

**Date: Tuesday 24<sup>th</sup> May 2022**

**Topic 19 A Connected Place**

**Access to Protected Routes (Operational Policy)**

**Matter Arising MA 015**

In response to Question 10, Lisburn & Castlereagh City Council to ask the examiner to recommend modifications in respect of Policy TRA 3 draft Plan Strategy, Part 2, Page 94 (SUBDOC-002). This modification is in addition to the Focussed Change FC12 of SUBDOC-019.

**Council Response**

To amend the wording of Policy TRA3 under sub-heading 'Other Protected Routes – Outside Settlement Limits' to state:

~~“Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access where it is demonstrated that access cannot reasonably be taken from an adjacent minor road in the following circumstances: An exception will apply For a replacement dwelling in accordance with Policy COU3 where the dwelling to be replaced is served by an existing vehicular access onto the protected route; for a farm dwelling, or a dwelling serving an established commercial or industrial enterprise where access cannot be reasonably obtained from an adjacent minor road; and, for other developments which would meet the criteria for development in the countryside, where access cannot be reasonably obtained from an adjacent minor road, proposals will be required to make use of an existing vehicular access onto the protected route. In all cases the proposed access must be in compliance with the requirements of Policy TRA2.”~~

After proposed modification a single paragraph under this sub-heading will now read:

“Planning permission will only be granted for a development proposal *in the following circumstances: For a replacement dwelling in accordance with Policy COU3 where the dwelling to be replaced is served by an existing vehicular access onto the protected route; for a farm dwelling, or a dwelling serving an established commercial or industrial enterprise where access cannot be reasonably obtained from an adjacent minor road; and, for other developments which would meet the criteria for development in the countryside, where access cannot be reasonably obtained from an adjacent minor road, proposals will be required to make use of an existing vehicular access onto the protected route.* In all cases the proposed access must be in compliance with the requirements of Policy TRA2.”

**DfI Roads (Eastern Division) Response**

The proposed modification (below the underlined sentence “After proposed modification a single paragraph under sub-heading will now read:”) is not fully in accordance with SPPS and PPS21 - Annex 1 – Consequential amendment to Policy AMP 3 of PPS 3 Access, Movement and Parking. The wording suggested in relation to - a farm dwelling and a dwelling serving an established commercial or industrial enterprise - allows for the creation of an access to a protected route if access cannot be reasonably obtained from an adjacent minor road, therefore, not in accordance with SPPS or PPS 21.

The long and complex structure of the sentence making up the proposed modification introduces ambiguity with regards to - a farm dwelling and a dwelling serving an established commercial or industrial enterprise.

