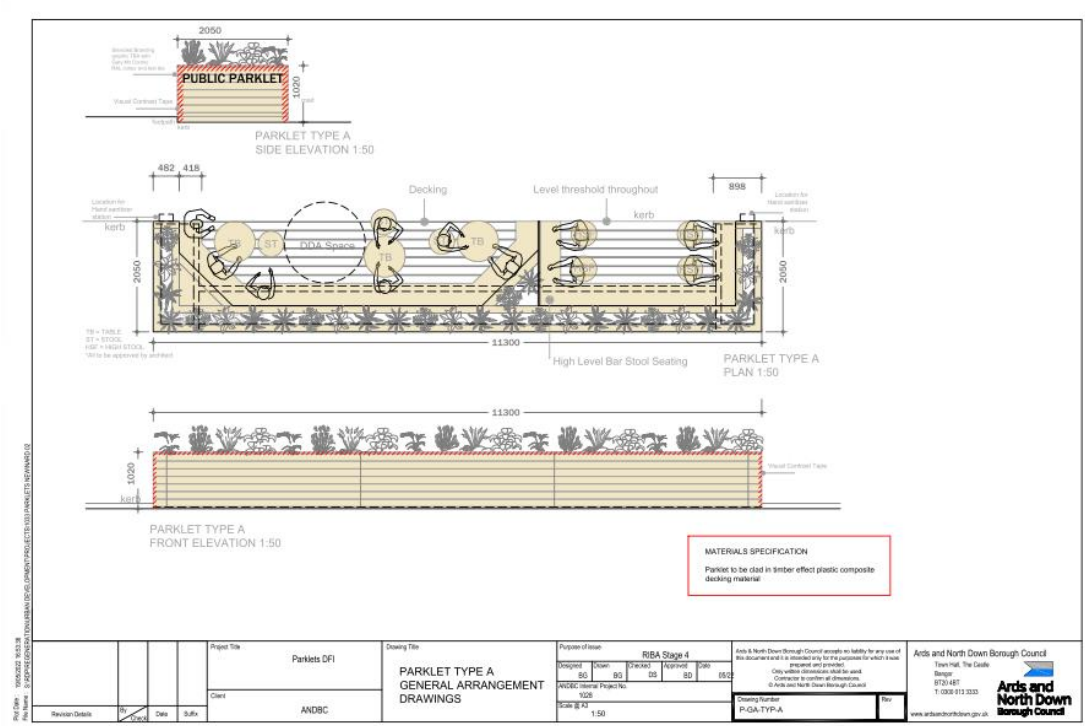
Grant Planning Permission

7. Conditions
1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative
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Annex



Site location plan



Elevations and floor plans

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2025/0101/F	DEA: Bangor Central	
Proposal:	Permanent retention of parklet (consisting of public seating and planting)		
Location:	Parking bays to front of 63-65 High Street, Bangor		
Applicant:	Ards and North Down Borough Council		
Date valid:	12.03.2025	EIA Screening Required:	No
Date last advertised:	27.03.2025	Date last neighbour notified:	12.03.2025
Letters of Support: 0		Letters of Objection: 0	Petitions: 0
Consultations – synopsis of responses:			
Environmental Health Department		No objections	
DFI Roads		Object to permanent retention	
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/			

1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure), on what was previously on-street parking bays, in the centre of Bangor. Site is located on the northern side of High Street approximately 60m east from the rear of the Flagship Centre. The parklet is constructed from dark timber and is 11m wide and 2m deep. As one would expect, the seating area is open towards the footpath and closed on the roadside.

The site part of a larger parking bay located on High Street. The site is located between the public footpath and retail units one side, and the public road on the other. The area is noted for a mix of shops and food outlets.

The area has a busy town centre character with few residential properties nearby.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in September 2022. Permission granted under application LA06/2022/0562/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan 1984-1995 (NDAAP)
- Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)

Principle of Development

Despite its end date, NDAAP currently acts as the LDP for this area with dBMAP remaining a material consideration where applicable. Beyond its location in the settlement of Bangor, the site is within the Town Centre. Site located outside the Primary Retail Core. There are no environmental designations affecting the site. The site is within Bangor Central Area of Townscape Character. The site is also within an Area of Archaeological Potential but as the works are in-situ no further construction work will be required. It has not been considered expedient to consult Historical Environment Division. The site also falls within the Bangor Area of Parking Restraint.

Whilst there are no material provisions in the plan in relation to parklets, dBMAP seeks to promote an urban renaissance and recognises town centres have a key role as prime foci for retail, service, administrative, leisure and cultural facilities. The proposal is therefore considered in broad agreement with the Plan subject to any prevailing regional policies.

Impact on Town Centre

In relation to Town Centre and Retailing, the SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.

This application relates to a small parklet and does not involve creation of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of Area and ATC

The parklet has been constructed so as floor level is at the street level making accessing from the footpath seamless. As referred to earlier, the structure is designed with dark timber cladding and appears to have weathered well over the past 3 years. Small plants growing along external edge of the parklet help to soften its impact on the street.



Parklet as visible today (floorplans and elevations in Annex)

The area is exclusively commercial and typical of a traditional high street. The parklet has introduced a new feature in this location however, public seating and planters are a common feature across the town centre. The parklet is innovative and is complementary to the existing town centre offering. It is of a scale that will not detract from the adjacent buildings, and I do not consider it to be a dominant feature on the street. Overall, it is not considered the proposal will detract from the surrounding character of the area.

In relation to the ATC, key features include views from High Street over the bay, and late Victorian buildings including several three storey, highly decorative buildings close to the junction of High Street and Bridge Street. The proposal will have no material impact on any of the key features of the ATC.

Impact on Residential Amenity

The SPPS also makes good neighbourliness a yardstick with which to judge proposed developments and The Council considers it important that the amenity of all residents is protected from ‘unneighbourly’ developments.

No residential properties were identified close to the proposal. The Council’s Environmental Health Department has been consulted and no objections have been raised. It would appear that since the parklet has been in use there has been no noise complaints to the Council. The parklet is beside a busy road (and junction at the Flagship) in the centre of the town and away from residential properties. For these reasons it is not considered residential amenity will be negatively affected.

Road safety/Parking

The proposal will result in the permanent loss of two spaces. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic. For new developments which create additional parking pressures, the planning policy provides for a reduction in provision where the location is highly accessible and one where the development is proposed close to existing public car parking.

There are a number of car parks in the area within two hundred metres. There is a car park behind the commercial units at the site (accessed from Holborn Avenue) with more located around the marina and the McKee Clock, furthermore the majority of surrounding streets are accompanied with on-street parking provision. The loss of spaces must be balanced against the need to support measures to improve the town-centre product and the wider availability of car parking spaces. It must also be considered that the development has been in place for several years and have not created a significant adverse impact.

In relation to the previous application for temporary permission, Dfl raised no concerns (subject to conditions). They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for Dfl to further consider. This response is similar to the other concurrent applications for retention of parklets across the Borough.

As the lands are under the control of Dfl the parklet was erected following the granting of Dfl Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is done outside the planning process and would not generally be an impediment to the granting by the Council for Full planning permission. Council officials involved in the roll-out of the Parklets have previously liaised with DFI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

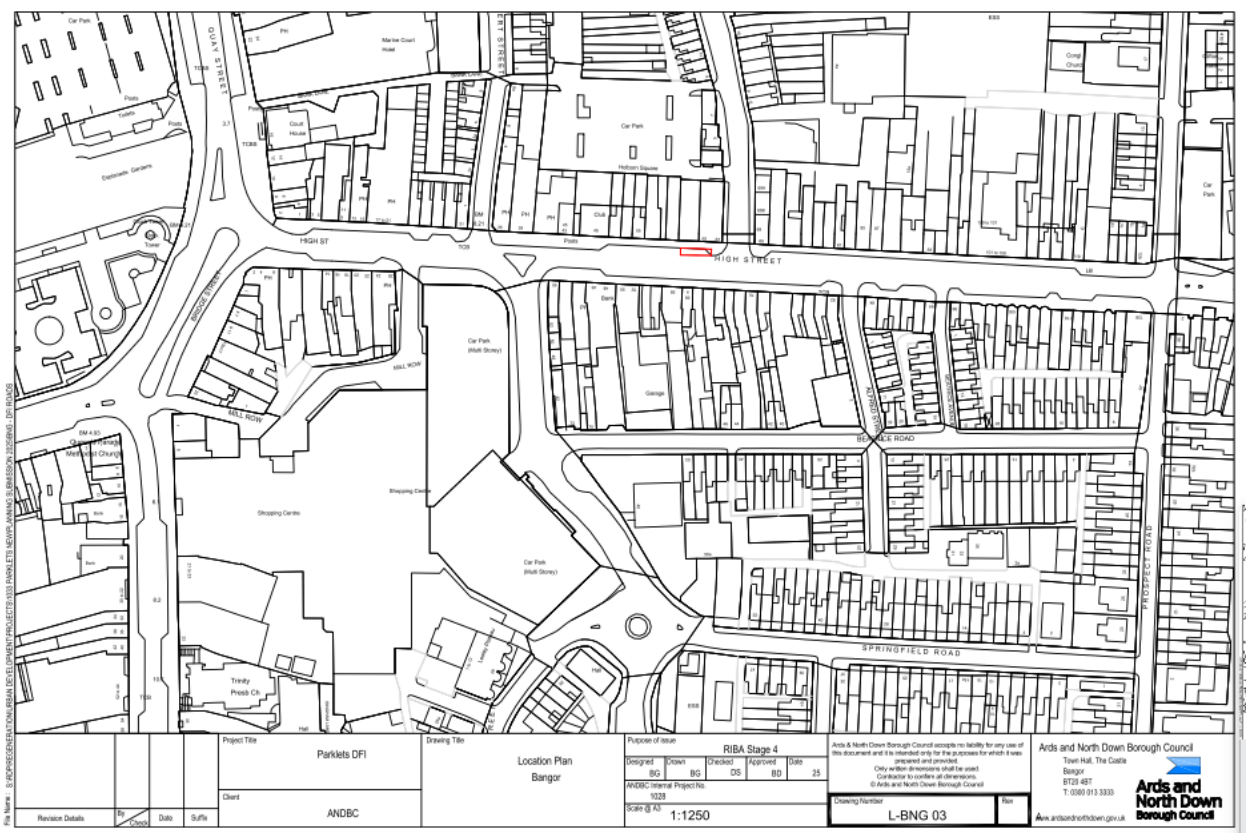
Within Draft BMAP, the site falls within an Area of Parking Restraint. This applies parking standards for new residential and non-residential developments. The proposal does not relate to the provision of new development that would increase the need for parking spaces. I do not consider the proposal to be therefore contrary to any of the policy objectives of same.

Impact on Designated Sites/Natural Heritage Interests

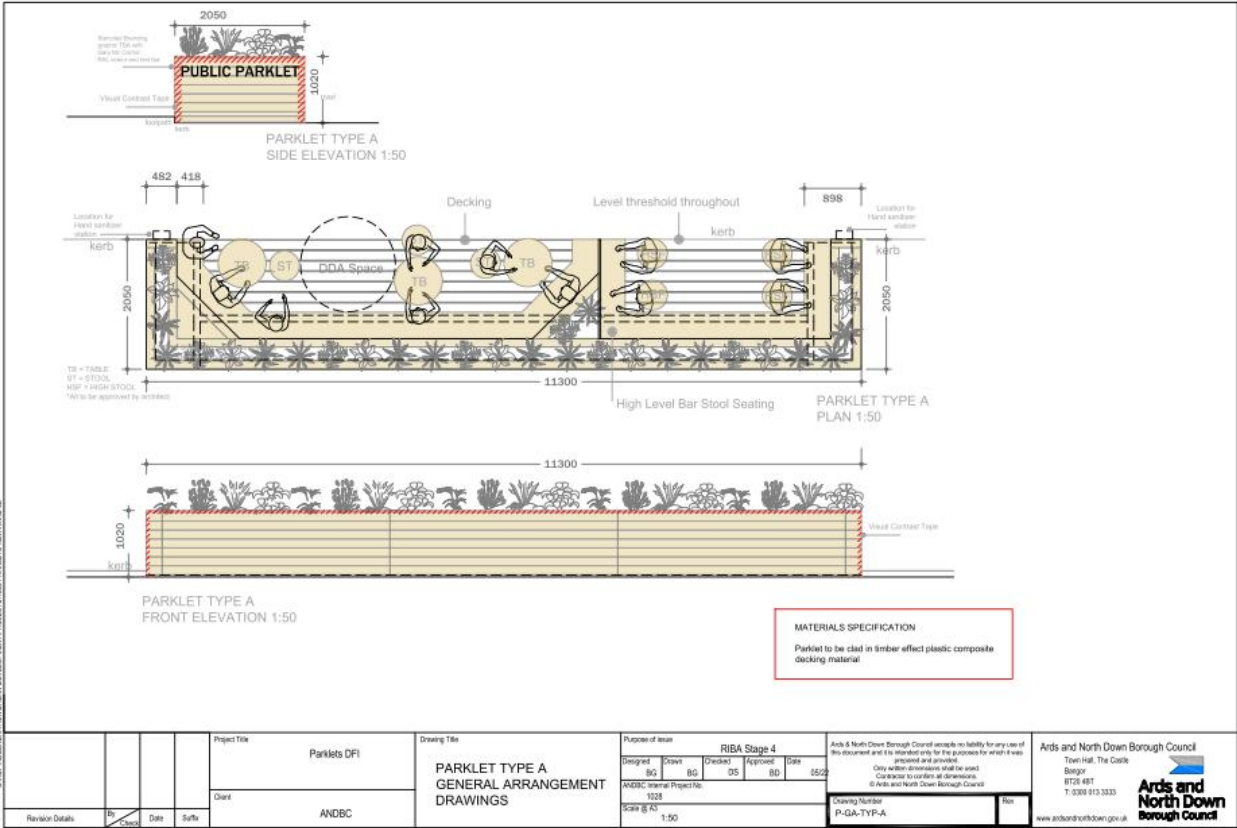
In relation to designated sites, it is not considered the development will have any impact. No further works of construction will be necessary given the retrospective nature of the proposal. The NIEA's Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The site will be 250m from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of

the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.
5. Representations
No representations were received.
6. Recommendation
Grant Planning Permission
7. Conditions
1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained carried out as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative
This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees. A Street Works License is required for the works and the applicant is advised to contact DfI Roads Southern Division to make an application.

Annex



Site location plan



Elevations and floorplans

Development Management Case Officer Report			 Ards and North Down Borough Council
Reference:	LA06/2025/0100/F	DEA: Bangor Central	
Proposal:	Permanent retention of parklet (consisting of public seating and planting)		
Location:	Paved area to front of 78-80 Main Street, Bangor		
Applicant:	Ards & North Down Borough Council		
Date valid:	12.03.2025	EIA Screening Required:	No
Date last advertised:	27.03.2025	Date last neighbour notified:	12.03.2025
Letters of Support: 0		Letters of Objection: 0	Petitions: 0
Consultations – synopsis of responses:			
Environmental Health Department		No objections	
DFI Roads		Object to permanent retention	
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.			
Recommendation: Grant Planning Permission			
Report Agreed by Authorised Officer			
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/			

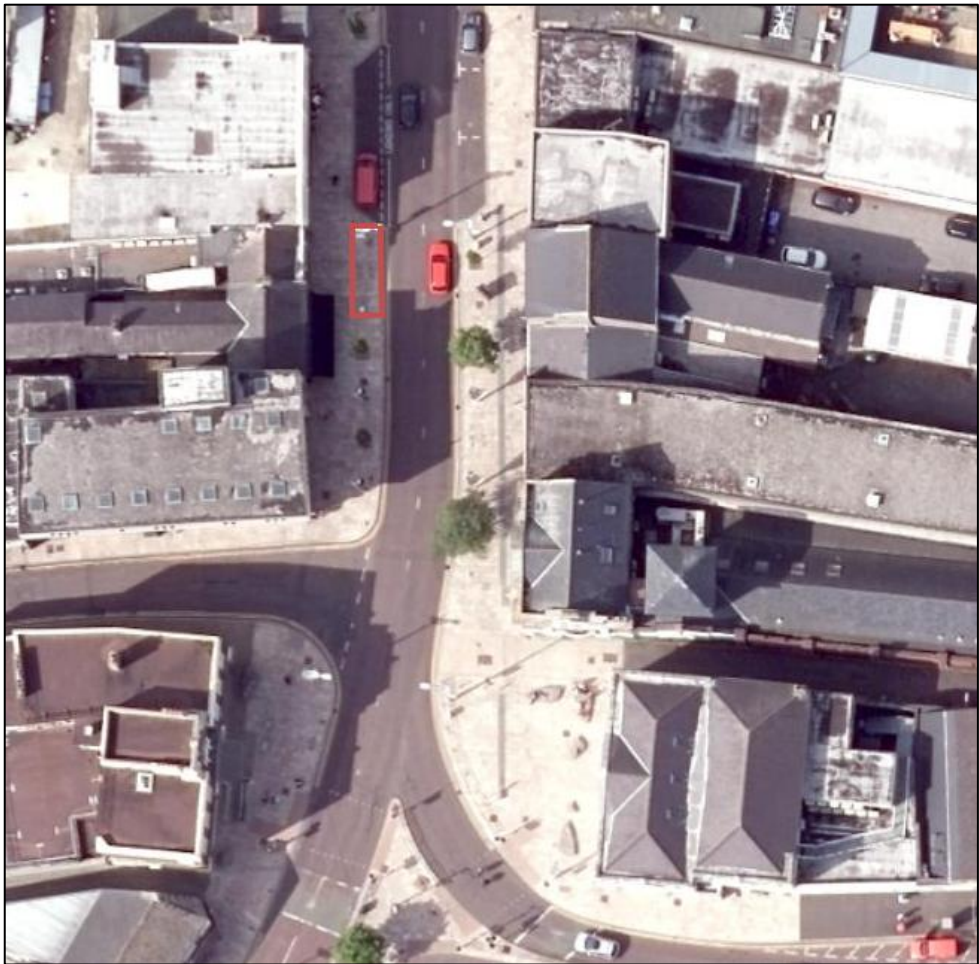
1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure), on a section of public pavement, in the centre of Bangor. The parklet is constructed from dark timber and is 7m wide and 3m deep. As one would expect, the seating area is open towards the footpath and closed on the roadside.

The site is located on the Main Street on a wide section of the footpath. The site is located between retail units one side and the public road on the other. On-street parking bay adjacent. Retail and business units on both sides of the street. Existing public seating, planting and lighting on both sides of the street.

The area has a busy town centre character with few residential properties nearby.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in September 2022. Permission granted under application LA06/2021/1366/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan 1984-1995 (NDAAP)
- Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)

Principle of Development

Despite its end date, NDAAP currently acts as the LDP for this area with dBMAP remaining a material consideration where applicable. Beyond its location in the settlement of Bangor, the site is within the Town Centre and Primary Retail Core. There are no environmental designations affecting the site. The site is within Bangor Central Area of Townscape Character (ATC). The site is also within an Area of Archaeological Potential and Archaeological Site and Monument but as the proposal is retrospective and no further construction work is required it has not been considered expedient to consult Historical Environment Division. The site also falls within the Bangor Area of Parking Restraint.

Whilst there are no material provisions in the plan in relation to parklets, dBMAP seeks to promote an urban renaissance and recognises town centres have a key role as prime foci for retail, service, administrative, leisure and cultural facilities. The proposal is therefore considered in broad agreement with the Plan subject to any prevailing regional policies.

Impact of Town Centre

In relation to Town Centre and Retailing, the SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.

This application relates to retention of a small parklet and does not involve creation of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Primary Retail Core and Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of Area and ATC

The structure is open towards the footpath and enclosed by timber-effect cladding/planters on the two ends and on the roadside. As referred to earlier, the structure is designed with dark timber cladding and appears to have weathered well over the past 3 years. Small plants growing along external edge of the parklet help to soften its impact on the street.



Parklet as visible today (floorplans and elevations in Annex)

The area is exclusively commercial and typical of a traditional high street. Whilst the parklet has introduced a new feature in the town, public seating and planters are a common feature across the town centre. The parklet is innovative and is complementary to the existing town centre offering. It is of a scale that does not detract from the adjacent buildings, and I do not consider it to be a dominant feature on the street. Overall, it is not considered the proposal will detract from the surrounding character of the area.

In relation to the ATC, key features include views late Victorian and Georgian properties on Main Street and views of the bay from Main Street. The retention of the parklet will have no material impact on any of the key features of the ATC.

Impact on Residential Amenity

The SPPS makes good neighbourliness a yardstick with which to judge proposed developments and The Council considers it important that the amenity of all residents is protected from ‘unneighbourly’ developments.

As referred to earlier, the site has a busy town-centre location in an exclusively commercial area. I did not note any residential properties at the time of my inspection. As a matter of good practise, the Council’s Environmental Health Department has been consulted and, as with the previous application, no objections were raised. It is considered that since the parklet has been in use there has been no noise complaints in relation to same.

Road safety/Parking

The proposal will have no impact on parking provision in the town. In relation to the previous application for temporary permission, DfI raised no concerns (subject to conditions). They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for DfI to further consider.

This response is similar to other concurrent applications for retention of parklets across the Borough. As the lands are under the control of DfI, the parklet was erected following the granting of DfI Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is carried out outside the planning process.

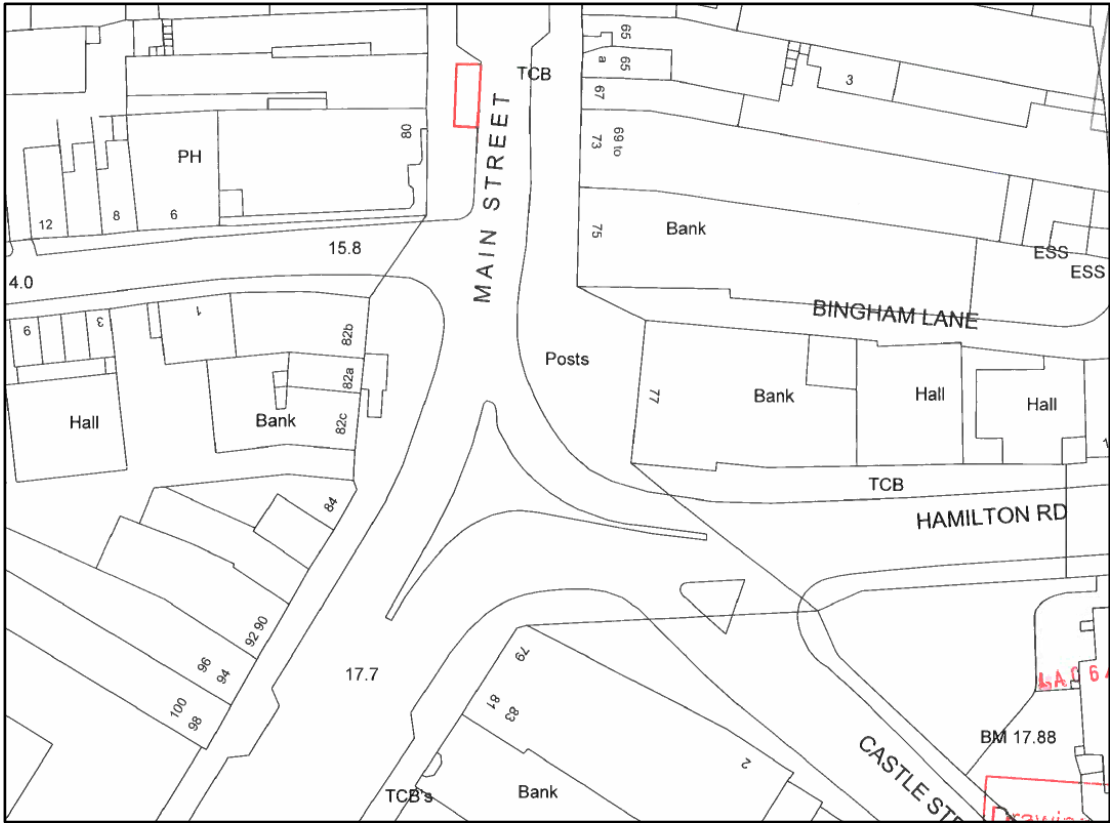
The absence of such Consent would not generally be an impediment to the granting of full planning permission by the Council. Council officials involved in the roll-out of the Parklets have previously liaised with DfI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

Impact on Designated Sites/Natural Heritage Interests

In relation to designated sites, it is not considered the development will have any impact. The NIEA’s Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The site will be 500m from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.
5. Representations
No representations were received.
6. Recommendation
Grant Planning Permission
7. Conditions
1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative
This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees. A Street Works License is required for the works and the applicant is advised to contact DfI Roads Southern Division to make an application.

Annex



Site Location

Development Management Case Officer Report			 Ards and North Down Borough Council	
Reference:	LA06/2025/0099/F	DEA: Bangor Central		
Proposal:	Permanent retention of parklet (consisting of public seating and planting)			
Location:	Parking bays to front of 117-119 High Street, Bangor			
Applicant:	Ards and North Down Borough Council			
Date valid:	10.02.2025	EIA Screening Required:	No	
Date last advertised:	27.03.2025	Date last neighbour notified:	12.03.2025	
Letters of Support: 0		Letters of Objection: 0		Petitions: 0
Consultations – synopsis of responses:				
Environmental Health Department		No objections		
DFI Roads		Object to permanent retention		
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.				
Recommendation: Grant Planning Permission Report Agreed by Authorised Officer				
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/				

1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure), on what was previously on-street parking bays, in the centre of Bangor. The parklet is constructed from dark timber and is 11m wide and 2m deep. As one would expect, the seating area is open towards the footpath and closed on the roadside.

The site is part of a larger parking bay located along the northern side of High Street. The site is located between the public footpath and retail units one side, and the public road on the other. The area is noted for several eateries and shops. Large planter with tree adjacent to the site; pedestrian crossing 5m to east.

The area has a busy town centre character with few residential properties nearby.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in September 2022. Permission granted under application LA06/2021/1365/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- North Down and Ards Area Plan 1984-1995 (NDAAP)
- Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)

Principle of Development

Despite its end date, NDAAP currently acts as the LDP for this area with dBMAP remaining a material consideration where applicable. Beyond its location in the settlement of Bangor, the site is within the Town Centre. There are no environmental designations affecting the site. The site is within Bangor Central Area of Townscape Character. The site is also within an Area of Archaeological Potential but as the works are in-situ no further construction work will be required. It has not been considered expedient to consult Historical Environment Division. The site also falls within the Bangor Area of Parking Restraint.

Whilst there are no material provisions in the plan in relation to parklets, dBMAP seeks to promote an urban renaissance and recognises town centres have a key role as prime foci for retail, service, administrative, leisure and cultural facilities. The proposal is therefore considered in broad agreement with the Plan subject to any prevailing regional policies.

Impact on Town Centre

In relation to Town Centre and Retailing, the SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.

This application relates to retention of a small parklet and does not involve creation of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of Area and ATC

The parklet has been constructed so as floor level is at the street level making accessing from the footpath seamless. As referred to earlier, the structure is designed with dark timber cladding and appears to have weathered well over the past 3 years. Small plants growing along external edge of the parklet help to soften its impact on the street.



Parklet as visible today (floorplans and elevations in Annex)

The area is predominantly commercial and typical of a traditional high street. Whilst the parklet has introduced a new feature in this location, public seating and planters are a common feature across the town centre. The parklet is innovative and will be complementary to the existing town centre offering. It is of a scale that will not detract from the adjacent buildings, and I do not consider it to be a dominant feature on the street. Overall, it is not considered the proposal will detract from the surrounding character of the area.

In relation to the ATC, key features include views from High Street over the bay, and late Victorian buildings including several three storey, highly decorative buildings close to the junction of High Street and Bridge Street. The retention of the parklet will have no material impact on any of the key features of the ATC.

Impact on Residential Amenity

The SPPS also makes good neighbourliness a yardstick with which to judge proposed developments and The Council considers it important that the amenity of all residents is protected from 'unneighbourly' developments.

As referred to earlier, the site has a mixed character with several uses in the area. The area 250m to the west (towards the Marina) is the main hub for nightlife in the town. There do appear a few flats (above the shops) in the area but no complaints have been raised in the previous three years. Given the high degree of public amenity space in the area, it is not considered that the proposal will have any significant additional impact on residential amenity. The latest response from the Council's Environmental Health Department has been consulted, and no objections were raised.

Road safety/Parking

The proposal will result in the permanent loss of two spaces. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic. For new developments which create additional parking pressures, the planning policy provides for a reduction in provision where the location is highly accessible and one where the development is proposed close to existing public car parking.

There are a number of car parks in the area within two hundred metres (e.g., Clifton Street, Holborn Avenue) with more located around the marina and the McKee Clock, furthermore the majority of surrounding streets are accompanied with on-street parking provision. The loss of spaces must be balanced against the need to support measures to improve the town-centre product and the wider availability of car parking spaces. It must also be considered that the development has been in place for several years and have not created a significant adverse impact.

In relation to the previous application for temporary permission, DfI raised no concerns (subject to conditions). They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for DfI to further consider. This response is similar to the other concurrent applications for retention of parklets across the Borough.

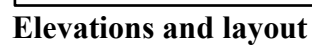
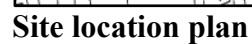
As the lands are under the control of DfI the parklet was erected following the granting of DfI Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is done outside the planning process and would not generally be an impediment to the granting by the Council for Full planning permission. Council officials involved in the roll-out of the Parklets have previously liaised with DfI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

Within Draft BMAP, the site falls within an Area of Parking Restraint. This applies parking standards for new residential and non-residential developments. The proposal does not relate to the provision of new development that would increase the need for parking spaces. Therefore, I do not consider the proposal to be contrary to these specific policy provisions.

Impact on Designated Sites/Natural Heritage Interests

In relation to designated sites, it is not considered the development will have any impact. The NIEA's Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The site will be 300m from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. No construction works to take place. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.
5. Representations
No representations were received.
6. Recommendation
Grant Planning Permission
7. Conditions
1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained carried out as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative
This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees. A Street Works License is required for the works and the applicant is advised to contact DfI Roads Southern Division to make an application.



Development Management Case Officer Report			 Ards and North Down Borough Council	
Reference:	LA06/2025/0105/F	DEA: Comber		
Proposal:	Permanent retention of parklet (consisting of public seating and planting)			
Location:	To front of St Mary's Parochial Hall, 24 The Square, Comber			
Applicant:	Ards and North Down Borough Council			
Date valid:	10/02/2025	EIA Screening Required:	No	
Date last advertised:	27/03/2025	Date last neighbour notified:	12/03/2025	
Letters of Support: 0		Letters of Objection: 0		Petitions: 0
Consultations – synopsis of responses:				
Environmental Health Department		No objections		
DFI Roads		Object to permanent retention		
Summary of main issues considered: • Scale, design and appearance; • Impact on privacy or amenity of neighbouring dwellings; • Impact on character and appearance of the area; • Impact on biodiversity.				
Recommendation: Grant Planning Permission Report Agreed by Authorised Officer				
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://epicpublic.planningni.gov.uk/publicaccess/				

1. Site and Surrounding Area

This site consists of a small parklet (an outdoor seating structure) on an area of public footpath on the eastern side of the Square in Comber. The parklet is located on what is a wide section of footpath in front of the local Parochial Hall and adjacent to a commercial unit. The site is approximately 7m x 3m with on-street parking adjacent to the footpath.

The area has a largely mixed character. There are a number of shops, restaurants and pubs nearby, church buildings in the corner of square, the wide pavement, parking bays and nearby square/war memorial give the area a strong public-realm element. Some first-floor residential properties along southern side of the square.

2. Site Location Plan



3. Relevant Planning History

Temporary permission (three years) for the parklet was granted by the Council in June 2022. Permission granted under application LA06/2021/1371/F.

The application is one of a number of similar applications for parklets made by the Council across the borough.

4. Planning Assessment

The relevant planning policy framework, including supplementary planning guidance where relevant, for this application is as follows:

- Ards & Down Area Plan 2015 (ADAP)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2: Natural Heritage (PPS 2)
- Planning Policy Statement 3: Access, Movement and Parking (PPS3)
- Planning Policy Statement 6: Planning, Archaeology, and the Built Heritage (PPS 6)

Principle of Development

Despite its end date, ADAP currently acts as the LDP for this area. The site described above is in the settlement of Comber. The site is also in the Town Centre and ‘The Square’ Area of Townscape Character. There are no environmental or architectural designations affecting the site. The site falls within an Area of Archaeological Potential and Archaeological Site and Monument, but as the works do not require any material excavation works it has not been considered expedient to consult Historical Environment Division. There are no direct provisions in the Plan in relation to this type of development but given the town centre location it is considered the development is in general conformity with the plan, subject to the prevailing regional planning policies.

Impact on Town Centre

The Town Centre designation is to ensure the continuance of a compact and attractive shopping environment, offering both choice and convenience. Given the nature of the development, it is not considered the proposal will prejudice the objectives of the plan in relation to retail and town centres and it is considered the proposal is in general conformity with the plan, subject to the prevailing regional planning policies.

The SPPS acknowledges it is important that planning supports the role of town centres and contributes to their success. The aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions.

This application relates to retention of a small parklet and does not involve creation – or reduction - of additional retail space. Whilst a parklet would not ordinarily be considered a main town centre use, the proposal is in broad compliance with the SPPS given its location in the Town Centre. The proposal will not prejudice the objectives of the SPPS and will likely be supplementary to the role and function of the town centre.

Impact on Character of the Area and the ATC

The parklet is open towards the square; sides and rear enclosed by dark timber-effect cladding/planters. The parklet is 7.3m long and 3.3m wide.



Figure 1: Parklet as viewed today

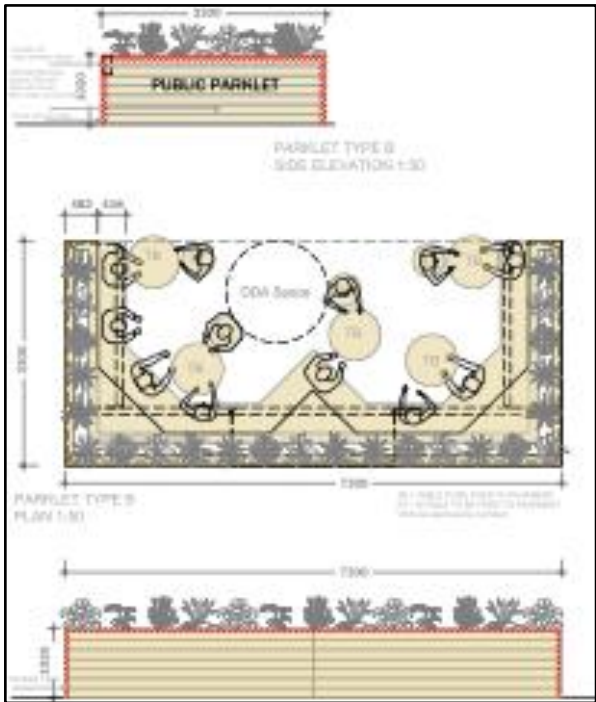


Figure 2: Proposed floorplan and elevations

There are a number of public benches and planting in the immediate vicinity and the area is a natural hub for locals and visitors to sit. There is a small pedestrianised area located in the centre of the Square. The parklet is close to a public house which during the summer months places tables and chairs outside for the benefit of patrons.

Whilst the design of the parklet is different to the existing street furniture, I do not consider it to have a detrimental impact on the character of the area or of the ATC in particular. The dark timber is sympathetic to bollards, lighting columns, and public benches. It is of a scale that will not detract from the adjacent buildings, and I do not consider it to be a dominant feature on the street. The parklet is innovative and will be complementary to the existing town centre.

Impact on Amenity of Neighbouring Residents

The SPPS also makes good neighbourliness a yardstick with which to judge proposed developments and the Council considers it important that the amenity of all residents is protected from 'unneighbourly' developments.

As referred to earlier, the site has a mixed character with a number of uses in the area. The closest residential properties are 40m to the south (along the southern side of the square). Given the existing public seating around the square and the number of commercial and public uses, I do not consider the proposal to have any significant additional impact on residential amenity. The parklet has been in operation for three years and the latest response from the Council's Environmental Health Department would indicate that no issues/complaints have arisen since its erection. No further concerns raised by EH.

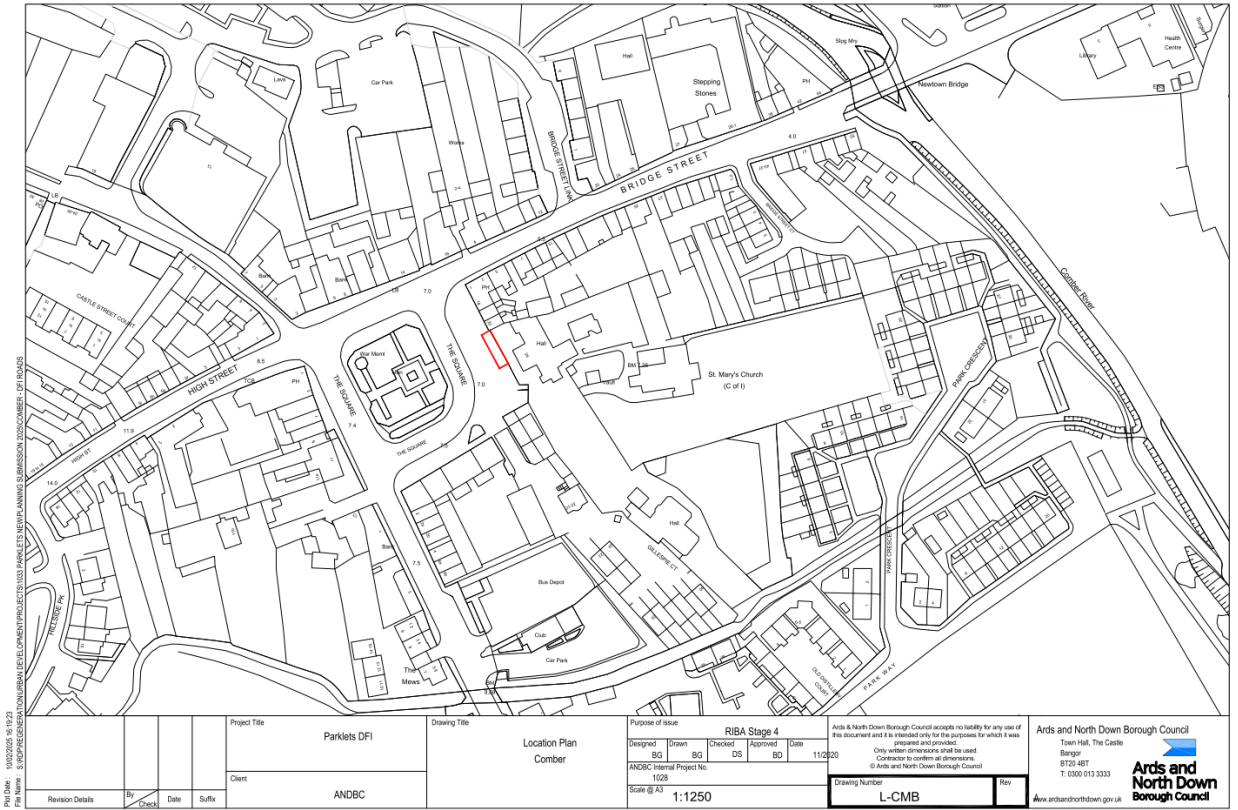
Road safety/Parking

The proposal will have no impact on parking or on vehicular access. In relation to the previous application for temporary permission, DfI raised no concerns. They have been reconsulted for the new proposal and it has been stated that permanent approval would not be granted and that the applicant should request to extend the license period for a further 3 years for DfI to further consider. This response is similar to the other concurrent applications for retention of parklets across the Borough.

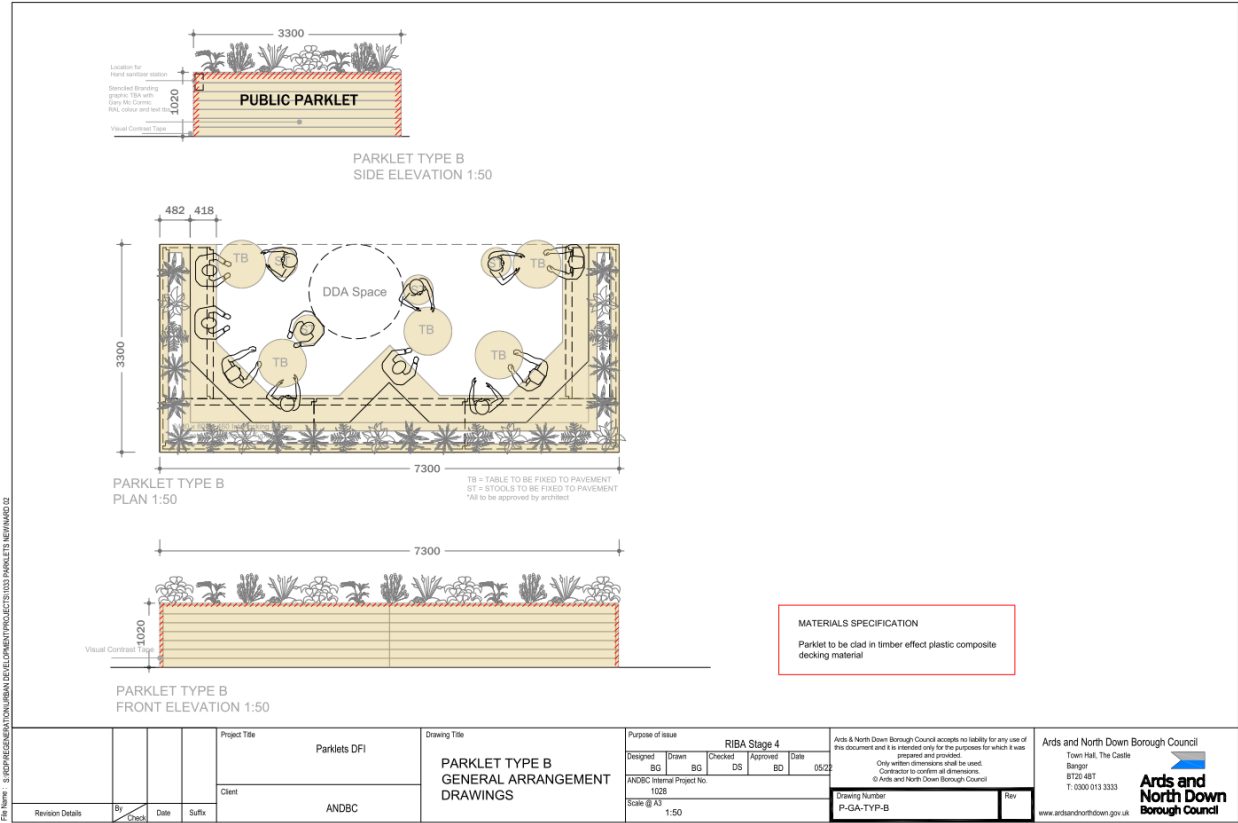
As the lands are under the control of DfI the parklet was erected following the granting of DfI Roads Consent as required under Articles 71-83 of the Roads (NI) Order 1993. The process to obtain such Consents is external to the planning process. The absence of this Consent would not generally be an impediment to the granting of Full planning permission by the Council. Officers engaged with DfI Roads in relation to their concerns and it was explained that both the legalities around abandonment were the reasons why DfI could not support the scheme in the longer term. Council officials involved in the roll-out of the Parklets have previously liaised with DfI Roads to acquire the relevant Consent and this can be repeated in the future should the Council wish to extend the use of the site as a parklet.

Impact on Designated Sites/Natural Heritage Interests In relation to designated sites, it is not considered the development will have any impact. The NIEA's Biodiversity Checklist has been referred to, and no scenario having any potential adverse impacts on designated sites was identified. The site will be 900m from nationally and internationally designated sites. There are no waterways close to the site and therefore no hydrological link to any designated area. No protected habitat on the site. The proposal is in situ and will therefore not require any works of construction. Therefore, the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). In terms of protected and priority species, the proposal did not trigger a scenario which would reasonably require additional survey information. There is considered to be negligible impact on any species protected under law.
5. Representations None received.
6. Recommendation Grant Planning Permission
7. Conditions 1. This planning permission has effect from the date upon which the development hereby approved was carried out. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. All external facing materials shall be retained carried out as specified on the approved plans. Reason: In the interests of the character and appearance of the area.
Informative This Notice relates solely to a planning decision and does not purport to convey any other approval or consent which may be required under the Building Regulations or any other statutory purpose. Developers are advised to check all other informatives, advice or guidance provided by consultees, where relevant, on the Portal.

Annex



Site Location Plan



Elevations and floorplans

Unclassified

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ITEM 5

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	02 December 2025
Responsible Director	Director of Place and Prosperity
Responsible Head of Service	Head of Planning and Building Control
Date of Report	11 November 2025
File Reference	
Legislation	
Section 75 Compliant	Yes ☐ No ☐ Other ☒ If other, please add comment below: N/A
Subject	DFI Consultation on Sustainable Urban Drainage Systems in new Housing Developments
Attachments	Item 5a DFI Consultation Paper on Sustainable Urban Drainage Systems (SuDS) in new Housing Developments Item 5b Response to DFI's 'Water, Flooding and Sustainable Drainage' consultation of March 2022 Item 5c - Research Paper to NI Assembly October 2025 Item 5d draft Response to DFI Consultation on Sustainable Drainage Systems in new Housing Developments

Purpose of Report

To advise the Council of publication of a consultation by the Department for Infrastructure (DFI) entitled: Sustainable Drainage Systems (SuDS) in New Housing Developments. (Item 5a)

Not Applicable

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The consultation seeks views on the development of policy relating to the future regulation and use of SuDS in new housing developments in Northern Ireland.

It also aims to explain the main considerations, as well as gathering essential information and opinions on key policy areas, potential implementation challenges, and opportunities to promote the wider uptake of SuDS.

This consultation document is available for comment and response for a period of 12 weeks from 22 September 2025 to 19 December 2025.

Background

Members will be alive to the issue of new surface water connections to combined sewer networks being restricted by Northern Ireland Water since 2016 and only being permitted in exceptional circumstances.

Typically, separate storm drainage systems for new housing involved rainwater being collected in gullies and pipes and carried to the nearest sewer or river. There are, however, still many locations where storm sewers connect downstream into older combined sewer networks. This means that much of the rainwater collected is ultimately being mixed with foul sewage and is having to be pumped and treated and can cause sewage spills and pollution when the combined sewers are overwhelmed.

Developers can achieve a reduction in discharge rate by incorporating underground storage such as tank sewers (oversized pipes) or concrete or geocellular tanks at the end of the piped network to attenuate and store rainwater temporarily before releasing it to the receiving river or storm sewer at the approved discharge rate. These Structural Sustainable Urban Drainage Systems (SuDS) are commonly referred to as 'Hard SuDS', and new legislation was introduced in 2016 to allow them to be incorporated into the public sewerage network.

The primary legislation enacted in 2016 allowed for 'the use of landscaping, natural features or any other kind of arrangement' to manage surface water in new developments. These are collectively known as nature-based SuDS (or Soft SuDS) and include natural features that manage water on the surface including raingardens, swales and detention basins.

Purpose of the Consultation

DFI's 'Water, Flooding and Sustainable Drainage' consultation of March 2022 included a consideration of future powers to specify design and maintenance requirements for SuDS and whether this guidance should be in the form of regulatory legislation or non-statutory guidance. The Council's May 2022 response to that consultation is attached to this report. (Item 5b)

Unlike Structural SuDS, there are currently no formal arrangements for approval or for agreeing the ownership and management responsibility of nature-based SuDS.

Delivery of these nature-based projects has been perceived as challenging for the developers involved and has carried considerable risk, given the current absence of an approval body and regulated maintenance regime.

Not Applicable

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The Report at Item 5c is a research paper presented to the NI Assembly dated October 2025 and explores the operation and performance of SuDS through a desk-based review of academic, industry and governmental literature.

The focus of the current consultation is on developing and implementing new policies and regulatory arrangements to ensure nature-based SuDS are provided in new housing developments in the future.

The consultation poses the following questions:

1. Do you agree that nature-based SuDS should be a requirement in all new housing developments?
2. Do you agree that the SuDS Management Train approach should be the preferred drainage solution for new developments?
3. Do you agree that new regional guidance on the design and maintenance standards of nature-based SuDS is required?
4. Which organisation should be responsible for approving the design and construction of nature-based SuDS proposals?
5. How should the costs of administering any new nature-based SuDS Approval Body be met?
6. Which organisation should be responsible for the future maintenance of nature-based SuDS features in new housing developments?
7. Who should pay for the future maintenance cost of nature-based SuDS features in new housing developments?

Members will be aware of the LDP's approach towards SuDS as set out at Policy FLD 6 of the recently published draft Plan Strategy.

A draft response is attached for Members' approval further to input from Planning and Building Control officers. (Item 5d)

RECOMMENDATION

It is recommended that Council approves the draft response to DFI.



Department for
Infrastructure

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Infrastructure

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Sustainable Drainage Systems (SuDS) in New Housing Developments

CONSULTATION DOCUMENT
SEPTEMBER 2025



Image: The CIRIA SuDS Manual (C753)

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MINISTERIAL FOREWORD



SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

Ministerial Foreword

This consultation is seeking your views on the development of policy relating to the future regulation and use of Sustainable Drainage Systems (SuDS) within new housing developments.

Sustainably managing our drainage and wastewater systems is integral to continuing to allow our economy to grow and allow much needed new homes to be built. While improving our existing sewerage systems will be a huge exercise, costing billions of pounds and taking decades, it is also important that we incorporate new drainage techniques into new developments, that can lessen the demands on these systems and at the same time lessen the impacts of climate change and potentially reduce pollution.

To do this, we need to integrate nature-based drainage solutions into future developments. By doing so, we will help to protect the water quality of our rivers and loughs; improve the future performance of our sewerage systems; and reduce the risk of flooding.

Earlier this year, I introduced The Water, Sustainable Drainage and Flood Management Bill to the Assembly. This will provide enabling powers for my Department to regulate for SuDS in new developments. This consultation is a further step towards my commitment to deliver the changes that are necessary to deliver the infrastructure improvements required for future demands. It is important that everyone has the opportunity to express their views on how we regulate for nature-based SuDS in new developments, in a way that helps to deliver improvements to our drainage and wastewater infrastructure.

I will also continue to work with Executive colleagues to increase wastewater investment. However, we also need to futureproof investment to build a more durable and sustainable wastewater system. In short, we must find new ways to live with our changing climate.

Your feedback will be invaluable in shaping future decisions and thank you for your participation and input.

LIZ KIMMINS MLA
Minister for Infrastructure

SETTING THE SCENE



Image: The Green Estate CIC | Pictorial Meadows

1. Purpose of this Consultation

- 1.1 This consultation is seeking views on the development of policy relating to the future regulation and use of Sustainable Drainage Systems (SuDS) within new housing developments. It aims to explain the main considerations, as well as gathering essential information and opinions on these key policy areas, potential implementation challenges, and opportunities to promote the wider uptake of SuDS.
- 1.2 Your feedback will play a crucial role in informing policy development, ensuring it is effective, practical and suited to the needs of local industry, communities and environment.
- 1.3 We encourage all interested parties, including residents, businesses, local authorities and industry experts, to share their views to help shape modern, robust and forward-thinking SuDS policy.

2. Consultation Arrangements

Timetable

- 2.1 This consultation document will be available for comment and response for a period of 12 weeks from 22 September 2025 to 19 December 2025. The document can be viewed, downloaded and responded to from the consultation section of the Department's website <https://www.infrastructure-ni.gov.uk/consultations/sustainable-drainage-systems-suds-new-housing-developments>

How to respond

- 2.2 We welcome your views on the future policy for Sustainable Drainage Systems (SuDS) in new developments. Responses should be submitted using the online survey.
- 2.3 When you respond, tell us whether you are doing this for yourself or on behalf of an organisation. If you are responding on behalf of an organisation, please tell us who the organisation represents. Please note that responses to the consultation must be received by noon on 19 December 2025.
- 2.4 There are a total of 8 questions included in the document. For ease of reference, these questions appear alongside the relevant text. To answer these questions, please visit Citizen Space via <https://www.infrastructure-ni.gov.uk/consultations/sustainable-drainage-systems-suds-new-housing-developments>

Alternative Formats

- 2.5 The consultation document can also be made available in alternative formats. Requests should be made to SustainableDrainageDirectorate@infrastructure-ni.gov.uk

Impact Assessments

- 2.6 The impact of the draft Policy Consultation was assessed in terms of rural needs and on equality of opportunity and the need for an Equality Impact Assessment (EQIA) was screened out. The screening forms can be viewed on the Equality Section of the Department's website.

Freedom of Information Act 2000 - Confidentiality of Responses UK General Data Protection Regulation

- 2.7 The Department may publish a summary of responses following the closing date for receipt of comments. Your response, and all other responses to this publication, may be disclosed on request and/or made available on the DfI website (redacted). The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of responses as this will give you guidance on the legal position about any information given by you in response to this publication.
- 2.8 The Freedom of Information Act 2000 and Environmental Regulations 2004 give the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation.
- 2.9 The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this publication should be made public or treated as confidential.
- 2.10 The information you provide in your response, excluding personal information, may be published, or disclosed in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR).
- 2.11 **Any personal information you provide will be handled in accordance with the UK-GDPR and will not be published.**
- 2.12 If you want the non-personal information that you provide to be treated as confidential, please tell us why, but be aware that, under the FOIA or EIR, we cannot guarantee confidentiality. For information regarding your personal data, please refer to the DfI Privacy Notice at www.infrastructure-ni.gov.uk/dfi-privacy. For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk.
- 2.13 Following the deadline for submissions, a Consultation Responses Report will be compiled, summarising all feedback received. This Report will be published on the Department's website in due course.

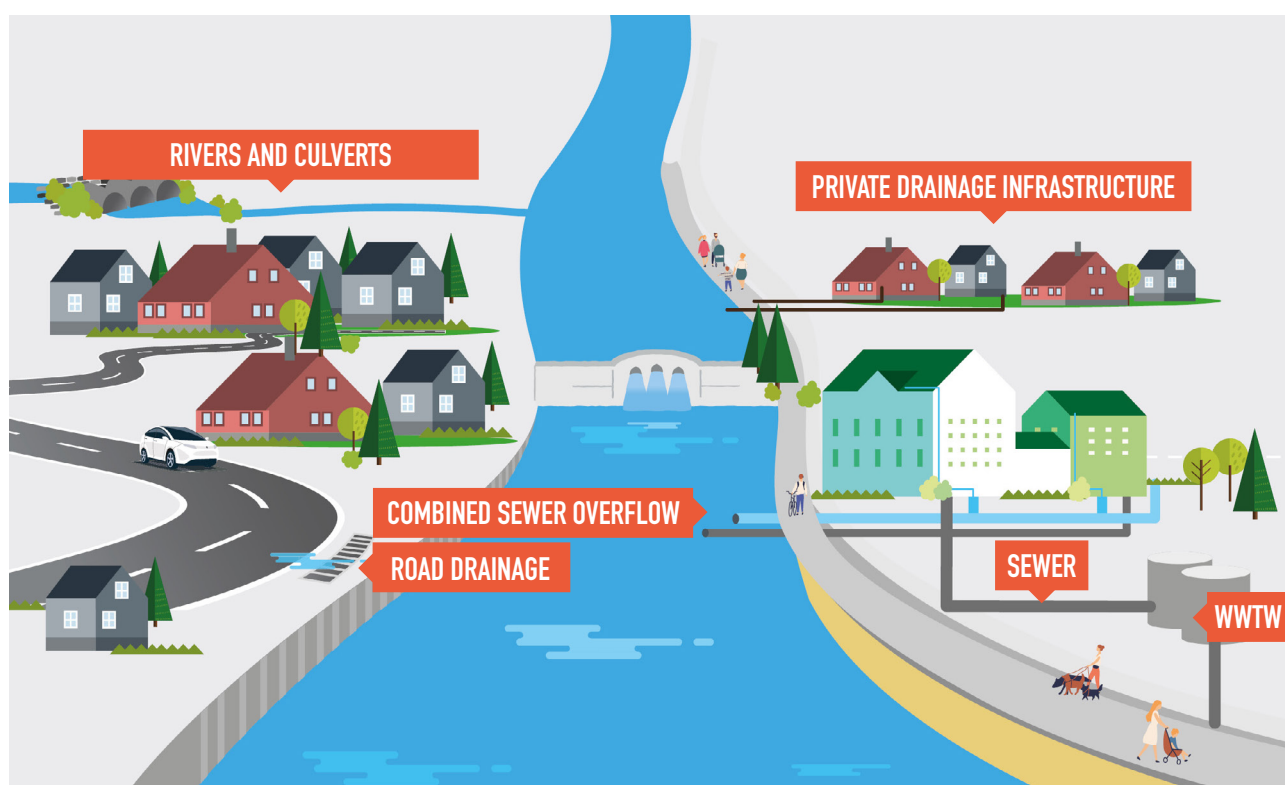
THE CASE FOR CHANGE



3. Overview of Existing Drainage Systems

How Drainage Systems Work

- 3.1 When it rains, some of the water naturally seeps into the earth or makes its way directly to a river. The rest of the water is collected and carried via a vast network of drainage infrastructure including private drains, road drains, storm sewers, culverts, combined sewers and wastewater treatment works before being discharged into rivers and estuaries and, finally, into the sea. Traditionally, this infrastructure is designed to direct rainwater away from built-up areas as quickly as possible. From the 1970s most new housing developments have included separate 'storm sewers' that carry water from roofs, driveways and roads, and 'foul sewers' that carry water from toilets, sinks, and kitchens. However, most sewers built prior to this were 'combined', carrying both surface and foul water. This means that during rainfall the level of flow that they carry rapidly increases, with storm overflows required to prevent out of sewer flooding.
- 3.2 These traditional drainage systems cause runoff to be transported rapidly downstream, generating high peak flows which can cause sewers or rivers to be overwhelmed causing pollution and flooding to occur. This is why NI Water and DfI Rivers Directorate may restrict new connections to sewers and rates of discharge to rivers.



Overview of existing drainage system – source: Living with Water in Belfast Plan

Pressure on Drainage Systems

- 3.3 We rely on a vast network of drainage infrastructure including gullies, drainage pipes, sewers, rivers and culverts. This network is under ever growing pressures due to under investment, ageing infrastructure, urban expansion, population growth, and climate change. Collectively, these issues are increasingly leading to flooding, pollution and network limitations.
- 3.4 Many parts of the drainage network, particularly in our larger urban areas such as Belfast, are at or near capacity, restricting new development and increasing the risk of environmental damage. When combined sewers reach capacity, it is not just flooding that can occur, untreated sewage is discharged, from combined sewer storm overflows, into rivers and coastal waters, harming water quality and ecosystems.

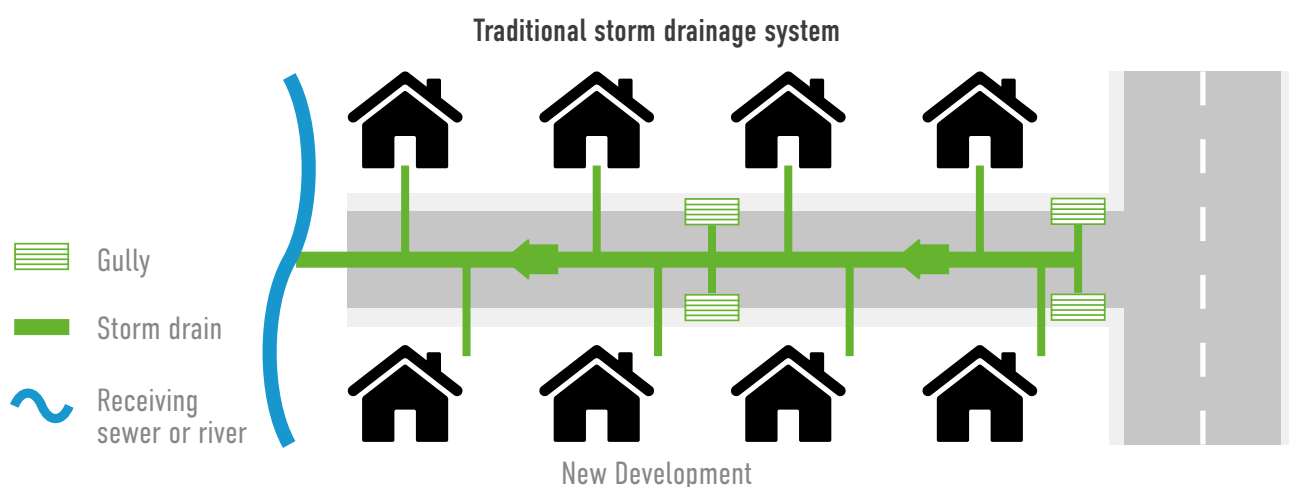


Overview of Drainage Problems – source: Living with Water in Belfast Plan

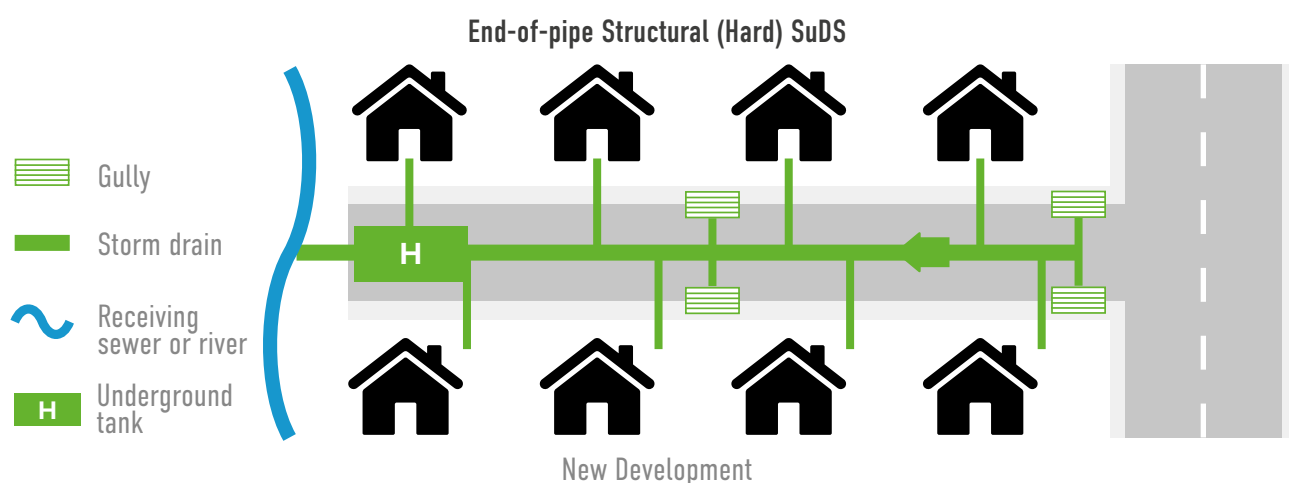
4. Drainage in New Housing Developments

Existing Drainage Provision

- 4.1 This diagram shows a typical separate storm drainage system for a new housing development where rainwater is collected in gullies and pipes and carried to the nearest sewer or river.



- 4.2 The provision of separate storm networks has been a requirement in all new housing developments since the 1970s. In addition, since 2016, NI Water has only permitted a new surface water connection to the combined sewer network in exceptional circumstances. Despite these improvements, there are still many locations where storm sewers connect downstream into older combined sewer networks. This means that much of the rainwater collected is ultimately being mixed with foul sewage and is having to be pumped and treated and can cause sewage spills and pollution when the combined sewers are overwhelmed. Given the current pressures on our drainage systems, DfI's Rivers Directorate and NI Water can restrict the discharge rate at which runoff from new housing developments is discharged into receiving rivers or storm sewers so as not to increase flood risk downstream.



SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

- 4.3 As shown in the diagram above, developers can achieve this reduction in discharge rate by incorporating underground storage such as tank sewers (oversized pipes) or concrete or geocellular tanks at the end of the piped network to attenuate and store rainwater temporarily before releasing it to the receiving river or storm sewer at the approved discharge rate. These Structural SuDS are commonly referred to as 'Hard SuDS', and new legislation¹ was introduced in 2016 to allow them to be incorporated into the public sewerage network.



Example of a Structural SuDS - Geocellular storage/infiltration tank

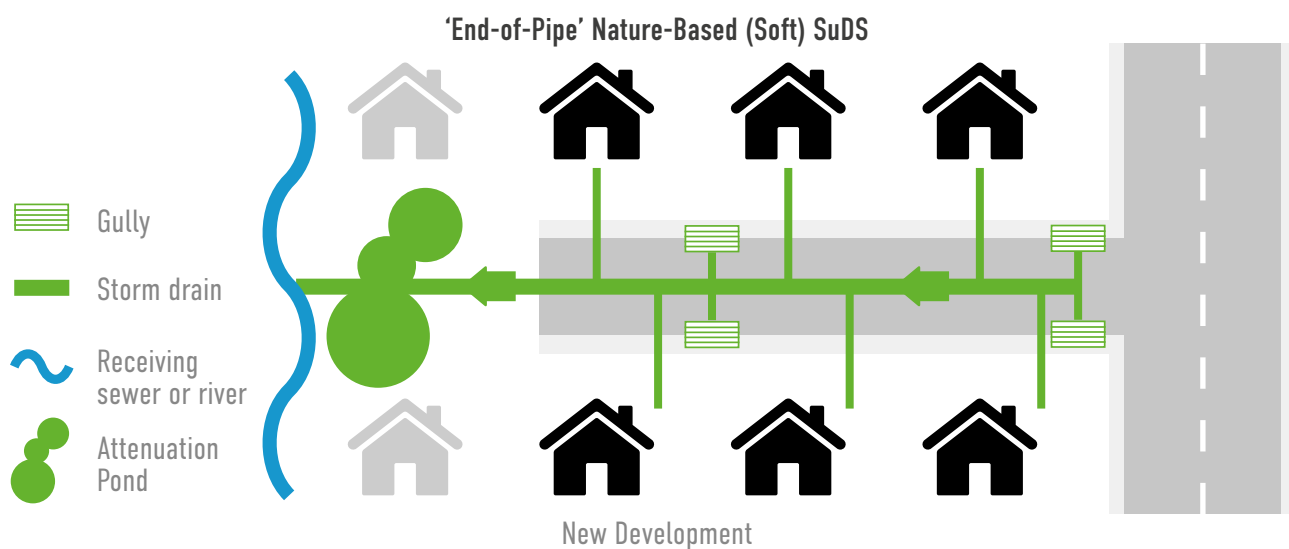
- 4.4 Although the introduction of Structural SuDS has helped control the rate at which rainwater discharges into rivers and storm sewers from new developments, it does not reduce the overall quantity of water leaving the development. It also offers very little or no benefits from an environmental or amenity perspective. With the increasing pressures on the drainage network, and the need to improve the quality of our water bodies, it is clear that a new approach is required to manage surface water more sustainably and in a more natural way. Continuing to build new developments that solely rely on traditional drainage infrastructure, is no longer the optimal solution.

Need for Nature-Based SuDS in New Developments

- 4.5 The primary legislation¹ enacted in 2016 allowed for 'the use of landscaping, natural features or any other kind of arrangement' to manage surface water in new developments. These are collectively known as nature-based SuDS (or Soft SuDS) and include natural features that manage water on the surface including raingardens, swales and detention basins.

¹ Water and Sewerage Services Act (Northern Ireland) 2016

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS



- 4.6 Unlike Structural SuDS, there are currently no formal arrangements for approval or for agreeing the ownership and management responsibility of nature-based SuDS. Despite this, a number of developers have been innovative in their approach to developing nature-based SuDS and have been successful in integrating them into a small number of new housing developments. These SuDS features have mainly been larger scale end-of-pipe detention basins or ponds as shown below and have been designed and constructed in conjunction with a traditional piped drainage system. Delivery of these nature-based projects has been challenging for the developers involved and has carried considerable risk, given the current absence of an approval body and regulated maintenance regime.



Large SuDS Detention Basin at Belmont Hall Drive

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

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- 4.7 While the developers involved in these projects should be commended, it is clear that in order to deliver more nature-based SuDS projects, there is a need for a new approach involving legislation, coupled with an approval process and arrangements for future maintenance. We need to have clarity on these issues, along with the required supporting legislation, to allow these examples to be taken a step further and ensure that their prevalence increases to the required level.
- 4.8 Although end-of-pipe nature-based SuDS (e.g. large ponds) provide benefits, they are less efficient and effective than a series of small interventions located throughout a development. For example, single end-of-pipe solutions are likely to be larger, require more land, and may be more expensive. These larger interventions are also likely to receive faster runoff flows, potentially leading to higher levels of pollution.
- 4.9 New housing developments need to incorporate nature-based SuDS that are designed to mimic natural water management processes, and allow water to slowly infiltrate into the ground or evaporate, rather than immediately diverting it into traditional drainage systems and rivers. This could be achieved through a series of linked nature-based SuDS interventions located throughout a development.
- 4.10 A well-designed housing development that fully integrates multiple nature-based SuDS interventions should not need conventional storm drainage pipes and gully systems, although it might be good practice to include a small number of gullies to manage exceedance flows.
- 4.11 The focus of this consultation is therefore on developing and implementing new policies and regulatory arrangements to ensure nature-based SuDS are provided in new housing developments in the future.

Consultation Question 1

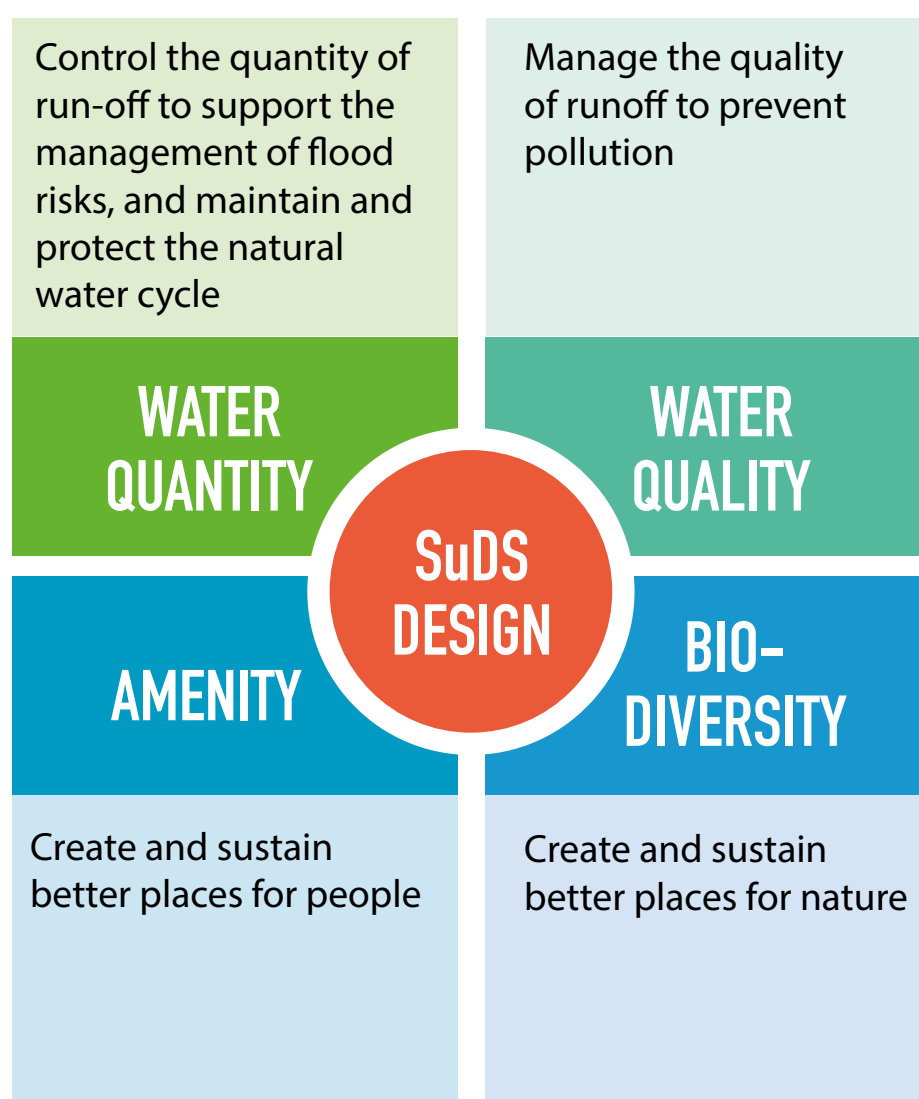
Do you agree that nature-based SuDS should be a requirement in all new housing developments?

Yes / No / Not sure

5. New Policy Approach for Nature-Based SuDS in New Housing Developments

The Four Pillars of Good SuDS Design

- 5.1 The overarching principle of nature-based SuDS design is that rainwater should be 'managed at source' to 'slow its flow' instead of allowing surface water to rapidly accumulate and overwhelm traditional drainage systems. The types of benefits that can be achieved will be dependent on the site, but fit broadly into four categories: water quantity, water quality, amenity and biodiversity. These are also referred to as the four pillars of SuDS Design.

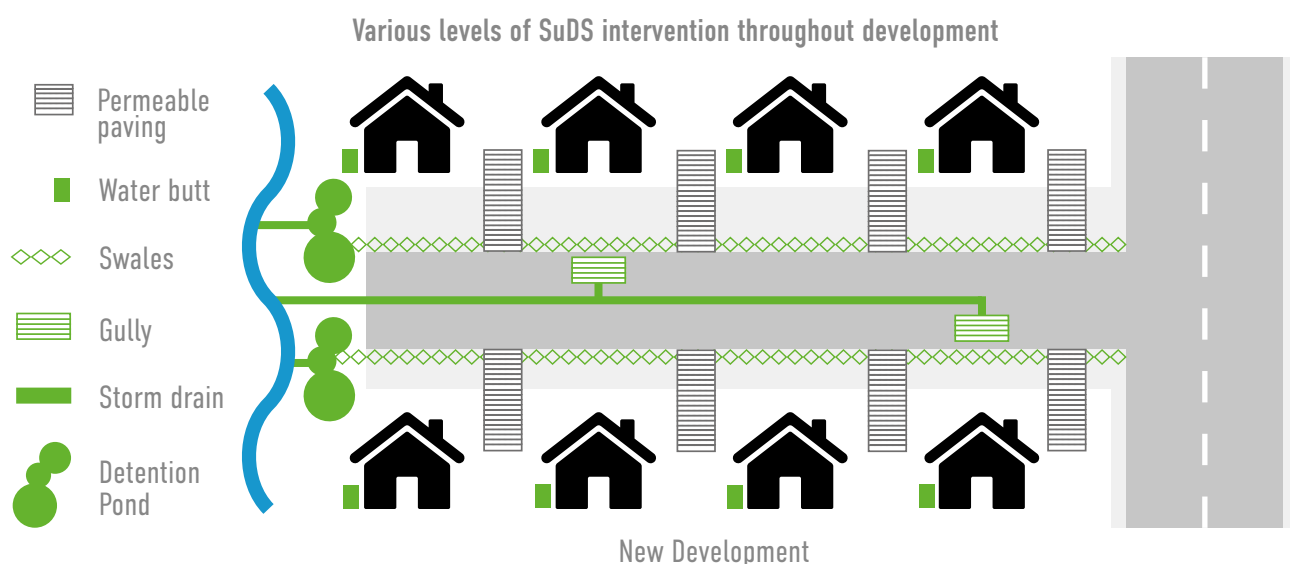


The Four Pillars of SuDS Design (CIRIA SuDS Manual 2015)

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

The Nature-Based SuDS Management Train

- 5.2 Nature-based SuDS should not be thought of as standalone components (such as a swale or detention pond) but rather as an interconnected system designed to manage and treat surface water, from where it falls as rain, to the point at which it is discharged into the receiving river or sewer.
- 5.3 This interconnected system is known as the SuDS Management Train approach and is the Department's preferred way forward for effectively managing rainwater in new developments and delivering benefits under the four design pillars. It aims to mimic natural drainage processes by controlling the volume, rate, and quality of water before it is discharged into the environment.



- 5.4 The management train concept promotes division of the area to be drained into sub-catchments with different drainage characteristics and land uses, each with its own drainage strategy. Dealing with the water locally not only reduces the quantity that has to be managed at any one point but also reduces the need for conveying the water off the site. The choice of SuDS intervention will be determined by individual site characteristics and layout. The use of multiple components will maximise the potential to intercept and treat runoff as well as opportunities for good design.
- 5.5 Each level is like a tier on a champagne fountain filling up and then passing exceedance flows onto the next tier. To achieve maximum benefit, runoff from impermeable surfaces need not pass through all the levels in the management train. As a general principle it is better to deal with runoff locally, returning the water to the natural drainage system as near to the source as possible. Only if the water cannot be managed on site should it be slowly conveyed elsewhere.

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

Consultation Question 2

Do you agree that the SuDS Management Train approach should be the preferred drainage solution for new developments?

Yes / No / Not sure

The Principles of the SuDS Management Train

5.6 The management train has five key principles:

- **Prevention** is about designing to reduce the impermeable areas that need drainage;
- **Source control** is about providing initial rainfall interception and pollution control and storage at property-level using rain gardens, permeable paving and filter strips;
- **Conveyance** is about conveying flows on the surface downstream to storage systems using swales, channels and rills;



Image - Greenleaf Ireland

Water Butt Planter



Planted Raingarden



Image - The CIRIA SuDS Manual (C753)

Grassed Swale



Detention Basin

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

- **Site Control** is about providing the remaining storage volume, and infiltration capacity, for a site using balancing ponds, detention basins, infiltration features before discharge to a river, sewer or groundwater; and
- **Regional Control** In some instances, there may also need to be larger scale regional systems that serve multiple sites (e.g. Craigavon Balancing Lakes).



Image - The CIRIA SuDS Manual (C753)

Detention Basin



Craigavon Balancing Lakes

HOW WE GET THERE



6. Policy Development

Key Areas for Consideration

- 6.1 There are a number of key areas that need clear policy and guidance to allow for the more mainstream use of these sustainable drainage systems. These include Design Standards, Approval Processes, and Maintenance Arrangements. It is these issues and areas that we intend to gain your input into, through this policy consultation. The evidence gained and opinions expressed will be considered to help shape future policy, to address these challenges.

Design Standards

- 6.2 Nature-based SuDS interventions have been successfully designed and incorporated into an increasing number of residential and commercial developments, in other parts of the UK and Ireland. As such, there are a range of SuDS guidance documents and design manuals publicly available. The SuDS Manual (CIRIA publication C753) is a key resource that supports the design process and can be referenced by those undertaking initial designs, as well as by those reviewing designs and calculations, to ensure that sustainable drainage principles have been appropriately applied.
- 6.3 In some neighboring jurisdictions, both central government departments and drainage organisations, including water companies, have developed and published their own guidance and standards. As well as setting out the general SuDS concepts, these documents also cover specific standards and requirements that could allow for future adoption and maintenance of the various SuDS features.
- 6.4 The development of tailored local guidance on nature-based SuDS will therefore be an essential element of any future policy. This will support designers to incorporate the most appropriate SuDS interventions into future development proposals. Revised guidance on layouts on roads and footways in housing developments is also likely to be needed to accommodate the SuDS Management Train Approach and inclusion of nature-based SuDS at street-level.

Consultation Question 3

Do you agree that new regional guidance on the design and maintenance standards of nature-based SuDS is required?

Yes / No / Not sure

Approval Processes

- 6.5 Despite the inclusion of nature-based SuDS being promoted by local councils in local development plans and planning policies, no government department or agency currently has legislative powers around nature-based SuDS features. This means that there are no agreed processes for assessing and approving their design and construction. Neither is there a clear pathway for developers on the future maintenance and ongoing responsibility for nature-based SuDS features. As previously outlined, both these points could be a barrier and inhibiting factor in the more widespread use of these types of systems.
- 6.6 If we are serious about continuing to promote the use of nature-based SuDS as the preferred means of dealing with surface water, then new policies and procedures are required to allow for their assessment and approval. In other jurisdictions, SuDS Approval Bodies or SABs have been established, specifically to deal with the design, approval and adoption of SuDS, within any new development. It is envisaged that a similar body or bodies will have to be established locally.
- 6.7 In line with current approval processes, it is expected that the new approval body would operate in a similar way to the existing preconstruction consent requirements. It is likely that this will involve early consultation discussion, detailed drawing and specification of proposals, construction supervision, post completion compliance checks and enforcement, should that be required. It would also be expected that the new approval body would agree or approve locations where SuDS are not required or deemed suitable, in accordance with set criteria.

Consultation Question 4

Which organisation should be responsible for approving the design and construction of nature-based SuDS proposals?

Department (DfI) / NI Water / Councils / New Drainage Body /
Developer (by self-assurance) / Other (please state)

What is the reason for your choice?

- 6.8 Any new approval process for nature-based SuDS proposals will have to complement existing approval procedures for planning, road layouts, wastewater systems and discharges. Such a process will require additional resources which may have to be partially or fully funded by some sort of application fee or charge given the current pressures on public finances.

Consultation Question 5

How should the costs of administering any new nature-based SuDS Approval Body be met?

Public Funding Only / Application Fees Only / Public Funding and Fees / Other (please state)

Maintenance Arrangements

- 6.9 Like all drainage systems, including those that are currently in widespread use, SuDS components will require some form of inspection and maintenance to ensure that they continue to work as intended, throughout their serviceable life. This will help to ensure their efficient operation and prevent failures.
- 6.10 Usually, nature-based SuDS components are on or near the surface and most can be managed using normal landscape maintenance techniques. For associated below-ground SuDS control features, including flow control structures and outlets, maintenance requirements will be similar to traditional systems and the manufacturer or designer should provide maintenance advice. This should include routine and long-term actions that can be incorporated into a maintenance plan.
- 6.11 The level of inspection and maintenance requirements will vary depending on the layout, type of SuDS component, types of plants as well as biodiversity and amenity requirements. The design process should consider the maintenance of the components and incorporate a management plan for future maintenance. It is also accepted that additional or more intensive maintenance may be required during the initial establishment phase of any new SuDS features. This would include weed control and plant replacement and could be expected for a period of up to three years following construction.
- 6.12 The ongoing protection of SuDS features will be required, in recognition of their importance as drainage assets, and to ensure that their function is maintained. This will make sure their importance is flagged to local authorities, utility companies and residents with appropriate protection measures being developed.
- 6.13 Currently none of the existing drainage authorities adopt or maintain nature-based SuDS features such as swales, basins and ponds. While clarity on future maintenance is required, it is not yet clear where this responsibility will lie. Options could include the Department (Roads or Rivers), NI Water, Councils, a new drainage body, or private management companies.

Consultation Question 6

Which organisation should be responsible for the future maintenance of nature-based SuDS features in new housing developments?

Department (DfI) / NI Water / Councils / New Drainage Body / Private Management Companies / Other (please state)

What is the reason for your choice?

- 6.14 Irrespective of which organisation is made responsible for maintaining nature-based SuDS, additional funding will be needed to cover the ongoing annual costs of this new function.

Consultation Question 7

Who should pay for the future maintenance cost of nature-based SuDS features in new housing developments?

Department (DfI) / NI Water / Councils / Developer / Residents / Other (please state)

What is the reason for your choice?

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

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NEXT STEPS



7. Next Steps

- 7.1 Ultimately, the Department's aspiration is for nature-based SuDS to be considered as the first-choice drainage solution for all new developments. The widespread implementation of these nature-based solutions will be key to tackling the challenges of climate change and limiting the impact of new developments on the existing drainage networks across the region.
- 7.2 The draft timeline on the next page sets out the key stages envisaged in taking forward the development of this policy area. This timeline is subject to public consultation and the necessary approvals being secured at each stage. This includes the successful passage of the Department's The Water, Sustainable Drainage and Flood Management Bill through the NI Assembly. This Bill was introduced to the Northern Ireland Assembly on 23 June 2025 and includes proposed clauses for the Department to regulate for SuDS in new developments, in line with best practice throughout the UK and Ireland.
- 7.3 This consultation document is the first step in developing future policy and regulatory arrangements for nature-based SuDS in new developments. The responses to the questions will be used to help inform this process.

Consultation Question 8

Do you have any further comments or suggestions on the nature-based SuDS proposals included in this consultation document , including any potential impacts you feel there may be on any of the Section 75 Groups (religious belief, political opinion, racial group, gender, disability, age, marital status, dependents and sexual orientation)?

DRAFT ROADMAP FOR SUDS POLICY DEVELOPMENT



Glossary of Terms

Term	Definition
Asset	An asset is a resource with economic value that an individual, company or country owns or controls with the expectation that it will provide a future benefit.
Catchment	The area of land, including the hills and mountains, woodlands, and buildings which water drains from, before flowing into a drain, sewer, river, lake or lough.
Climate Change	The rising average temperature of Earth's climate system, called global warming, is driving changes in rainfall patterns, extreme weather, arrival of seasons and more. Collectively, global warming and its effects are known as climate change.
Combined Sewers	These pipes carry both wastewater, from homes and businesses, and rainwater, which runs off from roads, drives and roofs (impermeable surface areas), to wastewater treatment works. In NI most are owned by NI Water.
Combined Sewer Overflows	Combined sewer overflows are pipes and pumps which allow excess flows of highly-diluted wastewater, which in many cases pass through screens to remove plastic and rags, to be returned into watercourses / rivers and the sea to help prevent homes and businesses from being flooded. Many of these overflows are designed to comply with national standards and any discharges are consented to by the NIEA.
Culvert	A section of a river that passes below the ground by means of a drain or culvert, where a "culvert" is used to describe any pipe or conduit through which a watercourse passes.
Department for Infrastructure (DfI)	The Department for Infrastructure is responsible for the maintenance and development of critical infrastructure in NI. This includes responsibility for Roads, Rivers and Planning.
Drainage Infrastructure	term used to collectively describe all the assets within a drainage system.
Drainage System	A term used to collectively describe all drains, watercourses and sewers that convey water from the land to a receiving water body.
Foul Sewage	Foul sewage refers to wastewater that contains human waste and other pollutants, primarily from toilets, sinks, baths, showers, washing machines, and dishwashers.

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Term	Definition
Foul Sewer	These pipes carry water from toilets, sinks, and kitchens to a combined sewer or wastewater treatment works.
Gully	A gully is a drainage pit, covered by an open metal grating, located on the road edge. Its purpose is to drain rainwater from the highway into a drain or sewer.
Nature-based SuDS (Soft SuDS)	Natural or semi-natural such as swales, raingardens, detention ponds that are created to mimic natural drainage processes to manage rainwater runoff, prioritizing infiltration, attenuation, and filtration.
Private Drains	A term used to describe drainage pipes that are neither owned by a public body nor a designated watercourse. This could include privately owned sewers, drains and pumping stations.
Road Drain	A pipe used to convey surface water away from a road. In NI most are owned and operated by DfI Roads.
Sewage	The flow in foul and combined water that is produced by a community of people, for example, from toilets, sinks, washing machines, baths and showers. Typically used to describe the contents of foul and combined sewers, which can also be called 'wastewater'. Sewage is one of the main components of wastewater.
Sewage Related Debris (SRD)	This is inappropriate materials such as cotton buds, sanitary products, disposable nappies and other items that are flushed down public and private toilets and end up polluting our inland and coastal waterways.
Sewerage Network	This term is used to describe all of the NI Water sewers, overflows, storm tanks and pumping stations that convey flow to either a WwTW or to a receiving water body.
Storm Sewer	These pipes carry rainwater and surface water which runs off from roads, drives and roofs (impermeable surface areas) to a combined sewer, river or coastal water.
Structural SuDS (Hard SuDS)	Underground engineered storage structures such as tank sewers (oversized pipes) or offline concrete tanks that are designed to store rainwater temporarily before releasing it to the receiving river or sewer at the approved discharge rate.

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

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Term	Definition
Sub-Catchment	A portion of the area of land which water drains from, before flowing into a drain, sewer, river, lake or lough.
Surface Water	This is caused by rainwater that falls on the ground, roofs, roads, pavements and paths. It can either evaporate back into the air, infiltrate the ground, pond on the surface, or flow into a receiving water body (such as a river, lake or the sea) via a wide range of flow paths.
Sustainable Drainage Systems (SuDS)	Drainage systems designed to mimic nature and typically manage rainfall close to where it falls.
Swale	Linear grass covered depressions which lead surface water overland from the drained surface to a storage or discharge system, typically using road verges.
Wastewater	This is sewage plus other materials such as trade effluent (wastewater from commercial processes) and leachate (polluted water from landfill sites) that could also be discharged into sewers or directly to the WwTW by a tanker.
Wastewater Management	The collection, treatment and safe discharge of wastewater back to the environment.
Wastewater Treatment Works (WwTW)	WwTW have four main stages of treatment - preliminary, primary, secondary and tertiary. The number of stages depends on what quality the treated wastewater needs to reach before it can be safely returned back into rivers or the sea. Some smaller WwTW can be privately owned.
Water Bodies	Water bodies cover all natural bodies of water including rivers, lakes, estuaries, coastal waters, and groundwater.
Watercourse	A channel or passage through which water flows.

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) IN NEW HOUSING DEVELOPMENTS

Response to DFI Consultation:

‘Water, Flooding and Sustainable Drainage: Improving How We Manage Water’

on behalf of Ards and North Down Borough Council

Section 3

Powers for NI Water to implement wider water shortage measures

Consultation Question 1

Do you agree that the following list of activities should be included in the list of uses that NI Water may temporarily prohibit or restrict as part of a hosepipe ban, in addition to its current ability to prohibit or restrict watering private gardens and washing private motor cars?

- watering plants on domestic or other non-commercial premises using a hosepipe;
- cleaning a private leisure boat using a hosepipe;
- filling or maintaining a domestic swimming or paddling pool;
- drawing water, using a hosepipe, for domestic recreational use;
- filling or maintaining a domestic pond using a hosepipe;
- filling or maintaining an ornamental fountain;
- cleaning walls, or windows, of domestic premises using a hosepipe;
- cleaning paths or patios using a hosepipe; and
- cleaning other artificial outdoor surfaces using a hosepipe.

Response:

The Council recognises that current provisions for NI Water to deal with potential water shortages are limited. Climate change is likely to contribute to more frequent pressures on water resources and there is a need to address means to ensure supplies needed for essential purposes.

SECTION 4:

Powers for NI Water to enter onto private land to carry out works for flood management purposes including construction of sustainable drainage systems (SuDS).

Consultation Question 2

Do you agree that NI Water should be given a new power of entry onto land to enable it to carry out works beyond the laying of pipes, such as flood management or sustainable drainage schemes?

Response

The Council is not expressing a view in relation to extending or creating a new power of entry for NI Water.

However, it is recognised that if flood management and sustainable drainage schemes are to be successful, the maintenance of the schemes needs to be provided for in a clear and unambiguous way. The issue of maintenance of SuDS schemes is critical to their ongoing effectiveness and should be determined at this stage.

The expectations of many people need to be managed in that temporary flooding of grass areas etc, is seen as a problem, whereas with SuDS it is the visible sign of the management of flood water. This could have both cost and reputational issues in relation to Council maintained or managed grounds, and the demands by the public to alleviate such issues.

In the agricultural setting, the approach to land maintenance would be somewhat different to what traditional agricultural practice would dictate, and therefore it is considered that clear partnership should be established before works are imposed.

SECTION 5:

Provision of an enabling power for the Department to introduce arrangements to encourage developers to use sustainable drainage systems (SuDS) as the preferred drainage solution in new developments

Consultation Question 3

Do you agree that the Department for Infrastructure should be given a power to issue future arrangements and guidance on the design, approval, and maintenance of sustainable drainage systems to make SuDS the preferred means of dealing with surface water?

Response

It is one of the objectives of the Strategic Planning Policy Statement for NI (SPPS) to 'promote sustainable development through encouraging the use of sustainable drainage systems for new development and redevelopment schemes.'

In view of this, the Council, through the formulation of the LDP shall consider appropriate planning policy around the use of SuDS. However, until such time as regulatory legislation and guidance is put in place by DfI on design specifications and forward maintenance arrangements, such a policy may be difficult to implement and enforce. Failure to adequately maintain the SuDS system could result in poor performance, effectively nullifying the benefits of the installation of the SuDS in the first place.

Currently problems are encountered when seeking to develop lands to which the existing combined drainage system is at capacity,

The provision of SuDS is an effective method of dealing with such stormwater drainage, and if required under legislation (in the absence of adequate storm sewer

provision) would provide for future better managed development. Further potential benefits would be had for the public purse by the reduction in drainage infrastructure required, and volume of waste water to be treated.

In order to be effective, proposals should be assessed as part of the approval system at an early stage. It would be preferable that such requirements were required by legislation rather than by guidance.

It is acknowledged that SuDS can vary in size and composition. The appropriateness of a SuDS solution will be determined by the local characteristics of each site including its size, topography, geology, hydrogeology, flood risk and the available discharge points (rivers, drains or sewers). The integration of a variety of different techniques usually provides the best solution, however it is acknowledged that at present in most cases 'hard SuDS' will be the preferred drainage solution for developers as these are currently adopted by NI Water. Further work is required to establish an assessment system/body for SuDS and around the ownership and ongoing maintenance of "soft SuDS".

All parties require clarity around the ongoing maintenance of soft SuDS infrastructure. Well designed and implemented soft SuDS provide advantages in terms of enhancing nature conservation, providing amenity areas, potential to enhance biodiversity and reduced energy demand in addition to the reduction in flooding issues and improvement in water quality.

SECTION 6:

Powers for NI Water to adopt certain drainage infrastructure, which is in private ownership and was constructed prior to 1st October 1973

Consultation Question 4

Do you agree that NI Water should be permitted to adopt and maintain sections of privately-owned drainage infrastructure constructed prior to 1st October 1973, which are critical to the effective operation of its network?

Response

Where the adoption of private infrastructure is considered of benefit, then the date of construction should have little influence on the decision. As such this permission would be of benefit. It is suggested that consideration be given to allowing for intervention by NIW to adopt private drainage systems that are inadequate or regularly fail, creating a risk to public health or pollution of the environment.

SECTION 7:

Enhanced powers for NI Water to deal with drain and sewer misconnections

Consultation Question 5

Do you agree that NI Water should be given the power to enter private premises to fix drainage misconnections and recover the costs from the landowner, when the landowner refuses entry and also refuses to fix the misconnection themselves?

Response

Such powers could be of benefit. Such access powers would allow for quick and cost-effective remediation of misconnections which are a source of pollution.

SECTION 8:

Power for NI Water to register Article 161 agreements in the Statutory Charges Register

Consultation Question 6

Do you agree that NI Water should be provided with a power to enable it to register Article 161 adoption agreements and bonds in the Statutory Charges Register?

Response

It is considered that this would be of benefit.

SECTION 9:

Powers for the Department to grant fund Homeowner Flood Protection measures

Consultation Question 7

Do you agree that legislation should be provided to enable the Department for Infrastructure to introduce a substantive Homeowner Flood Protection Grant Scheme to residents whose properties are susceptible to flooding, and who meet defined eligibility criteria?

Response

This would be of benefit.

SECTION 10:

Powers to provide for easements and additional compensation arrangements for affected landowners to facilitate flood storage

Consultation Question 8

Do you agree that powers should be provided to enable the Department for Infrastructure to provide for easements and additional compensation

arrangements for affected landowners, who have agreed to long term adjustments to their land to facilitate storage of flood waters and help mitigate the risk of flooding?

Response

This proposal ties in with the response to Question 2 and would be necessary to allow progress in this aspect of storm water control and to bring on board landowners, without whose partnership this is unlikely to be successful.

SECTION 11:

**Technical amendments to enable future amendment of subordinate legislation
- Powers for the Department to amend, update or revoke the Drainage
(Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and
the Water Environment (Floods Directive) Regulations (Northern Ireland) 2009**

Consultation Question 9

Do you agree with the proposal to provide a power for the Department to amend, update or revoke the Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and the Water Environment (Floods Directive) Regulations (Northern Ireland) 2009?

Response

The Council offers no comment in relation to this point.



Northern Ireland
Assembly

Research and Information Service Briefing Paper

Paper 00/000

15 October 2025

NIAR 92-2025

Sustainable Drainage Systems: Literature review of SuDS operation and performance

Des McKibbin

This paper explores the operation and performance of SuDS through a desk-based review of academic, industry and governmental literature.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

Key Points

This paper complements the [Water, Sustainable Drainage and Flood Management Bill Paper](#).

The paper is a desk-based literature review of key issues relating to Sustainable Drainage Systems. Specifically, it outlines:

- What SuDS are
- SuDS components and design principles
- Benefits of SuDS
- Barriers to SuDS adoption

SuDS mimic natural drainage by slowing, storing, and treating rainwater. They reduce flood risk, improve water quality, and enhance biodiversity. Surface-level, vegetated SuDS offer the greatest benefits.

SuDS should not be thought of as an individual component, but as a system designed to manage, treat and make better use of surface water.

The SuDS Management Train is a core concept of SuDS design. It is a hierarchical approach that prioritises source control → local treatment → conveyance → storage → discharge.

The Lamb Drove case study demonstrates that SuDS can be successfully integrated into residential developments, delivering multiple benefits across flood risk management, water quality, biodiversity, amenity, and cost.

Monitoring is often informal and underfunded. Maintenance is typically reactive, with limited alignment to best practice.

The SuDS Manual recommends categorising maintenance and planning from the design stage.

A ClimateXChange report (Scotland) highlights poor coordination, unclear responsibilities, and data gaps when monitoring SuDS.

A Welsh Government study found SuDS are widely used but vary in quality.

The report found landscaped SuDS are cheaper and offer broader benefits than conventional systems. These savings equate to estimated savings: £9,000 per home; or £1 billion across 110,000 homes.

It recommends early planning and surface-level SuDS to maximise cost-effectiveness.

The Big SuDS Survey (of 539 professionals) identified barriers to SuDS uptake: land take, planning delays, costs, policy gaps, adoption issues. However, the literature suggests barriers are perceived, not evidence-based. Although, a lack of expertise and capacity in local authorities is a major issue.

The literature demonstrates that early design integration can overcome physical constraints and that SuDS can be cost-neutral or cheaper if planned early.

Policy and institutional barriers are seen as the most significant barrier by industry, with recommendations made to:

- Clarify adoption and maintenance responsibilities;
- Build capacity in local authorities; and
- Strengthen policy and standards.

The Water, Sustainable Drainage and Flood Management Bill will begin to provide the Department for Infrastructure with power to begin to address most of the issues identified in the literature.

Introduction

The Water, Sustainable Drainage and Flood Management Bill aims to improve water management and flood resilience in Northern Ireland through legislative reform. Clause 2 of the Bill introduces a statutory enabling power for the Department for Infrastructure (DfI) to promote the use of Sustainable Drainage Systems (SuDS) as the preferred method for managing surface water in new developments.

Clause 2 will not make SuDS mandatory but will establish a framework that could enable their mandatory use in the future. The Bill proposes empowering DfI to regulate SuDS use, design, construction, and operation. It enables a SuDS approval body to be established to oversee implementation, fees, and compliance.

[The previously published Bill paper](#) provides detail on all the provisions within the Bill. The Bill paper includes a brief introduction to SuDS and a comparison of SuDS regulation and management in England, Wales, Scotland and Ireland.

This paper examines more closely what SuDS are, key design principles for SuDS and evidence and experience of SuDS implementation through a desk based review of academic, industry and governmental literature.

The resources examined in this paper are largely from the catalogue hosted on the www.susdrain.org platform. The Susdrain platform was created by CIRIA (Construction Industry Research and Information Association). Through Susdrain, CIRIA fosters a community of practice, disseminating case studies, technical updates, and free resources to support widespread adoption of SuDS.¹

CIRIA plays a central and authoritative role in the development, promotion, and implementation of SuDS in the UK.

¹ Susdrain, [About Susdrain](#), [online] accessed 1st October 2025

- CIRIA published the [SuDS Manual \(C753\)](#), the UK's most comprehensive guidance on SuDS and guidance on retrofitting [SuDS \(C713\)](#).
- CIRIA developed the Benefits Estimation Tool (BeST), which helps quantify the multiple benefits of SuDS, including environmental, social, and economic outcomes.

1 What are SuDS?

In natural settings, rain lands on soil or vegetation and soaks into the ground through a process called infiltration. But in developed areas, most surfaces are sealed by buildings, roads, and paving, which stops this from happening.

As a result, rainwater runs off these hard surfaces and is directed into man-made drainage systems, usually a network of pipes and culverts. These systems are designed to carry water away quickly, often to nearby rivers or streams. However, this approach can cause problems. In heavy rain, the volume of water can overwhelm the system, leading to flooding downstream. It can also reduce water quality, especially when surface water mixes with pollutants like oil, litter, or sediment. In areas with combined sewers (which carry both rainwater and sewage), too much surface water can cause the system to overflow, releasing untreated wastewater into rivers.

SuDS offer an alternative by slowing down and storing rainwater, allowing it to soak into the ground or evaporate naturally. They can take many forms, both above and below ground. Some types include planting; others include proprietary manufactured products. In general terms, SuDS that are designed to manage and use rainwater close to where it falls, on the surface and incorporating vegetation, tend to provide the greatest benefits.²

The SUDS Manual dictates that SuDS should not be thought of as an individual component (e.g. filter strip, swale, detention pond) but "...as an interconnected, integral system designed to manage, treat and make better use of surface water

² CIRIA, [SuDS Manual \(C753\)](#), 2015

from where it falls as rain to the point at which it is discharged into the receiving environment beyond the boundaries of the site”.³ Table one provides a list of SuDS components from the SuDS manual.

Table 1: Types of SuDS components

SuDS Component	Description
Green Roofs	Vegetated roof systems that absorb rainfall, reduce runoff, and provide habitat.
Permeable Pavements	Surfaces that allow water to infiltrate, reducing runoff and promoting recharge.
Rain Gardens	Shallow planted areas that collect and treat runoff using soil and vegetation.
Swales	Vegetated channels that convey water slowly, allowing infiltration and filtration.
Filter Strips	Grass or vegetated areas that slow and filter runoff from adjacent surfaces.
Infiltration Trenches	Gravel-filled excavations that store and infiltrate runoff into the ground.
Soakaways	Underground structures that disperse water into surrounding soil.
Detention Basins	Dry depressions that temporarily store runoff and release it slowly.

³ CIRIA, SuDS Manual (C753), 2015, Page 27, para 1.6

Retention Ponds	Permanent water bodies that store and treat runoff, supporting biodiversity.
Constructed Wetlands	Engineered wetlands that treat runoff through sedimentation and biological uptake.
Underground Attenuation Tanks	Subsurface systems that store runoff and release it gradually.
Sand Filters	Systems using sand media to filter pollutants from runoff.
Tree Pits	Engineered tree planting areas that manage runoff and support urban greening.
Extended Detention Ponds	Ponds that hold water longer to improve sedimentation and pollutant removal.

1.1 SuDS Management Train

The SuDS Manual outlines the SuDS Management Train as a core design concept of sustainable drainage design. The management train is a hierarchical approach to surface water management. It mimics natural drainage by managing runoff as close to the source as possible and progressively through a series of SuDS components. The idea is to:

- Control water at source (e.g. green roofs, permeable paving)
- Slow and treat runoff locally (e.g. swales, filter strips)
- Convey water safely (e.g. rills, channels)
- Store and treat water (e.g. detention basins, ponds)
- Discharge appropriately (e.g. to watercourses or sewers)

Source control is the first and most critical step aiming to reduce runoff volume and improve water quality at or near the point of rainfall. Treatment stages are

added in sequence to remove pollutants and reduce flow rates. Redundancy and resilience are built in by using multiple components. The SuDS manual states it is up to the designer to choose a number of different SuDS components and tailor the overall composition of a SuDS scheme to the local context. Design flexibility allows adaptation to specific site constraints and opportunities.

1.2 Case Study: [Lamb Drove, residential scheme, Cambourne](#)

Lamb Drove is a residential development of 35 affordable homes on a one-hectare site in Cambourne, Cambridgeshire. The project aimed to demonstrate that SuDS are a viable, cost-effective, and attractive alternative to conventional drainage in new housing developments. It formed part of the EU-funded FLOWS programmes and was designed and monitored by Royal Haskoning.

The scheme applied the SuDS management train concept, using a series of components to manage water quantity and quality from source to discharge:

- Water Butts – Installed at each home to collect roof runoff for garden use.
- Permeable Paving – Used on roads and paths to allow infiltration and pollutant filtration.
- Green Roof – A sedum roof on a bike shed to reduce and treat runoff.
- Swales – Shallow vegetated channels to slow and treat surface water.
- Filter Strips – Vegetated areas to filter runoff before entering swales.
- Detention and Wetland Basins – Temporary storage for stormwater, aiding sedimentation and treatment.
- Retention Pond – Final storage and treatment before water is discharged off-site.



Figure 1: [Detention Basin at Lamb Drove site](#), Source: [Susdrain](#)

1.2.1 Benefits and Achievements

The SuDS design achieved significant attenuation of surface water flows. Reducing peak discharge rates compared to a nearby control site with conventional drainage.

Water quality was improved with reduced concentrations of heavy metals and other pollutants, via treatment from vegetated components and filtration.

Visually, the landscape was attractive with sculpted swales and basins (see figure one). This increased recreational and aesthetic value for residents.

1.2.2 Cost Efficiency:

The estimated cost savings due to SuDS was approximately £11,000 (this was around 10% saving on a conventional system). In addition, there were some household savings e.g. each house was given two water butts to collect rainfall

from the roof, which can be used for watering gardens and other applications for which rainwater is suitable, reducing water use for which households in England are charged. Additionally, the omission of the new storm sewer connection avoids the annual payment of storm water disposal changes to the sewerage undertaker.

1.2.3 Challenges and Lessons Learned

- **Design Integration:** SuDS must be incorporated from the earliest planning stages to avoid retrofitting constraints.
- **Maintenance:** Simple, visible systems (e.g. swales) are easier to maintain and monitor.
- **Adoption:** Lack of formal adoption agreements (e.g. Section 38) delayed road and paving maintenance.
- **Stakeholder Engagement:** Early and ongoing collaboration with planners, developers, and residents is essential.
- **Education and Safety:** Public concerns about standing water were addressed through education and safety audits.

1.2.4 Overview

The Lamb Drove project demonstrates that SuDS can be successfully integrated into residential developments, delivering multiple benefits across flood risk management, water quality, biodiversity, amenity, and cost. It provides a replicable model for future developments and highlights the importance of early planning, stakeholder collaboration, and long-term maintenance strategies.

2 Monitoring and maintenance of SuDS

Aside from limited case studies, there are few studies that actively monitor the performance of deployed SuDS. It is suggested in the literature that SuDS monitoring is often qualitative and constrained by a lack of budget.⁴

The SuDS Manual emphasises that maintenance is essential to ensure the long-term performance and benefits of SuDS. It recommends planning for maintenance from the design stage, with clear responsibilities, inspection schedules, and access provisions. Maintenance activities are categorized into regular (e.g. litter removal, vegetation management), occasional (e.g. sediment removal), remedial (e.g. structural repairs), and establishment (e.g. early-stage care). Routine inspections, especially after storms, are advised to monitor hydraulic function, structural integrity, and vegetation health. Designing SuDS for easy access and maintainability is also strongly encouraged.

The monitoring and maintenance of SUDS in Scotland, was examined in a [ClimateXChange](#) report published in 2018. This report found that monitoring is achieved on an “informal, ad-hoc basis and not at regular intervals as recommend by The SuDS Manual”. The report noted that SuDS maintenance in Scotland is predominantly reactive and constrained by limited financial and institutional resources.

Local authorities and Scottish Water typically undertake routine tasks such as litter removal, vegetation management, and grass cutting, while more intensive activities like sediment removal and component replacement occur less frequently. Maintenance practices are often informal and lack alignment with established best practice guidelines, such as those found in the SUDS Manual.

A number of challenges to effective monitoring and maintenance were identified in the ClimateXChange report including unclear ownership responsibilities, poor inter-agency coordination, and inadequate asset records. These issues hinder effective long-term management and monitoring. To address these barriers, the

⁴ Sarah Cotterill (2020), [Assessing the Effectiveness of Sustainable Drainage Systems \(SuDS\): Interventions, Impacts and Challenges](#), Water, Vol. 12(11), pp. 3160

report recommended improved data systems (e.g., GIS-based inventories), clearer delineation of responsibilities, scheduled inspections, particularly post-storm, and increased funding to support proactive maintenance regimes.⁵

3 Costs and benefits of SuDS construction and adoption

The Welsh Government commissioned Environmental Policy Consulting to assess the [performance, costs, and benefits of Sustainable Drainage Systems \(SuDS\) on new developments](#), comparing them with conventional drainage approaches. The study aimed to inform policy decisions, particularly regarding the potential implementation of Schedule 3 of the Flood and Water Management Act 2010, which would make SuDS mandatory for most new developments in Wales, introduced national standards for SuDS systems and established a formal approval process overseen by SuDS approval bodies. The study involved:

- Reviewing 34 case studies comparing SuDS and conventional drainage.
- Conducting 24 stakeholder interviews to gather perspectives on adoption, maintenance, and funding.
- Collecting supplementary evidence to support economic analysis.
- Analysing costs and benefits across small (<10 units), medium (10–100 units), and large (>100 units) developments.

3.1.1 SuDS use and quality

The study found SuDS are widely used in Wales, but quality and performance vary. Most schemes rely on ‘hard’ SuDS (e.g. underground systems, attenuation ponds), with fewer ‘landscaped’ SuDS (e.g. swales, rain gardens) that offer broader benefits. It identified uncertainty around adoption and maintenance as a major barrier to wider uptake of high-quality SuDS.

⁵ Roseanne McDonald, [Sustainable Urban Drainage Systems \(SUDS\) in Scotland: Assessment of Monitoring and Maintenance within Local Authorities and Scottish Water](#), May 2018

Capital costs of landscaped SuDS are consistently lower than conventional drainage across all development scales. The report estimated savings of around £9,000 per new home in capital costs. Operational and maintenance costs are also generally lower, though more variable depending on the type of SuDS and management regime. The study found economies of scale apply to both SuDS and conventional systems, with costs per household decreasing as development size increases.

The report estimated that across the 110,000 new homes planned in Wales by 2021, SuDS could have saved nearly £1 billion in capital construction costs and generate over £20 million annually in benefits.

The report did emphasise that costs and benefits vary according to location, ground conditions, scale of development, the type and range of measure employed and other factors. The report found that the biggest advantages for SuDS were associated with the following factors:

- SuDS need to be planned at the earliest stage of the planning process and integrated with general landscape design and maintenance;
- SuDS on or near the land surface are far more cost-effective than below-ground proprietary systems;
- Working in the broadest possible partnership offers the greatest potential to maximise benefits and lever additional funding;
- The significant role of 'champions' in obtaining 'buy-in', managing relationships using voluntary agreements, and in promoting successful delivery and continuing functioning of SuDS.

The report did note that there are key gaps in knowledge or in readily accessible information regarding SuDS, including:

- Monitoring of actual performance, especially longer term (e.g. flows, volume, quality, environmental outcomes)
- Quantification and monetisation of the costs and benefits of SuDS compared to conventional systems, particularly for smaller schemes.
- The need for a comprehensive SuDS Register (size, location, quality, adoption agreements used, costs, performance, benefits, etc.)

3.1.2 Recommendations

The report recommended:

- Commencement of Schedule 3 to make good quality SuDS mandatory on new developments.
- Establish a SuDS Approving Body (SAB) with clear responsibilities and adequate resources.
- Reform planning processes to ensure early integration of SuDS in site design.
- Develop new funding models, possibly based on the ‘beneficiary pays’ principle, to support long-term maintenance.
- Improve data collection and monitoring, especially for small schemes and long-term performance.
- Create a national SuDS register to track location, quality, costs, and benefits.

3.1.3 Outcome of report

As discussed in the Bill Paper, the Welsh Government commenced Schedule 3 with effect from 7 January 2019. This made SuDS mandatory for most new developments over 100m² in Wales, introduced national standards for SuDS systems and established a formal approval process overseen by SuDS approval bodies.⁶

4 Barriers to SuDS uptake: The Big SuDS survey

Successful implementation of SuDS requires collaboration between public and private stakeholders including local authorities, regulators, builders, engineering consultancies and utilities. The multi-sector nature of SuDS projects can be problematic, particularly in relation to the adoption, ownership and maintenance of SuDS. Ownership can often be linked with several, separately governed stakeholders, presenting challenges for the funding of SuDS and their ongoing

⁶ Senedd Research, New mandatory requirements for sustainable drainage systems (SuDS), November 2018

maintenance. A large-scale questionnaire of practitioners, conducted in 2016 by the Chartered Institution of Water and Environmental Management (CIWEM), “[The Big SuDS Survey](#)”, echoed this challenge, identifying a need for a single adoption method, coordinated by the local authority (or SuDS approval body).⁷

The Big SuDS Survey collected 539 responses from professionals across a range of sectors in GB. It found a number of key barriers to delivering SuDS: land take and site constraints, delays to planning, health and safety, costs, planning policy, planning guidance and advice, adoption and maintenance, and SuDS standards.

Cotterill and Bracken (2020) point out that many of the barriers to SuDS are often perceived; based on assumptions or estimates, (e.g., perceived cost, site constraints and land requirements), rather than quantitatively evidenced through monitoring and analysis of deployed schemes. This is often a consequence of the scarcity of demonstration sites, which could provide an evidence base to address such barriers. They suggest a lack of data collection, and uncertainty around the assumptions being made, may limit the uptake and implementation of further SuDS schemes.⁸

Another significant challenge for SuDS is around expertise required for evaluating the quality of SuDS deployments. The Big SuDS survey perceived there to be a lack of expertise, capacity and skills in local planning authorities for evaluating and advising on the deployment of quality SuDS schemes. Local authorities often have a lack of resources to monitor SuDS, a lack of capacity to enforce planning conditions, and face other challenges such as skills shortages which remain to be addressed through “capacity-building programmes”.

The Big SuDS survey found that perceived constraints such as physical site constraints can be addressed through early planning and design integration. Costs were another commonly cited barrier. However, the report noted that when planned early, they can be cost-neutral or cheaper than conventional

⁷ Laura Grant, et al., [A Place for SuDS](#), June 2017

⁸ Sarah Cotterill, et al. (2020), [Assessing the Effectiveness of Sustainable Drainage Systems \(SuDS\): Interventions, Impacts and Challenges](#), Water, Vol. 12(11), pp. 3160

drainage. SuDS can also deliver long-term savings through reduced flood damage and enhanced property values.

The survey highlighted that the lack of effective policy is perhaps the biggest barrier to SuDS adoption. It called for clarity on adoption and maintenance responsibilities, and non-statutory standards limit multifunctional benefits.

While this report was based on evidence gathered in GB, it provides useful insights into the barriers of SuDS adoption that are also faced in Northern Ireland. It is apparent that the provisions set out in the Water, Sustainable Drainage and Flood Management Bill may provide DfI with the powers to begin to address some of the issues set out in the studies highlighted here.

Ards and North Down Borough Council**Draft Response to Department for Infrastructure (DFI) consultation document
‘Sustainable Drainage Systems (SuDS) in New Housing Developments’
September 2025****Consultation Question 1**

Do you agree that nature-based SuDS should be a requirement in all new housing developments?

Yes / No / Not sure

Ards and North Down Borough Council has commenced a public consultation exercise in relation to a draft Plan Strategy (dPS) for the Local Development Plan (LDP). Consideration is given to Sustainable Urban Drainage Systems. The dPS sets out that Sustainable Drainage Systems (SuDS) will be the preferred drainage solution, as outlined in Policies FLD 6 Sustainable Drainage, GP 1 General Principles and CC 1 Climate Change Adaptation and Mitigation.

Yes, it is agreed that SuDS are the preferred drainage solution (with nature based solutions within this) and it is recognised that successful implementation of policies can be realised through legislation and appropriate guidance.

Whilst there are various case studies from GB, it is acknowledged that Northern Ireland has a different climate and ground conditions; therefore not all systems will be appropriate for all sites. However, it is understood that this does not limit the applicability of soft SuDS. Most modern SuDS design is highly adaptable and offers a wide range of techniques—such as rain gardens, green roofs, permeable paving, and underground storage—that can be tailored to local soil types and rainfall patterns. Rather than reducing housing density, which could conflict with growth targets and affordability objectives, innovative approaches like multi-functional green spaces, modular SuDS components, and integrated landscaping can enable effective drainage within higher-density developments. The appropriateness will also depend on whether the site is greenfield or brownfield, and the scale of development proposed. It is imperative that considerations are given at the outset in the design process for SuDS in a development proposal.

In respect of individual properties where soft SuDS are installed, there requires to be some form of mechanism to control these and prevent likes of permeable driveways from being tarmacked over etc.

Consultation Question 2

Do you agree that the SuDS Management Train approach should be the preferred drainage solution for new developments?

Yes / No / Not sure

Yes. It is common practice in other UK administrations to refer to a management train approach.

However, it is noted that Northern Ireland has a different context in terms of water charging and rainfall.

Consultation Question 3

Do you agree that new regional guidance on the design and maintenance standards of nature-based SuDS is required?

Yes / No / Not sure

Yes, both legislation and guidance is required.

It is recognised that failure to adequately maintain the SuDS system could result in poor performance. Therefore both control over design and maintenance through legislation is required to ensure that the benefits of the installation of the SuDS are realised. This will also have to be examined in terms of control to ensure that conveyancing solicitors are aware of restrictions on properties and householders are aware of limitations in terms of additional development, such as extensions or alterations to roofs, or provision of hard surfaces.

The Council's Building Control Service cannot exercise control over maintenance as the Building Control Regulations only exercise control to the point of completion of a development – not any aftercare/maintenance.

Consultation Question 4

Which organisation should be responsible for approving the design and construction of nature-based SuDS proposals?

Department (DfI) / NI Water / Councils / New Drainage Body / Developer (by self-assurance) / Other (please state)

What is the reason for your choice?

New Drainage Body. In recognition of need for consistency with dedicated expertise this is considered the most appropriate approach. Councils do not have staffing resource nor expertise in this area. (It is not considered appropriate to make comparison with Councils in the other UK administrations).

It is not appropriate for DfI to be responsible as it is the sponsoring body of NI Water. NI Water will not adopt soft SuDS – but soft SuDS require to be sorted from start of planning process in order to make management train effective. It is not considered appropriate for Developers to be responsible as too much risk involved in becoming bankrupt and/or re-establishing under different names, and could have cost implications for residents.

It is considered more appropriate that a separate independent body is set up and perform as a statutory consultee to Councils in respect of their planning functions.

Consultation Question 5

How should the costs of administering any new nature-based SuDS Approval Body be met?

Public Funding Only / Application Fees Only / Public Funding and Fees / Other (please state)

Examples from other UK administrations include the use of a charge levy scheme for consideration of design and maintenance made up of a flat rate fee and an area based charge per square metre.

It is considered that to achieve the goal of making savings, developers should fund upfront as part of fee paid, with an ongoing annual rate to householders via the domestic rate, as the SuDS will contribute to a more sustainable environment for all.

Consultation Question 6

Which organisation should be responsible for the future maintenance of nature-based SuDS features in new housing developments?

Department (DfI) / NI Water / Councils / New Drainage Body / Private Management Companies / Other (please state)

What is the reason for your choice?

New Drainage Body. A SuDS adoption process should be put in place. Councils do not have authority in respect of land drainage and furthermore do not wish to have the liability; thus, there should be an establishment of an appropriate form of unitary authority as a collective or over-arching body with the track record and capacity to approve design, adopt and maintain, and also enforce. Private Management Companies will not take on unless it relates to private developments.

Consultation Question 7

Who should pay for the future maintenance cost of nature-based SuDS features in new housing developments?

Department (DfI) / NI Water / Councils / Developer / Residents / Other (please state)

What is the reason for your choice?

Developer provision of a commuted sum to the approval body, but issue will be in communal/common areas – detail is required on future maintenance in absence of a development company - which may no longer exist.

As referenced earlier, water charges in GB deal with water provision and its discharge, and could be the solution (via the domestic rate or otherwise) for maintenance costs.

Consultation Question 8

Do you have any further comments or suggestions on the nature-based SuDS proposals included in this consultation document , including any potential impacts you feel there may be on any of the Section 75 Groups (religious belief, political opinion, racial group, gender, disability, age, marital status, dependents and sexual orientation)?

No.

Unclassified

309

ITEM 6

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	02 December 2025
Responsible Director	Director of Place and Prosperity
Responsible Head of Service	Head of Planning and Building Control
Date of Report	11 November 2025
File Reference	Fp/2022/1983/MAST
Legislation	Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995
Section 75 Compliant	Yes ☐ No ☐ Other ☒ If other, please add comment below: N/A
Subject	Street Naming - The Dairy, Cloughey
Attachments	N/A

The Council granted planning permission under LA06/2019/0634/F for a residential development of 34no. dwellings (in substitution of previous approval X/2007/1259/F) in September 2021 on lands at the junction of The Square and Portaferry Road, Cloughey. Construction is due to start.

The developer has requested the name 'The Dairy', due to the history of the site once being a working dairy farm. The developer's family would have bottled milk on the site for delivery in Cloughey and the surrounding area for decades and their family continued producing milk on the farm until 2008.

The name 'The Dairy' is in keeping with the guidelines of the street naming policy. The statutory basis for this street naming function is contained within Article 11 of The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995.

Not Applicable

310



RECOMMENDATION

It is recommended that Council approves the name as detailed for this development.

Unclassified

311

ITEM 7**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	02 December 2025
Responsible Director	Director of Place and Prosperity
Responsible Head of Service	Head of Planning and Building Control
Date of Report	14 November 2025
File Reference	
Legislation	
Section 75 Compliant	Yes ☐ No ☐ Other ☒ If other, please add comment below: N/A
Subject	Planning Appeals Update
Attachments	

Appeal Decisions and New Appeals

There have been no PAC decisions issued for any ANDBC appeals since the last report.

No new appeals in relation to ANDBC cases have been received since the last report.

Details of appeal decisions, new appeals and scheduled hearings can be viewed at www.pacni.gov.uk.

RECOMMENDATION

It is recommended that Council notes the report.

Unclassified

312

ITEM 8**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	02 December 2025
Responsible Director	Director of Place and Prosperity
Responsible Head of Service	Head of Planning and Building Control
Date of Report	21 November 2025
File Reference	
Legislation	Local Government Act 2014
Section 75 Compliant	Yes ☒ No ☐ Other ☐ If other, please add comment below: n/a
Subject	Performance Report April – September 2025/26
Attachments	

Context

Members will be aware that Council is required, under the Local Government Act 2014, to have in place arrangements to secure continuous improvement in the exercise of its functions. To fulfil this requirement Council has in place a Performance Management Policy and Handbook. The Performance Management Handbook outlines the approach to Performance Planning and Management process as:

- Community Plan – published every 10-15 years
- Corporate Plan – published every 4 years (Corporate Plan 2024-2028)
- Performance Improvement Plan (PIP) – published annually in September
- Service Plan – developed annually (approved annually in March)

The Council's Service Plans outline how each respective Service will contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Not Applicable

313

Reporting Approach

The Service Plans will be reported to relevant Committees on a half-yearly basis as undernoted:

Reference	Period	Reporting Month
Half Year (H1)	April – September	December
Half Year (H2)	October – March	June

The report for April to September 2025 (H1) is attached.

Corporate Plan 2024-2028

In line with the Corporate Plan 2024-2028, our service has contributed to the outcomes as follows:

Outcome 1

An engaged Borough with citizens and businesses who have opportunities to influence the delivery of services, plans and investment

Outcome 3

A thriving and sustainable economy

Outcome 4

A vibrant, attractive, sustainable Borough for citizens, visitors, businesses and investors

Outcome 6

Opportunities for people to be active and healthy

Outcome 7

Ards and North Down Borough Council is a high performing organisation

Key achievements:

- Members of the public and stakeholders can contribute to planning decisions through submission of representations
- The Planning Service processed 375 applications in the local category of development with an average processing time of 15.4 weeks.
- One application in the major category of development was approved in 89.4 weeks as follows:

LA06/2023/2314/F Proposed Park and Ride Facility including tarmacked parking area (452 spaces), landscaping, boundary fencing, cycle shelter building, relocation of existing playpark within the site and associated development.
Lands bounded by William Street, Hardford Link, Corry Street and to the rear of 23-49 and 51-53 Corry Street and 18-58 William Street, Newtownards

Processing time was affected by insufficient information being initially submitted to address DFI Roads requirements; an update to the Generic Quantitative Risk Assessment and soil waste classification was submitted seven months into the

Not Applicable

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process which required to be reconsulted upon, and the Habitats Regulation Assessment was only completed obo the Council by the Shared Environmental Service in December 2024 further to additional information being required from the applicant.

Emerging issues:

As part of the commitment to continuous improvement the annual Service Plan is reviewed on a monthly basis. The Service Risk register has also been reviewed to identify emerging issues and agree any actions required detailed below:

- Not meeting statutory performance indicators for planning applications;
- Enforcement performance indicator falling below 70% of cases being concluded within 39 weeks.
- Shared Environmental Service no longer accepting work outside of statutory consultation on planning applications – potential impact on LDP in terms of Sustainability Assessment

Action to be taken/undertaken:

- Introduction of Validation Checklist – staff to be trained, planning agents to be made aware and public website/guidance updated accordingly for introduction from January 2026
- Restructure of Development Management Service Unit into specific teams to respond to particular categories of applications:
 - Majors & Investment Projects
 - Applications contributing to non-domestic rate base
 - Grant funding dependent
- Liaison with LDP teams in other Councils to determine appropriate response to Sustainability Appraisal at Focussed Changes stage of LDP – and appropriate budget being bid for through Estimates Process
- Active focus on reducing number of legacy enforcement cases which has had resultant impact on performance indicator. Cases linked to retrospective planning applications have also impacted on conclusion times. Due to a long running vacancy, caseloads per officer have been higher than sustainable to ensure effective case processing.

RECOMMENDATION

It is recommended that Council notes this report.

Not Applicable

Planning - Performance Indicator Summary

Generated on: 17 November 2025

Last Update H2 2024/25

Performance Data Traffic Light Icon	PI Short Name	Performance Data Current Value	Performance Data Current Target
	Process major development applications with target performance time of 30 weeks	89.4	30
	Process local development applications with target performance time of 15 weeks	15.4	15
	Process householder development application within internal processing time of 8 weeks	34%	75%
	Investigate and take proportionate and appropriate enforcement action against alleged breaches of planning control – conclude 70% of cases within 39 weeks	55.2%	70%

Unclassified

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ITEM 9

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	02 December 2025
Responsible Director	Director of Place and Prosperity
Responsible Head of Service	Head of Finance
Date of Report	27 October 2025
File Reference	FIN45
Legislation	Section 5 Local Government Finance Act (NI) 2011
Section 75 Compliant	Yes ☐ No ☐ Other ☒ If other, please add comment below: N/A
Subject	Planning Service Budgetary Control Report - September 2025
Attachments	N/A

The Planning Service’s Budgetary Control Report covers the 6-month period 1 April 2025 to 30 September 2025. The net cost of the Service is showing an underspend of £111.7k (11.7%) – box A on page 2.

Explanation of Variance

The Planning Service’s budget performance is further analysed on page 2 into 3 key areas:

Report	Type	Variance	Page
Report 2	Payroll Expenditure	£171.0k favourable	2
Report 3	Goods & Services Expenditure	£2.4k favourable	2
Report 4	Income	£61.7k adverse	2

Not Applicable

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Explanation of Variance

The Planning Service's overall variance can be summarised by the following table: -

Type	Variance £'000	Comment
Payroll	(171.0)	There were vacancies within the Service for the first 6 months but these have now been filled.
Goods & Services	(2.4)	Range of small underspends.
Income	61.7	Mainly Planning application fees.

REPORT 1 BUDGETARY CONTROL REPORT					
Period 6 - September 2025					
	Year to Date Actual £	Year to Date Budget £	Variance £	Annual Budget £	Variance %
Planning Service					
5302 Planning Service	846,349	958,000	(111,651)	2,122,600	(11.7)
Total	846,349	958,000	A (111,651)	2,122,600	(11.7)
REPORT 2 PAYROLL REPORT					
	£	£	£	£	%
Planning Service - Payroll					
5302 Planning Service	1,139,009	1,310,000	(170,991)	2,619,300	(13.1)
Total	1,139,009	1,310,000	(170,991)	2,619,300	(13.1)
REPORT 3 GOODS & SERVICES REPORT					
	£	£	£	£	%
Planning Service - Goods & Services					
5302 Planning Service	160,642	163,000	(2,358)	492,400	(1.4)
Total	160,642	163,000	(2,358)	492,400	(1.4)
REPORT 4 INCOME REPORT					
	£	£	£	£	%
Planning Service - Income					
5302 Planning Service	(453,302)	(515,000)	61,698	(989,100)	12.0
Totals	(453,302)	(515,000)	61,698	(989,100)	12.0

RECOMMENDATION

It is recommended that the Council notes this report.

Regional Planning Policy & Casework



Department for
Infrastructure
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Infrastructure
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To: **Development Plan Principal Planning Officers**

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12 November 2025

Dear Colleagues,

PLANNING IMPROVEMENT PROGRAMME – UPDATE OF DEVELOPMENT PLAN PRACTICE NOTES

As part of ongoing work for the Planning Improvement Programme, the review of the existing suite of Development Plan Practice Notes (DPPNs) was discussed at the LDP meeting in June 2025. I subsequently wrote to you in August 2025 regarding the update of the DPPNs and outlining that this review will incorporate the learning and best practice of the Local Development Plan process to date.

The review of DPPN 2, Statement of Community Involvement, DPPN3, Timetable, and DPPN 5, Preferred Options Paper, has now been completed and I have enclosed a copy of the latest revision for your information. These DPPNs have mainly been updated to reflect factual changes since the initial publication or revision including references to legislation. The Departmental website will be updated in due course to reflect these latest revisions.

Following on from this, the review of DPPN 7, The Plan Strategy, DPPN 8, The Local Policies Plan and DPPN 10, Submitting Development Plan Documents for Independent Examination, is also underway. This review will incorporate learning from our collective experience to date and there will be an opportunity to comment on the revisions to these practice notes prior to their publication. I will keep you informed of the timescale for this.

E-mail: planning@infrastructure-ni.gov.uk

Website: www.infrastructure-ni.gov.uk/topics/planning

I would be grateful if this correspondence could be brought to the attention of your officials.

Yours sincerely



SUSAN WILKIN
Deputy Director
Regional Planning Policy & Casework

cc: Heads of Planning