

Objections to Housing Development LA05/2022/0033/F inside Lagan Valley Regional Park :

Objection One : Planning Policy

The proposed development is legally repugnant to newly adopted planning policies and will provide a planning precedent that will undermine any future protective presumptions for open space in the Lagan Valley Regional Park

- Until the courts direct the Department or the Councils differently the new Local Development Plan 2032 adopted 26th September 2023 following resolution by full council and its supporting policies prevail
- The plan-led systems afford not just significant materiality but determinative weight to the new planning policies that offer protection to development of this nature in the Lagan Valley Regional Park

On the 28 June 2023 the Department for Infrastructure directed that each Council adopt its Local Development Plan (LDP 2032) as soon as practicable, and that the direction took immediate effect from the 28 June 2023.

LCCC adopted its LDP 2032 on 26 September 2023 to comply with the DfI's directive.

This means that: all previous plans and policies, such as those referred to in Section 2 of the Developers Rebuttal Report ceased to be extant. They have no further relevance save for the Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) which continues to have material weight;

N.B. LCCC OPEN SPACES GREEN STRATEGY

Plan 1 Plan Strategy

Pg 32 – A Green Place (7. Protect and enhance our designated natural heritage assets including the Lagan Valley Regional Park and Area of Outstanding Natural Beauty (AONB) and other high quality landscapes such as Areas of High Scenic Value (AoHSV) and secure, through appropriate designations, to ensure they remain unspoilt for future generation)

Pg 105: The Lagan Valley Regional Park (LVRP) is a unique tourism/recreation asset that requires protection for future generations. Approximately two thirds of the LVRP and the Lagan Valley Area of Outstanding Natural Beauty (AONB) is situated within the Council area. It is a significant recreational resource

Pg 107 refers to the Lagan Valley Regional Park Five Year Management Plan 2017-2022 The Lagan Valley Regional Park (LVRP) 5 Year Management Plan follows the framework laid out in the LVRP 10 Year Strategic Vision, focusing on 6 key themes. The Plan takes into consideration the priorities and main objectives of the wider UK and Northern Ireland governments and the other main Regional Park stakeholder partners.

Pg 118 – Strategic Policy 19 Protecting and Enhancing Natural Heritage The Plan will support development proposals that: a) protect, conserve and, where possible, enhance and restore our natural heritage b) maintain and, where possible, enhance landscape quality and the distinctiveness and attractiveness of the area c) promote the highest quality of design for any new development affecting our natural heritage assets d) safeguard the Lagan Valley Regional Park allowing appropriate opportunities for enhanced access at identified locations thereby protecting their integrity and value.

Pg 163 In terms of expansion, Lisburn Greater Urban Area has limited scope for new development. Any proposals that impact on the setting should be strongly resisted in order to preserve the green wedge surrounding the settlement to the west and Lagan Valley Regional Park to the south.

The HOU Policies within the Part 2- operational Policies have more specific details on housing and the loss of open spaces etc.

Objection Two : Environmental Impact

The Council and statutory agencies have failed in their requirements to adequately assess the ecological and landscape integrity of the site and have furthermore failed to carry out a positive EIA determination within Schedule 2 and Schedule 3 The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 without due regard to the objections raised

- This area is of such ecological and landscape importance (see below) that a Environmental Statement out to have been submitted
- We have a 165-year-old hawthorn hedgerow that will be destroyed. Hedgerows are a Priority Habitat for many species providing foraging, protection, and connectivity to the wider environment (DAERA, 2020c). This site consists of “2 semi-improved fields” separated by a 165-Year-old hawthorn hedge that provides critically important ecosystem services below the ground as well as above ground. Any mitigating planting cannot replace what is already established over sixteen decades and all the invertebrates, birds and mammals that have come to rely on same will be greatly impacted by its destruction
- The proposal involves the removal of over 1 Ha of grasslands and scrub land for which there is no proposed mitigation thus removing habits and foraging for a range of animals, birds and insects some of which are protected or priority protected species

- The site is in the Lagan Valley Regional Park, Area of Outstanding Natural Beauty. These spaces have been protected for generations how can they be sold off to be built over
- The site is within a SLNCI with a presumption against development ([Appendix 5: Sites of Local Nature Conservation Importance \(SLNCI\) in Lisburn & Castlereagh City Council SLNCI page 38](#))
- We have proven biodiversity including eyewitness sightings of many creatures including Barn Owls and many bats on the site, information which has been ignored
- The AECOM ecology assessment was fundamentally flawed in key areas and our representations to this effect have not been rebutted
- The Council failed in duty to a Habitats Regulation Assessment given hydraulic connections to Belfast Lough SPA

Objection 3 : Infrastructure

There is Inadequate infrastructure relating to Sewerage, Traffic and inadequate modelling regarding flooding

- Drumbeg waste water treatment works has been at capacity since before 2019 and there have been over 10 properties approved for development since then including a guest house with ancillary cottages. NI Water's Living With Water capital investment has been halted by the Department for Infrastructure in December 2023
- NI Water in recent weeks are again indicating they will forced to recommended refusal for developments of this nature in Belfast
- Quarterlands Road on which this development is proposed is a very narrow country road not wide enough for a car and a lorry to pass in places and no cognisance has been taken of increasing traffic on the road
- There is currently often flooding on the road and the site itself is very sodden, there are concerns about where that water goes particularly in the light of climate change and denial of flooding despite photographic evidence. We consider that the evidence provided by us has not been afforded a fair hearing.
- TRA 8 has been ignored as there is no planning for disability access and no good public transport available.

Objection 4 : Design, Siting and Layout:

The proposed development's design or architectural style is incompatible with the character of the local area.

- The Blue dots in Fig 1 are the houses of the proposed development. The image is from the developer and misleading as to scale but shows that **All the buildings surrounding this proposed site are single storey or 1.5 storey**. The ridge height on the proposed development is almost 3 storeys. (see fig 1.)



fig 1.

- The design of footways is a serious accident risk – the internal carriageway within the development transition into a shared surface arrangement, which the Holmes report on shared spaces considers to be accidents by design ('accidents by design: the Holmes report on "shared spaces" in the United Kingdom, Lord Holmes of Richmond MBE, July 2015). We consider that the risks to children and those with a disability required an Equality Impact Assessment under Article 75 of the Northern Ireland Act

- The proposed development would demonstrably harm the amenities enjoyed by local residents in particular valuable green space, privacy, and the right to enjoy a quiet and safe residential environment. The proposed development would have a direct and indirect dominating impact on us and our right to enjoyment of our property (Protocol 1, Article 1 Protection of Property). The risk of future harm to our properties is significant. We consider that Article 8(2) of the European Convention on Human Rights extends to the area

surrounding our homes (Britton v SOS). The courts concluded that the protection of the countryside fails within the interests of Article 8(2). 'Private and family life' therefore encompasses not only the home but also its surrounding.

Further information and more detailed objections can be found throughout our website.

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