



11 February 2026

Committee Chair: Councillor R Kinnear

Committee Vice-Chair: Councillor S Flanagan

Committee Members: Aldermen – L Boyle, T Campbell and M Magill

Councillors – J Archibald-Brown, A Bennington,
S Cosgrove, H Cushinan, R Foster, AM Logue, and
B Mallon

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 16 February 2026 at 6.00 pm.**

You are requested to attend.

Yours sincerely

A handwritten signature in black ink, appearing to read "Richard Baker".

Richard Baker, GM, MSc
Chief Executive, Antrim & Newtownabbey Borough Council

PLEASE NOTE: Refreshments will be available from 5.00 pm in the Café

For any queries please contact Member Services:

Tel: 028 9448 1301/ 028 9034 0107

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – 16 FEBRUARY 2026

Part One - The Planning Committee has the full delegated authority of the Council to make decisions on planning applications and related development management and enforcement matters. Therefore, the decisions of the Planning Committee in relation to this part of the Planning Committee agenda do not require ratification by the full Council.

Part Two - Any matter brought before the Committee included in this part of the Planning Committee agenda, including decisions relating to the Local Development Plan, will require ratification by the full Council.

- 1 Apologies.
- 2 Declarations of Interest.
- 3 Report on business to be considered:

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2025/0530/F

Proposed expansion and redevelopment of existing Balloo Hire business extension of site to the east, the reconfiguration of existing external storage areas/yard to include the external storage of shipping containers, the demolition of existing buildings, erection of workshop building, wash bays, landscaping, parking, access and ancillary site works at lands incorporating the existing Balloo Hire Centre, including lands to the east and to the rear of no.72-76 Nutts Corner Road, Crumlin.

3.2 Planning Application No: LA03/2025/0496/F

Erection of Battery Energy Storage System (150MW) including battery enclosures, with 110kV substation with associated transformers, switch house and control room (with photovoltaics (PV) panels to roof), lighting and closed-circuit television (CCTV) columns, boundary fencing, landscaping, installation of water hydrants, and associated ancillary works including the construction of a new access from Lislunna Road at lands c.40m south and c.130m east of No. 64 Lislunna Road, c.130m southwest of No. 89A Carncome Road, and c. 60m northeast of No. 56 Lislunna Road, Kells, Ballymena.

3.3 Planning Application No: LA03/2025/0633/F

Retention of hairdressing Salon in cabin to the rear of dwelling (Part time use) 41 Groggan Road, Randalstown, Antrim, BT41 3JH.

3.4 Planning Application No: LA03/2025/0540/F

Part-retrospective application for the retention of a workshop building (including ancillary office, storage, and toilet facilities) and the retention of an extension to existing yard (including a concrete ramp); together with

proposed landscaping works comprising an earth bund and new planting, improvements to the existing site access, and all associated works
Approximately 100m north of No.15 Gallagher Road, Toomebridge, BT41 3QS.

3.5 Planning Application No: **LA03/2025/0728/O**

Dwelling and garage at site 50m north-east of No. 3 Carmorn Road, Antrim, BT41 3NX.

3.6 Planning Application No: **LA03/2025/0637/O**

Site of proposed dwelling approx 70m south-east of 12 Drumkeeran Road, Antrim.

3.7 Planning Application No: **LA03/2025/0574/F**

Retention of extension of servicing yard area (to accommodate storage of shipping containers, concrete aggregate bays and raised concrete hardstanding), retention of lean-to building extension and boundary mesh security fencing at 37 Mallusk Road, Newtownabbey, BT36 4PP.

3.8 Planning Application No: **LA03/2025/0729/F**

Retention of timber fence (replacing hedge and fence at 114 Ballyrobin Road, Muckamore, Antrim, BT41 4TF.

3.9 Planning Application No: **LA03/2025/0423/F**

Retention of front boundary wall at 110 Doagh Road, Ballyclare, BT39 9ES.

3.10 Planning Application No: **LA03/2025/0804/LBC**

Retention of 2 no. meeting pods (temporary at Mossley Mill, Carnmoney Road North, Newtownabbey, BT36 5QA, immediately adjacent to the east of the lower ground floor access doors to the Council offices, close to the existing museum building.

PART TWO – Other Planning Matters

3.11 Delegated Planning Decisions and Appeals January 2026

3.12 Proposal of Application Notices For Major Development December 2025 & January 2026

3.13 Update on the Local Development Plan

3.14 Correspondence from Department for Infrastructure – Lough Neagh

3.15 Royal Town Planning Institute (RTPI) (NI) Annual Dinner 2026

3.16 Any Other Relevant Business

PART TWO – Other Planning Matters – In Confidence

3.17 Revised Planning Protocol

PART ONE - Decisions on Enforcement Cases - In Confidence

3.18 Enforcement Case – **LA03/2022/0303/CA** – In Confidence

3.19 Enforcement Case - **LA03/2024/0179/CA** – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 8 DECEMBER 2025**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2025/0530/F
DEA	AIRPORT
COMMITTEE INTEREST	MAJOR APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed expansion and redevelopment of existing Balloo Hire business including extension of site to the east, the reconfiguration of existing external storage areas/yard to include the external storage of shipping containers, the demolition of existing buildings, erection of workshop building, wash bays, landscaping, parking, access and ancillary site works.
SITE/LOCATION	Lands incorporating the existing Balloo Hire Centre, including lands the east and to the rear of No. 72 - 76 Nutts Corner Road, Crumlin, BT29 4SJ
APPLICANT	Balloo Hire Ltd
AGENT	Bell Rolston
LAST SITE VISIT	9 th October 2025
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/700319	
SITE DESCRIPTION	
The application site is located in the countryside outside of any settlement limits as defined in the Antrim Area Plan. The site extends to 4.27 hectares. The site is an irregular shape and consists of large areas of hardstanding, two existing buildings associated with Balloo Hire Ltd together with a parcel of agricultural lands located to the east. The topography of the site is generally flat with access taken from an existing laneway of the Nutt's Corner Road. The Dundesert River bounds the site to the north and to the west with the boundaries defined by a mix of mature trees and hedgerows. The local area surrounding the site comprises agricultural land, residential properties to the south and storage and distribution uses in close proximity to the southeast at Nutt's Corner.	
RELEVANT PLANNING HISTORY	
Reference: T/2007/0799/F Location: Land to the rear and North of 72-76 Nutts Corner Road, Antrim and Newtownabbey Borough Council. Proposal: Replacement of existing building with new building for use as contractors storage depot/workshop and associated external storage. Decision: Permission Granted (02/12/2008)	

Reference: T/2017/0787/F

Location: 72a Nutts Corner Road, Crumlin, BT29 4SJ

Proposal: Alterations to entrance access to No. 72 and No. 72A Nutts Corner Road

Decision: Permission Granted (02/10/2017)

Reference: LA03/2023/0745/F

Location: 72A Nutt's Corner Road, Crumlin, BT29 4SJ

Proposal: Retrospective planning application for levelling of land for the purpose of container storage.

Decision: Withdrawn (27/11/2023)

Reference: LA03/2024/0607/PAN

Location: Existing Balloo Hire Centre, part of field adjacent to the east and part of number 72 Nutts Corner Road, Crumlin

Proposal: Expansion of existing Balloo Hire business including reconfiguration of existing external storage areas, extension of site to east, construction of replacement and new buildings, and associated landscaping.

Decision: PAN Accepted (21/08/2024)

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SPG 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 2 – Employment (SP 2): aims to encourage growth and investment to support enterprise and increase employment benefits. SP2 is supported by Policies:

- Policy DM 2: Economic Development – Countryside

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP 3 is supported by Policies:

- Policy DM 10 Access and Parking
- Policy DM 11 Access to Protected Routes
- Policy DM 13 Belfast International Airport – Operations
- Policy DM 14 Public Utilities and Infrastructure

Strategic Policy 6 - Placemaking and Good Design (SP 6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP 6 is supported by relevant operational policies:

- Policy DM 27 Rural Design and Character
- Policy DM 28 Amenity Impact

Strategic Policy 7 – Historic Environment (SP 7): Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by relevant operational policy:

- Policy DM 30 Archaeology
- Policy DM 32 Listed Buildings

Strategic Policy 8 - Natural Heritage (SP 8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance;
- DM 40 Landscape Protection; and
- Policy DM 42 Trees and Development.

Strategic Policy 9 – Natural Resources (SP 9): sets out that the Council will seek to ensure the sustainable use of our natural resources. SP 9 is supported by relevant operational policy:

- Policy DM 45 Renewable Energy Development

Strategic Policy 10 - Environmental Resilience and Protection (SP 10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SP 10 is supported by Policies:

- Policy DM 46 The Control of Development in Flood Plains
- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems
- Policy DM 49 Artificial Modification of Watercourses
- Policy DM 50 Pollution
- Policy DM 52 Contaminated Land

Antrim Area Plan 1984 – 2001: The application site is located within the countryside. The Plan offers no specific guidance on this proposal.

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water – Refusal recommended.

Department for Infrastructure Roads- No objection subject to conditions.

Department for Infrastructure Rivers- No objection.

Department for Communities Historic Monuments - No objection subject to conditions.

DAERA Water Management Unit – No objection.

DAERA Regulation Unit Land & Groundwater – No objection subject to conditions.

DAERA Natural Environment Division – No objection subject to condition.

Shared Environmental Services – No objection subject to conditions.

Belfast International Airport – No objection subject to conditions.

REPRESENTATION

Fourteen (14) neighbouring properties were notified, and one letter of representation was received. The full representations made regarding this proposal were available for Members to view online at the Planning Portal <https://planningregister.planningsystemni.gov.uk>.

A summary of the key points of objection raised is provided below:

- Impact on amenity through noise nuisance, light intrusion, odour and general disturbance;
- Impacts of pollution and
- Land ownership issues;
- Height of stackable containers;
- Devaluation of property.

It is worth noting that any issues raised during the pre-community consultation are noted within the Pre-Application Community Consultation Report (PACC) (Document 11).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Legislative Framework
- Plan, Policy and Principle of Development
- Design, layout and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Natural Heritage
- Access, Movement and Parking
- Flooding, Groundwater and Drainage
- Archaeology and Built Heritage

- Other Matters

Legislative Framework

Pre-Application Notice

The application falls within the Major category as prescribed in the Development Management Regulations. Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult with the community in advance of submitting an application. Section 27 also requires that a prospective applicant, prior to submitting a Major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted.

A Proposal of Application Notice application (Ref: LA03/2024/0607/PAN) was submitted to the Council and was deemed to be acceptable on 21st August 2024. The Pre-Application Community Consultation Report (PACC) (Document 11) submitted has demonstrated that the applicant has carried out the consultation requirements set out in Section 27 of the Planning Act (NI) 2011.

Environmental Impact Assessment

As the development falls within Schedule 2, Category 2, 10 (a) Industrial estate development projects of the Environmental Impact Assessment Regulations (Northern Ireland) 2017, the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether an application is or is not EIA development. An EIA Screening Determination was carried out and it was determined that the planning application does not require to be accompanied by an Environmental Statement.

Habitats Regulation Assessment

This planning application was 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. The Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 4th February 2026. This found that the project would not have any adverse effect on the integrity of any European site.

Plan, Policy and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and

zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

As indicated above the application site is located within the countryside as defined within the AAP. Policy SP1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. Policy DM 2 of the ANPS addresses Economic Development in the Countryside.

The SPPS states that a key dimension of sustainable development for Northern Ireland is economic growth, which requires the planning system to continue to provide protection to our built and natural environment including our heritage assets while unlocking development potential, supporting job creation and aiding economic recovery. However, the SPPS recognises that in the interests of rural amenity and wider sustainability objectives, the level of new building for economic development purposes outside settlements must be restricted, save for a number of exceptions. One exception relates to a proposal for a major development where a countryside location is necessary because of its size or site-specific requirements. Such proposals should be able to demonstrate a significant contribution to the regional economy and be otherwise acceptable in terms of any environmental or transport impacts. In any circumstance, an edge of town location should normally be favoured over a location elsewhere in the countryside.

The proposal seeks permission for the proposed expansion and redevelopment of the existing Balloo Hire business including extension of site, the reconfiguration of existing external storage areas/yard to include the external storage of shipping containers, the demolition of existing buildings, erection of workshop building and all other ancillary site works. Neither the ANPS or the SPPS defines any thresholds for what constitutes a major application, however, 'The Planning (Development Management) Regulations (Northern Ireland) 2015 defines that storage and distribution uses which exceed 5000sqm or 1 hectare in size is a major application. It is accepted that the proposal is not a typical storage and distribution use, however, it does have a significant storage element with the distribution relating solely to the hire of the equipment or machinery.

The planning history of the site is considered an important material consideration in this instance. A storage and logistics use has been established on the site with the core permission dating back to 2007. A previous planning permission (Ref: T/2007/0799/F) granted permission for the replacement of existing building with new building for use as contractors storage depot/workshop and associated external storage.

Given the history of the site and ongoing operations together with the proposed scale of development, the proposal effectively falls between two policy provisions and as such an assessment of both Policies DM 2.7 'Established Industrial and Business Use' and DM 2.9 'Major Economic Development' is applicable. Policy DM 2.7 allows for expansion of an established rural enterprise subject to a number of criteria being

met which includes the demonstration of need and contribution to the local economy together with visual and ecological requirements. Policy DM 2.9 deals with major development stating that it must be demonstrated that the proposal makes a significant contribution to the regional economy and a countryside location is deemed necessary due to its size or site-specific requirements that cannot be met on a site within or adjacent to a settlement.

Each of the policies require that any major expansion within the rural area must make a significant contribution to the local or regional economy. The application site is currently occupied by Balloo Hire Ltd, supporting documentation (Document 01) indicates that Balloo Hire opened in 1987 and since then has expanded to seven depots across NI with 180 staff members and growth continuing. It is indicated that Balloo Hire Ltd is a leading company within the tool, equipment and plant hire market within NI and the Republic of Ireland. It is indicated that the company is an industry leader and provide services to a variety of clients including the eleven local Councils, major events such as the Northwest 200, Belsonic and The Open at Royal Portrush Golf Club and also supplies equipment to the construction industry. It is also indicated that company provided provision for the setup of portable containers and toilets for Covid-19 testing stations across NI during the pandemic.

The supporting documentation goes on to state that since 2007 Balloo Hire started supplying the film industry and to this day remain the only plant, accommodation and tool hire company that is used by the TV & Film sector within NI. This includes companies such as Warner Bros, Paramount, Amazon, Disney, Netflix, BBC, HBO, Nickelodeon, Marvel Studios and Sony Pictures.

It is indicated that the company has seen an increased and ongoing demand from the above sectors and in order to meet this demand the proposal seeks to modernise and expand their Nutts Corner site into the company's main hub within NI and to allow for the relocation of some of their existing sites to Nutts Corner. The supporting documentation goes on to state that the expansion at the application site will secure the long-term growth of the business and provide a number of economic benefits. These benefits include job retention with an increase in jobs within the Council Borough through consolidation from the wider site portfolio resulting in additional wages, rates and local revenue; redevelopment of an underutilised site and improvement of site access; temporary jobs during the construction process; continued partnership with local charities and consequential benefits for local business through the expansion of the existing business.

Overall, it is highlighted that the proposal represents a major capital investment by a NI business thereby sending a strong signal of economic confidence. Supporting documentation also indicates that the future operations intention is to make the depot a centre of excellence for repairs to specialist equipment allowing for expansion into specialist markets. It is accepted that through both the services the level of investment together with the services provided and the geographical spread through the wider locality that the proposal does make a significant contribution to the local economy, thereby satisfying this element of Policy DM 2.7.

The second element of Policies DM 2.7/2.9 requires a demonstration of the site-specific need and why other locations within or near a settlement are not feasible. The supporting documentation indicates that Balloo Hire has six sites located at Bangor, Belfast, Lisburn, Dungannon, Omagh and Ballyclare with each of these sites

being significantly smaller than the application site with none of them capable of accommodating the entire business operations that are required for continued growth. It is also indicated that the application site is the most suitable due to its size and existing business operations with it being highlighted that the location is considered strategically superior. Additional supporting information (Document 19) elaborates on this indicating that due to the level of investment to date on the current site, the relocation would be unviable. It is also highlighted that the relocation from the existing site would result in the abandonment of a brownfield site, together with the contention that the ongoing operations would not be conducive to an urban environment where limitations on the business model may be required due to the potential number of sensitive receptors.

Overall taking into consideration the planning history of the site, the need for the proposal to enable the future growth and stability of Balloo Hire Ltd, the level of existing infrastructure at the site and the significant contribution to the local economy on balance, the expansion of this established use is considered acceptable subject to all other policy and environmental considerations being met. In the event that planning permission is forthcoming, it is considered that in order to prevent the potential for a proliferation of uses operating out of the premises it is necessary to impose a condition restricting the use and the end user of the facility should planning permission be forthcoming.

Design, Layout and Impact on Character and Appearance of the Area

SP 6 of the ANPS seeks to ensure that the principles of placemaking and good design are central to the consideration of all new development proposals. There will be a presumption in favour of well-designed proposals that meet the requirements of Policy SP 6 and other relevant policies and provisions of the ANPS.

Policy DM 27 supports development in the countryside where it is sited to integrate sympathetically into its surroundings and respect the rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context. With respect to design, DM 27.4 stipulates that development will be acceptable where it respects rural design in terms of building form, heights, size, scale, massing, architectural detailing and finishes.

The proposal takes the form of a number of different elements including the change of use of agricultural lands to allow for an extension to the site area, the demolition of existing buildings and erection of a workshop building and the reconfiguration of existing external storage areas with the site to include the external storage of shipping containers. The proposal also includes the creation of washbays, landscaping areas, parking, access and ancillary site works.

The application site extends to 4.2 hectares, the proposed layout is detailed on Drawing 04/1. The site is effectively split into three distinct areas, that being the area to the north being utilised for external storage to include operational areas, the area to the southwest to be utilised for parking with the proposed workshop building located to the southeast. The area of external storage is indicated to provide the footprint provision for 178, 20ft storage containers and 600 portable toilets. The storage containers are indicated to measure 20ft in length by 8ft in width and a maximum height of 7ft, it is also indicated that the outdoor storage would have a maximum height of 6.6 metres which by height calculation could accommodate 3 containers high. However, supporting documentation (Document 19) and the site

layout indicates the containers are proposed to be stacked no more than two containers high. Given the proposal is located within the rural area with views experienced from some surrounding vantage points, it is considered in the interests of visual amenity that if planning permission is forthcoming, a condition is imposed requiring the height of the external storage to be no more than 6.6 metres in height.

Two existing buildings within the site are to be demolished with a new workshop to be erected. The proposed workshop building is located to the south of the site and runs parallel to the southeastern boundary. The building measures 103 metres in length by 25.4 metres in width with a height of 9.4 metres. The building takes the appearance of a standardised industrial building with facing brick to the lower section of the walls and aluminium cladding to the upper sections and the roof. The design includes 6 roller shutter doors and 4 pedestrian doors along the front elevation and 5 pedestrian doors along the rear elevation with a number of windows also proposed. Internally the building is subdivided to provide two workshops with three bays in each workshop with an area to accommodate the workshop offices and a further area for ground floor staff accommodation. In addition, there is provision for office accommodation within two sections on the first floor with the remainder of the building being single storey with full height workshops. To the front of the workshop there is a concrete apron proposed for the turning and manoeuvring of plant and vehicles. The proposal also includes 16 concrete wash bays, 8 on either side of the workshop.

Access to the site is taken from an existing laneway which accesses onto the Nutt's Corner Road, however, it is indicated that the laneway will be widened and pedestrian footpath provided. An area of parking is located to the southwest of the site and provides 109 car parking spaces which is indicated for staff, in addition a further 10 spaces inclusive of 7 accessible spaces are located adjacent to the workshop and offices. The proposal also includes 22 heavy good vehicle park spaces within the site.

Heavy landscaping is to be retained and supplemented along the entirety of the southern, western and northwestern boundaries with the eastern and northeastern boundary having standard landscaping. An earth berm which is currently in situ to the southwestern boundary and forms an 'L' shape is indicated to be retained and supplemented. The proposed boundary treatment is indicated to take the form of a 2.4 metre paladin fence along the majority of the site boundaries with a 1.8 metre high timber fence proposed to a section of the southwestern boundary along the common boundary with No 72. Nutts Corner Road. In addition, a 1.2 metre high timber and rail fence is proposed along the access lane.

Policy DM 27 addresses rural design and character and reiterates the SPPS in so far as any proposal will be required to integrate sympathetically into its surroundings and respects rural character.

Critical views of the site are evident when travelling along sections of both the Nutt's Corner Road and Tully Road. The views from the Nutt's Corner Road are fleeting with the site being set back to the rear of the existing row of roadside dwellings. Views from this perspective will be of the roofscape of the proposed workshop, however, given the pattern of industrial style development within the immediate area, the presence of the building within the site will not appear out of character for the immediate area. Views when travelling along the Tully Road will be of the external storage area and in particular the storage containers, however, it is accepted that a

level of external storage is already existing at this section of the site. As noted above, if planning permission is forthcoming it is considered necessary to control the level and height of the external storage through the use of an appropriately worded condition to no more than 6.6 metres. Notwithstanding the extent of the visual impact of the existing uses, the application site reads as a parcel of land that is sandwiched between built forms within the rural area and urban area.

It is acknowledged that the level of development within the site is significant in terms of scale and massing and takes an industrial appearance within this rural area. However, taking into consideration the level of development existing within the site, the context of the surrounding area, the proposed landscaping and the building set back it is considered that on balance the layout, design and appearance is considered acceptable. It is also considered that the proposal will not create a detrimental impact on the character or appearance of the area.

Neighbour Amenity

The SPPS indicates that the planning system has a role to play in minimising potential adverse impacts such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. Policy DM 28 of the ANPS highlights that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. Whilst Policy DM 50 of the ANPS indicates that the Council will support development proposals with the potential to cause significant pollution including noise pollution where an assessment report has been provided and concluded that the proposal will not have an unacceptable adverse impact on local amenity and how any proposal will be appropriately mitigated.

The application site is located within the countryside, the existing development abutting the site is residential with storage and distribution uses located within close proximity to the site. The residential properties known as 72 -76 Nutt's Corner Road are located closest to the proposed development approximately 35 metres to the south of the site.

Noise

A Noise Impact Assessment (NIA) (Document 08) was submitted in support of the application together with additional Noise Information (Document 13). Consultation was carried out with the Council's Environmental Health Section (EHS) who sought clarification in relation to operating hours. The additional Noise Information (Document 13) submitted in support of the application indicates that for the vast majority of time, there will be no night-time noise generating activities on the proposed development site, however, it is indicated on very limited occasions a HGV which had been loaded during the previous day may leave the site prior to 7am. Supporting information also indicates that generator testing is routinely carried out before hiring out generators, EHS preference would be that this testing is carried out within the workshop. Overall EHS has reviewed the supporting documentation and has concluded that the proposed development can operate without adverse impact on nearby residential amenity subject to noise control conditions restricting the noise level associated with the proposal with recommended conditions in relation to operating hours and generator testing.

Air Quality

Consideration was also given to the impact on air quality and EHS requested that the applicant undertake a screening exercise to determine whether an air quality assessment is required in support of the application. Document 13 indicates that there are only criteria relevant to the proposed development, that being, the change in LDV and HGV traffic flows. Document 13 also confirms that the 120 car parking spaces is a consolidation and expansion of the existing provision. They also confirmed that the 500 additional daily car movements threshold will not be breached and with respect to HGVs, the 22 HGV parking spaces is again a consolidation and expansion of the existing provision. They also confirmed that the 100 additional daily HGV movements threshold will not be breached. It is therefore concluded that for these reasons a detailed air quality impact assessment would not be deemed necessary for the proposed development. EHS raised no objections in this regard.

Artificial Light

The applicant has submitted an Outdoor Lighting Report (Document 02) which provides results in horizontal luminance, with Drawing No. 11 (Lighting Plan) providing information in relation to vertical illuminance. Consultation has been carried out with EHS who have indicated that the consultant has assessed the site as situated within Environmental Zone 2 (E2). The drawing has indicated the vertical illuminance from the new lighting within the development, on the gable of the closet adjacent third-party receptor (68 Nutts Corner Road). The drawing outlines that light intrusion from the new lighting associated with the development will not exceed 5 Ev (pre-curfew 23:00hrs) and 1 Ev (post-curfew 23:00hrs). EHS has not raised any objections in regards to light intrusion, however EHS would recommend conditions to control the level of light intrusion as indicated above.

Overall, it is considered that the proposal would not have any detrimental impact on the amenity of nearby residential properties as a result of noise nuisance, impact on air quality or light nuisance subject to the inclusion of conditions.

Natural Heritage

Policy SP 8 of the ANPS indicates that the Council will work in partnership with DAERA, environmental organisations and developers to protect, conserve and promote the enhancement and restoration of the diversity of the Boroughs natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8.3 of the ANPS requires appropriate weight to be afforded to the protection of designated sites, protected species and priority habitats and species together with other features of biodiversity and geological interest within the wider environment. Policy SP 8 is supported by Policies DM 37 – DM 39 and DM 42 of the ANPS.

Designated Sites

The application site is not situated within any nationally or internationally designated sites, however, the site does have a hydrological link to Lough Neagh & Lough Beg Ramsar, which is designated under the Convention on Wetlands of International Importance, Lough Neagh & Lough Beg Ramsar; Lough Neagh & Lough Beg SPA and Rea's Wood & Farr's Bay SAC, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); Lough Neagh ASSI, which is declared under the Environment Order (Northern Ireland) 2002. Shared Environmental Services (SES) has been consulted with regard to the impact on Designated Sites and has considered the impacts of the proposal and are content that there will be no likely significant impact on any designated site subject to

conditions, including a ten-metre buffer zone along the Dundesert River. As indicated above the Council has accepted and adopted the Habitats Regulation Assessment as carried out by SES.

Priority Habitats & Protected Species

The applicant has submitted a Preliminary Ecological Appraisal (PEA) (Document 09) in support of their application. The PEA indicates that the main habitats impacted by the development proposals are two buildings, areas of semi-improved grassland, an area of ephemeral vegetation, potentially boundary rows of trees throughout the site, and adjacent watercourses which are of low and moderate ecological value. The proposal requires the alteration of two areas of grassland, and potential disturbance of trees on site which may hold interest for foraging bird species and foraging/commuting bat species.

Connections between the site and the wider landscape exist via rows of trees and hedgerows which are present adjacent to the site in all directions, along with the Dundesert River which is directly west and north of the site boundary. The proposal includes the demolition of two existing buildings referred to on the site plan (Drawing 03/2) as Building 1 and Building 2, the PEA indicates that Building 1 has negligible bat roost potential while Building 2 has low bat roost potential and therefore a bat roost emergence survey was required. The PEA also indicates that the proposed lighting is unclear and goes on to recommend levels of mitigation in relation to lumen levels and light spill. A Lighting Report (Document 02) and lighting plan (Drawing No. 11) was submitted with the proposal and consultation has been carried out with Natural Environment Division (NED) in this regard. NED response highlights the Bat Survey (Document 15) recorded three species of bat with the site containing low to moderate foraging potential for bats. NED raise no objections to the proposal in relation to bats, however, it is highlighted that in order to ensure compliance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), a European Protected Species (EPS) licence will be required prior to the commencement of works. This may include the need for additional mitigation and NED recommends that the site is surveyed prior to any demolition works to the building to ensure no new roosts have been established in the intervening period. This is a matter which can be highlighted as an informative on any decision notice should planning permission be forthcoming.

In relation to other protected species NED comment that no evidence of Badger or Otter presence was identified on site. NED notes that a mammal trail was identified at the eastern boundary of the site, however, there was no evidence that a Badger sett or an Otter holt is present within the site. NED are content that the current proposal will not significantly impact upon Badgers and Otters. Overall, the PEA concludes that given the low and moderate ecological value of the habitats impacted by this development, any loss caused as a result of the development can be mitigated on-site by implementing the recommendations made within the PEA.

Water Contamination

As indicated the Dundesert River runs to the immediate north of the site. The PEA recommends that a 10 metre no storage buffer should be implemented during construction around these features. If planning permission is forthcoming, a condition to this effect can be imposed. The proposal includes 16 concrete wash bays, foul sewage arising from the development will be disposed of via a package treatment plant and surface water will be disposed of via a waterway to the northeast of the

development. It is noted that the disposal methods comprise of three systems. Foul system 1 will be piped to a holding tank and effluent will be transported to an offsite Wastewater Treatment Works, foul system 2 will collect water from vehicle wash bays, with silt traps for each wash bay and a fuel interceptor. Water from this holding tank is to be recycled for washing purposes only, however this contains a discharge pipe connecting to the storm water drainage system via an oil/fuel interceptor. Foul system 3 will connect to a package treatment plant.

Consultation has been carried out with Water Management Unit (WMU) who raised no objections to the proposal, highlighting the requirements for a Discharge Consent, issued under the Water (Northern Ireland) Order 1999, and the agreement from NI Water that the WWTW can cope with the additional load. If planning permission is forthcoming, a condition to this effect can be imposed.

Land Contamination

Policy DM 52 of the ANPS requires consideration to be given to the potential of any proposal to cause land pollution or contamination. A Generic Quantitative Risk Assessment (GQRA) (Document 14) was submitted with the application, which was followed up with a Land and Quality Assessment (Document 16). Consultation was carried out with NIEA, Regulation Unit and EHS, who indicated that the GQRA identified two risks for the site, that being asbestos and ground gas, with appropriate mitigation measures included. EHS are satisfied with the proposed remediation measures, however, they indicate verification of the works and validation of the imported topsoil's will be required to demonstrate appropriate remedial measures have been carried out. This can be controlled via a condition if planning permission is forthcoming. EHS also indicate that they are content that no gas protection measures are required and are satisfied that future users can be protected from risks associated with contaminated land.

Access, Movement and Parking

The SPPS aims to secure improved integration with land-use planning, to facilitate safe and efficient access, movement and parking. Additionally, Policies SP 3.10 and DM 10 states that access arrangements must not prejudice road safety or significantly inconvenience the flow of traffic and that the development proposal will provide adequate parking provision. As indicated above access to the site is achieved via an existing access from the Nutt's Corner Road which provides both access and egress to the site, however, it is indicated that the existing access is to be widened and pedestrian access provided.

The application is supported by a Transport Assessment Form (TAF, Document 03) which outlines that the TRICS database would usually be used to estimate movements to and from the site. However, it is indicated that the proposed land use is unusual and is not represented in the database. The TAF goes on to highlight that HGV movements will vary depending on the particular events being supported, for example, a long lead-in to a major event such as the NW200 will have equipment leaving the site as the course is prepared, followed by a shortened period when the equipment returns to site.

The information provided states that the number of existing staff is 105 which is expected to increase to 145 on the basis of the submitted plans and a potential for a further 10% increase for visitors (15 per day). The TAF also goes on to indicate that

there will be a degree of car sharing occurring, and bus services are available on Nutts Corner Road, enabling access by public transport.

The peak times will be prior to 9am and after 5pm, coinciding with the usual office timings. This will be when the majority of staff arrive or depart. The TAF indicates that given the operations on site that there will be fluctuations in HGV activity throughout the year. It is also indicated that the low number of vehicles generated by the proposed development will have a minimal transport impact during AM and PM peak periods. The TAF concludes that neither the size (10000sqm) of the development or the anticipated vehicle numbers during the peak hour threshold (100) would exceed the thresholds for a detailed Transport Assessment. DfI Roads was consulted on the application and have raised no objections subject to recommended conditions in relation to access and road safety.

Policy SP 3.10 of the ANPS requires sufficient car parking provision to be provided with Policy DM 10 reiterating this and requiring that parking arrangements will continue to take account of supplementary planning guidance including 'Parking Standards' (DoE, 2005). It is acknowledged that the type of development is not one of the standard development types listed within Parking Standards, however, it is also accepted that the proposed use encompasses the storage element and to an extent the distribution element albeit the plant and equipment returns to the site.

As such the closest benchmark within Parking Standards is considered to be a combination of office and storage and distribution use. Taking those standards, the scale of the proposal results in an overall parking provision of 98 (call centre) car parking spaces and 44 HGV spaces. The proposal provides 120 car parking spaces and 22 HGV spaces. It is accepted that the proposal has an under provision of HGV spaces, however, as indicated it accepted that the proposed use does not fit neatly into the 'storage and distribution' use and as such the standards for the use may be lesser. Additionally, it is noted that the car parking provision appears to be over the required standard, however an allowance for staff parking their own vehicles to fulfil their days employment, that being driving company HGVs or vans has also been taken into consideration. Additional information was requested regarding the reason for the over provision of car parking with supporting information (Document 17) being submitted which indicates that a 20% increase has been provided to cater for additional staff from the provision that currently exists on site. The increase in staff car parking provision has been factored in, however the existing provision is not a formal arrangement and therefore it is considered that if planning permission is forthcoming, a condition requiring the parking to be solely associated with the operations of the site should be imposed. DfI Roads have not raised any concerns with the parking arrangements.

Flooding and Drainage

Policy SP 10 of the ANPS recognises the need to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on the natural and built environment while SP 10.2 states that there will be a strong presumption against development proposals in floodplains. SP 10.3 requires the submission of a Drainage Assessment and promotes the use of Sustainable Urban Drainage Systems (SUDS) which is supported by Policy DM 47.

The site is bounded briefly at the northeastern and northwestern corners of the site by a watercourse which is designated under the terms of the Drainage (Northern

Ireland) Order 1973 and is known as 'Dundesert River'. A floodplain exists along the corridor of the river, however, due to the unauthorised raising of the land within the floodplain, the extent of the floodplain pre-infilling and post-infilling required a Flood Risk Assessment (FRA) (Document 04) to understand its full extent. This included detailed hydraulic modelling to better define flood extents in the area. It is important to note that the infilling is not authorised, the applicant is not seeking its retention and it is to be removed and does not form part of the consideration of the current application.

The model has been used to assess the local flood risk and the extant modifications which have been undertaken to ground levels within the site boundary. Policy DM46 requires that the climate change scenario forms the basis for application of the policy. The flood modelling has been developed to meet with the requirements of Policy DM46 and the DfI Technical Flood Risk Guidance in Relation to Allowances for Climate Change in NI, an estimation of the effect of climate change has been derived through modelling an increase of present-day design flows by 20% in all scenarios considered.

A flood map extract for the pre-development scenario (representing topography prior to land raising in 2022/2023) is shown in Figure 3-1, with full mapping appended (see Appendix C). Maximum flood levels range from 94.26mOD adjacent to the upstream extent of the site to 91.80mOD at the downstream site bound.

The hydraulic modelling demonstrates minor areas of floodplain are within the site boundary, however, no development is proposed in these areas with the yard area being 1.2 metres above the climate change flood level which would be considered an acceptable freeboard.

SP 10.3 of the ANPS requires the submission of a Drainage Assessment and promotes the use of Sustainable Urban Drainage Systems which is supported by Policy DM 47. The site is partially affected by some pluvial (surface water) flooding along the banks of the watercourse (Dundesert River) with only a marginal encroachment into the site. A Drainage Assessment (Document 05) and Schedule 6 Consent (Document 06) were submitted in support of the application.

The storm drainage system has been designed to achieve the greenfield runoff rate of 42.7 l/s. This discharge rate is indicated to be achieved through employed methods such as linear drainage channels, oversized pipework and geocellular storage tanks being utilised for onsite storage proposals in addition to flow control devices being located to maximise efficiency in the storm flow design and outfall. DfI Rivers have been consulted on the application and have indicated that the Drainage Assessment has provided a detailed drainage design that demonstrates that the issue of out of sewer flooding will be managed by attenuating the 1 in 100 year event including allowances for climate change within the proposed drainage network and safely disposed of at limited rate supported. It is therefore considered that the surface water discharge has been adequately considered by the applicant and the proposed SUDs scheme will mitigate the risk of flooding elsewhere.

The site is not within an area of reservoir inundation, nor is there any culverting proposed as part of the development, in addition, a suitable riparian maintenance strip has been left along the banks of the adjoining watercourse. It is considered that the proposed development does not involve development in the floodplain, will not be at risk from flooding nor will it result in an increased risk of flooding elsewhere.

Archaeology and Built Heritage

The SPPS and Policy SP 7 of the ANPS requires that all proposals protect, conserve and promote the enhancement of the historic environment. Policy DM 32 seeks the protection, conservation, enhancement and appropriate active use of listed buildings.

Consultation was carried out with HED who indicated that the application site is located within the extent of the former RAF Nutts Corner airfield. The original aircraft dispersal sites during World War II at RAF Nutts Corner consisted of "frying pan" dispersal sites, effectively large circular concrete pads with access for multiple aircraft and attached to the airfield perimeter track by a single road. By 1942 the huge increase in aircraft numbers made the use of 'frying pans' unworkable and the dispersals were redesigned into 'spectacle' or loop dispersals sited around the perimeter track. They had many advantages over the earlier dispersals, notably they used less material for more parking. Aircraft could taxi onto one end then follow a shallow curve back onto the perimeter track. This reduced the fatigue on airframes and allowed squadrons to be rapidly deployed.

HED indicate that the existing hire centre is built on this location and that the site also includes a greenfield site immediately adjacent to the loop dispersal area which has the potential to reveal further remains associated with the airfield as well as general archaeological potential.

An Archaeological Impact Assessment (Document 03) was submitted in support of the proposal within Section 5 outlining proposed mitigation measures. HED concurs with the principle of the proposed mitigation and are content that the proposal satisfies SPPS and the policy requirements of the ANPS. They have proposed a number of conditions to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy DM 30.5 of the ANPS.

Other Matters

Climate Change

The RDS, SPPS and ANPS collectively require that development proposals take into consideration the effects of climate change and the inclusion of energy saving measures, together with future proofing of the development. Document 19 indicates that the proposal includes significant native species planting scheme across the site which represents a biodiversity net gain. The inclusion of PV solar panels on the workshop will make a contribution to future proofing and climate change through the inclusion of renewable energy. Additionally service ducting to accommodate future connection to digital services has also been provided.

Aviation Safety

SP 3.15 and DM 13.3 of the ANPS aim to restrict development within the identified BIA Public Safety Zones in accordance with the policy set out in 'Control of Development in Airport Public Safety Zones' (DoE, 2007) in the interests of public safety. The site lies within an airport safety zone where the height of any building or equipment could create a hazard to aviation traffic even if it is temporary in nature, additionally it is noted that the proposal includes solar panels. Consultation was carried out with Belfast International Airport (BIA) who raised no objections subject to the inclusion of

recommended conditions relating to the use of lighting, cranes and the control of landscaping to ensure that it does not attract birds.

NI Water Infrastructure

As outlined above, it is indicated that the applicant has identified their intention to use on site wastewater treatment. The use of an onsite wastewater treatment works or a septic tank, is subject to the written consent of DAERA. However, the proposal does indicate that Foul System 1 will be piped to a holding tank and effluent will be transported to an offsite Wastewater Treatment Works, confirmation of the WWTW capacity has not been provided. If planning permission is forthcoming, a condition to this effect can be imposed.

In addition, NI Water has indicated a refusal of the application due to the development potentially giving rise to water supply network capacity issues. The issue of a water connection is a matter controlled by separate legislation, namely, Articles 79 to 82 (inclusive) and Article 85 Water and Sewerage Services (Northern Ireland) Order 2006. The role of the planning system is not to duplicate the regulatory controls of other statutory bodies and matters which lie outside the control of planning should not form part of the decision-making process, unless it is demonstrated that the development would result in adverse impacts on the environment. In this case, the adverse impacts would arise from the development causing water pressure issues in the system.

NI Water can make an assessment of whether the water supply infrastructure has sufficient capacity to cope with the development and then decide to grant or refuse consent to connect to the water main. Provided that no development can commence until such times as the necessary consent has been obtained, then no adverse impacts would arise. This is a matter which could be negatively conditioned should planning permission be forthcoming and therefore a reason for refusal on this issue could not be sustained.

Land ownership

Concerns were raised by third parties regarding the ownership of a section of the site. The matter of ownership is a civil matter. If permission is forthcoming an informative can be attached to the decision notice indicating that the grant of planning permission does not confer title, ownership or easement over another person's land.

Property Devaluation

A concern was raised by a neighbouring property in relation to the devaluation of their home as a result of the proposal, the perceived impact of a development upon neighbouring property values is not generally viewed as a material consideration to be taken into account in the determination of a planning application. In any case, no specific or verifiable evidence has been submitted to indicate what exact effect this proposal is likely to have on property values. As a consequence there is no certainty that this would occur as a direct consequence of the proposed development nor would there be any indication that such an effect in any case would be long lasting or disproportionate. Accordingly, it is considered that this issue should not be afforded determining weight in the determination of this application.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- The principle of the development is considered acceptable;

- The design, layout and appearance of the proposal is acceptable;
- There are no significant neighbour amenity concerns;
- There are no significant contaminated land concerns;
- There are no significant concerns with the compatibility with adjacent land uses;
- There is no significant flood risk associated with this development;
- There are no significant natural and built heritage concerns;
- There are no significant access, movement or parking concerns;
- There is no significant concern with regard to NI Water infrastructure; and
- There are significant economic benefits associated with this proposal.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED 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. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that Order) the storage buildings, yard area and parking area, hereby permitted, as indicated on Drawing No. 04/2 date stamped 3rd February 2025, shall only be used by Balloo Hire Ltd for the purpose specified in the application and for no other purpose (including any other purpose in Class B1 or B3 of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order) and office usage within said buildings will be ancillary to the main usage for the lifetime of the development.

Reason: To enable the Council to retain control over the use of the site and preservation of the residential amenity of nearby residential properties.

3. No containers, plant equipment or other machinery will be stacked or exceed 6.6 metres above the finished ground level of the yard as indicated on Drawing No. 04/2 date stamped 3rd February 2025.

Reason: To ensure that the development does not adversely affect the amenity of the surrounding countryside.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 05/1 bearing the date stamp 8th September 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

5. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a footway, the

access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

6. No operations in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 04/2 date stamped 3rd February 2026 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles associated with the operations hereby approved in conjunction with Balloo Hire Ltd.

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

7. The total level of noise arising from the use of the permitted development, shall not exceed a rating level of 50.6dB LAr,1hr when measured at any nearby noise sensitive receptor between the hours of 07:00 – 23:00.

Reason: In order to protect amenity at nearby noise sensitive receptors.

8. There shall be no activity on site between the hours of 23:00-07:00 with the exception of two HGVs traversing and leaving the site. Noise arising from HGV's traversing and leaving the site shall not exceed a rating level of 37.5dB LAr,15min when measured at any nearby noise sensitive receptor between the hours of 23:00 – 07:00.

Reason: In order to protect night-time amenity at nearby noise sensitive receptors.

9. Within 4 weeks of a written request by the Council, following a noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the site operator shall, at his/her expense employ a suitably qualified and competent person, to assess the total level of noise arising from the approved development, at the complainant's property. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise monitoring.

Reason: In order to protect amenity at nearby sensitive receptors.

10. The site operator shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Condition 8, including all calculations, and the raw data upon which that assessment and conclusions are based. Such information shall be provided within 1 month of the date of the written request of the Council unless otherwise extended in writing by the Council.

Reason: In order to protect amenity at nearby sensitive receptors.

11. Should the total level of noise arising from the approved development measured within Condition 8 exceed the levels stated within Condition 6 and/or Condition 7, then mitigation measures to reduce noise levels shall be agreed in writing and carried out within a time frame specified by the Council. Within one month of the completion of further works, a noise survey shall be completed and submitted to the Council to demonstrate the noise levels stated within Condition 6 and/or Condition 7 are not exceeded.

Reason: In order to protect amenity at nearby sensitive receptors.

12. Prior to the development becoming operational, an acoustic barrier of at least 2m height, shall be erected along the boundary with 68 Nutts Corner Road as shown in Appendix D of Document No 08 date stamped 21st July 2025. The barrier shall have a surface weight of not less than 15kg/m², be of solid construction, either masonry, timber panelling (close lapped with no gaps) or of earth. The acoustic barrier shall be maintained for the lifetime of the development.

Reason: In order to protect amenity at nearby sensitive receptors.

13. During the lifetime of the development hereby approved, all vehicles and mobile plant servicing the site shall be fitted with broadband reversing alarms.

Reason: In order to protect amenity at nearby sensitive receptors.

14. All pedestrian doors, along the southern façade of the workshop/office block building as shown in Drawing Number 07 date stamped, 21st July 2025 hereby approved shall be kept in the closed position except for ingress and egress.

Reason: In order to protect amenity at nearby sensitive receptors.

15. Light intrusion from the development hereby approved into windows at nearby sensitive properties shall not exceed 5 Ev (lux) on anytime between 07:00 - 23:00hrs and 1 Ev (lux) on anytime between 23:00 - 07:00.

Reason: To protect amenity at nearby sensitive dwellings.

16. A suitable buffer of 10m will be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and the adjacent Dundesert River as shown on the Drawing No 04/2 date stamped 3rd February 2025.

Reason: To protect NI Priority Habitats hydrologically linked to the site.

17. No development shall commence until a suitable connection to the public watermain has been granted by NI Water.

Reason: To ensure that the water mains pressure in the area is not adversely affected in the area.

18. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist,

submitted by the applicant and approved in writing by The Council. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

19. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 18.

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

20. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 18. These measures shall be implemented and a final archaeological report shall be submitted to The Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with The Council.

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

21. Any external lighting to be included in the development should be of flat glass, full cut off design with horizontal mountings so that there is no light spill above the horizontal.

Reason: To ensure that the lighting does not confuse or distract pilots in the vicinity of the aerodrome.

22. Landscaping schemes included in the proposal shall not include any berry producing trees/shrubs/ hedgerows which would increase the risk of bird strikes to aircraft operating at the nearby aerodrome.

Reason: In the interests of aviation safety.

23. No cranes shall be used during the construction of the development or through ongoing operations without the prior written approval of the Council.

Reason: In the interest of aviation safety.

24. The existing natural screenings of the site, shall be retained as indicated on Drawing 05/2 date stamped 3rd February 2025 unless necessary to prevent danger to the public in which case a full explanation along with a scheme for

compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

25. If within a period of 5 years any existing 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.

26. The proposed landscaping works as indicated on Drawing No. Drawing 05/2 date stamped 3rd February 2025 shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The proposed landscaping shall be retained thereafter at a minimum height of 2 metres for shrubs/hedges and existing trees as shown shall be retained at a minimum height of 6 metres unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be given to the Council in writing prior to their removal.

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

27. Notwithstanding the notation on Drawing No. 06/1 date stamped 8th September 2025, the fence highlighted in orange shall not be erected and is not granted as part of this planning application.

Reason: The details of this part of the development have not been provided and may affect the amenity of the countryside and/or neighbouring properties.



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Reference : LA03/2025/0530/F

1:5,000 

 Site Location



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2025/0496/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of Battery Energy Storage System (150MW) including battery enclosures, with 110kV substation with associated transformers, switch house and control room (with photovoltaics (PV) panels to roof), lighting and closed-circuit television (CCTV) columns, boundary fencing, landscaping, installation of water hydrants, and associated ancillary works including the construction of a new access from Lislunnan Road.
SITE/LOCATION	Lands c.40m south and c.130m east of No. 64 Lislunnan Road, c.130m southwest of No. 89A Carncome Road, and c. 60m northeast of No. 56 Lislunnan Road, Kells, Ballymena
APPLICANT	Valor Power
AGENT	Turley
LAST SITE VISIT	5 th November 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/701035	
SITE DESCRIPTION	
The application site is located approximately 130m east of No. 64 Lislunnan Road and 130m southwest of No. 89a Carncome Road, Kells and is located within the countryside, outside any development limit defined within the Antrim Area Plan 1984 – 2001. The application site forms part of an existing agricultural field comprising improved grassland. The topography of the site is varied and rises from west to east then falls towards the Carncome Road to the north. The site is bound by low rise post and wire fencing, hedging and interspersed mature trees. The surrounding fields are currently used for agricultural purposes. The surrounding area is rural in nature and is characterised predominately by farm holdings and associated dwellings. Kells Substation is located approximately 800m north of the site along Maxwells Road.	
RELEVANT PLANNING HISTORY	
No relevant planning history.	

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 - 2001: The site is located in the rural area outside any designated development limits as defined within the Antrim Area Plan 1984-2001.

Strategic Planning Policy Statement (SPPS) Edition 2: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking;
- Policy DM 14 Public Utilities and Infrastructure; and
- Policy DM 15 Development Relying on Non-Mains Sewerage

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character; and
- Policy DM 28 Amenity Impact

Strategic Policy 7 - Historic Environment (SPG7): Indicates that careful management and ongoing investment in our historic environment will help to create unique,

attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policy:

- Policy DM 30 Archaeology

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8 is supported by Policies:

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development

Strategic Policy 9 – Natural Resources (SPG9): sets out that the Council will seek to ensure the sustainable use of our natural resources. SPG 7 is supported by relevant operational Policy:

- Policy DM 45 Renewable Energy Development

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems;
- Policy DM 51 Major Hazards; and
- Policy DM 52 Contaminated Land

CONSULTATION

Environmental Health Section– No objection, subject to conditions

DfI Roads – No objection, subject to conditions

Health and Safety Executive- No objection

Northern Ireland Water – No objection

DAERA: Natural Environment Division – No objection, subject to condition

DAERA Marine and Fisheries Division- No objection

DAERA: Water Management Unit – No objection, subject to condition

DAERA: Regulation Unit – No objection, subject to conditions

DfI Rivers- No objection

Northern Ireland Electricity- No objection

Historic Environment Division- No objection, subject to conditions
Shared Environmental Services- No objection, subject to conditions

REPRESENTATION

Five (5) neighbouring properties were notified of the proposal and thirty-seven (37) letters of representation and one (1) non-committal comment have been received.

The full representations made regarding the proposal are available to view on the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/701035>
The issues raised in the representation have been considered as part of the assessment of this application.

A summary of the key points of the objections raised are provided below:

- Non-compliance with planning policy;
- Impact on Lough Neagh;
- Detrimental to the character and appearance of the rural area;
- Visual amenity concerns;
- Drawings refer to 'Typical' design';
- Environmental Health Section unable to validate noise report;
- Fire and safety concerns;
- Concerns over positioning and fixture of CCTV;
- Lack of decommissioning plans;
- Refusal of previous applications in surrounding area on visual amenity grounds;
- No EIA was carried out;
- Concerns over size of the site;
- Concerns over protected species;
- Environmental impact;
- No locational requirement for the proposed BESS;
- Detrimental impact on neighbour amenity;
- Alternative suitable sites are available;
- Drainage Plan is utilising land not under the ownership of the applicant;
- Noise concerns; and
- Public safety impact

A summary of the key points of the non-committal comment is provided below:

- Supportive of renewable energy projects and accepts supporting infrastructure but notes the significant level of local objection and concern.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Policy Context
- Principle of Development
- Design, Layout and Appearance and Impact on the Character of the Area
- Neighbour Amenity
- Impact on Natural Heritage
- Impact on Features of Archaeological Importance
- Flood Risk
- Access, Traffic and Manoeuvring
- Sewage Disposal
- Contaminated Land

- Other Matters

Preliminary Matters

Environmental Impact Assessment

Concerns were raised from an objector detailing that an Environmental Impact Assessment has not been carried out for the proposed development.

Regulation 12 of the Planning 'Environmental Impact Assessment' (EIA) Regulations (NI) 2017, requires the Council to make a determination as to whether the proposed development would or would not be deemed EIA development.

The Chief Planners Update (CPU), December 2020 advised, that for the purposes of planning in Northern Ireland, the Department considers that electricity storage development falls within the meaning of an 'electricity generating station'. The CPU was subject to challenge. The judgement for ABO Wind NI Ltd and ANOR was delivered on 21 October 2021 and was silent on the issue of EIA. The judgement did state however, that Battery Energy Storage Systems are partially electricity generating and would fall under Category 3 (a) of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. Under Schedule 2: Category 3 (a) an EIA is required for industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1) where the area of the site exceeds 0.5 hectares. In this case the application site measures 0.95 hectares and in accordance with the Regulations, a screening exercise was carried out in order to determine whether or not an Environmental Statement is required. It was concluded that an Environmental Statement was not necessary on this occasion as the environmental impacts are not likely to be significant.

Hazardous Substances

Storage of lithium-ion is governed by the Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015. Hazardous substances are defined in Regulation 3 and Schedule 2 of these Regulations. While there is no specific reference to lithium-ion in the Regulations, Schedule 2, Part 3 provides that where it is reasonable to foresee that a hazardous substance (falling within Part 1 or Part 2) may be generated during a loss of control of the processes, including storage activities in any installation within an establishment, any substance which is used in that process is itself a hazardous substance.

Lithium-ion batteries have electrolytes containing fluoride salts, which in themselves are not very toxic. However, if they auto-ignite, they release Hydrogen Fluoride (HF), a toxic gas falling into Part 1 of the Schedule to the Hazardous Substances Regulations. If 5 tonnes or more of HF are present in the event of a battery fire, then the threshold for applicability of the Regulations is exceeded.

Within the applicant's supporting information (Document 02, date received 7th July 2025), a worst-case scenario calculation is provided if all fluorine is converted to HF this amounts to a potential 0.375 tonnes per single battery rack. However, as noted within Document 02, during a loss of control process not all fluorine containing materials are likely to fully convert to HF and using experimental quantities recorded of HF released from a battery fire, the potential emission is 0.1672 tonnes per single

enclosure. If extrapolated out to a single 6 rack BESS system, this still would only equate to 2.25 tonnes calculated or 1.0032 tonnes using the experimental data. Using either method provided within Document 02, the totals given demonstrate that thresholds for the applicability of the Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015 are not breached, and the development does not require Hazardous Substance Consent.

Policy Context

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The application site is located outside of any development limit and is within the countryside as designated within the Antrim Area Plan 1984-2001. In line with the transitional arrangements set out in the SPPS, AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Principle of Development

Strategic Policy SP 1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement.

The proposal is for the erection of a 150MW Battery Energy Storage System (BESS), with 110kV substation with associated transformers, switch house and control room (with photovoltaics (PV) panels to roof), lighting and closed-circuit television (CCTV) columns, boundary fencing, landscaping, installation of water hydrants, and associated ancillary works including the construction of a new access from Lislunnan Road.

Strategic Policy 3 (SP 3) provides the overarching policy context for transportation and infrastructure in the Borough, setting out that the Council will support proposals for the delivery of enhanced water supply, wastewater treatment, drainage, electricity and gas infrastructure where these accord with Policy DM 14.

Paragraph 6.218 of the SPPS indicates that in addition to developments that generate energy, there are also technologies that can help enhance the renewable energy development's contribution, such as electricity support technologies and energy storage systems including BESS development.

Concerns were raised through letters of objection that the proposal does not align with the policies set out within the Council's Plan Strategy, a number of objectors dispute that the proposal can be considered under Policy DM 14 'Public Utilities and Infrastructure' as objectors believe this is not a public body carrying out the works but is a private company.

Whilst it is noted that the development being proposed is brought forward by Valor Power, who themselves are not part of a public body or organisation, the agent has outlined within their supporting statement (Document 10, date stamped 7th July 2025), that the electricity system in Northern Ireland is managed by a single control centre which is operated by SONI who are the transmission operator for Northern Ireland.

SONI is responsible for ensuring that power is transmitted to Northern Ireland Electricity's network for distribution. The agent notes that SONI do not generate or sell electricity but seeks to ensure that power can flow from where it is generated to where it is needed most. BESS facilities are required to stabilise the grid by absorbing excess power during periods of high production and then releasing it during periods of high demand. Whilst a BESS development itself is not a renewable energy project, it supports renewable energy storage and consideration will be given to DM 45 of the ANPS and the SPPS in this regard.

It is considered that the proposal for a BESS development can be considered an infrastructure project, regardless of the applicant, due to its nature which seeks to facilitate energy storage.

DM 14.1 of the ANPS indicates that the Council will support new public utilities and infrastructure where these are needed to support the growth of the Borough and where there is a specific locational requirement for the development related to constraints on existing networks along with other criteria.

Concerns were raised from objectors that there is no locational requirement for the proposed BESS at this location and that alternative sites are available.

It is noted under previous and now superseded policy contained within Policy PSU8 of the Planning Strategy for Rural Northern Ireland (PSRNI), applications for new infrastructure were required to demonstrate that a "thorough exploration of alternative sites has been carried out". However current policy contained within DM 14.1 of the ANPS does not require a thorough site selection but does require that there is a specific locational requirement for the development. The need for this facility is outlined in the Planning Supporting Statement (Document 10, date stamped 7th July 2025) where it is stated that this area of Kells has been identified by SONI, as an ideal location to connect several renewable energy projects to the grid and has been branded by SONI as the 'Kells Cluster'. It is further noted that BESS facilities are essential infrastructure required to stabilise the grid and speed up the replacement of fossil fuels with renewable energy.

With regards to this specific proposal, the supporting statement highlights that there are demonstrable constraints on the existing electricity network within this location and the proposed development seeks to assist in addressing these constraints.

In relation to the specific locational requirement for the proposal, the applicant has submitted a Site Selection Assessment, contained within Appendix 2 (Document 10, date stamped 7th July 2025). The assessment includes sites within a 1km radius around the Kells Substation, and it is stated that any further afield may impact on deliverability and the speed and efficiency of delivering electricity to the grid during shortage times. A total of 16no. sites were considered, with the application site being deemed the only suitable site.

The electricity for the BESS is coming from Kells Substation and it is noted that the application site is required to be within proximity to the energy source and in this case, is located approximately 800m south of Kells Substation.

It is considered that the proposal complies with Criterion (a) of Policy DM 14.1 in that it has been demonstrated that there is a specific locational requirement for the development.

Criterion (b) and (c) of Policy DM 14.1 also requires proposals to be compatible with adjacent land uses and to not have an unacceptable impact on local amenity or the environment, these criteria will be discussed in the relevant sections below.

Concerns were raised within letters of objection about the lack of decommissioning plans associated with the proposal. The agent has indicated in an email dated 14th October 2025, that all items will be recycled at the end of their lifetime and the land will be returned back to its prior state. Whilst no timeframe has been given for the decommissioning process, it is noted that there is no requirement for a decommissioning strategy contained within Policy DM 14 of the ANPS.

It is considered that the proposed BESS complies with the provisions of SP 1.11 of the ANPS in that the proposal complies with the relevant policy applicable to the development type, in this case DM 14.1 for the provision of public utilities and infrastructure. The proposal is considered to be acceptable in principle, subject to the proposal complying with all other material considerations.

Design, Appearance and Impact on the Character and Appearance of the Area

The proposal should not have an unacceptable adverse impact on local amenity or the environment in accordance with criterion (c) of DM 14.1 of the ANPS. In addition, the Council will only support development in the countryside where it is sited to integrate sympathetically into its surroundings and respects rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context as per DM 27.1.

Policy DM 27 'Rural Design and Character' of the ANPS is also appropriate to the assessment in terms of visual impact and landscaping. DM 27.2 and DM 27.3 adds to the policy requirements for integration and the protection of rural character requiring any new building to have a suitable means of enclosure, must not be a prominent feature in the landscape and must not result in build up or a ribbon of development. In relation to design and appearance, DM 27.4 of the ANPS requires that proposals respect rural design in terms of their design, scale and massing.

A common theme throughout the letters of objection is in relation to the detrimental impact the proposal would have on the character and appearance of the rural

area, visual concerns along with concerns over the industrial appearance of the proposal.

The proposed Battery Energy Storage System (BESS) consists of battery enclosures and a 110KV substation. The proposal includes 30no. battery units along with associated inverters and transformers. Each battery system is paired with its own transformer for improved efficiency and increased safety.

The battery units are located along the northern and eastern boundaries of the site, each battery unit measures approximately 3m in height, 2.5m in depth and 6m in width. The battery units are spaced out with a 3.5m separation distance between each row. The BESS containers are painted green to aid integration.

Two switch rooms are proposed in the mid-section of the site, including a SONI/NIE switch house and a customer switch house. The SONI/NIE switch house measures 6m in height, 6.3m in width and 11.4m in length whereas the customer switch house measures 6m in height, 6.3m in width and 18m in length. Both buildings are finished in concrete black roof tiles, grey rendered walls and grey metal doors. A 110kV substation is also proposed along the southern boundary of the site, south of the switch room buildings.

A new access is proposed from the Lislunnan Road to replace an existing agricultural field gate. The access itself is located approximately 58m southeast of No. 64 Lislunnan Road, sweeps round to the north and runs along the southern boundary for approximately 110m. Approximately 30m of hedgerow directly adjacent to Lislunnan Road is to be removed to facilitate the new access. With the exception of the proposed access road, the majority of the proposed development is set back approximately 120m from the roadside.

The application site itself is set within an undulating landscape where the topography falls significantly from the Carncome Road but within the application site itself land gradually rises to the east of the site. The site is to be enclosed with a 2.4m high palisade security fence which is finished in green to aid integration along with a low-level stock proof fence either side of the access road and running along its entire length, the stock proof fencing is approximately 0.5m in height with new hedgerow proposed in front.

With regards to the proposed landscaping, DM 42.3 requires that proposals that remove any vegetation, provide replacement planting which should normally introduce a net gain. It is noted that the proposal introduces a significant net gain with additional planting proposed along the roadside boundary and within the confines of the site.

DM 42.1 requires that proposals promote a mixture of planting and provide details for the maintenance of the planting. The agent has submitted a suitable Management Plan (Document 12, Landscape Management and Maintenance Plan, date stamped 7th July 2025) along with associated Landscape Plan (Drawing Number 16, date stamped 7th July 2025).

Significant tree planting is proposed along the northern boundary with a woodland buffer measuring approximately 10m in depth. Further planting is proposed along the western and eastern boundaries of the site. The agent has submitted

photomontages to show the site after 1 year and between 5-10 years of the proposed planting (Document 14, date stamped 7th July 2025).

Criterion (a) of DM 45.1 requires that proposals address any unacceptable impacts which included a landscape character and visual impact. In relation to the Lislunna Road viewpoint, it is acknowledged that there will be a short-term visual impact associated with the proposal, particularly within the first few years of the development due to the immature nature of the new planting. This can clearly be seen within Document 14. However, it is noted that as the planting matures, a significant level of screening can be achieved between 5-10 years post-planting.

In relation to the Carncome Road viewpoint, it is considered that there will be a greater visual impact associated with the proposal, due to the lack of established boundary treatment along the northern boundary of the site and the longer range views associated with this viewpoint given that the site is set at a lower level than the Carncome Road. However, it is accepted that the visual impact will also be restricted to a short-term impact as the woodland buffer to the north of the site will provide a significant level of screening from this viewpoint once it matures.

The agent has acknowledged within their Supporting Statement (Document 10, date stamped 7th July 2025), that the proposal will have a degree of impact upon the rural character of the area, however, it is considered that the set back of the development from the main road along with the proposed landscaping has the capacity to successfully absorb the development. Overall, it is considered that the proposal can sufficiently integrate into the rural area and will not have a significant detrimental impact on rural character.

Concerns were raised through letters of objection regarding the refusal of previous applications in the surrounding area on visual amenity grounds, reference is made to Planning Ref: T/2003/1429/O at lands 180m east of No. 58 Lislunna Road, Kells for a dwelling and garage which was refused on the 20th January 2004. The refusal reason refers to Policies SP6, HOU8 and DES5 of the 'Planning Strategy for Rural Northern Ireland' in that 'a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence'.

The previous application comprised a parcel of land along the roadside which was assessed in accordance with A Planning Strategy for Rural Northern Ireland for a residential dwelling. The current proposal is considered to differ from the previous refusal in that the proposal relates to a BESS development which must be considered in the context of the ANPS. The majority of the proposed development is also set back approximately 120m from the roadside therefore providing more opportunity for integration.

It is evident that the proposed development will be initially more visible given the lack of established boundary treatments, particularly along the northern and Lislunna roadside boundaries. It is accepted that there will be a short-term impact on the rural character of the area, however, the impact does not affect the wider landscape setting, and mitigation is provided through the setback location from the public road and the additional planting.

On balance it is considered that the significant landscaping works proposed will provide a suitable level of screening to the site when mature and although it is accepted there will be a short-term visual impact, this is considered to be localised. Therefore, it is considered that the proposal is acceptable in terms of its impact on rural character.

Neighbour Amenity

Noise

Criterion (c) of Policy DM 14.1 and criterion (b) of DM 45.1 of the ANPS requires proposals to not have an unacceptable impact on local amenity including noise. Policy DM 28 'Amenity Impact' also requires that proposals do not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. DM 28.2 indicates that issues such as noise and other disturbance are considered to be material considerations in the assessment of proposals.

There are a number of residential properties in close proximity to the application site, notably No. 64 Lislunnan Road which is located approximately 130m west and No. 56 Lislunnan Road which is located approximately 190m southwest. Further properties are located approximately 140m northeast and southeast along the Carncome Road.

A Noise Impact Assessment (Document 07, date stamped 9th July 2025) accompanied the application. The assessment indicates that both construction and operational noise levels were assessed and the report found that the operational noise associated with the development is likely to have a low impact on neighbouring residential properties.

Concerns were raised from objectors as EHS were unable to validate the acoustic consultancy's presented noise model. EHS confirmed in their response dated 20th August 2025 that they do not have access to noise modelling software and are therefore unable to validate the acoustic consultancy's presented noise model. The comments made from the Council's Environmental Health Section are based on the assumption that the presented noise model is valid.

It is noted several assumptions have been made within the model. The three main components on site that will generate noise are 62no. battery containers (61dB(A)), 31no inverter/transformer stations (66dB(A)) and 1no substation (80dB(A)). All site components have been modelled as running simultaneously at 100% capacity which is considered the worst-case scenario in terms of noise.

The nearest noise sensitive receptor is located approximately 130m west of the development at No. 64 Lislunnan Road, the predicted noise level at No. 64 Lislunnan Road is noted to be 25.3dB during daytime and 23.5dB during nighttime. The report concludes that the proposal is considered to have a low impact on neighbouring properties as a result of noise.

EHS was consulted and raised no objection, subject to conditions. Initially, Condition 2 of the response required that within 4 weeks of a written request by the Council, the site operator shall assess the total level of noise arising from the approved development, including an assessment of the audibility of tones, at the

complainant's property. Details of the noise monitoring survey were to be submitted to the Council for written approval prior to any monitoring commencing and this has been recommended as a condition at the end of this report.

The agent responded in an email dated 21st August to raise concerns that Condition 2 as proposed by EHS is overly stringent and noted that additional time may be required to prepare the noise report. Further concerns were raised that the condition does not prescribe that the Council will review the complaint or consider whether it has any merit and this runs the risk of frequent complaints being submitted. However, objectors raised concerns with this analysis and indicated that 4 weeks was a long enough period and would support the initial wording of Condition 2. EHS were reconsulted and indicated that if a complaint is received, they will undertake monitoring visits to establish if the complaint is justified.

EHS have reviewed the comments made by the agent and have reworded Condition 2 allowing the applicant an extended timeframe of 6no. weeks and to ensure that the complaint is justified before survey work is requested. Whilst EHS are unable to cross-check the submitted noise information, it is noted that they have raised no objection to the accuracy of the submissions and have provided conditions which can be attached to any approval.

It is therefore considered that amenity at nearby sensitive receptors can be suitably protected from any adverse noise impact subject to the attachment of noise control conditions to any approval.

Artificial Lighting

An Odour Lighting Report (Document 06, date stamped 9th July 2025) accompanied the application.

The assessment identified the proposed BESS site as falling into Environmental Zone E2, with a maximum level of 5lux illuminance on the vertical plane pre curfew hours and a maximum level of 1 lux, post-curfew hours. The report shows the impact at nearby sensitive receptors is less than 1.0lux. EHS were consulted on the proposal and indicated that they are satisfied that amenity at nearby sensitive receptors will not be adversely impacted by artificial lighting from the proposed development, subject to conditions.

It is considered that amenity at nearby sensitive receptors can be suitably protected from any adverse noise or artificial light impact subject to the attachment of noise and light control conditions on any forthcoming approval. The proposal is considered to comply with criterion (c) of Policy DM 14.1 and Policy DM 28 of the ANPS in this regard.

Fire Risk

Concerns were raised by third parties regarding non-compliance with Fire Safety Guidance and the potential fire events associated with BESS development and their impact on the environment. Criterion (c) of DM 45.1 requires that proposals address any unacceptable impacts including public safety impact.

The safety issues that can potentially result from BESS include; failures of lithium-ion batteries including 'thermal runaway' whereby a battery cell experiences uncontrollable overheating, often accompanied by the release of large quantities

of flammable off-gasses. The failing cell may lead to thermal runaway of adjacent cells, creating a cascading failure across the system resulting in large quantities of heat and gas. If these gases accumulate in an enclosed space such as a BESS container, there is the potential for explosion.

It is outlined that within the Fire and Safety Report (Document 01, date stamped 7th July 2025), that the BESS development will be broken into discrete groups consisting of battery containers and inverters and transformers, with each discrete group separated by a minimum of 3 metres to limit any fire that is not able to be contained to the affected group or part of the battery system and also allow emergency access.

Each battery enclosure has its own fire detection and suppression system including smoke detectors, temperature sensors and combustible gas detectors. It is noted that an alarm will be triggered when any of the smoke, temperature or gas concentration parameter thresholds have been reached. This alarm signal is transmitted to the fire control panel which triggers shutdown or power disconnection to prevent fire escalation.

Furthermore, it is detailed within the Hazardous Substance Report (Document 02, date stamped 7th July 2025) that in the event of an uncontrolled thermal runaway incident within the BESS, 'testing carried out at Cell, Module and Rack level has demonstrated that no flames will be present, no propagation will occur between adjacent cells and there shall be no flying debris or explosion. Triggering the in-built clean agent fire suppressant will deploy and be retained within the BESS enclosure further preventing any possibility of a fire.'

Document 02 (date stamped 7th July 2025) notes that active firefighting tactics, such as applying water to the burning unit, is not required to stop fire spread to neighbouring units and if any firefighting resources are required these will be limited to defensive tactics to protect nearby exposures. The system includes a full aerosol system that completely floods the unit, but as an additional precaution the system has a fireman's hose connection that will fill the internals of the unit via the dry pipe and sprinkler system.

DAERA Water Management Unit have indicated that the Northern Ireland Fire and Rescue Service should be consulted on the proposal in relation to concerns raised from objectors with regards to the requirement of water for firefighting purposes (including amount required according to the nature of the incident)

Northern Ireland Fire and Rescue Services (NIFRS) is the enforcing authority for The Fire and Rescue Services (Northern Ireland) Order 2006, and The Fire Safety Regulations (Northern Ireland) 2010. Their interest is in relation to fire safety, firefighting, protecting life and property in the event of fires, harm to the environment and other emergencies. NIFRS sets out a number of measures that are considered relevant in the preparation of a planning application. These measures include, but are not limited to, the provision, and the securing of a means of escape; giving warning in the event of fire; reducing the risk of fire and the risk of fire spread; the means of detecting and extinguishing fires; and the provision of facilities for firefighting, including water supplies, fire mains, firefighting shafts, operating mechanisms, smoke venting and compartmentation.

Whilst DAERA Water Management Unit have indicated that the NIFRS should be consulted, NIFRS provides standing advice in relation to planning applications for BESS developments. With regards to fire suppression, NIFRS advise that 'whilst gaseous suppression systems have been proposed previously, current research indicates the installation of water-based suppression systems for fires involving cell modules is more effective', and that 'initial firefighting intervention will focus on defensive firefighting measures to prevent fire spread to adjacent containers'. As a minimum, NIFRS recommends that hydrant supplies for boundary cooling purposes should be located close to BESS containers and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours.

4no. fire hydrants are proposed within the site and located adjacent to the BESS containers. The specific location of the hydrants is shown on Drawing Number 09, (date stamped 7th July 2025). Further information in relation to the fire response is contained within Document 22, (date stamped 13th October 2025), which details that where fire suppression is required for single BESS units, firefighting coolant water would be used for adjacent units.

Criterion (g) of DM 45.1 of the ANPS requires that proposals address any unacceptable impacts including impacts on water quality. Concerns were raised from objectors regarding the impact the proposal would have in terms of pollution. The risk of pollution from contaminated water must be fully considered and in this case, there are two potential pathways for contaminated water to leave the site. These include infiltration into the existing ground and connection to the adjacent watercourse from the site's surface water drainage system.

In the case of ground infiltration, it is noted within the Pollution Control statement (Document 22, date stamped 13th October 2025) that through the stone-based layer forming the two main platform areas, the main site is underlain with boulder clay cohesive material with limited infiltration which will slow dispersal, but the addition of an impervious membrane would prevent this pathway.

The second pathway is through the proposed site surface water drainage system which comprises of the main stone-based platforms, boundary filter trenches, a flow control manhole with sump and a piped storm water connection to the existing watercourse to the north of the site.

As outlined within Document 22 (date stamped 13th October 2025) the design volume of potential contaminated water is 228m³. The total storage available on the site is 350m³ (250mm layer of stone infill based on 25% voids) within the proposed stone platform at the BESS site. An additional volume of 24.8m³ is provided within the proposed filter trenches adjacent to the access road and western sector. It is, therefore, considered that there is sufficient storage volume within the design to accommodate the potential contaminated fire water which could be safely removed from site by specialist licenced contractor. As a precaution, it is recommended that a shut-off control valve is installed in the final discharge storm water manhole. This could be closed in the event of a fire situation, and this information should be included in the operational and management documents for the site. DAERA Water Management Unit were consulted on the proposal and indicated that they are content, with their comments based on the drainage layout including the installation of an impervious membrane, as per the information contained within the Pollution Control Statement (Document 22, date

stamped 13th October 2025) in order to ensure that potentially contaminated water (e.g. firefighting water) cannot infiltrate into the water environment.

The Health and Safety Executive (NI) has been consulted and raised no objection to the proposal, advising that the construction and operation of proposed development will be subject to the Health and Safety at Work (NI) Order 1978 requirements and relevant statutory provisions. The operator is legally required to reduce risks to the lowest reasonably practicable level.

It is considered that the location of the fire hydrants is acceptable and the fire management process for the site would provide sufficient mitigation, if a thermal runaway event were to take place.

The proposal is considered acceptable in terms of Criterion (c) of Policy DM 14.1 and Policy DM 28 of the ANPS in that the proposed BESS would not cause significant harm to neighbouring communities by means of fire risk.

Impact on Natural Heritage

Policy SP 1.4 states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment while Policy SP 8.3 requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest. Specific policies for designated sites are also provided under Policy DM 37 which states that proposals must not be likely to have a significant effect on sites of nature conservation importance including SPA/Ramsar Sites. Criterion (c) of DM 45.1 requires that proposals address any unacceptable impacts including ecological impact.

A number of concerns were raised from objectors in relation to the impact the proposal would have on adjacent watercourse and Lough Neagh SPA/Ramsar Site, impact on protected species, in particular Badgers, and the general environmental impact associated with BESS developments.

The application site is located approximately 45m south of the Connor Burn which flows west into the River Maine (8m west of the site). Informal consultation with Shared Environmental Services (SES) indicated that the site is hydrologically linked to Lough Neagh SPA/ Ramsar site through the proposed storm drainage and as such formal consultation with SES is required to complete a Habitats Regulations Assessment (HRA).

SES considered the application in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and the Council in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 26th January 2026. This found that the project would not have an adverse effect on the integrity of any European site either alone or in combination with any other plans or projects.

Policy DM 38 of the ANPS covers protected species, whilst DM 38.1 indicates that development that is likely to have an adverse effect on a European protected species will not be permitted, unless it is demonstrated to meet with Criteria (a)-(d).

A Preliminary Ecological Assessment (PEA) (Document 09, date stamped 7th July 2025) was submitted alongside the application which indicates that whilst the application site is not located within any sensitive areas or designated sites, two designated sites are located within 5km of the site- Tardree Quarry ASSI and Sandy Braes ASSI. These sites are designated for their geological significance.

DAERA Marine and Fisheries were consulted on the proposal and indicated that excessive flow of storm water discharge will be managed by a hydro brake which will reduce the discharge to less than the greenfield run off rate of 10l/s. The discharge will be direct to the Connor Burn which supports populations of fish species and provides considerable biodiversity value. Based on the surface water discharge rate DAERA Marine and Fisheries are content that the volume of discharge is unlikely to have a significant impact on fisheries interests.

It is stated within the DAERA consultation response of the 7th November 2025 that any work in or on a riverbed must be permitted under Section 48 of the Fisheries Act (Northern Ireland) 1996. In this case no works are proposed to the riverbed under this application.

As indicated within the PEA, the site was assessed in relation to protected species including bats and badgers, Due to the presence of mature trees on site, a Bat Roost Potential Assessment was carried out which indicated that the trees on site range from a negligible to a low roosting potential. The PEA recommends that a soft felling technique is implemented for the removal of trees along with guidance on lighting.

A Badger Survey (Document 08, date stamped 7th July 2025) was submitted alongside the application which indicates that badger setts were located within 25m of the application site. Mitigation measures are proposed including buffer zones to be maintained during construction.

Natural Environment Division (NED) were consulted with the Badger Survey and indicated that clarity was required if piling was proposed as part of the development. The agent confirmed (email dated 10th November 2025) that no piling is proposed and an amended Drainage Assessment (Document 03/1, date stamped 10th November 2025) was submitted which shows the boundary filter trenches outside of the badger buffer zones. NED were re-consulted with the above and raised no objection, subject to a condition regarding protection zones to be maintained throughout construction to protect Badgers and their setts. The proposal is therefore not considered to have an adverse effect on Bats or Badgers and therefore complies with Policy DM 38 of the ANPS.

Policy DM 39 of the ANPS covers habitats of natural heritage importance including priority habitats and requires that development should not have an unacceptable adverse impact on any habitat or species of importance. The PEA indicated that the only priority habitat on site is hedgerow. As noted above, approximately 30m of hedgerow directly adjacent to Lislunnan Road is to be removed to facilitate the new access. The proposal also involves the removal of grassland throughout the site, however, given the significant level of compensatory planting proposed, the proposal is unlikely to have any significant impact upon any priority habitats or species.

Overall, it is considered that the proposed development will not have an unacceptable impact on natural heritage features.

Impact on features of Archaeological Importance

Policy DM 30.2 'Archaeological Remains of Regional Importance' of the ANPS indicates that development proposals should not adversely impact any scheduled monument or other important site.

An Archaeological Impact Assessment (Document 18, date stamped 8th July 2025) was submitted which indicates that there are no historic monuments located within the application site. However, there are a number of historic sites and monuments located within 2km of the site and the site is located within an area of moderate archaeological potential.

The application site is sufficiently removed from any features of archaeological importance to mitigate any potential impacts on their setting. Consultation with the Historic Environment Division (Historic Monuments) (HED: HM) indicated that on the basis of the information provided that they have no objections to the proposal. It is therefore considered that the proposal is satisfactory to SPPS and Policy DM 30.2 of the ANPS, subject to conditions.

Flood Risk

Strategic Policy 10: Environmental Resilience and Protection of the ANPS seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. Flood Maps (NI) has indicated that the site does not lie within any floodplain.

Policy DM 47 of the ANPS 'Surface Water Drainage and Sustainable Drainage Systems (SuDS)' deals with flood risk outside floodplains and aims to reduce flood risk for new developments from surface water (pluvial) sources. DM 47.2 states that a Drainage Assessment will be required for all development proposals that involve the change of use involving new buildings and /or hard surfacing exceeding 1000 square metres in area.

A Drainage Assessment (DA) (Document 03/1, date stamped 10th November 2025) was submitted as the proposal involves additional hardstanding in excess of 1000sqm. Policy DM 47.3 states that the DA must demonstrate that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and from the development elsewhere. The DA must also include suitable arrangements for the long-term management and maintenance of the infrastructure, on which mitigation depends.

Policy DM 47.4-47.6 indicates that Sustainable urban Drainage Solutions (SuDS) will be the preferred means of treating surface water and that an appropriate management scheme will be provided for their long-term maintenance.

It is detailed within the DA (Document 03/1, date stamped 10th November 2025) that it is proposed to restrict surface water discharge flows to the equivalent of the greenfield runoff rate of 10 l/s/Ha, which is in this case circa 8.6 l/s, mainly through the use of gravel and stone pervious surfaces installed across the development site. The provision of additional attenuation, in the form of filter trenches and porous

pipes, will be used to address surface water volumes during the more severe storm return periods.

In relation to SuDS, it is noted within the DA that the majority of the BESS site will be surfaced in gravel / stone surface. In addition to this a series of filter trenches will be included in the proposed drainage design to provide both attenuation and treatment of surface water runoff.

A summary of the drainage maintenance requirements are contained within Section 6 of the DA and Appendix B of Document 20 which includes the inspections to be carried out on a regular and routine basis, typically after every significant storm event during the first year of operation. It is considered that the proposal complies with Policy DM 47.4-47.6 of the ANPS in relation to the use of SuDS and the submission of an appropriate management scheme.

DfI Rivers were reconsulted and indicated that while not being responsible for the preparation of the DA, accepts its logic and has no reason to disagree with its conclusions. It has therefore been demonstrated that adequate measures would be put in place to mitigate any flood risk to the proposed development and the surrounding area.

Therefore, it is considered that the development proposal is unlikely to result in a significant increase in the risk of flooding or exacerbate flooding elsewhere. For the reasons set out above, the proposal is considered to be compliant with the relevant provisions of the SPPS and Policy DM 47 of the ANPS.

Access, Movement and Parking

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. Policy SP 3 is supported by Policy DM 10.

Policy DM 10.1 of the ANPS 'Access and Parking' requires that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated, and access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods. Criterion (c) of DM 45.1 requires that proposals address any unacceptable impacts including traffic impact. DM 10. 2 of the ANPS details that in assessing access arrangements, the Council will continue to take account of supplementary guidance including DCAN 15: Vehicular Access Standards (DoE, 1999).

A new access is proposed to serve the development as indicated on Drawing Number 02/1 (date stamped 27th August 2025), shows 2.4m x 70m visibility splays in both directions along the Lislunnan Road. Information submitted within the Transport Assessment Form (Document 04, date stamped 7th July 2025) indicates that the new access will mainly be used during the construction phase. Document 04 states that this will result in the highest number of trips with the delivery of equipment and construction materials which is thought to attract 15no. vehicle movements per day.

Once operational, the access will be used for routine maintenance which will result in negligible traffic movements, approximately 10-20 vehicle trips are expected each year.

Concerns were raised that the proposal does not comply with NIFRS Guidance which details that 2no. separate access points should be provided. It is noted that the site only proposed 1no. access however, in the case of an emergency, it is considered that the site can be accessed from the adjoining fields.

DfI Roads was consulted on the proposal and offered no objection, subject to conditions. The proposal is considered to comply with Policy DM 10 of the ANPS in terms of not prejudicing the safety and convenience of road users, it is also considered that the proposal can accommodate the traffic generated, which is considered to be infrequent.

Sewage Disposal

Policy DM 15 'Development Relying on Non-Mains Sewerage' of the ANPS indicates that development proposals relying on non mains sewage will be supported where they do not create or add to a pollution problem. Sufficient information will also be required to allow for a proper assessment of such proposals.

Water Management Unit were consulted on the proposal and indicated that they are content on the basis that the water for the proposal is being sourced from the mains.

It is noted that the proposal includes 1no. WC proposed within the switch house unit as shown on Drawing Number 10/1 (date stamped 15th October 2025). In an email (dated 3rd November 2025) the agent indicated that a separate foul drainage system is proposed for the new BESS facility and given the rural location, without the provision of public sewers, a site-based wastewater treatment plant with infiltration system is proposed. DAERA Water Management Unit have provided advice in relation to sewage treatment plans which is included within their consultation response (dated 15th January 2026).

Given the BESS facility will largely be operated remotely, the toilet facilities are only considered to be used occasionally. The proposal is considered to comply with Policy DM 15 of the ANPS in this regard.

Contaminated Land

Policy DM 52 of the ANPS 'Contaminated Land' states that the Council will only support development proposals on potentially contaminated land, where it can be demonstrated that a thorough site investigation has taken place and necessary remediation measures are agreed.

The agent submitted a Preliminary Risk Assessment (PRA) (Document 15, date stamped 7th July 2025) alongside the application which indicates that no historical sources of contamination have been identified within the site or the surrounding area within 250m. The proposed use of the site is considered to be a low sensitivity activity and therefore the risk to future site users and to the environment from contamination is considered to be low to very low. The report concludes that no further assessment is required,

Environmental Health and DAREA Regulation Unit were consulted with the PRA and both consultees have offered no objection in relation to land contamination.

The proposal is considered to be acceptable and comply with Policy DM 52 of the ANPS in this regard.

Other Matters

Objections

A number of issues were raised through letters of objection.

Concerns over size of the site

An objector raised concerns over the size of the site and sought clarification on the site area given that the proposal is some 0.02ha shy of what would be considered a major application as defined within the Planning (Development Management) Regulations (Northern Ireland) 2015.

The application site area has been measured by the case officer as 0.95ha and does not fall within the major category as prescribed in the Development Management Regulations. This application is categorised as a local application.

Concerns over proposed drawings referring to 'typical' design

Concerns were raised that drawings referred to the typical design of the substation building and storage components and concerns were raised that full and final details should be provided. In light of this, amended plans were submitted by the agent (Drawing Nos. 07/2, 08/2 and 10/1, date stamped 14th October 2025) with reference to 'typical' design removed.

Concerns over positioning and fixture of CCTV

Concerns were raised regarding the positioning of the CCTV and concerns regarding the potential intrusion into residents' homes. The agent confirmed in an email (dated 14th October 2025) that the purpose of the CCTV is only for the deterrence of crime along with safety and security reasons. The CCTV will be directed into the site at all times.

Drainage Plan is utilising land not under the ownership of the applicant

Concerns have been raised through letters of objection that the drainage plan shows the drain to Conor Burn passing through land not under the ownership of the applicant. This is shown as Figure 4-2 within the Drainage Assessment (Document 03/1, date stamped 10th November 2025).

Any challenge or dispute over land ownership is a civil matter between parties affected and does not prohibit the grant of planning permission, nor does the grant of planning permission confer title. The applicant will have to ensure that they have sufficient title to carry out the development along with all other necessary consents.

RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSED 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 development hereby permitted shall cease on or before 25 years from the date when the operational use commences or as otherwise agreed in writing by the Council and the land restored to its former condition within one year of the cessation of the development or as otherwise agreed in writing with the Planning Authority.	
Reason: To enable the Planning Authority to retain control over the development.	
3. The facility hereby granted shall operate at a maximum capacity of 150MW.	
Reason: To enable the Council to retain control over the development.	
4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02/1 date stamped 27 th August 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.	
Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.	
5. The gradient(s) of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.	
Reason: To ensure there is a satisfactory means of access in interests of road safety and the convenience of road user.	
6. Noise arising from the operation of the development hereby approved, shall not exceed the Rating Levels detailed within the Table below (and Table 7 within the Noise Impact Assessment), when measured within the external amenity area of the following noise sensitive receptors, and assessed in accordance with British Standard 4142:2014 +A1:2019. Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent, or subsequently obtain replacement dwelling approval, but are not listed in the table below, shall be represented by the physically closest location listed in the table unless otherwise agreed by Council.	

Reason: In order to protect amenity at nearby sensitive receptors.



Receptor Location	Predicted noise impacts $L_{Aeq,1hr}$ dB during Operation		X Coordinates	Y Coordinates
	Day	Night		
R1 – 64 Lislunnan Road	25.3	23.5	317417	395834
R2- 2 Carncome Road	21.6	19.5	317462	396065
R3 – 80 Carncome Road	22.6	20.5	317525	396051
R4 – 82 Carncome Road	23.1	21.0	317575	396060
R5 – 84 Carncome Road	23.3	21.3	317625	396060
R6 – 86 Carncome Road	24.5	22.4	317646	396018
R7- 89A Carncome Road	23.9	22.2	317800	395865
R8- 89B Carncome Road	20.8	19.3	317857	395857
R9 – 89 Carncome Road	23.9	22.2	317494	395557
R10 – 55 Lislunnan Road	23.2	21.9	317823	395737
R11 – 56 Lislunnan Road	23.0	21.3	317364	395715
R12- 90 Carncome Road	19.4	17.8	317896	395981

7. Within 6 weeks of a written request by the Council, following a justified noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, or subsequently obtains replacement dwelling approval, the site operator shall, at his/her expense employ a suitably qualified and competent person, to assess the total level of noise arising from the approved development, including an assessment of the audibility of tones, at the complainant's property. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 1 week in advance of the date of commencement of the noise monitoring.

Reason: In order to protect amenity at nearby sensitive receptors.

8. The site operator shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Condition 7, including all calculations, and the raw data upon which that assessment and conclusions are based. Such information shall be provided within 1 month of the date of the written request of the Council unless otherwise extended in writing by the Council.

Reason: In order to protect amenity at nearby sensitive receptors.

9. Should the total level of noise arising from the approved development measured within Condition 7 exceed the levels stated within Condition 6, then mitigation measures to reduce noise levels shall be agreed in writing and carried out within a time frame specified by the Council. Within one month of the completion of further works, a noise survey shall be completed and submitted to the Council to demonstrate the noise levels stated within Condition 6 are not exceeded.

Reason: In order to protect amenity at nearby sensitive receptors.

10. Should the monitoring undertaken as required by Condition 7 indicate the presence of a tone, then mitigation measures to remove the tone shall be agreed in writing and carried out within a time frame specified by the Council. Within one month of the completion of further works, a noise survey shall be completed and submitted to the Council to demonstrate that any tone has been mitigated.

Reason: In order to protect amenity at nearby sensitive receptors.

11. Light intrusion from the development hereby approved into windows at nearby sensitive properties shall not exceed 5 Ev (lux) on anytime between 07:00 and 23:00hrs and 1 Ev (lux) on anytime between 23:00 and 07:00 hours.

Reason: In order to protect amenity at nearby sensitive receptors.

12. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

13. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under Condition 12.

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

14. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under Condition 12.

These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Antrim and Newtownabbey Borough Council.

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

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

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

16. After completing any remediation works under Condition 15, and prior to the operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

17. The existing trees and hedges to be retained as shown on approved Drawing Number 16, date stamped 7th July 2025 shall be retained and allowed to grow on with the hedgerows retained at a minimum of 2 metres and the trees retained at a minimum height of 4 metres.

Reason: To ensure the maintenance of screening of the site.

18. If within the lifetime of the development, any retained tree or hedge is removed, uprooted or destroyed or dies it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

19. The proposed planting shall be carried out in accordance with approved Drawing No. 16 bearing the date stamp 7th July 2025 and approved Document No. 12, date stamped 7th July 2025. The planting shall be carried out within the

first available season after commencement of the development hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

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

20. If within the lifetime of the development following 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 within the next available full planting season, unless the Council gives its written consent to any variation.

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

21. No development activity, including ground preparation or vegetation clearance, shall take place until a protection zone(s), clearly marked with posts joined with hazard warning tape, has been provided around each badger sett entrance at a radius of 25 metres as shown on Appendix V in the badger survey report (Document 08, date stamped 7th July 2025). No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zone(s) without the consent of the Council unless an appropriate Wildlife Licence has been obtained from NIEA. The protection zone(s) shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect Badgers and their setts.

22. The BESS facility shall not become operational until the site drainage has been constructed in accordance with; the Strategic Drainage Plan, Drawing Number 17, date stamped 10th September 2025, the Drainage Assessment, Document 03/1, date stamped 10th November 2025 and the Pollution Control Statement, Document 22, date stamped 13th October 2025. The site drainage must include a suitable storage volume for containment of contaminated firewater, an impermeable membrane lining that is effective in preventing contaminated water infiltrating into the ground and the installation of an emergency shut off control valve in the final discharge storm water manhole, a Class 1 bypass oil separator, an impervious membrane and the specified fire suppression attenuation volumes, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

23. Prior to and throughout construction, the appointed contractor must implement and adhere to all the mitigation measures set out in Sections 6, 8 and 9 of the outline Construction Environmental Management Plan (Document 16, date stamped 7th July 2025) to effectively prevent the egress of contaminated water from the construction site, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

24. No development shall take place on-site until a consent to discharge has been granted under the terms of the Water (NI) Order 1999 in respect of all sewage disposal associated with this project.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.



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Site Location Plan
Reference: LA03/2025/0496/F

1:2,500



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2025/0633/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDATION
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of hairdressing Salon in cabin to the rear of dwelling (Part time use)
SITE/LOCATION	41 Groggan Road, Randalstown, Antrim, BT41 3JH
APPLICANT	Sonya Mills
AGENT	Big Design Architecture
LAST SITE VISIT	24 th October 2025
CASE OFFICER	Dan Savage Tel: 028 90340438 Email: daniel.savage@antrimandnewtownabbey.gov.uk
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://planningregister.planningsystemni.gov.uk/application/702427	
SITE DESCRIPTION	
The application site is located at No. 41 Groggan Road, Randalstown, which is within the countryside as defined by the Antrim Area Plan 1984-2001 (AAP). The application site comprises an existing detached bungalow with associated outbuildings, one of which the subject to this application and comprises a cabin building to the rear of the dwelling. The site is accessed directly via the Groggan Road. To the north and south of the application site is the existing amenity space associated with the dwelling with an informal area of parking located within the middle of the site. The application site is bound by agricultural fields on all elevations and is bound to the west/southwest by dense mature trees and hedgerow.	
RELEVANT PLANNING HISTORY	
Planning Reference: LA03/2024/0719/CLEUD Location: 41 Groggan Road, Randalstown, Antrim, BT41 3JH Proposal: Hairdressing salon at domestic residence Decision: Refused to Certify (26/11/2024) Planning Reference: LA03/2023/0827/F Location: 41 Groggan Road, Randalstown, Antrim, BT41 3JH Proposal: Proposed extension of site curtilage with new allotments Decision: Permission Granted (21/08/2024) Planning Reference: LA03/2023/0496/CLEUD Location: 41 Groggan Road, Randalstown, Antrim, BT41 3JH Proposal: Extension of site curtilage Decision: Refused to Certify (18/08/2023)	

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts, Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim.

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 2 - Employment (SP 2): sets out that the Councils will encourage the growth of indigenous business, promote innovation and proactively attract investment into the borough to support enterprise and increase employment for the benefit of all residents. SP 2 is supported by Policy:

- Policy DM 7: Development outside Centres

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policy:

- Policy DM 10 Access and Parking

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character; and
- Policy DM 28 Amenity Impact

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects

of climate change on our built and natural environment. SPG10 is supported by Policy:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

CONSULTATION

Council Environmental Health Section: No objection, subject to conditions

DFI Roads: No objection

Northern Ireland Water - Strategic Applications: No objection

REPRESENTATION

One (1) neighbouring property was notified of the application and three (3) letters of support have been received from non-notified properties.

The full representation made regarding the proposal is available to view on the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/702427>
The issues raised in the representation have been considered as part of the assessment of this application.

A summary of the key points of the support raised are provided below:

- Minimal impact in terms of traffic;
- Serves a local need;
- Highly accessible; and
- Complies with homeworking policy.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters;
- Policy Context;
- Principle of Development;
- Design, Appearance and Layout;
- Neighbour Amenity;
- Access and Parking;
- Flood Risk; and
- Other Matters

Preliminary Matters

Environmental Impact Assessment

Owing to the size of the application site (less than 0.5ha) and that the proposal only included a small beauty salon an EIA determination was not required for this application. It is considered that the environmental impacts will not be so significant to warrant an environmental statement.

Habitats Regulation Assessment

The subject site is located at 41 Groggan Road and there are no relevant designated sites close by. The proposed development comprises a change of use of a garden cabin to hair salon and having considered the nature, scale and location of the project, there is no conceivable risk to any European Site.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Distance from nearest European site and lack of connections.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment is not required.

Policy Context

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6(4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The application site is located within the countryside and outside of any defined settlement limit as defined within the Antrim Area Plan 1984-2001. In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Principle of Development

Strategic Policy SP 1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement.

Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) provides a number of development types that may be acceptable in the countryside, including non-residential development. These include farm diversification, conversion and re-use of existing buildings and agriculture and forestry development. Paragraph 6.74 of the Strategic Planning Policy Statement indicates that other types of development, apart from those set out above, will be considered as part of the development plan process in line with other policies set out in the SPPS.

As outlined within Document 01, date stamped 17th October 2025, the applicant is seeking the part time use of the cabin as a hairdressing salon between two to three times per week. In accordance with The Planning (Use Classes) Order (NI) 2015, a hairdressing salon is defined as a Class A1 use, which relates to shops and includes

hairdressers. For the purposes of clarity Class A1 uses are commonly found within town centres and as stipulated in paragraph 6.279 of the SPPS, Class A1 Uses, retail use which includes hairdressing will be directed to town centres.

Letters of support refer to the development serving a local need and state that the salon is in an accessible location. As stated above the proposed development comprises a retailing use and would be considered as a main town centre use as per the definition of complementary town centre uses within the footnote of Policy DM 6 of the ANPS.

Paragraph 6.273 of the SPPS and Policy SP 2.12 of the ANPS states that the Council will operate a town centre first approach in considering the development of retail and other main town centre uses across the Borough. Randalstown is identified as having a town centre in Table 4 of Policy SP 2.12 which sets out the retail hierarchy for the Council area and is approximately 3.5 miles from the application site. Paragraph 6.288 of the SPPS and Policy DM 7 of the ANPS sets out the sequential test to be applied for main town centre uses which are not proposed within an existing centre.

The agent has submitted supporting information which indicates that the hairdressing salon should be approved on a part-time basis due to the applicant's circumstances which includes personal medical circumstances and caring responsibilities which the agent argues results in the applicant being unable to work full time.

The agent argues that as the applicant is unable to work full time, they are unable to secure premises within the development limits of Randalstown as this would not be financially viable and the applicant is required to be at the application site to allow them to undertake their caring responsibilities.

The agent contends within a supporting statement (Document 02, date stamped 16th December 2025) that the personal circumstances of the applicant should allow for a relaxation in planning policy, particularly Policy DM 7 in relation to the sequential assessment. A doctor's letter (Document 03, date stamped 12th November 2025) has also been submitted which details that the applicant benefits from this situation, to help her manage her health symptoms.

Whilst the circumstances of the applicant are acknowledged in this case, it is not considered that the information submitted would justify a relaxation in planning policy in this instance. Although the agent contends that it would not be financially viable for the applicant to secure a premises within the town centre of Randalstown on a part time basis, no financial information or evidence has been submitted to support this claim.

Furthermore, the agent contends that the applicant's caring responsibilities would preclude them from working within the town centre of Randalstown. However, given that Randalstown is located approximately 3.5 miles from the site (less than a 10-minute drive), it is not considered unreasonable that the applicant could continue with their caring responsibilities whilst working part-time within the town centre.

While information has been provided from medical professionals outlining the applicants and the dependents health issues, nothing has been provided to demonstrate that the applicant and their dependants' medical conditions, and associated symptoms, necessitate working part time or from home working, rather

than indicating that they would benefit from it. Overall, it is not considered that the personal circumstances put forward by the applicant would justify a relaxation in planning policy in this instance.

Given that the application seeks permission for the part-time use of a hairdressing salon within the countryside, it is considered to be contrary to Strategic Policy SP 1.11 of the Councils Plan Strategy, in that there is no overriding reasons provided as to why this development is essential in this rural location and could not be located within a settlement.

Furthermore, the hairdressing salon is considered contrary to Policies SP 2.12, DM 7.1 and DM 7.2 of the ANPS and paragraphs 6.273 and 6.288 of the SPPS in that the retailing element of the development lies outside any designated town centre and it has not been demonstrated that a suitable site does not exist within the town centre of other retailing area.

Design, Appearance and Layout

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. The ANPS includes a number of policies that any proposed development within the countryside must demonstrate in relation to appearance and design.

Policy DM 27 'Rural Design and Character' of the ANPS, states that the aim of this policy is to promote high quality forms of development which are designed to sympathetically integrate into their surroundings, assist the promotion of biodiversity and to protect the amenity and character of our countryside.

In terms of rural design, Policy DM 27.4 states that development will be acceptable where it respects rural design in terms of building form, height, size, scale, massing, architectural detailing and finishes.

The salon is housed within an existing cabin to the rear of No. 41 Groggan Road. The cabin is sited along the northern boundary of the application site and is not visible from the roadside due to the intervening of the dwelling. The cabin has an approximate length of 6.6m, a width of 3.8m and a height of 2.7m. The cabin covers an area of approximately 25m². The cabin is finished in a grey flat roof membrane and timber cladding with the windows finished in white uPVC. The internal layout consists of a storeroom, WC and hair salon area. The cabin is considered subordinate to the host dwelling, appearing as a typical garden room development. It is considered that given the building cannot be viewed from any public vantage point that it would not have a detrimental impact on the character and appearance of the area.

Policy DM 27.2 and DM 27.3 add to the policy requirements for integration and the protection of rural character requiring any new building to have a suitable means of enclosure, must not be a prominent feature in the landscape and must not result in build up or a ribbon of development.

In this case, the cabin is situated adjacent to the rear of the dwelling and is sited beside existing outbuildings. The cabin is not visible from the public road and will not detrimentally impact the rural character of the area.

Overall, the hairdressing salon is considered to comply with Policies DM 27.2 and DM 27.3 in that the cabin will integrate into the rural area and will not be a prominent feature in the landscape due to the small-scale nature of the cabin.

Neighbour Amenity

Paragraphs 4.11 and 4.12 of the Strategic Planning Policy Statement and Policy DM 28 of the ANPS deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other forms of disturbance.

The subject building is located to the rear of the dwelling house at No. 41 Groggan Road and the nearest residential property (not under the ownership of the applicant) is located approximately 80m southwest of the site at No. 43 Groggan Road. Given the use and the separation distance from the nearest residential property, and the use as a hairdressers there is not considered to be any significant concerns in relation to noise, odour or other nuisance.

It is considered that there will be no adverse impact in relation to loss of privacy or overlooking, given the proposed use of the shed and its single storey nature. The Council's Environmental Health Section were consulted and offered no objection, subject to a time restriction condition. Consequently, the hairdressing salon is not considered to result in any significant impact on neighbour amenity and complies with Policy DM 28 of the ANPS in this regard.

Access and Parking

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. Policy SP 3 is supported by Policy DM 10.

DM 10.1 of the ANPS 'Access and Parking' requires that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated, and access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods. In addition, DM 10.1 also requires that adequate provision is made for car and cycle parking and any necessary servicing arrangements.

Based on DfI Parking Standards, the use of the hair dressing salon would require 2no. parking spaces. There are 3no. spaces shown directly outside of the cabin area and the letters of support refer to the minimal impact the hairdressers has on traffic generation. It is considered that there is sufficient parking to serve the hairdressing salon.

The site is to be accessed via an existing private entrance from Groggan Road which is to remain unaltered. DfI Roads were consulted on the application and offered no objection.

On this basis, a safe access can be provided and the road network can safely handle the extra vehicular traffic generated, in compliance Policy DM 10.1 of the ANPS.

Flood Risk

The thresholds set out within Paragraph 6.114 of the SPPS or Policy DM 47.2 have not been exceeded which would require the submission of a Drainage Assessment as there is no additional hardstanding. However, the applicant should carry out their own assessment of flood risk. The cabin is not considered to increase the risk of flooding to the site or elsewhere and as such is compliant with Policy DM 47.2 of the ANPS and Paragraph 6.114 of the SPPS.

Other Matters

Consultations

Northern Ireland Water were consulted regarding the additional connection of toilets from the modular building and responded with no objection.

Homeworking

A letter of support details that the hairdressing salon complies with homeworking criteria and seeks to establish the principle of development. It remains the position of the Council that Annex A of PPS 4 refers to homeworking and although it does not provide a definition of homeworking, it provides a list of criteria that may lend themselves to the definition of homeworking. It is recognised that the hair salon meets a number of the criteria listed, such as work being carried out by persons living in the residential unit (e.g. No.41 Groggan Road), however, in its current form would fail a number of the criteria.

The hairdressing is not carried out within the existing dwelling but instead the detached garden cabin some 3m away from the dwelling house. In the current application, it is considered that the hairdressers would attract more than occasional visitors. The application form indicates that an additional 7 cars will attend the site on a daily basis with an average of 7 customers a day. However, this equates to 14 additional car trips to and from the site, at least 3 days a week for appointments and therefore would result in more than the occasional visitor therefore not constituting homeworking as laid out within PPS 4.

It remains the position of the Council that Annex A of PPS 4 refers to homeworking and although it does not provide a definition of homeworking, it provides a list of criteria that may lend themselves to the definition of homeworking. It is recognised that the hairdressers meets a number of the criteria listed, such as work being carried out by persons living in the residential unit (e.g. No.41 Groggan Road), however, in its current form would fail a number of the criteria.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to Policies SP 1.11 and DM 2 'Economic Development – Countryside' of the Antrim and Newtownabbey Plan Strategy and Paragraph 6.87 of the Strategic Planning Policy Statement in that there is no overriding reason why the proposal is essential within this rural location and cannot be located within a settlement.
2. The proposal is contrary to the policy provisions as set out in Policies SP 2.12, DM 7.1 and DM 7.2 of the Antrim and Newtownabbey Plan Strategy and paragraphs 6.273 and 6.288 of the Strategic Planning Policy Statement in that the

retailing element of the development lies outside any designated town centre and it has not been demonstrated that a suitable site does not exist within the town centre of other retailing area.



Reference : LA03/2025/0663/F

1:2,500 

 Site Location



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2025/0540/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Part-retrospective application for the retention of a workshop building (including ancillary office, storage, and toilet facilities) and the retention of an extension to existing yard (including a concrete ramp); together with proposed landscaping works comprising an earth bund and new planting, improvements to the existing site access, and all associated works
SITE/LOCATION	Approximately 100m north of No.15 Gallagher Road, Toomebridge, BT41 3QS
APPLICANT	Bell Transport
AGENT	O'Toole & Starkey Ltd
LAST SITE VISIT	27 th August 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/701370	
SITE DESCRIPTION	
The application site is located on lands approximately 100m north of No. 15 Gallagher Road, Toomebridge which is within the countryside and outside any development limit defined within the Antrim Area Plan 1984-2001. The site measures approximately 0.95 hectares in area. The application site comprises a workshop building which is to be retained along with a yard associated with a haulage business. The north of the site is defined by the A6, whilst the eastern and western boundaries are bound by agricultural fields and single dwellings. To the south of the site there are existing farm buildings. The surrounding area is rural in character and predominately consists of agricultural fields and isolated dwellings and farm groups. In terms of boundary treatment, the site lacks any defined boundaries to the north south and west, whilst the eastern boundary is defined by a row of mature trees and hedgerow.	
RELEVANT PLANNING HISTORY	
Planning Reference: LA03/2025/0156/CLEUD Address: 15 Gallagher Road, Toome, BT41 3QS Proposal: Retention of access, operating booth and weighbridge with no lawful established use. Decision: Permitted Development (19/12/2025)	

Planning Reference: LA03/2024/0397/F
Address: Approx. 100m NW of 15 Gallagher Road, Toome, BT41 3QS
Proposal: Agricultural storage sheds
Decision: Application Withdrawn (03/12/2024)

Planning Reference: LA03/2023/0710/F
Address: 60m north of 15 Gallagher Road, Toome. BT41 3QS
Proposal: Replacement of existing fire damaged farm sheds with new farm shed
Decision: Permission Granted (18/12/2023)

Planning Reference: LA03/2022/0348/F
Address: 40m east of 15 Gallagher Road, Toome
Proposal: Dwelling and garage on a farm
Decision: Permission Granted (26/05/2022)

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 - 2001: The site is located outside any development limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

Strategic Planning Policy Statement for Northern Ireland (SPPS): sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 2 – Employment (SP 2): aims to encourage growth and investment to support enterprise and increase employment benefits. SP2 is supported by Policy:

- Policy DM 2 Economic Development – Countryside

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking;
- Policy DM 12 Active Travel (Walking and Cycling); and
- Policy DM 15 Development Relying on Non-Mains Sewerage

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character; and
- Policy DM 28 Amenity Impact

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8 is supported by Policies:

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policy:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

CONSULTATION

DfI Roads- No objection subject to conditions

DfI Rivers- No objection

Environmental Health Section- No objection subject to conditions

DAERA Water Management Unit- No objection

Northern Ireland Water Strategic Applications- No objection

REPRESENTATION

Two (2) neighboring properties were notified of the proposal, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters;
- Policy Context
- Principle of Development;
- Design and Impact on the Character and Appearance of the Area;
- Neighbour Amenity;
- Access, Movement and Parking;
- Flood Risk;
- Natural Heritage; and
- Other Matters

Preliminary Matters

Environmental Impact Assessment

The proposed development falls within Category 2, 10(B) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. Regulation 12 of the Planning (Environmental Impact Assessment) (EIA) Regulations (NI) 2017, requires the Council to make a determination as to whether the proposed development would or would not be deemed EIA development. In this case the development falls to be considered within Category 2(10) (B) of the Planning (EIA) Regulations (NI) 2017: 'Urban development projects, including the construction of shopping centres and car parks'. An EIA is required where the area of the development exceeds 0.5 hectares. In this case the application site measures 0.95 hectares and in accordance with the Regulations, a screening exercise must be carried out in order to determine whether or not an Environmental Statement is required. It was concluded that an Environmental Statement was not necessary on this occasion as it is considered that the environmental impacts will not be so significant to warrant an environmental statement.

Habitats Regulation Assessment

The subject site is located 100m north of 15 Gallagher Road, Toome and there are no relevant designated sites close by. The proposed development comprises the retention of a workshop building and extension to yard area and having considered the nature, scale and location of the project, there is no conceivable risk to any European Site.

The reason for this conclusion is as follows:

- Small scale and nature of the development ; and
- Distance from nearest European site and lack of connections.

It is concluded that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment is not required.

Engagement with the Agent

- The agent was contacted on the 5th January 2026 following the issuing of the certificate of lawfulness Ref: LA03/2025/0156/CLEUD which certified the access, operating booth and weighbridge with no lawful established use.
- The agent was given the opportunity to amend their supporting information to this effect and was given the opportunity to submit any further information

in relation to the principle of development and the agent was made aware of concerns regarding integration.

Policy Context

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The application site is located outside of any development limit and is within the countryside as designated within the Antrim Area Plan 1984-2001. In line with the transitional arrangements set out in the SPPS, AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Principle of Development

Strategic Policy SP 1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. SP 2.4 states that 'The Council will also support sustainable economic growth in the countryside where this accords with Policy DM 2.

Paragraph 6.73 of the Strategic Planning Policy Statement provides a number of development types that may be acceptable in the countryside, including non-residential development. These include farm diversification, conversion and re-use of existing buildings and agriculture and forestry development. Paragraph 6.74 of the Strategic Planning Policy Statement indicates that other types of development, apart from those set out above, will be considered as part of the development plan process in line with other material considerations.

Paragraph 6.87 of the SPPS details that appropriate redevelopment and expansion proposals for industrial purposes, farm diversification and re-use of buildings will normally offer the greatest scope for sustainable economic development in the countryside.

Policy DM 2 of the ANPS 'Economic Development- Countryside' sets out at DM 2.1 that the Council will support a range of employment uses in the countryside subject to certain criteria. The acceptable employment uses within the countryside are set out within Policies DM 2.2 – DM 2.9 of the ANPS.

The application is submitted on behalf of Bell Transport who operate a haulage company and operate a range of services including national and international freight, machinery transport and heavy goods haulage across the UK, Ireland and Europe.

The proposal seeks planning permission for the retention of a workshop building for the servicing of Bell Transport Vehicles and the retention of an extension to an existing yard together with proposed landscaping works, improvements to the existing site access, and all associated works.

The proposal does not fit within any of the acceptable employment uses set out within Policies DM 2.2 – DM 2.6 of the ANPS as the proposal is not a diversification project; it does not involve the conversion and re-use of redundant rural buildings; it is not tourism development, and it is not a small rural enterprise project.

Policies DM 2.6 – DM 2.8 of the ANPS deal with 'Established and Industrial Business Use'. Policy DM 2.6 states that the Council will support proposals for the expansion of an established rural enterprise or its redevelopment for industrial or business use within the confines of the existing site with criteria for new buildings set out within Policy DM 2.7. Policy DM 2.8 is not relevant as the proposal does not seek to provide a suitable tourist, recreation or community facility.

The agent has submitted a Planning Statement, Document 01, date stamped 24th July 2025 which details that the proposal falls to be considered under Policy DM 2.7 of the ANPS for 'Established Industrial and Business Use'.

In relation to the established nature of the site, it is noted that the site does not benefit from planning permission for a haulage business. The agent contends that the business has been operating at No. 15 Gallagh Road for over 30 years but more recently, the business extended their operation to include a new site access, laneway, weighbridge and commercial yard. This extension is said to have taken place during 2018-2019 and has been used for commercial purposes ever since.

The agent submitted a Certificate of Lawful Established Use or Development (CLEUD) application in an attempt to regularise the existing site operations (Ref: LA03/2025/0156/CLEUD). A Certificate was issued by the Council on the 19th December 2025 as the operational works met the requisite 5 year period however, the use of such operations for Bell Transport haulage business was not established and therefore the CLEUD did not certify a lawful established use. Due to the absence of any planning permission or CLEUD, the site does not benefit from any established lawful business use.

The most recent planning approvals for the site involve the construction of new farm sheds and a farm dwelling (Planning Refs: LA03/2023/0710/F and LA03/2022/0348/F). The lawful and established use on the site is agricultural and therefore the business cannot be extended. For this reason, the proposal is not considered to comply with Policy DM 2.7 in relation to established industrial and businesses uses.

Given that the proposal does not meet any of the acceptable economic uses in the countryside, the proposal is considered contrary to Paragraph 6.87 of the SPPS and Policy DM 2 of the ANPS, 'Economic Development'. In addition, the proposal is contrary to Strategic Policy SP 1.11 of the ANPS, in that there are no overriding reasons provided as to why this development is essential in this rural location and

could not be located within a settlement. It is considered that the principle of development is unacceptable.

Design and Impact on the Character and Appearance of the Area

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy DM 27 'Rural Design and Character' of the ANPS, states that the aim of this policy is to promote high quality forms of development which are designed to sympathetically integrate into their surroundings, assist the promotion of biodiversity and to protect the amenity and character of our countryside.

Policy DM 27.1 of the ANPS states that the Council will support development in the countryside where it is sited to integrate sympathetically into its surroundings and respect rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context. In relation to design, Policy DM 27.4 states that development will be acceptable where it respects rural design in terms of building form, height, size, scale, massing, architectural detailing and finishes.

The workshop building to be retained is located in the northeastern corner of the site and comprises a garage area (measuring approximately 720sqm of floorspace), ancillary offices and staff accommodation (measuring approximately 120sqm of floorspace).

The workshop building has a maximum height of approximately 11m and width of 25m and a length of 37m. The building is finished in grey sheeting to the roof and walls and black UPVC doors and window. There are 5no. roller shutters doors proposed on the front elevation along with 1no. window and pedestrian door which fronts on to the yard area. All other elevations of the building consist of blank walls. The design of the building is typical of this style of development.

The proposal also seeks to retain an extension to the yard area which is approximately 3110sqm and consists of a concrete parking and turning area.

DM 27.2 and DM 27.3 adds to the policy requirements for integration and the protection of rural character requiring any new building to have a suitable means of enclosure, must not be a prominent feature in the landscape and must not result in build up or a ribbon of development. It is also noted that Policy DM 27.2 requires that proposals do not rely on the use of substantial new landscaping for integration.

The workshop building is set back approximately 13m from the A6, whereas the yard area is set back a minimum of 5m. The northern and western boundaries of the site lack any established natural boundaries which results in the workshop building and yard area being highly exposed to critical views when travelling along the A6. Document 07, date stamped 24th July 2025 contains existing views of the site from the A6 which shows how open the site is currently and the lack of boundary treatments.

DM 42.1 of the ANPS requires that proposals promote additional tree planting of native species and maintain existing vegetation where possible. The site lacks any established natural boundaries along the northern and western boundaries which abut the A6. Drawing Number 03, date stamped 24th July 2025, shows that the

existing vegetation along the eastern boundary is to be retained along with new native species hedgerow planting along the western boundary and a 2.2m high earth berm with a mix of native species trees along the northern boundary. Document 07, date stamped 24th July 2025 shows how the proposed landscaping will read with the overall development.

It is considered that the proposal relies heavily on new landscaping to provide any form of integration as the site itself lacks any established natural boundaries to the north and west. It is noted that the proposed landscaping would aid integration. However, the landscaping will take time to mature. The proposal is considered contrary to criterion (d) of Policy DM 27.2 in that the proposal relies heavily on new landscaping and earthworks in the form of an earth berm for integration.

In relation to rural character, paragraph 6.70 of the SPPS and criterion (a) of Policy DM 27.3 indicate that proposals should respect rural character. The application site is bounded by agricultural fields directly east and west and further south of the site where the character is predominately agricultural in nature with little economic activity.

The proposal is considered to result in a sub-urban style build-up of development within this rural area given the scale of the workshop building proposed to be retained and when viewed in the context of the surrounding area which is predominately defined by agricultural buildings. The yard area also results in a significant change in character given the level of hardstanding required to facilitate this, along with the parking of a number of HGVs and their associated trailers close to the roadside which is considered to be at odds with this predominately rural area.

It is considered that the proposal is contrary to criterion (d) of Policy DM 27.2 in that the proposal relies heavily on new landscaping and earthworks for integration and criterion (a) of Policy DM 27.3 and paragraph 6.70 of the SPPS in that the proposal fails to respect the rural character of the area.

Neighbour Amenity

Policy DM 28 of the ANPS deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance.

The nearest residential properties are located approximately 60m southeast of the site at No. 12 Gallagher Road and 100m south at No. 15 Gallagher Road, both of these dwellings are under the ownership of the applicant as shown outlined in blue on the site location plan, Drawing Number 01, date stamped 24th July 2025.

Further residential properties are located approximately 140m northeast of the site along Gortgarn Terrace, which are not under the ownership of the applicant. The dwellings in Gortgarn Terrace are separated from the application site from the A6.

The proposal is for the retention of a workshop building along with an extended yard to be used by a haulage company. The nature of the proposal means there will be HGV vehicles using the yard area and this may give rise to increased noise from the site.

The yard and parking area is located in the northwestern corner of the site, approximately 66m from No. 12 Gallagher Road. The agent has submitted a Noise Impact Assessment alongside the application, Document 04, date stamped 24th July 2025, which details that the noise levels associated with the development are below the existing background levels and therefore no mitigation measures are proposed in relation to noise.

The Council's Environmental Health Section were consulted on the proposal and offered no objection to the proposal, subject to conditions.

It is considered that the proposal complies with Policy DM 28 of the ANPS in that it has been demonstrated that the proposal will not result in an unacceptable adverse impact to neighbouring properties.

Access, Movement and Parking

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. Policy SP 3 is supported by Policy DM 10.

Policy DM 10.1 of the ANPS 'Access and Parking' requires that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated, and access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods. In addition, Policy DM 10.1 requires adequate provision is made for car and cycle parking and any necessary servicing arrangements.

The submitted Transport Assessment Form (Document 06, date stamped 24th July 2025) details that the proposal will generate approximately 25no. trips per day, comprising of 8no. HGV trips and 17no. car trips. DfI Parking Standards indicates that the proposal would require approximately 26no. parking spaces. Whilst no parking spaces are laid out on the proposed site plan, it is considered that there is ample space within the yard area to provide the required parking provision.

The access to the site uses an existing access off the Staffordstown Road. The subject development involves the upgrade of the access including enhanced visibility splays of 2.4 by 151m in both directions. DfI Roads were consulted and offered no objection, subject to conditions. The Staffordstown Road is not a protected route and therefore DM 11 is not engaged in this instance.

Policy DM 12 of the ANPS also requires that a movement pattern is provided that supports walking and cycling. The application site is located within the countryside and relates to a haulage business which requires the use of HGV for transportation, so it is not considered practicable to achieve a sustainable movement pattern in this case. The site is not considered to be readily served by public transport due to the location of the proposal and the nature of the surrounding area. However, this is not considered determining in this instance.

On this basis, it is considered that sufficient information has been submitted to demonstrate that the proposal can provide a safe access and therefore the proposal is considered contrary to Policy DM 10.1 in this regard.

Flood Risk

Policy DM 47 of the ANPS 'Surface Water Drainage and Sustainable Drainage Systems (SuDS)' deals with flood risk outside floodplains and aims to reduce flood risk for new developments from surface water (pluvial) sources.

Flood Maps (NI) has indicated that the site does not lie within any floodplain. In line with Policy DM 47, as the proposal involves the creation of hardstanding in excess of 1000sqm, a Drainage Assessment was submitted and is contained within Document 03, date stamped 24th July 2025. The Schedule 6 Consent to Discharge has also been provided and is contained within Document 02, date stamped 24th July 2025.

DM 47.4 indicates that the Council will seek to promote the use of SuDS, as the preferred means of treating surface water and managing flow rates for development proposals in locations where this is a feasible solution. DM 47.6 requires that all SuDS schemes be accompanied by an appropriate management plan (including arrangements for long-term maintenance. The proposed drainage system involves the use of SuDS through carrier pipes and downspouts. The agent has included a summary of the Drainage Maintenance and Management Plan of the SuDS within Document 03, date stamped 24th July 2025. The proposed maintenance schedule includes annual checks of the flow control devices, checking for blockages and checking of outlets for any damage. The proposed SuDS scheme is considered to be acceptable.

DfI Rivers and DAERA Water Management Unit were consulted on the application and raised no objection in relation to the proposed drainage regime.

The proposal is considered to comply with Policy DM 47 in that it has been demonstrated that surface water can be appropriately dealt with to avoid an increase in flooding to the site or elsewhere.

Natural Heritage

Policy SP 1.4 states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment while Policy SP 8.3 requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest. Specific policies for protected species are also provided under Policy DM 38 whilst Policy DM 39 addresses other Habitats, Species and Features of Natural Heritage Importance.

A Preliminary Ecological Appraisal (PEA) (Document 05, date stamped 24th July 2025) was submitted with the application. The PEA concludes that whilst the development resulted in the loss of an area of improved grassland to the north of the site which has been altered to an area of hardstanding, this is not considered to have had any significant impact on any protected species or any habitat or features of natural heritage importance. It is concluded that compensatory planting will enhance the application site for a number of species such as bats and birds and will compensate for the loss of grassland.

It is noted that whilst the site itself does not offer great potential for bat roosting, the site does have the potential for foraging and commuting bats due to the dense mature trees and hedgerow along the eastern boundary which are to be retained. The PEA recommends that lighting is minimising and that no lighting is directed

towards the mature trees along the eastern boundary. The proposed site plan does not include any external lighting however; there is the potential for lighting to come from HGV and cars within the yard area. This lighting is considered to be low level and is not considered to negatively impact upon Bats. The subject development is not considered to present a risk to any protected species or feature of natural heritage importance as indicated within the PEA and therefore there are no concerns in this regard.

Policy DM 37 of the ANPS provides additional policy criteria for assessing developments which could impact upon designated sites. It is noted that the site is not located within an international or national designated sites. However, the site is located approximately 1.5m east of Lough Neagh, Lough Beg SPA and Ramsar Sites. The PEA indicates that no viable pathway has been identified between the application site and any designated site.

SES were informally consulted on the proposal and indicated that formal consultation is not required. The application was screened out for the need for a Habitats Regulations Assessment because it would not have a conceivable effect on a European site and that there is no viable source-receptor pathway for effects on the downstream sites

Other Matters

Northern Ireland Water

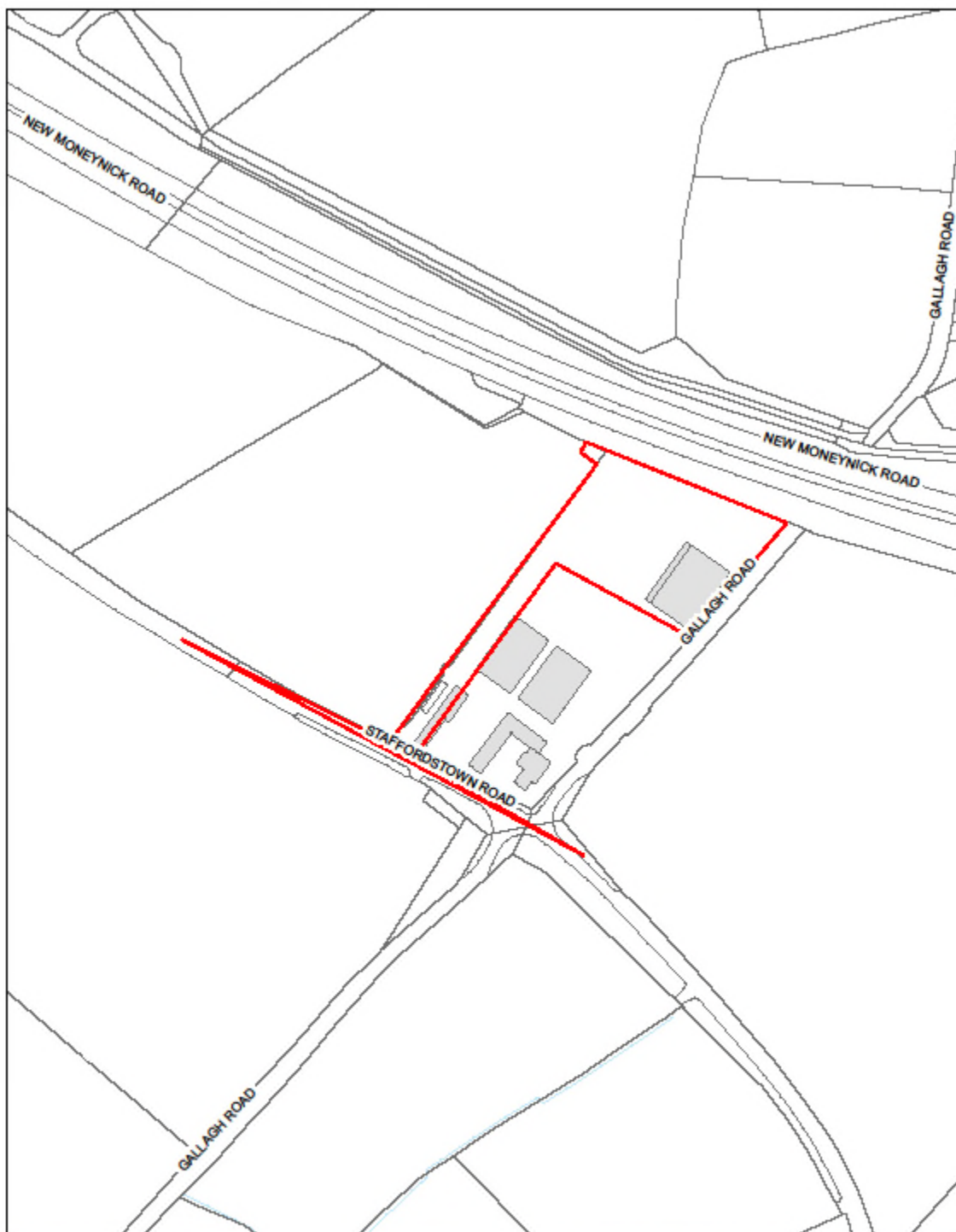
The workshop building to be retained consists of toilets and shown on the site plan and the submitted application form details that foul sewage will be disposed of via mains sewers.

Northern Ireland Water were consulted on the additional load from the proposal and offered no objection in relation to capacity.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

- | |
|---|
| <ol style="list-style-type: none">1. The proposal is contrary to Paragraph 6.87 of the SPPS and Policies SP 1.11 and DM 2 'Economic Development – Countryside' of the Antrim and Newtownabbey Plan Strategy in that there is no overriding reason why the proposal is essential within this rural location and cannot be located within a settlement.2. The proposal is contrary to paragraph 6.70 of the SPPS, criterion (d) of Policy DM 27.2 and criterion (a) of Policy DM 27.3 of the Antrim and Newtownabbey Plan Strategy in that the proposal relies heavily on new landscaping and earthworks for integration, causes a sub-urban style build-up of development and fails to respect the rural character of the area. |
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Planning Reference:
LA03/2025/0540/F

1:2,500 



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2025/0728/O
DEA	DUNSILLY
COMMITTEE INTEREST	PREVIOUS COMMITTEE ITEM
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION
PROPOSAL	Dwelling and garage
SITE/LOCATION	Site 50m north-east of No. 3 Carmorn Road, Antrim, BT41 3NX
APPLICANT	Gabriel Bateson
AGENT	A.C.E Architectural Services Ltd
LAST SITE VISIT	12th January 2026
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
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://planningregister.planningsystemni.gov.uk/application/701859	
SITE DESCRIPTION	
The application site is located approximately 50 metres northeast of No. 3 Carmorn Road, Antrim, which is within the countryside and outside the development limits of any settlement as defined in the Antrim Area Plan 1984-2001. The application site forms a rectangular shape and contains an existing single storey outbuilding. The site is accessed by an existing private laneway, which currently serves No. 3 Carmorn Road (which is also under the control of the applicant). The site benefits from mature trees and hedgerows to the northern and eastern boundaries. An additional outbuilding is located to the west and No. 3 Carmorn Road is also located to the southwest of the site. The character of the area is typically rural and defined with single dwellings and agricultural outbuildings spread intermittently.	
RELEVANT PLANNING HISTORY	
Planning Reference: LA03/2023/0949/O Location: Site 50 metres northeast of No. 3 Carmorn Road, Antrim Proposal: Dwelling and garage Decision: Application withdrawn Planning Reference: LA03/2021/0215/O Location: 50m NE of 3 Carmorn Road, Toomebridge, Antrim, BT41 3NX Proposal: Site for proposed replacement dwelling Decision: Withdrawn (11.08.2021) Planning Reference: T/2009/0055/F Location: 50m East of 3 Carmorn Road, Toomebridge, Antrim Proposal: Dwelling Decision: Permission Granted (01.05.2009) Planning Reference: T/2005/0835/O	

Location: 50m East of 3 Carmorn Road, Toomebridge
Proposal: Site of dwelling and garage
Decision: Permission Granted (21.02.2006)

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 – 2001: The application site is located within the countryside as identified within the Antrim Area Plan, 1984-2001. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and advertisement consents.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM10 – Access and Parking; and
- Policy DM 15 – Development Relying on Non-Mains Sewage.

Strategic Policy 4 - Homes (SP 4): sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 18 – Homes in the Countryside; and
- Policy DM 18E – Dwellings in Exceptional Circumstances

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character; and
- Policy DM 28 Amenity Impact.

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage and Sustainable Drainage Systems;

Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside: sets out design principles for new dwellings in the countryside.

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- No objection, subject to condition

REPRESENTATION

One (1) neighbouring property was notified of the application, and no representations have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Policy Context and Principle of Development
- Rural Design and Character
- Neighbour Amenity
- Access and Parking
- Natural Heritage
- Sewerage and Drainage

Preliminary Matters

EIA Development

Owing to the size of the application site (less than 0.5ha) and that the proposal only included a single dwelling an EIA determination was not required for this application.

Requirement for HRA

Owing to the location of this application (removed from any designated sites or any potential hydrological link to these sites) and the nature of the application (a replacement dwelling) an HRA was not considered necessary.

Previous Application

A previous application for the same proposal (dwelling and garage) submitted by the applicants under planning application Ref: LA03/2023/0949/O was previously withdrawn by the applicant due to concerns that Officers had with the proposal. These concerns were mostly in relation to the applicant having not explored all other alternative solutions to meet the personal and domestic circumstance to which the application related. This was primarily in relation to a previous planning approval granted under planning application Ref: T/2009/0555/F for a dwelling on lands adjacent to No. 3 Carmorn Road. At the time of the said 2023 application, the lands on which this permission existed remained within the applicants' ownership and therefore acted as a development opportunity that could have served the applicants' personal and domestic requirements for a new dwelling in close proximity to No. 3 Carmorn Road, Toomebridge.

Concern had also been raised at this time in relation to the evidence provided to demonstrate that genuine hardship would be caused if planning permission were refused.

Since the withdrawal of this previous application, the applicant has advised that they no longer own the lands with the development opportunity granted under planning application Ref: T/2009/0555/F and have submitted further supporting information to detail how the proposal complies with the relevant planning policy requirements laid out under Policy DM 18E – Dwellings in Exceptional Circumstances of the ANPS. The current submission is assessed below in the main body of this report.

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the

SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

SP 1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. DM 18.1 of the ANPS indicates that the Council will support the development of new homes in the countryside provided that it meets with the range of development types permitted by policy. One such development type is for a dwelling in exceptional circumstances.

DM 18.18 of the ANPS states that the Council will only support an application for a dwelling relating to exceptional circumstances for special personal domestic circumstances or to meet the essential needs of a non-agricultural business enterprise.

This application seeks outline planning approval for a new dwelling and garage, which is required due to the applicant's special personal and domestic circumstances.

DM 18.19 of the ANPS states that planning permission will be granted for a dwelling provided the Council is satisfied there are compelling, site-specific reasons related to the applicants personal or domestic circumstances and provided criteria (a) and (b) set out in the policy are met.

Criteria (a) requires that the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if permission were to be refused and:

Criteria (b) requires that there are no alternative solutions to meet the particular circumstances of the case such as an annex attached to the existing dwelling; the conversion of another building within the curtilage of the property; or the use of a temporary home for a limited period to deal with the immediate short-term circumstances.

The applicant seeks outline planning permission for a dwelling and garage on lands adjacent to their dwelling at No. 3 Carmorn Road as shown on the Site Location Plan (Drawing No. 01 date stamped 7th October 2025). A Supporting Statement (Document 01 date stamped 7th October 2025) has also been submitted to include justification for the proposal in accordance with the policy requirements of Policy DM 18E of the ANPS.

The Supporting Statement outlines that the applicants (Mr and Mrs Gabriel Bateson) – currently reside at the existing dwelling at No. 3 Carmorn Road together with their son, daughter in-law and their twin grandchildren.

The information provided advises that a new dwelling is required on the application site (adjacent to No. 3) to provide accommodation for the applicants to reside (Mr and Mrs G Bateson) whilst allowing the applicant's son, daughter-in law and

grandchildren to continue living at No. 3, an environment which they are familiar with.

The information provided outlines that the current dwelling at No. 3 Carmorn Road is to be adapted to serve the needs of the applicants' twin grandchildren but that this dwelling is not large enough to continue accommodating both the applicants and their son's family.

The proposed dwelling is required to allow the applicants (grandparents of the twins) to provide essential support to their son and daughter-in law with the care of their twins who require continuing high levels of care due to their medical requirements. The Supporting Statement (Document 01 date stamped 7th October 2025) provides details to include a list of medical conditions and the daily care regimes required for the two children. Information has also been provided to outline the specific care that the grandparents help to provide on a routine basis.

A letter of support issued from Great Ormond Street Hospital and correspondence from the family social worker have also been provided to support the rational for the application and confirm that having the support of grandparents living close by is vital to support the family unit.

As noted above the policy criteria (a) requires that it must be demonstrated that genuine hardship would be caused if permission were to be refused. In this instance, the applicants' Supporting Statement (Document 01 date stamped 7th October 2025) advises that without the new dwelling that the only alternative arrangement is that the wider family (to include the applicants, their son, daughter in law and grandchildren) remain living in cramped conditions at No. 3 Carmorn Road. However, this is not considered a practical long-term arrangement for the family. The only other option is that the applicants (the twins' grandparents) live separately from the family unit in a property which is spatially removed from No. 3 (an existing dwelling under their ownership within Antrim Town). The supporting information states that this separation would lead to a loss of vital support which would be detrimental and cause genuine hardship to the young family unit who rely greatly on the continued support of their family.

Giving consideration to the above, it is accepted that the applicant has demonstrated that a genuine hardship would occur meeting the requirements of part (a) of Policy DM 18 E.

Criterion (b) of the policy requires the applicant to demonstrate that they have explored all viable alternatives, such as an extension or annex attached to the existing dwelling, or the use of a mobile home for a limited period to deal with the immediate short-term circumstances.

The Supporting Statement (Document 01 date stamped 7th October 2025) outlines that an annex or extension to the existing dwelling at No. 3 Carmorn Road has been deemed unsuitable based on the advice provided to the family by statutory consultees and health professionals who are currently in the process of designing adaptations required to meet the current and future needs of the family. The supporting information advises that the extent of these adaptations would mean that

the provision of additional residential accommodation within the existing curtilage of the dwelling would not be feasible.

A planning history search indicates that the applicant previously availed of planning approval for a dwelling on a site approximately 50 metres to the east of No. 3 Carmorn Road granted under planning Ref: T/2009/0055/F. This matter was raised with the applicant/agent both during the processing of the current application and the application previously withdrawn under planning Ref: LA03/2023/0949/O.

As detailed and evidenced within the Supporting Statement (Document 01 date stamped 7th October 2025), the agent has advised that although this approval was granted in the applicant's name (Mr G Bateson), that this was only because he was the landowner and that this site was for his other son (Tommy Bateson). The supporting information includes confirmation that the applicant no longer owns this site/development opportunity (as documented in a solicitor's letter and associated transfer map). The solicitor's letter dated 18th December 2024 confirms that the applicant attended a meeting to execute the transfer of the site to Mr Tommy Bateson and that the law practice will proceed to register same with Land Registry. A Land Registry Search was carried out by the Council but the transfer registration documents have not yet been updated. It is acknowledged that the registration of lands can take some time and the solicitor's letter provided in support of the application is deemed sufficient to demonstrate the transfer of the adjacent land.

Given the information in relation to the unsuitability of the extension/conversion of buildings within the curtilage of No. 3 Carmorn Road and that the applicant no longer holds any other viable development opportunity that could fulfil the requirements of the applicants' exceptional circumstance, the proposal is also considered to comply with the policy requirements outlined in criterion (b) of Policy DM 18E of the ANPS.

The principle of a dwelling and garage on the application site is therefore considered acceptable in accordance with the policy for dwellings in exceptional circumstances.

As outlined in DM 18.20 of the ANPS, all permissions granted under exceptional circumstances (Policy DM 18E) will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependants. A condition is proposed to restrict the occupancy of the dwelling to the applicants.

Design, Integration and Rural Character

DM 18.2 of the ANPS states that in all cases, the Council will expect proposals for new residential development to be sited and designed to integrate sympathetically with their surroundings and not to have an adverse impact on the landscape character or rural amenity of the countryside. Furthermore, Policy DM 27 of the ANPS states the Council will support development in the countryside where it is sited to integrate sympathetically into its surroundings and respects rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context.

As the application seeks outline planning permission, full details have not been provided regarding the proposed design or layout of the dwelling and garage.

The application site is modest in size and well screened with existing vegetation along the northern and northeastern site boundaries. The other boundaries are open with the main part of the site fronting onto the existing access laneway which serves No. 3 Carmorn Road.

Owing to the existing vegetation and the site's set back position from any public roads, there are no open views to the application site. The topography of the application site is generally flat and an appropriately designed single storey dwelling would not be considered a prominent feature in the existing rural landscape.

DM 27.3 of the ANPS states that development will be acceptable where it respects the traditional pattern of development in the area and will not cause a detrimental change to, or further erode, the rural character of the area.

In this instance and again owing to the siting of the dwelling away from the public road and the limited public interest in the site, it is considered that a new dwelling and garage on the application site would not alter or erode the character of the area. A condition restricting the ridge height of the dwelling to 5.5 metres will ensure that the proposed dwelling will reflect the form and character exhibited at the applicants adjacent dwelling.

Overall, if the proposal is considered to comply with Policy DM 27 of the ANPS as it is considered that an appropriately designed dwelling could integrate into surrounding landscape and would not alter or erode the existing character of the area.

Neighbour Amenity

DM 28.1 of the ANPS states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. Both the individual and cumulative impacts of proposals on amenity will be considered in assessing their acceptability.

As this application seeks outline permission, no finalised details have been provided regarding the siting, layout or proposed design; however, it is considered that an appropriately designed dwelling and garage, sited broadly in accordance with that shown on the Site Location Plan (Drawing No. 01 date stamped 7th October 2025) could be provided on the application site without any adverse amenity impact on the nearby existing dwelling.

The Council's Environmental Health Section (EH) was consulted and has raised no objection to the proposal. EH highlighted that the proposed dwelling is within 132 metres of an engineering yard and 60 metres from a farmyard area but is content with the proposal as the applicants are aware of the existing environment given, they have resided at No. 3 Carmorn Road for several years and that the proposed dwelling would be at an increased distance from the farmyard.

Access and Parking

DfI Roads was consulted and responded with no objection, subject to the attachment of two conditions, one detailing the submission of an access plan in accordance with the attached RS1 form at the Reserved Matters stage and one

requiring that the existing access would be permanently closed over prior to the commencement of development.

Natural Heritage

Policy SP 1.4 of the ANPS states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment while Policy SP 8.3 of the ANPS requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest. Specific policies within the ANPS for designated sites are provided within Policy DM 37, policies relating to protected species are provided under Policy DM 38, whilst Policy DM 39 addresses other Habitats, Species and Features of Natural Heritage Importance.

The application site is not located in a sensitive location and does not appear to have any physical or hydrological link to protected sites. The proposal also does not involve the removal of existing vegetation which limits any potential impact on natural heritage features in this regard.

The proposal does involve the demolition of an existing outbuilding in order to accommodate the proposed dwelling and garage. Following a site inspection undertaken during the processing of the previously withdrawn application (Ref: LA03/2023/0949/O) it was decided that as the building was watertight, had all windows and doors permanently closed and had a metal roof, that there would be negligible bat roost potential and as such the submission of further ecological information was not deemed to be required.

Given this previous position and that the building remains generally in the same condition, no further information relating to the demolition of these buildings has been requested from the applicant. An informative will however be appended to any forthcoming approval highlighting to the applicant their legal obligations and responsibilities in relation to protected species.

The matter of landscaping is normally a matter reserved to the detailed design stage, and should outline permission be forthcoming, appropriate landscaping proposals could be submitted with the Reserved Matters application. The retention of the existing vegetation along the sites northern and northeastern site boundaries will also be conditioned on any forthcoming permission.

Sewerage & Drainage

Policy DM15 of the ANPS states that the Council will only support development proposals for non-mains sewerage where it is demonstrated that this will not create or add to a pollution problem. In addition, Policy DM 47 of the ANPS states that consideration of drainage issues is a requirement for all development proposals.

As the proposal is for outline permission, it does not include any details of the location of the proposed soakaways and septic tank. The site is not known to be located in an area known to be at risk from pollution. A septic tank will require a Discharge Consent to be granted by DAERA Water Management Unit. Details of the location of the septic tank and soakaways shall be required at Reserved Matters stage if planning permission is forthcoming.

The proposed dwelling and garage are not proposed in an area where there is evidence of a history of surface water flooding, and given the proposal, it is not expected to involve buildings and/or hard surfacing of 1,000sqm or greater in area, and as such a Drainage Assessment (DA) was not required to be submitted.

NI Water was not consulted in relation to this application for a single dwelling in the countryside. An informative will however be attached to any forthcoming approval advising that the applicant's attention is drawn to NI Waters' Standing advice in relation to single domestic properties in the rural area seeking connection to watermains.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- The principle of a dwelling and garage in exceptional circumstances is considered acceptable;
- An appropriately designed dwelling and garage on the application site would integrate sympathetically into the surrounding receiving environment;
- The proposal would not alter the character and appearance of the existing rural area;
- It is considered that a dwelling on the application site would not compromise the amenity of neighbouring occupiers; and
- The proposal would not have any significant detrimental impact on natural heritage features.

RECOMMENDATION

GRANT OUTLINE PLANNING PERMISSION

PROPOSED CONDITIONS

1. Application for approval of the reserved matters must be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

i The expiration of 5 years from the date of this permission:

ii The expiration of 2 years from the date of approval of the list of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 must be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. The dwelling hereby approved shall be occupied by Mr and Mrs Gabriel Bateson and their dependants only.

Reason: This dwelling and garage was granted solely relating to the applicants own specific exceptional circumstances.

5. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access location to be constructed and other requirements in accordance with the attached RS1 form.

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

6. No other development hereby permitted shall be commenced until the existing access indicated on Drawing No. 01 date stamped 7th October 2025 has been permanently closed and the verge properly reinstated to DfL Roads satisfaction.
Reason: In order to minimize the number of access points on to the public road in the interests of road safety and the convenience of road users.

7. The proposed dwelling must have a ridge height not exceeding 5.5 metres above finished floor level.

Reason: To ensure that the development is satisfactorily integrated into the landscape and respects the surrounding built form and character in accordance with the requirements of Policy DM 27.

8. The depth of underbuilding between finished floor level and existing ground level must not exceed 0.3 metres at any point.

Reason: In the interest of visual amenity.

9. The existing natural screenings of the site including the existing trees and hedgerows as indicated along the boundaries marked in green on Drawing No. 01, date stamped 7th October 2025, shall be retained (at a minimum height of 4 metres for trees and 2 metres for hedgerows) unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: In the interests of visual amenity, to ensure the provision, establishment and maintenance of a high standard of landscape and minimise any detrimental impact on natural heritage features.

10. If any retained tree or hedgerow is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it must be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

11. A full landscaping scheme must be submitted to the Council at Reserved Matters stage showing the location, numbers, species and sizes of trees and shrubs to be planted.

The landscaping scheme shall also clearly identify the Root Protection Area of the trees located along the sites northern and northeastern boundaries.

The scheme of planting as finally approved shall be carried out during the first planting season after the occupation of the development.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

12. 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 must 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.



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Reference : LA03/2025/0728/O

1:2,500

 Site Location



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2025/0637/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site of proposed dwelling
SITE/LOCATION	Approx 70m south east of 12 Drumkeeran Road, Antrim
APPLICANT	Timothy Wilson
AGENT	JWM Planning Limited
LAST SITE VISIT	16th October 2025
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
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://planningregister.planningsystemni.gov.uk/application/702762	
SITE DESCRIPTION	
The application site is located approximately 70 metres southeast of the existing dwelling at No. 12 Drumkeeran Road, Antrim, which is within the countryside and outside the development limits of any settlement defined in the Antrim Area Plan 1984-2001. The application site consists of a portion of a larger agricultural field which is accessed off the Drumkeeran Road by an existing agricultural laneway. The site comprises a rectangular shape, defined to the southwest with mature trees, to the northwest with interspersed trees and post and wire fencing, and to the northeast by a mature hedgerow. The southeastern boundary of the site remains undefined. The topography of the site falls in a southwesterly direction from the existing laneway. A watercourse lies just beyond the application site's southwestern boundary. The character of the area is typically rural and is defined with single dwellings and agricultural outbuildings spread intermittingly throughout. As detailed on the Site Location Plan (Drawing No. 01 date stamped 3rd September 2025) a large expanse of bogland exists beyond the site to the southwest.	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY AND GUIDANCE	
Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise. The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the	

extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 – 2001: The application site is located within the countryside as identified within the Antrim Area Plan 1984-2001. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and advertisement consents.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM10 – Access and Parking; and
- Policy DM 15 – Development Relying on Non-Mains Sewage.

Strategic Policy 4 - Homes (SP 4): sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 18 – Homes in the Countryside; and
- Policy DM 18E – Dwellings in Exceptional Circumstances.

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character; and
- Policy DM 28 Amenity Impact.

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 37 Designated Sites of Nature Conservation Importance;

- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

Strategic Policy 7 - Historic Environment (SPG7): Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policies:

- Policy DM 30 Archaeology.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage and Sustainable Drainage Systems; and
- Policy DM 52 Contaminated Land.

Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside: sets out design principles for new dwellings in the countryside.

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- No objection, subject to condition

Historic Environment Division - No objection

DfI Rivers – Awaiting response

Shared Environmental Services – Require consultation following response from NIEA (WMU)

REPRESENTATION

Three (3) neighbouring properties were notified of the application and two (2) letters of representation have been received from two (2) neighbour notified properties.

A summary of the representations has been provided below:

- The proposed development would have a detrimental impact on the character of the area by way of localised build up and urbanisation;
- Access safety concerns;
- Environmental protection concerns as the site is adjacent to a peat bog and NIEA have not been consulted;
- Amenity concerns relating to No. 10 Drumkeeran Road by way of overlooking, loss of privacy and impact from traffic noise, vehicle movement and lights;
- The proposed access arrangements are unacceptable in terms of road safety and may require the use of third party lands;
- The road is structurally unstable and would not be suitable for construction traffic;
- The proposal will have a detrimental amenity impact on No. 12 Drumkeeran Road, which has eight (8) windows facing into the site, by way of overlooking, loss of privacy and impact from traffic noise vehicle movement, vibration, and lights;
- Unsatisfactory non-mains sewerage risks;
- Drainage concerns and the lack of a Drainage Assessment.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Policy Context and Principle of Development
- Rural Design and Character
- Neighbour Amenity
- Access and Parking
- Natural Heritage
- Historic Environment
- Sewerage and Drainage
- Other Matters

Preliminary Matters

EIA

The proposed development does not meet any of the thresholds of development within Schedule 1 or 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, nor is it located within a sensitive area, therefore there is no requirement for an EIA screening determination.

HRA

The subject site is located at 70m southeast of 12 Drumkeeran Road, Antrim. The application seeks outline planning approval for a single dwelling house.

It is noted that there is a slow-moving overgrown watercourse along the western site boundary which has the potential to be hydrologically linked to Lough Neagh and its associated European Sites via the 'Flow Bog Burn' and River Maine. However, owing to the size of the application site and the ability to facilitate a new dwelling on the site in excess of 10 metres from this watercourse, it is considered that the development (with the imposition of an appropriate 10 metre buffer) would be unlikely to have any impact on this existing watercourse and thus an HRA was not considered necessary.

Request for Further Information

On 13th October 2025, a completed Biodiversity Checklist (to include an Ecological Statement) was requested on a non-prejudice basis as the initial Biodiversity Checklist (Document 02 date stamped 3rd September 2025), despite a number of positive answers did not include an Ecological Statement (the application site is hydrologically linked to Protected Sites, beside a bog and is within 25 metres of mature hedgerow vegetation). An updated Biodiversity Checklist (Document 02/1) was received by the Council on 12th January 2026.

On 13th November 2025 an email was sent to the agent requesting further justification for the proposal, including additional supporting information to demonstrate that the proposal can meet the strict policy requirements of Policy DM 18E of the ANPS. The request outlined that this may include but not be limited to additional medical information detailing why the applicant will require a dwelling at this specific location, and a further explanation to demonstrate that there are no other alternative solutions available to the applicant.

Consequently, the agent provided additional supporting information (Document 03 date stamped 27th November 2025) to include a rationale for the location of the site,

a list of five (5) available single storey properties within the applicant's price range that have all been deemed unsuitable by the agent due to their urban location. The supporting information also included five (5) additional letters of support, including a letter from the applicant's family members and the applicant's General Practitioner.

Further information to include roads amendments, a Preliminary Risk Assessment (due to concerns with contamination) and a Construction Environmental Management Plan (CEMP) have been requested from statutory consultees but have not been formally requested by Officers given the concerns with the principle of development.

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations.

Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Strategic Policy SP1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. DM 18.1 of the ANPS indicates that the Council will support the development of new homes in the countryside provided that it meets with the range of development types permitted by policy. One such development type is for a dwelling in exceptional circumstances.

DM 18.18 of the ANPS states that the Council will only support an application for a dwelling relating to exceptional circumstances for special personal domestic circumstances or where it is essential to meet the needs of a non-agricultural business enterprise.

This application is for outline planning permission for a new dwelling required due to the applicant's special personal and domestic circumstances.

DM 18.19 of the ANPS states that planning permission will be granted for a dwelling provided the Council is satisfied that there are compelling, site-specific reasons related to the applicants personal or domestic circumstances and provided criteria (a) and (b) of the policy are met.

Criteria (a) requires that the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if permission were to be refused and:

Criteria (b) requires that there are no alternative solutions to meet the particular circumstances of the case such as an annex attached to the existing dwelling, the conversion of another building within the curtilage of the property, or the use of a temporary home for a limited period to deal with the immediate short term circumstances.

A Supporting Statement (Document 01 date stamped 3rd September 2025) and Further Supporting Information (Document 03 date stamped 27th November 2025) have been received in respect of the application. The supporting information advises that the proposed dwelling is required to serve the applicant's special personal and domestic circumstances and outlines how the proposal should satisfy the policy requirements of Policy DM 18E of the ANPS.

The supporting information advises that the applicant has specific personal circumstances which necessitate the need for a single storey dwelling within a familiar rural setting it is stated that the application site is adjacent to the dwelling in which the applicant grew up at No. 12 Drumkeeran Road. Details in relation to the applicant's personal and medical history have been provided together with a number of letters of support for the development from a range of different bodies to include letters from the applicant's GP and other healthcare professionals, letters from the NI Veterans Commission, the applicant's family members, and the Physical Development Department of the Army Special Operations Brigade.

The information submitted also provides full details of the applicant's medical conditions and his current non-permanent living arrangements. The applicant advises that the location of the application site is convenient for accessing hospital appointments.

The information goes on to highlight that the applicant requires a single storey dwelling in a familiar rural location in close proximity to his family members who provide support to him. Full details of the locations at which the family members reside have not been provided, however, the nearby dwelling at No. 12 Drumkeeran Road does not appear to be occupied by family members of the applicant. The owners of the garage constructed in association with a dwelling and garage approved under planning application Ref: T/2006/0616/RM, to the east of the application site, are also not family members. In addition, the occupants of both these neighbouring properties have objected to the proposed development. The site is therefore not considered to be located in immediate proximity to family members.

As noted above policy criteria (a) of DM 18.19 of the ANPS requires that it must be demonstrated that genuine hardship would be caused if permission were to be refused. The supporting information suggests that hardship would be caused as relocation to another site would negatively impact the applicant's ability to manage his medical requirements and sustain his current level of wellbeing.

Although the supporting information refers to the need for the applicant to reside at this familiar rural location in order to help manage his conditions, it is considered that

it has not been sufficiently demonstrated that genuine and actual hardship would occur should the applicant not be granted permission for a dwelling at this location.

Having reviewed the submitted information it is not considered that a new dwelling at this specific location is a necessary response to the applicant's personal circumstance and that genuine hardship would be caused if planning permission were to be refused. The supporting information indicates that a dwelling within the urban environment would not be suitable for the applicant due to the typical layout of these dwellings which include stairs, restricted access etc. and that the applicant would benefit from a degree of familiarity of the surroundings provided by the application site. It is however considered that there is no exceptional reason (other than familiarity) that would necessitate the applicant to reside at this specific location within the countryside and it is considered that the applicant could find suitable existing accommodation within an appropriate setting to meet their personal requirements.

In relation to criterion (b) of DM 18.19 of the ANPS which requires that no other alternative solutions exist that could meet the applicant's personal circumstance, the supporting information provides addresses for other existing single storey properties within the area (and within the applicant's price range) that are currently on the market. The agent however advises that these are all within an urban context and therefore would not be suitable for the applicant due their need for a rural and familiar environment to alleviate medical symptoms. No information has been provided in relation to any other potential solutions to meet the applicants' specific requirements.

The principle of a new dwelling on the application site is not established as the proposal is not considered to comply with the requirements as laid out under Policy DM 18E of the ANPS.

Design, Integration and Rural Character

DM 18.2 of the ANPS states that in all cases, the Council will expect proposals for new residential development to be sited and designed to integrate sympathetically with their surroundings and not to have an adverse impact on the landscape character or rural amenity of the countryside. Furthermore, Policy DM 27 of the ANPS states the Council will support development in the countryside where it is sited to integrate sympathetically into its surroundings and respects rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context.

As the application seeks outline planning permission, full details have not been provided regarding the proposed design or layout of the dwelling.

Owing to the existing vegetation surrounding the site to the northwest and southwest, the topography of the site, which sits at a lower level than the road, and the site's set back distance of approximately 110m from the Drumkeeran Road, there are no open public views to the application site which avails of a good sense of enclosure. It is considered that a suitably designed single storey dwelling could integrate sympathetically into the existing rural environment.

DM 27.3 of the ANPS states that development will be acceptable where it respects the traditional pattern of development in the area and will not cause a detrimental change to, or further erode, the rural character of the area.

In this instance and again owing to siting of the dwelling being away from the public road and the limited public interest in the site, it is considered that a new dwelling on the application site would not appear to significantly alter or erode the character of the area.

Overall, if the proposal is considered to comply with Policy DM 27 of the ANPS as it is considered that an appropriately designed dwelling could integrate into surrounding landscape and would not alter or erode the existing character of the area.

Neighbour Amenity

DM 28.1 of the ANPS states the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. Both the individual and cumulative impacts of proposals on amenity will be considered in assessing their acceptability.

As this application seeks outline planning permission, no finalised details have been provided regarding the siting, layout or design of the proposed dwelling.

It is noted that representations have been received from both neighbouring properties (No. 12 Drumkeeran Road, as well as from No. 10, the dwelling which is currently under construction) with concerns raised by both parties in relation to potential impacts in relation to overlooking, loss of privacy and nuisance from noise and light.

Owing to the separation distance between the site and the existing dwelling at No. 12 Drumkeeran Road and the foundations laid at No. 10 it is considered that an appropriately designed dwelling could be accommodated on the application site without significant adverse impact on these neighbouring properties by way of overlooking or loss of privacy.

However, the proposed dwelling is to be accessed via an existing grassed laneway that runs along the common boundary with No. 12 Drumkeeran Road and parallel to the laneway approved under planning application Ref: T/2006/0616/RM for the dwelling currently under construction (No. 10) to the southeast of the site. The existing boundary between No. 12 and the lane is partially defined by an existing hedgerow however it remains open in parts which would give rise to concerns in relation to overlooking and loss of privacy, as views into the rear of this neighbouring dwelling (which contains a number of windows) would be achievable when travelling along the access laneway to the proposed dwelling.

Officers did not raise the matter of amenity with the applicant however, the representation is available to be viewed online) owing to the concerns with the principle of development. Nonetheless, it is considered that the proposed access arrangement would have the potential to detrimentally impact on the amenity experienced at No. 12 Drumkeeran Road by way of overlooking and loss of privacy and therefore the proposal is contrary to DM 28.1 of the ANPS.

It is noted that the Council's Environmental Health Section (EH) was consulted and raised no objection to the proposal in regard to amenity.

Access and Parking

Policy SP 3.10 indicates that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided.

The proposed access is via an existing grassed opening onto the Drumkeeran Road. DfI Roads was consulted in relation to the proposal and responded seeking amendments to the Site Location Plan (Drawing No. 01 date stamped 3rd September 2025) to show visibility splays of 2.0 metres by 35 metres in both directions. As there are concerns with the principle of development Officer's did not formally request the submission of these amended details. However, it is considered that appropriate access arrangements could be achieved.

If third party lands are required to achieve acceptable visibility splays this is a civil matter to be resolved between the involved parties.

The structural stability of the Drumkeeran Road and unsuitability of this road for construction traffic has also been raised via representation. As noted above, DfI Roads have offered no objection on the grounds of road safety. If the road is deemed as structurally unstable this is a matter for DfI Roads. Any road closures imposed by the Department for Infrastructure should be adhered to.

Natural Heritage

Policy SP 1.4 of the ANPS states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment whilst Policy SP 8.3 of the ANPS requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest. Specific policies for designated sites are provided by Policy DM 37 of the ANPS, policies relating to protected species are provided under Policy DM 38, whilst Policy DM 39 of the ANPS addresses other habitats, species and features of natural heritage importance.

The application site is not located within a sensitive location but owing to the presence of a watercourse along the southwestern site boundary, which is hydrologically linked to Lough Neagh there is a potential hydrological link to protected sites. The application site is also located immediately adjacent to a peatland bog which is located just beyond the watercourse further to the southwest of the application site.

As noted above, Shared Environmental Services (SES) and NIEA have not been formally consulted in relation to the application.

The Ecological Statement contained within the Biodiversity Checklist (Document 02/1 date stamped 12th January 2026) recommends that one tree along the northeastern boundary may have roosting potential for bats and that the watercourse located to the southwest of the site may offer suitable foraging, commuting and shelter opportunities for other protected species. The ecologist however indicates that upon full survey of the site that no other evidence of foraging badgers or otters were found within the application site. The ecologist concluded that provided all existing

vegetation, to include hedges and trees, remained intact that no further survey work would be necessary as there would be no likely adverse impact to protected species resultant from the proposal.

The ecologist also recommends that if planning permission was to be forthcoming that a 10 metre buffer between the existing watercourse and any proposed development should be imposed and that a Construction Environmental Management Plan (CEMP) would be necessary to prevent potential pollution or impact on any NI priority habitat downstream.

The information contained within Document 02/1 does not indicate that the proposed development would have any detrimental impact on the adjacent blanket bog local wildlife site. However, it is noted that NIEA has not reviewed this information.

Regarding Policy DM 38 of the ANPS and in relation to protected species, based on the information provided within Document 02/1 it is considered that subject to the retention of all existing boundary vegetation that the development is unlikely to result in any adverse impact on any Protected Species.

As noted above SES has not been formally consulted on the application and a Habitats Regulations Assessment (HRA) for the application site was not deemed necessary. This is due to the opportunity for the dwelling to be sited away from the adjacent watercourse and the ability to impose a condition to any forthcoming permission which would require that a 10 metre buffer exists between the development and the adjacent watercourse. Overall, it is considered that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects, subject to the imposition of an appropriate condition requiring a suitable buffer.

Policy DM 52 of the ANPS provides the policy context in relation to contaminated land. As noted above the Council's Environmental Health Section has raised concern in relation to potential contamination risks at the application site. The application site is located immediately adjacent to 'Flow Bog'. The PRONI historical maps indicate that the flow bog may have been previously cut/disturbed and that the proposed site may therefore be on land that historically formed part of the bog. Given the potential risks of land contamination resulting from the historic land uses further information to include a Preliminary Risk Assessment (PRA) is required to identify any contamination issues that may be associated with the site.

Given Officers' concern with the principle of development this additional information was also not formally requested from the applicant to ensure that they were not put to any undue expense. As a precautionary measure a refusal reason will be appended in regard to potential contamination risk as it has not been demonstrated through site investigation and risk assessment that the site is in a condition suitable for the proposed development and is not causing significant pollution of the environment as required by DM 52.1 of the ANPS.

Historic Environment

Policy DM 30 – Archaeology of the ANPS advises that the Council will operate a presumption in favour of the physical preservation in situ of archaeological remains and their settings.

The application site falls within the consultation buffer zone for two archaeological sites. DfC Historic Environment Division (HED) was consulted and has responded to advise it is content that the proposal would not adversely impact on any archaeological features.

Sewerage & Drainage

Policy DM 15 of the ANPS states that the Council will only support development proposals for non-mains sewerage where it is demonstrated that this will not create or add to a pollution problem. In addition, Policy DM 47 of the ANPS states that consideration of drainage issues is a requirement for all development proposals.

As the proposal is for outline permission, it does not include any details of the location of the proposed soakaways and package treatment plant. However, a Discharge Consent granted by DAERA'S Water Management Unit would be required for the package treatment plant and details of the location of the plant and soakaways would be required at the Reserved Matters stage if outline planning permission is forthcoming.

The DfI Flood Maps (NI) indicate that a portion of the site along the southwestern boundary may be subject to surface water flooding (climate change). DfI Rivers was consulted in relation to the proposal in October 2025 but has not yet provided a response. The onus is however on the developer to address drainage issues and ensure that the subject development would not be at risk from flooding or lead to increased run-off that would increase flooding elsewhere.

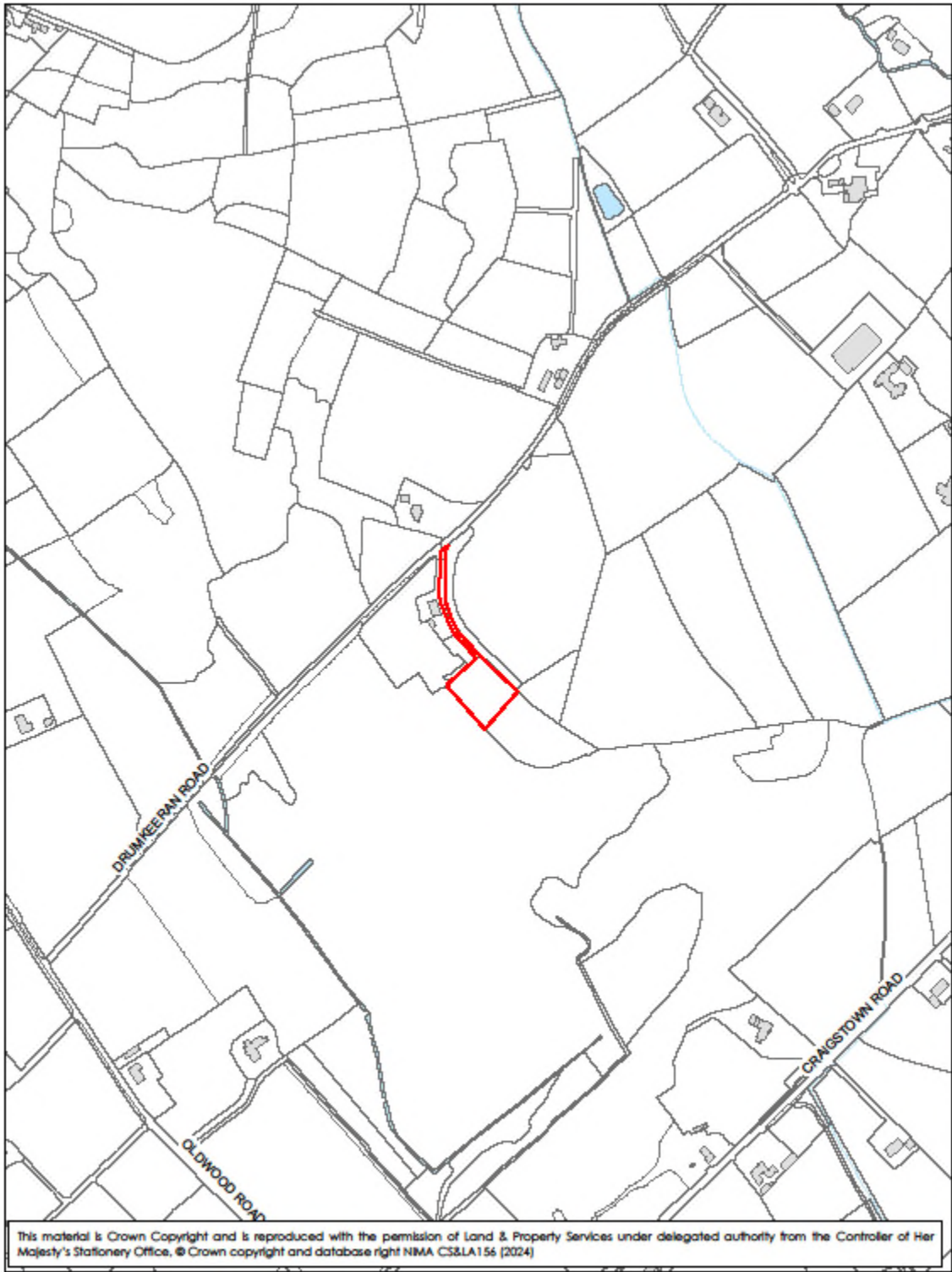
NI Water was not consulted in relation to this application for a single dwelling in the countryside. An informative will however be attached to any forthcoming approval advising that the applicant's attention is drawn to NI Waters' Standing advice in relation to single domestic properties in the rural area seeking connection to watermains.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- The principle of a dwelling in exceptional circumstances is not considered acceptable;
- An appropriately designed dwelling on the application site would integrate sympathetically into the surrounding receiving environment;
- The proposal would not alter the character and appearance of the existing rural area;
- It is considered that the proposed access arrangements to the site would compromise the amenity of neighbouring occupiers due to overlooking and loss of privacy.
- There is concerns that potential contamination risks exist at the application site;
- The proposal will not have any detrimental impact on protected sites;
- The proposal would not have any significant detrimental impact on the historic environment;
- The proposal will not cause or be impact by flood risk (surface water).

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL	
1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement paragraph 6.73 and fails to meet the provisions of DM 18.19 of the Antrim and Newtownabbey Plan Strategy in that; a) it has not been sufficiently demonstrated that a new dwelling on the application site is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if permission were to be refused and; b) It has not been sufficiently demonstrated that there are no alternative solutions available to the applicant to meet the circumstances of the case. 2. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement paragraph 4.12 and fails to meet the provisions of Policy DM 28 of the Antrim and Newtownabbey Plan Strategy in that the proposal would result in an unacceptable adverse impact on the occupiers of an existing nearby dwelling (No. 12) in terms of overlooking and loss of privacy. 3. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and fails to meet the provisions of Policy DM 52 of the Antrim and Newtownabbey Plan Strategy in that it has not been sufficiently demonstrated through a site investigation and risk assessment that the site is in a condition suitable for the proposed development and will not cause significant pollution of the environment.	



Reference : LA03/2025/0637/O

1:5,000 

 Site Location



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2025/0574/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of extension of servicing yard area (to accommodate storage of shipping containers, concrete aggregate bays and raised concrete hardstanding), retention of lean-to building extension and boundary mesh security fencing
SITE/LOCATION	37 Mallusk Road, Newtownabbey, BT36 4PP
APPLICANT	CFM Ltd
AGENT	CFM Ltd
LAST SITE VISIT	1 st October 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
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://planningregister.planningsystemni.gov.uk/application/701675	
SITE DESCRIPTION	
The application site is located at 37 Mallusk Road, Newtownabbey and comprises an existing mechanical and electrical business operated by CFM Ltd. The site is located within the development limits of Metropolitan Newtownabbey as defined by the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). The application site is upon lands designated as 'Existing Employment/Industrial Land' in dBMAP under zoning reference MNY 19. The application site is accessed by an internal estate road off the Mallusk Road. The surrounding area is characterised predominately by light industrial land uses. To the north of the site there are a number of warehouse and light industrial units along Michelin Road and Trench Road. To the south lies the main Mallusk Road with Central Park Business Park located further south.	
RELEVANT PLANNING HISTORY	
Planning Reference: U/1989/0153 Location: Weir and McQuiston, 37 Mallusk Road, Newtownabbey Proposal: Erection of store Decision: Permission Granted (06/06/1989) Planning Reference: U/1994/0203 Location: 37 Mallusk Road, Newtownabbey Proposal: Office extension and recladding of existing electrical sub-contractors premises Decision: Permission Granted (09/07/1994) Planning Reference: U/1997/0533 Location: Weir and McQuiston, 37 Mallusk Road, Newtownabbey	

Proposal: Creation of additional office accommodation at first floor level including alterations to building and site layout

Decision: Permission Granted (05/02/1998)

Planning Reference: U/1998/0140

Location: Weir and McQuiston, 37 Mallusk Road, Newtownabbey

Proposal: Two storey extension to provide office accommodation including alteration to site layout

Decision: Permission Granted (02/10/1998)

Planning Reference: LA03/2024/0772/F

Location: 37 Mallusk Road, Newtownabbey, BT36 4PP

Proposal: Retention of extension of servicing yard area (to accommodate external storage area, storage container, new concrete aggregate bays and raised concrete hardstanding). Proposed replacement portal frame building and 2.5m high security boundary fencing

Decision: Permission Refused (01/04/2025)

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Belfast Urban Area Plan (BUAP): The application site is located within the development limit of the Belfast Urban Area (Newtownabbey). The Plan offers no specific guidance on this proposal.

Draft Newtownabbey Area Plan (dNAP): The application site is located within the development limit of Metropolitan Newtownabbey. The plan offers no specific guidance on this particular proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit of Metropolitan Newtownabbey. The site is zoned as Existing Employment and Industry 'Mallusk' (MNY 19). The plan offers no specific guidance on this particular proposal.

Strategic Planning Policy Statement for Northern Ireland (SPPS): sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 2 – Employment (SP 2): aims to encourage growth and investment to support enterprise and increase employment benefits. SP2 is supported by Policy:

- Policy DM 1 Economic Development – Zoned Sites and Settlements

Strategic Policy 3 – Transportation and Infrastructure (SP 3): aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policy:

- Policy DM 10 Access and Parking

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25 Urban Design; and
- Policy DM 28 Amenity Impact

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8 is supported by Policies:

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 46 The Control of Development in Flood Plains; and
- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

CONSULTATION

Council Environmental Health Section: No objection, subject to condition

DfI Roads: No objection

DfI Rivers: Further Information Required

Shared Environmental Services: Further Information Required

DAERA Water Management Unit: No objection

Northern Ireland Water Strategic: No objection

REPRESENTATION

Three (3) neighbouring properties were notified of the application, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Policy Context
- Principle of Development
- Design, Appearance and Impact on the Character of the Area
- Neighbour Amenity
- Access, Movement and Parking
- Flood Risk and Drainage
- Natural Heritage
- Landscaping

Preliminary Matters

Environmental Impact Assessment

The proposed development falls within Category 2, 10(B) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. Regulation 12 of the Regulations requires the Council to make a determination as to whether the proposed development would or would not be deemed EIA development. In this case the development falls to be considered within Category 2(10) (B) of the Planning (EIA) Regulations (NI) 2017: 'Urban development projects, including the construction of shopping centres and car parks'. In accordance with the Regulations, a screening exercise must be carried out in order to determine whether or not an Environmental Statement is required. It is considered that the environmental impacts will not be so significant to warrant an environmental statement.

Habitats Regulation Assessment

This application is being 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 Antrim and Newtownabbey Borough Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. However, further information is required to inform the Habitats Regulation Assessment as outlined in detail within the report.

Engagement with the Agent

- The agent was contacted on the 22nd September 2025 and was made aware that the site is located within the floodplain, with an allowance for climate change. The agent submitted an amended Flood Risk Statement on the 7th October 2025.
- The agent was contacted on the 6th November 2025 to request further information in relation to flooding and this was submitted on the 25th November 2025.

- Despite the additional information received, there remains concerns around flooding and the agent was made aware of this on the 14th January 2026 along with the concerns in relation to visual impact, the lack of a replacement planting scheme and the impact on designated sites but was not requested to submit any further information due to the concerns with the principle of development.

Policy Context

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The application site is located within the development limits of the Belfast Urban Area as defined within the Belfast Urban Area Plan (BUAP) and within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (dBMAP) published in 2004. The application site is also designated as a Major Area of Existing Employment/Industry in draft BMAP under zoning reference MNY 19.

Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Principle of Development

Policy DM 1 'Economic Development- Zoned Sites and Settlements' of the ANPS, details that the aim of this policy is to promote core economic development schemes on zoned employment sites and to facilitate sustainable employment opportunities elsewhere in settlements that are appropriate to their location. This aim has taken account of and is consistent with the provisions of the SPPS.

The ANPS refers to Strategic Employment Locations and Local Employment Sites. However, as noted above, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The application site is designated as a Major Area of Existing Employment/Industry in draft BMAP under zoning reference MNY 19.

Policy DM 1 of the ANPS provides the policy for economic development within zoned sites and settlements. In the absence of the Antrim and Newtownabbey Local Policies Plan the site is not within a Strategic Employment Location or Local Employment Site and therefore Policy DM 1.6 'Other Locations' is the applicable policy. Policy DM 1.6 deals with economic development within settlements which are

not on zoned land and indicates that proposals for business or employment development will be acceptable in settlements where they are in accessible locations and of an appropriate scale and nature.

In this instance, the proposal seeks an extension to the existing mechanical and electrical business operated by CFM Ltd which is an existing 'B2 Light Industrial' use. The existing business and proposed extension are considered to be compatible with the surrounding land uses in Mallusk.

It is noted that the site has a history of planning approval for the light industrial use dating back to 1989, with the most recent approval in 1994 granting permission for an office extension and recladding of existing electrical sub-contractors premises at 37 Mallusk Road. (Planning Ref: U/1994/0203).

It is considered that the principle of economic development has previously been established on site and the proposal seeks permission for an extension and associated work which is considered to comply with Policy DM 1.6 of the ANPS, subject to all material considerations.

Flood Risk

SP 10.2 of the ANPS applies a strong presumption against development proposals within floodplains with Policy DM 46 providing further policy on development in floodplains, which will only be permitted where it is found to be one of the listed exceptions as listed within DM 46.1. Paragraph 6.104 of the Strategic Planning Policy Statement seeks to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere.

It is noted that a similar application (Ref: LA03/2024/0772/F) was refused by the Council on the 28th March 2025 and flood risk did not form a refusal reason. This is due to the change in policy context following the adoption of the ANPS in July 2025. However, under the ANPS, the Council now must take into account the full extent of the Q100 Climate Change floodplain.

A review of the DfI Flood Maps has confirmed that the application site is located within the fluvial floodplain of the Ballymartin River. DfI Rivers has confirmed that the site is located within the Q100 Climate Change floodplain and included in their consultation response a map to show the full extent of the Q100 Climate Change floodplain. It is noted that the proposed hardstanding area is located partially inside the floodplain with an area located outside of the floodplain. The lean-to extension is also located entirely within the floodplain.

Policy DM 46 allows for exceptions to the policy within 'Undefended Areas' including 'replacement of an existing building' except for those that provide essential infrastructure or bespoke accommodation for vulnerable groups or that involve significant intensification of use. It is noted that the application includes the replacement of a small portal frame building which would normally be considered an exception under Policy DM 46. However, it is noted the works have already been carried out and the former building has been demolished.

In relation to the extension to the servicing yard area, the proposal seeks to retain an additional 206sqm of hardstanding within the Q100 Climate Change floodplain. The creation of hardstanding is not one of the exceptions set out within Policy DM 46.

It is noted that the agent submitted a Flood Risk Assessment, Document 01/1, date stamped 7th October 2025, which indicates that the applicant has increased the floodplain capacity within the site and it states that this will result in a betterment in terms of flood risk for the surrounding area. This is due to reduced ground levels and the reduced levels of the site are shown on Drawing Number 04/1, date stamped 1st December 2025. However, this is not considered to fall under any of the exceptions listed in Policy DM 46 and therefore DfI Rivers were not asked to comment on the submitted FRA.

The proposal is therefore considered contrary to Paragraph 6.104 of the Strategic Planning Policy Statement and Policies SP 10.2 and DM 46 of the ANPS in that it has not been demonstrated that the proposal should be treated as an exception for development in a fluvial flood plain.

Additionally, as DfI Rivers have not commented on the Flood Risk Assessment, it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development. The proposal is considered to be unacceptable in principle.

Design, Appearance and Impact on the Character of the Area

Paragraph 6.82 of the SPPS sets out a regional strategic objective of ensuring a high standard of quality and design for new economic development. Policy DM 1.6 of the ANPS requires that proposals are of a scale and nature appropriate to the location. Policy DM 25 covers urban design and details that proposals should make a positive contribution and relate well to the scale, character and appearance of the area.

The extension seeks to retain an extended servicing yard to accommodate an external storage area, new concrete bays and hardstanding, along with the retention of a lean-to extension.

The subject development includes the retention of approximately 951sqm area of hardstanding to the south of the site, directly adjacent to Mallusk Road and includes an external storage area and 1 no. storage container. The development also includes the retention of a lean to building which provides a covered area. It should be noted that the area of hardstanding was formerly an area of maintained grass.

The building measures approximately 5m in height by 12.6m in length and 14.3m in width, making it ancillary to the host building. The replacement structure is finished in silver cladding to the roof and walls, metal roller shutter doors to the front and rear elevation along with steel rainwater goods. The design and finishes of the replacement building are thought to be typical of this type of development and will not appear out of character in the surrounding industrial area.

Policy DM 25 also requires that the development is compatible with surrounding land uses. As outlined above, the application site is located within the curtilage of an existing economic use and on land which is zoned for employment uses; therefore, the subject development is compatible with surrounding land uses.

In relation to boundary treatments, the agent is proposing 2.5m high screened security fencing along the southern and western boundaries which abut the public walkway and the main Mallusk Road which replaces the existing 2m high chain link

fence. The boundary treatments associated with the subject development are of particular importance.

As shown on the proposed site layout plan, a 2.5m high screened security fence is proposed along the main Mallusk Road for a stretch of 70m. The agent has submitted an elevational drawing of the fencing, as shown on Drawing Number 06, date stamped 7th August 2025.

The security fencing is similar to the style of fencing along Mallusk Road which largely consists of chain link fencing. This style of fencing is considered appropriate for the site within Mallusk industrial area and is in keeping with the similar fencing seen along the Mallusk Road.

Public views into the yard area which consists of external storage, concrete bays and a significant level of hardstanding will be highly visible along this stretch of the Mallusk Road.

It is noted that the application site rises gradually towards the main Mallusk Road, which will in turn result in the proposal being highly visible to road users passing by the site, given it is set at a lower level. The site will also be highly visible from the public footpath which runs parallel to the site along the southern boundary. Critical views of the site will be achieved for approximately 70m when travelling in both directions along the Mallusk Road.

It is noted that the application site is located within an industrial area of Mallusk where the character of the area is largely defined by large industrial buildings/car show rooms which are set back from the road, with no examples of external storage along this stretch of the Mallusk Road. Whilst the fencing itself is considered acceptable, the areas of external storage and concrete bays will be highly visible over a stretch of 70m which is not considered to be acceptable and would negatively impact upon the character and appearance of the area.

It is considered that the proposal does not deliver high quality design and the proposal is considered contrary to criterion (a) of Policy DM 25.1 in that it fails to make a positive contribution to the area and does not relate well to the character and appearance of the surrounding area.

Neighbour Amenity

Paragraph 4.12 of the Strategic Planning Policy Statement and Policy DM 28 of the ANPS deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance. DM 28.2 details that issues that arise as a result of a development, including odour, fumes or other forms of disturbance, will be considered a material consideration.

The proposal relates to an existing business to retain additional external storage areas which is not considered to give significant rise to noise or odour concerns. There are no residential properties abutting the application site with the nearest residential properties located approximately 600m north of the site within Rogan Manor.

The Council's Environmental Health Section (EHS) has been consulted on the application and has indicated that the aggregate storage area has the potential to impact neighbouring commercial premises by means of dust generation. A Dust Management Plan, Document 02, date stamped 29th December 2025 was submitted which details the control measures to minimise dust pollution. EHS indicated they are content with the management plan, subject to a condition.

It is considered that the proposal complies with the policy provisions of DM 28 of the ANPS and paragraph 4.12 of the Strategic Planning Policy Statement in that it has been demonstrated that the proposal will not harm the amenities of nearby properties.

Access, Movement and Parking

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. Policy SP 3 is supported by Policy DM 10.

Policy DM 10.1 of the ANPS 'Access and Parking' requires that there is capacity on the road network to accommodate the type and amount of traffic likely to be generated, and access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods. In addition, Policy DM 10.1 requires adequate provision is made for car and cycle parking and any necessary servicing arrangements.

The existing access arrangements to the site are to remain unaltered by the subject development which results in the loss of 7no. parking spaces to the south of the site but retains 22no. spaces with an additional accessible parking space which is considered to be acceptable to serve the development. Drawing Number 03, date stamped 7th August 2025 shows a HGV turning space within the area of hardstanding proposed.

DfI Roads were consulted on the application and stated they have no objection. The subject development is not considered to result in a significant increase in traffic and is considered to comply with Policy DM 10.1 of the ANPS in this regard.

Surface Water

DM 47.2 of the ANPS sets out the threshold where a Drainage Assessment is required. DfI Rivers indicated that a Drainage Assessment will be required for development proposals in an area identified as having a potential for surface water flooding, in line with Policy 47.2.

Paragraph 6.104 of the Strategic Planning Policy Statement and Policies DM 47.4-47.6 of the ANPS promotes the use of SuDS as the preferred means of treating surface water and indicates that all SuDS schemes shall be accompanied by an appropriate management plan.

The application site has been identified as an area of surface water flooding according to Flood Maps NI and therefore a Drainage Assessment is required as outlined in Policy DM 47.2. A Drainage Assessment has not been requested from the agent due to the concerns with the development located in the floodplain.

The proposal is not considered to comply with Policy DM 47 in that it has not been demonstrated that surface water can be appropriately dealt with to avoid an increase in flooding to the site or elsewhere contrary to DM 47 of the ANPS.

Natural Heritage

Policy SP 1.4 of the ANPS states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment while Policy SP 8.3 requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest.

Policy DM 37 of the ANPS provide additional policy criteria for assessing developments which could impact upon designated sites. The application site is located within the catchment of the Ballymartin River which flows in a westerly direction, approximately 0.6km north of the site. The Ballymartin River is hydrologically linked to the Lough Neagh/Beg SPA and Ramsar Sites.

Informal consultation with SES indicated that the sites storm drainage is hydrologically connected to the Lough Neagh designated sites (approx. 18km downstream) via a culverted watercourse running beneath the application site area. SES have indicated that a formal consultation is required as the potential for the development to be a long-term source of discharge of contaminated runoff to the surface water environment cannot be excluded.

SES were formally consulted and indicated that further information was required in relation to the discharge of storm and foul water, which the agent indicates is to be discharged to the mains sewer network. SES requested the location of the storm water discharge point through a detailed site drainage plan along with confirmation from Northern Ireland Water that they are able to serve the development.

Although there is some ambiguity this matter could be resolved through the use of an appropriately worded condition requiring these matters to be submitted should planning permission be forthcoming.

Landscaping

In relation to landscaping, Policy DM 42.1 of the ANPS requires that proposals promote additional tree planting of native species and maintain existing vegetation where possible.

The proposal involved the removal of two large tree groups and a row of dense hedgerow located to the south of the site along with additional hedgerows to the northern boundary of the site.

It is noted that Policy DM 42.3 indicates that if it is not possible to retain existing vegetation, an appropriate replacement planting scheme is required and that generally planting should be located within the site and a net gain in tree numbers should be achieved.

Additional planting has been shown on Drawing Number 03, date stamped 7th August 2025. However, an appropriate planting scheme or evidence of net gain in relation to tree numbers has not been submitted nor was requested due to the concerns regarding the principle of development. It is considered this matter could

be resolved through an appropriately worded condition should planning permission be forthcoming.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

- | |
|---|
| <ol style="list-style-type: none">1. The subject development is contrary to Policy DM 25 of the Antrim and Newtownabbey Plan Strategy in that the areas of external storage and concrete bays do not make a positive contribution to the area and do not relate well to the character and appearance of the surrounding area.2. The subject development is contrary to paragraph 6.104 of the Strategic Planning Policy Statement, 10.2 and Policies DM 46 and DM 47 of the Antrim and Newtownabbey Plan Strategy in that it has not been demonstrated that the proposal constitutes an exception, for development in a fluvial flood plain, and it has not been demonstrated that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and from the development elsewhere. |
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Site Location Plan
LA03/2025/0574/F

1:1,250 



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2025/0729/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of timber fence (replacing hedge and fence)
SITE/LOCATION	114 Ballyrobin Road, Muckamore, Antrim, BT41 4TF
APPLICANT	Maureen & Robin Herbison
AGENT	Park Design Associates
LAST SITE VISIT	08/12/2025
CASE OFFICER	Micheal Glynn Tel: 028 9034 0411 Email: michael.glynn@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/703470	
SITE DESCRIPTION	
The application site is located to the front of No. 114 Ballyrobin Road, Muckamore, which is within the countryside and outside the development limits of any settlement as defined by the Antrim Area Plan 1984-2001. The site contains an existing fence which is set to the front of a detached bungalow finished in dashed render, PVC windows and slate roof tiles. The amenity space of the bungalow is located at the rear (southeast) and parking provision is provided at the front (northwest) and side (northeast). The application site abuts one neighbouring property, No. 116 Ballyrobin Road to the southwest. The surrounding area is predominantly open countryside with dwellings scattered intermittently.	
PLANNING HISTORY	
There is no relevant planning history.	
PLANNING POLICY AND GUIDANCE	
Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise. The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts, Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.	

Antrim Area Plan 1984-2001: The application site is located within the countryside as defined by the Plan. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 4 - Homes (SP 4): sets out that the Councils aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 22 – Residential Extensions and Alterations.

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 28 - Amenity Impact.

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 42 Trees and Development.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems.

Appendix B – Guidance for Residential Extensions and Alterations: seeks to advise homeowners on how to extend or alter their property in a neighbourly manner that is sympathetic with the original property, respects the character and appearance of the surrounding area and contributes towards a quality environment.

- Appendix B 23 Walls and Fences

CONSULTATION

No consultations were carried out.

REPRESENTATION

Two (2) neighbouring properties were notified, and no letters of objection were received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Appropriate Assessment
- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Surface Water Drainage

Preliminary Matters

Appropriate Assessment

The subject site is located at No. 114 Ballyrobin Road, Muckamore, and there are no relevant designated sites close by. The development contains a close boarded timber fence. Having considered the nature, scale and location of the project, there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Small scale and nature of the development
- Distance from nearest European site and lack of connections.

I conclude that on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment is not required.

Environmental Impact Assessment

The development does not meet any of the thresholds of development within Schedule 1 or 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, nor is it located within a sensitive area, therefore there is no requirement for an EIA screening determination.

Request for Further Information

A Supporting Statement (Document 01 date stamped 7th October 2025) was submitted by the agent, which outlined the reason for the replacement of the hedge with a fence.

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of

planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside within the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Policy DM 22: Residential Extensions and Alterations of the Plan Strategy sets out the planning policy context and guidance for achieving quality in relation to development proposals for residential extensions and alterations.

Policy DM 22 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- a) The scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area;
- b) The proposal does not unduly affect the privacy or amenity of neighbouring residents;
- c) The proposal does not cause the unacceptable loss of, or damage to, trees or other landscape features; and
- d) Sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

It is considered that the principle of a fence is acceptable subject to the listed criteria being met. In addition, Policy DM 22 of the ANPS also advises that the guidance set out in Appendix B of the Plan Strategy will be taken into account when assessing proposals against the above criteria.

Scale, Massing, Design and Appearance

Paragraph 4.27 of the SPPS indicates that planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, or incompatible with their surroundings, or not in accordance with the LDP or local design guidance.

Policy DM 22 indicates that the scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area.

The application seeks full planning permission for the retention of a 1.8m high close boarded timber fence along the northwestern boundary of the application site. The fence spans approximately 24.2m along the roadside boundary of the dwelling at No. 114 Ballyrobin Road.

Annex B23 of the ANPS states that walls and fences, particularly in front gardens, can have a significant impact on the appearance of a property and the surrounding streetscape. It advises that materials should complement the character of the property and neighbourhood. Expanses of close-board fencing bordering public areas are visually unacceptable.

A Supporting Statement (Document 01 date stamped 7th October 2025) was submitted by the agent, which stated that the reason for the replacement of the boundary hedge with a fence was due to a Translink double-decker bus having crashed through the roadside hedge. It also states there was an existing timber fence at the centre of the hedge. The supporting information states the new fence was required to secure the boundary of the site and for security purposes. However, although there may previously have been an existing fence along the subject boundary, from the images on Google Streetview, it was not visible or similar to the close boarded timber fence which exists currently on the site.

The surrounding area is rural in character, and roadside fences of this height are not a defining feature or character of the surrounding area, rather roadside boundaries tend to be landscaped with some fencing over short distances.

In contrast the subject development is for a 1.8m high close-boarded timber fence which extends over a distance of 24 metres. It is considered that due to its height, expanse and materials, the fence presents as an obtrusive and visually intrusive feature along the roadside, in contrast to the more natural boundary treatments typical of the area.

This type of fencing is more commonly found within urban areas rather than the rural countryside and given the highly visible nature of the fence when travelling in both directions along the Ballyrobin Road it is considered that it does not reflect the rural context of the surrounding area.

Accordingly, the proposal is considered contrary to Policy DM 22 of the ANPS and associated guidance, and it is not acceptable in terms of scale, massing or design.

Neighbour Amenity

Policy DM 22 and Policy DM 28 of the ANPS deals with the impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance.

It is considered the subject fence will have no significant impact or dominance or loss of light at any neighbouring properties.

Impact on Trees and Environmental Quality of this Area

Criteria (c) of Policy DM 22 and Policy DM 42 of the ANPS requires that the proposal will not cause an unacceptable loss of, or damage to trees or other landscape features which contribute significantly to local environmental quality.

It is considered that the subject development will not cause unacceptable loss of, or damage to trees or other landscape features which contribute significantly to local environmental quality because there are no trees or other landscape features present where the proposal will be located.

Amenity Space, Parking and Manoeuvring

Criteria (d) of Policy DM 22 and criteria (c) of DM 10.1 of the ANPS requires that sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes. The subject development does not impact upon parking provision.

Surface Water Drainage

Policy DM 47: Surface Water Drainage and Sustainable Drainage Systems (SuDS) of the ANPS aims to reduce flood risk for new developments from surface water (pluvial) sources. DM 47.1 of the ANPS states that consideration of drainage issues is a requirement for all development proposals and that this consideration should be initiated as part of any preliminary site assessment and should progressively inform the generation of schemes as they develop.

The application site is not located in an area of 'present day surface water' and 'climate change surface water', as indicated by the Flood Maps (NI) and as such a Drainage Assessment is not required.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

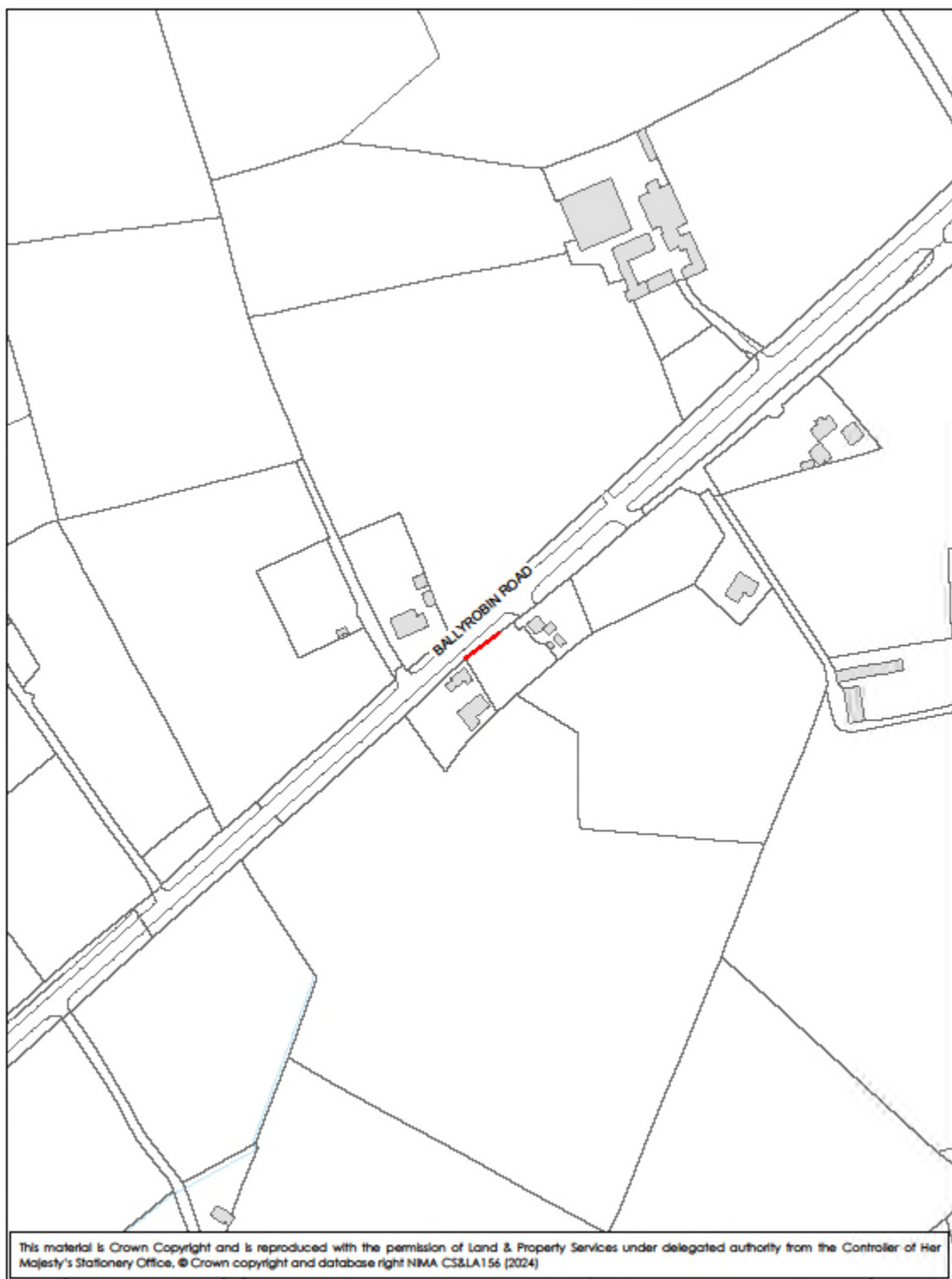
- The principle of development is considered acceptable;
- The subject development is considered unacceptable in terms of scale, massing, design and appearance;
- The subject development is considered acceptable in terms of neighbour amenity;
- The subject development is not considered to result in adverse impacts on trees and environmental quality of this area;
- The subject development is not considered to negatively impact amenity space, parking and manoeuvring.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy SP 4 and Policy DM 22 of the Antrim and Newtownabbey Plan Strategy, in that the scale, massing, design and external materials of the proposal are not sympathetic to the existing property and detract from the appearance and character of the surrounding area.



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Reference : LA03/2025/0729/F

1:2,500

 Site Location



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2025/0423/F
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of front boundary wall
SITE/LOCATION	110 Doagh Road, Ballyclare, BT39 9ES
APPLICANT	Robert Cochrane
AGENT	Applicant is Agent
LAST SITE VISIT	28/07/2025
CASE OFFICER	Micheal Glynn Tel: 028 9034 0411 Email: michael.glynn@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/700305	
SITE DESCRIPTION	
The application site is located at No. 110 Doagh Road and is situated within the development limits of Ballyclare as defined within the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP). The application site contains a detached one and a half storey dwelling finished in smooth render, timber cladding, PVC windows and concrete roof tiles. Amenity space is provided at the rear (northwest) and parking provision is provided at the front (southeast). The topography of the site is relatively flat with no significant changes from the north to the south. The northeastern boundary is defined by a 2m high timber fence which extends the entire length of the property and the southwestern boundary is defined by an approximately 1.8m high timber fence that defines the entire boundary. The northwestern boundary of the site is defined by a 2m high wall finished in white render while the southeastern boundary consists of a 1.45m high wall with 1.92m high pillars. The site abuts No. 108 Doagh Road to the northeast, No. 1 Park Avenue to the southwest and No. 3 Park Avenue to the northwest of the site. The surrounding area is predominantly residential, comprising of houses of varying types and design.	
PLANNING HISTORY	
Planning Reference: LA03/2024/0622/F Location: 110 Doagh Road, Ballyclare, BT39 9ES Proposal: Extension and alterations to dwelling Decision: Permission Granted (29/10/2024)	

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts, Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Belfast Urban Area Plan (BUAP): The application site is located within the settlement limit of Ballyclare. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Ballyclare. The Plan offers no specific guidance on this proposal.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Ballyclare. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 4 - Homes (SP 4): sets out that the Councils aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 22 – Residential Extensions and Alterations.

Strategic Policy 6 - Placemaking and Good Design (SP6): sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 28 - Amenity Impact.

Strategic Policy 8 - Natural Heritage (SPG8): seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 42 Trees and Development.

Strategic Policy 10 - Environmental Resilience and Protection (SPG10): seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems.

Appendix B – Guidance for Residential Extensions and Alterations: seeks to advise homeowners on how to extend or alter their property in a neighbourly manner that is sympathetic with the original property, respects the character and appearance of the surrounding area and contributes towards a quality environment.

- Appendix B 23 Walls and Fences

CONSULTATION

No consultations were carried out.

REPRESENTATION

Six (6) neighbouring properties were notified, and no letters of objection were received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Preliminary Matters
- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Surface Water Drainage

Preliminary Matters

Appropriate Assessment

The subject site is located at No. 110 Doagh Road, Ballyclare, and there are no relevant designated sites close by. The proposed development comprises a front boundary wall, and having considered the nature, scale and location of the project, there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Small scale and nature of the development
- Distance from nearest European site and lack of connections.

I conclude that on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment is not required.

Environmental Impact Assessment

The development does not meet any of the thresholds of development within Schedule 1 or 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, nor is it located within a sensitive area, therefore there is no requirement for an EIA screening determination.

Request for Further Information

An email was sent to the agent on 8th October 2025, which outlined the Planning Section's concerns regarding the height of the boundary wall. Amendments were submitted on 15th October 2025 which reduced the height of the pillars to 1.45m but increased the height of the boundary wall/fence.

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the urban area in the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan (dBMAP). In line with the transitional arrangements set out in the SPPS, the Belfast Urban Area Plan and draft Belfast Urban Area Plan and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Policy DM 22: Residential Extensions and Alterations of the Plan Strategy sets out the planning policy context and guidance for achieving quality in relation to development proposals for residential extensions and alterations.

Policy DM 22 of the ANPS indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- a) The scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area;
- b) The proposal does not unduly affect the privacy or amenity of neighbouring residents;
- c) The proposal does not cause the unacceptable loss of, or damage to, trees or other landscape features; and
- d) Sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

It is considered that the principle of a residential extension is acceptable subject to the listed criteria being met. In addition, Policy DM 22 of the ANPS also advises that the guidance set out in Appendix B of the Plan Strategy will be taken into account when assessing proposals against the above criteria.

Scale, Massing, Design and Appearance

Paragraph 4.25 of the Strategic Planning Policy Statement (SPPS) states that good design identifies and makes positive use of the assets of a site and the characteristics of its surroundings to determine the most appropriate form of development. Paragraph 4.26 of the SPPS advises that design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region and that particular weight should be given to the impact of development on existing buildings. Additionally, paragraph 4.27 of the SPPS indicates that planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, or incompatible with their surroundings, or not in accordance with the LDP or local design guidance.

Policy DM 22 of the ANPS indicates that the scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area.

Further guidance is provided in Annex B23 of the ANPS, which states that walls and fences, particularly in front gardens, can have a significant impact on the appearance of a property and the surrounding streetscape. It advises that materials should complement the character of the property and neighbourhood.

The application seeks full planning permission for the retention of a wall along the southeastern (roadside) boundary, comprising a 1.0m high wall and 1.5m high pillars with infill fencing along the top of the wall between the pillars. The existing roadside boundary consists of a 1.45m high wall with 1.92m high pillars.

The development is not in keeping with the surrounding streetscape of the area. The predominant feature of the roadside boundary treatments in the immediate area along the Doagh Road are 1m high timber fences and low-level walls or softer boundaries comprising mature hedges. The development does not compliment the urban context of the surrounding area, owing to its height, solid appearance and prominent position along the site's roadside boundary, which creates an imposing boundary. Unlike the established pattern of low walls and modest timber fencing that characterises the front boundaries along this stretch of the road, the scale, massing and design of the constructed wall and pillars introduce a visually assertive and imposing feature that interrupts the uniformity of the existing streetscape.

The development is highly visible when travelling in both directions along the Doagh Road and is considered to have a detrimental impact on the character and appearance of both the immediate streetscape and the wider area.

Accordingly, the subject development is considered contrary to Policy DM 22 of the ANPS and associated guidance, and it is not acceptable in terms of scale, massing, design and appearance, due to its height, extent and choice of materials.

Neighbour Amenity

Policy DM 22 and Policy DM 28 of the ANPS deals with the impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance.

It is considered the subject wall and fencing atop will have no significant impact of overlooking, dominance or loss of light at any neighbouring properties due to the nature, scale and location of the development along the southeastern boundary.

Impact on Trees and Environmental Quality of this Area

Criteria (c) of Policy DM 22 and Policy DM 42 of the ANPS requires that the proposal will not cause an unacceptable loss of, or damage to trees or other landscape features which contribute significantly to local environmental quality.

It is considered that the subject development will not cause unacceptable loss of, or damage to trees or other landscape features which contribute significantly to local environmental quality because there are no trees or other landscape features present where the subject development is located.

Amenity Space, Parking and Manoeuvring

Criteria (d) of Policy DM 22 and criteria (c) of DM 10.1 of the ANPS requires that sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles. It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes. The subject development does not impact upon parking provision.

Surface Water Drainage

Policy DM 47: Surface Water Drainage and Sustainable Drainage Systems (SuDS) of the ANPS aims to reduce flood risk for new developments from surface water (pluvial) sources. DM 47.1 of the ANPS states that consideration of drainage issues is a requirement for all development proposals and that this consideration should be initiated as part of any preliminary site assessment and should progressively inform the generation of schemes as they develop.

With regards to the proposed development, the application site is not located in an area of 'present day surface water' and 'climate change surface water', as indicated by the Flood Maps (NI) and as such a Drainage Assessment is not required.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- The principle of development is considered acceptable;
- The subject fence is considered unacceptable in terms of scale, massing, design and appearance;
- The subject fence is considered acceptable in terms of neighbour amenity;
- The subject fence is not considered to result in adverse impacts on trees and environmental quality of this area;

- The subject fence is not considered to negatively impact amenity space, parking and manoeuvring.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASON FOR REFUSAL**

1. The subject development is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy SP 4 and Policy DM 22 of the Antrim and Newtownabbey Plan Strategy, in that the scale, massing, design and external materials of the subject development is not sympathetic to the existing property and detract from the appearance and character of the surrounding area.



Reference : LA03/2025/0423/F

1:1,250

 Site Location



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2025/0804/LBC
DEA	THREE MILE WATER
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT LISTED BUILDING CONSENT
PROPOSAL	Retention of 2 no. meeting pods (temporary)
SITE/LOCATION	Mossley Mill, Carnmoney Road North, Newtownabbey, BT36 5QA, immediately adjacent to the east of the lower ground floor access doors to the Council offices, close to the existing museum building.
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	Antrim and Newtownabbey Borough Council
LAST SITE VISIT	13/01/2025
CASE OFFICER	Dan Savage Tel: 028 90340438 Email: daniel.savage@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/705012	
SITE DESCRIPTION	
The application site is located within the development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan 2001 and draft Belfast Metropolitan Area Plan (published 2004) (dBMAP). The application site is located on a parcel of land within the courtyard of Mossley Mill, which is a grade B2 Listed Building (reference HB21/04/009) at Carnmoney Road North. The site sits within an open courtyard area with landscaped gardens, enclosed by the civic offices, the theatre at the mill and a 3-storey outbuilding. Residential developments are located directly south and southeast of the site within Ravensdale and Lakeview whilst the site is bound to the north by the railway line which separates the site from a row of dwellings along the Doagh Road.	
RELEVANT PLANNING HISTORY	
Planning Reference: U/2006/0646/F Location: Land adjacent the offices of Newtownabbey Borough Council, Mossley Mill, Newtownabbey Proposal: Change of use and refurbishment of existing mill building to use as a civic facility. Alterations to elevations and construction of a proposed civic arts centre with associated site works including car parking and landscaping. Decision: Permission Granted (22/06/2007)	

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 03 July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan. Belfast Urban Area Plan (BUAP): The application site is located within the development limits of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

Strategic Policy 1 – Sustainable Development (SP 1): sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

Strategic Policy 7 - Historic Environment (SPG7): Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policy:

- Policy DM 32 Listed Buildings

CONSULTATION

Historic Environment Division (HED)- No objection, subject to conditions

REPRESENTATION

No neighbours were notified of this application as it is an application for Listed Building Consent

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to consider in the determination of this application are:

- Policy Context and Principle of Development; and
- Impact on Listed Building

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, 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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the settlement limits of Metropolitan Newtownabbey in draft BMAP and the Belfast Urban Area Plan. In line with the transitional arrangements set out in the SPPS, dBMAP, BUAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

The Antrim Area Plan 1984 - 2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located. The application site falls within the development limit of Metropolitan Newtownabbey as defined within the plan.

Under Section 80 (7) of the Planning Act (Northern-Ireland) 2011 a listed building is defined as a building included in a list compiled under that section and also:

- a) Any object or structure within the curtilage of the building and fixed to the building; and
- b) Any object or structure within the curtilage of the building, which although not fixed to the building, forms part of the land and has done so since before 1st October 1973.

In considering proposals that affect a listed building, Section 91 of the Planning Act (NI) 2011 requires that special attention must be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The application relates to the retention of 2 no. meeting pods located within the courtyard of Mossley Mill which is a Grade B2 Listed Building of special architectural or historic interest (reference HB21/04/009) as set out in Section 80 and protected under the Planning Act (NI) 2011.

As per Policy DM 32 of the ANPS, the Council will seek the protection, conservation, enhancement and appropriate active use of listed buildings. Furthermore, the Council will only support development that impacts on a listed building and / or its setting where it is demonstrated that all of the following criteria are met:

- The essential character and special architectural or historic interest of the building and its setting are respected and features of interest which contribute to its listing remain intact and unimpaired.
- The detailed layout and design of proposals, including scale, height, massing, alignment and materials as well as proposed building techniques are

appropriate to the essential character and appearance of the listed building and its setting; and

- Where a change of use is proposed, the use is compatible with the fabric, setting and essential character of the building.

A Design and Access Statement (DAS) (Document 01, date stamp received 29th October 2025) accompanied the application. This sets out the works that have been undertaken, the need for these works and how the works will have a negligible impact on the integrity of the building.

DM 32.4 of the ANPS requires the submission of a Statement of Significance. Which the applicant has included within the DAS, which sets out the essential character and special architectural or historic interest of the building and its setting. The Statement of Significance submitted is proportionate to the scale of the development, in this instance, is considered acceptable.

With the foregoing in mind, it is considered that in principle, the meeting pods within the grounds of the listed building are acceptable, subject to careful consideration of the impact on the listed building in accordance with the above policy.

Impact on Listed Building

As noted above, the application is for the retention of 2 no. meeting pods for a temporary period of 5 years, located within the inner courtyard of Mossley Mill, which is a Grade B1 Listed Building (Reference HB21/21/001). The pods consist of lightweight modular structures, fabricated from polyurethane with a smooth grey finish. The pods are modest in height measuring approximately 2.1m at their highest point and sit atop two separate concrete plinths.

The DAS provides detail on the siting and orientation of the pods which are positioned to the northwest of the inner quad/courtyard area to the east of the main Mossley Mill building. The pods are discreetly located to minimise views from principal public vantage points, as depicted on Drawing Number 02, date stamped 24th November 2025. Their location respects key sightlines and preserves the architectural hierarchy of the listed building. The meeting pods will only be visible from the inner courtyard of Mossley Mill.

The applicant's DAS states that the purpose of the meeting pods is to provide a controlled environment to test out the usability of the pods and the intention will be to permit staff and elected Members to trial the pods. Due to the temporary nature and reversibility of the pods, it is considered that the pods will have no significant impact on the internal and external features of the listed building. In this regard, it is considered that the meeting pods respect the essential character and special architectural or historic interest of the building.

Consultation was carried out with the Historic Environment Division (Historic Buildings) HED, which advised that it has no objection, subject to conditions given the temporary nature of the meeting pods and they proposed a condition that the land is returned to its previous state following the expiration of the time limit. As indicated within the DAS, the pods rest on two separate concrete plinths and do not require intrusive foundations, ensuring the intervention is fully reversible and does not harm the historic fabric.

To conclude, it is considered that the meeting pods protect, conserve and enhance the setting of the Listed Building. No objection has been raised by HED, and it is considered Policy DM 32 of the ANPS is satisfied.

RECOMMENDATION	GRANT LISTED BUILDING CONSENT
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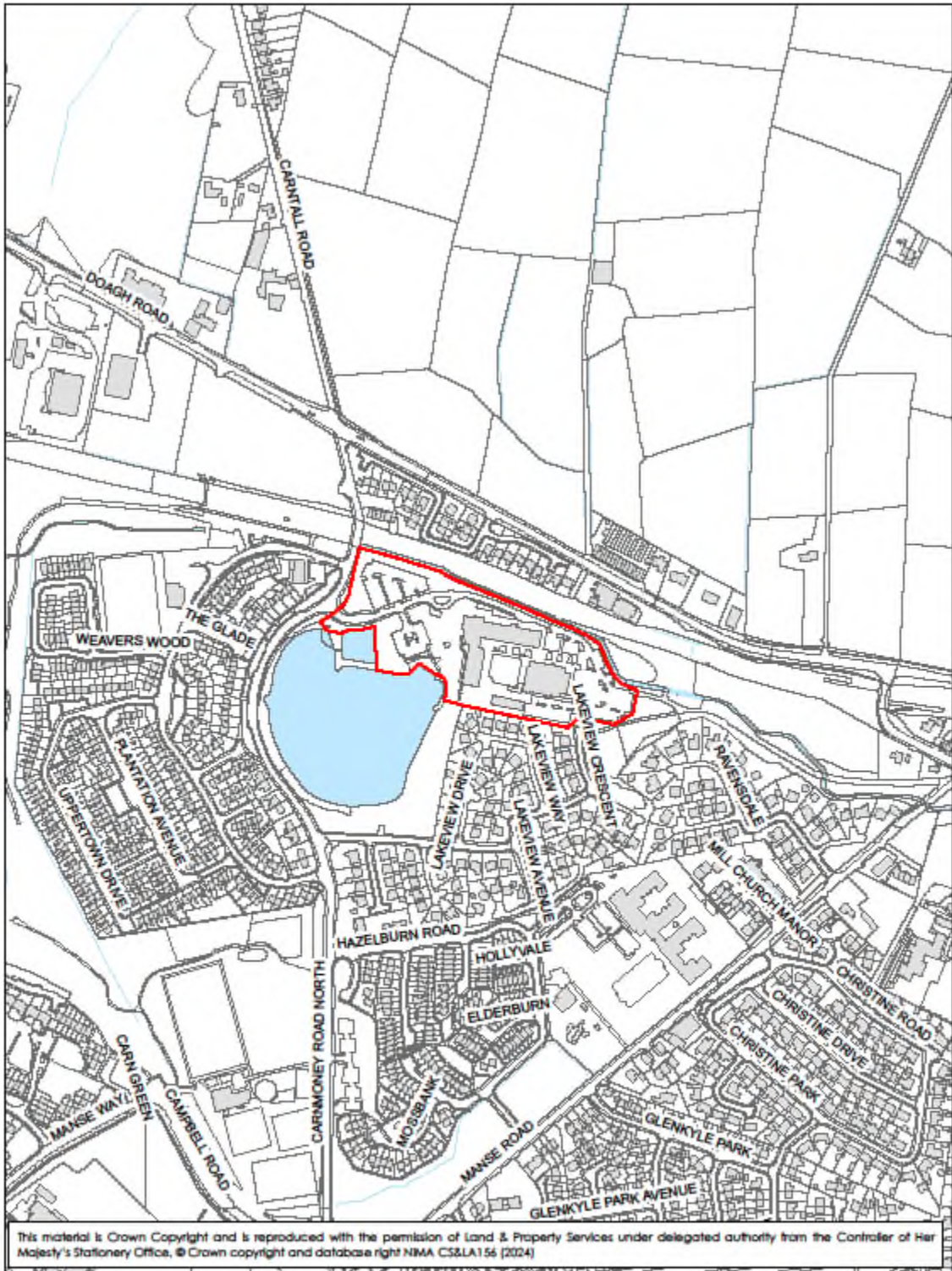
PROPOSED CONDITIONS

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. This permission shall be for a limited period of 5 years from the date of the permission upon which the modular pods as coloured grey on Drawing Number 02, date stamped 24th November 2025 shall be removed and the land shall be reinstated in accordance with a scheme to be submitted to and agreed with the Council. The final scheme shall include the ground surface repairs and finishes to match the existing in all detailing.

Reason: To ensure that the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired and to ensure that the works make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the Listed Buildings.



Reference : LA03/2025/0804/LBC

1:5,000 

 Site Location



PART TWO

OTHER PLANNING MATTERS

ITEM 3.11

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS JANUARY 2026

1. Purpose

The purpose of this report is to update Members on the planning applications decided under delegated powers and decisions issued by the Planning Appeals Commission (PAC) during the month of January 2026

2. Delegated Decisions of Council

A list of planning decisions issued by Officers during the month of January 2026 under delegated powers together with information relating to planning appeals are enclosed for Members' information.

3. Planning Appeal Commission Decisions

Two (2) appeals were dismissed during the month of January by the PAC.

Planning application:	LA03/2025/0084/F
PAC reference:	2025/A0061
Proposed Development:	Retention of existing ground floor apartment and proposed storage unit (Amended plans).
Location:	4A and 4B Hightown Road, Newtownabbey, BT36 7UA.
Date of Appeal Submission:	16/09/2025
Date of Appeal Decision:	28/11/2025
Decision:	Appeal Dismissed – Council Decision Upheld

Planning application:	LA03/2025/0238/F
PAC reference:	2025/A0060
Proposed Development:	Extensions and alterations to dwelling.
Location:	89 Temple Hall, Templepatrick, BT39 0FE.
Date of Appeal Submission:	16/09/2025
Date of Appeal Decision:	30/01/2026
Decision:	Appeal Dismissed – Council Decision Upheld

Copies of the decisions are enclosed.

One (1) appeal was allowed during the month of January by the PAC.

Planning application:	LA03/2023/0835/F
PAC reference:	2024/A0126
Proposed Development:	Amalgamation of hot food unit with filling station shop and associated reconfiguration of internal floorspace, including new lobby, elevational changes and relocation of approved NIE substation
Location:	Maxol Filling Station, 45 Mallusk Road, Newtownabbey
Date of Appeal Submission:	24/02/2025
Date of Appeal Decision:	06/01/2026
Decision:	Appeal Allowed – Council Decision Not Upheld

A copy of the decision is enclosed.

4. Recommendation

It is recommended that the report be noted.

Prepared by: Stephanie Boyd, Planning & Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning

ITEM 3.12

P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT DECEMBER 2025 AND JANUARY 2026

1. Purpose

The purpose of this report is to update Members on the Proposal of Application Notices received during December 2025 and January 2026.

2. Background

Under Section 27 of the 2011 Planning Act prospective applicants for all development proposals which fall into the Major development category are required to;

- give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted.
- consult the community in advance of submitting a Major development planning application.

Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

3. Proposal of Application Notice

PAN Reference:	LA03/2025/0950/PAN
Proposal:	Proposed erection of storage and distribution warehouse building with ancillary facilities, office space, internal chiller unit and external yard, including HGV and car parking, landscaping and infrastructure works. Access from established entrance onto Doagh Road at Houstons Corner.
Location:	Lands 185m south of 34 Ballynure Road, to the south-east of Ballyearl Business Park, Houstons Corner, Doagh Road/ Ballynure Road, Newtownabbey
Applicant:	JH Turkington Limited
Date Received:	22 December 2025
12 week expiry:	16 March 2026

PAN Reference:	LA03/2026/0028/PAN
Proposal:	Proposed retail unit with associated landscaping, car parking, access and site works
Location:	1 Ballymena Road, Antrim, BT41 4NT
Applicant:	TJ Morris Limited
Date Received:	21 January 2026
12 week expiry:	15 April 2026

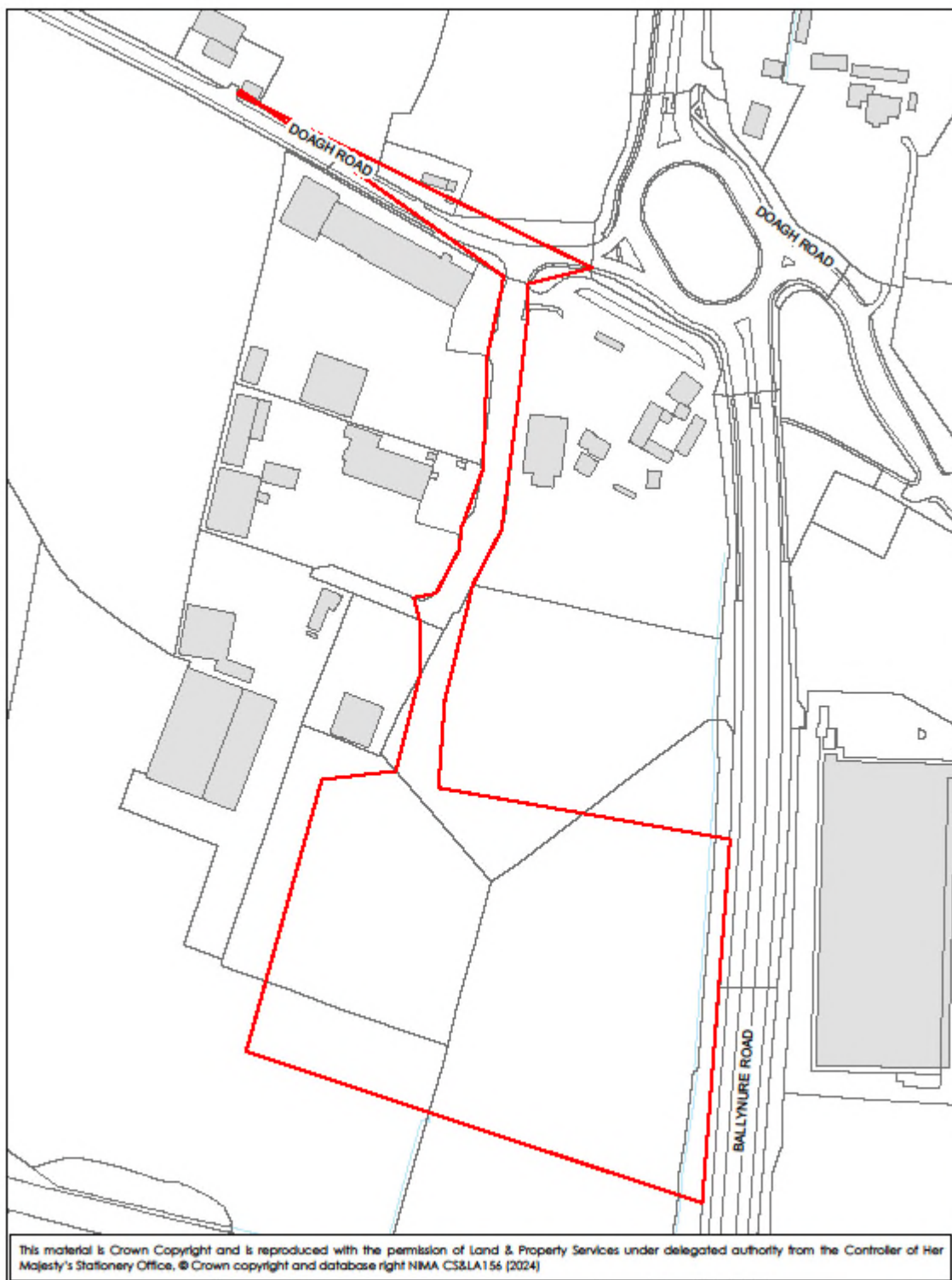
4. Recommendation

It is recommended that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business
Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning



Reference : LA03/2025/0950/PAN

1:2,500

 Site Location





Reference : LA03/2026/0028/PAN

1:2,500 

 Site Location



ITEM 3.13

P/FP/LDP/01 UPDATE ON THE LOCAL DEVELOPMENT PLAN

1. Purpose

The purpose of this report is to provide Planning Committee Members with an update on the Council's Local Development Plan, specifically progress on the Council's response to the Department for Infrastructure's Section 14 Plan Strategy Amendment, and the emerging Draft Local Policies Plan.

2. Introduction/Background

A – Draft Local Policies Plan, Members Workshops and Emerging Evidence

Members' Workshops

To date, several Draft Local Policies Plan (DLPP) topic-based Members workshops have taken place to brief and engage Members on emerging studies. Two further workshops took place on 19 January 2026 (emerging Strategic Landscape Policy Areas) and 16 February 2026 (emerging Sites of Local Nature Conservation Importance). Members are advised two further workshops are planned, and diary invitees have been issued to Members, to include:

- 16 March 2026, 4:00pm to 5:00pm – Emerging Areas of Townscape Character (ATCs), &
- 20 April 2026, 4:00pm to 5:00pm – Emerging Strategic Employment evidence (summary of the CFS process).

Emerging Evidence

Members are reminded that a DLPP work programme was presented to, and agreed at, the January 2026 Planning Committee. Given the quantum of topics and supporting evidence to be drafted by officers, and considered and agreed by Members, it is prudent to consider an appropriate mechanism which supports the delivery of the DLPP work programme, consistent with the published, revised LDP Timetable. To date, monthly LDP Members workshops provide the platform for officers to present emerging studies to Members. Officers propose the following mechanism to ensure Members are briefed accordingly (overleaf):

Monthly Members topic-based DLPP workshop	To informally discuss emerging evidence/studies. Briefing papers, supporting maps and studies to be uploaded to Members iPad in advance of the meeting, and (if required) updated following the meeting.
	Any follow-up Members queries to be provided to Officers for consideration; to revert to Members.
Following-on from the above, topic-based DLPP evidence papers to be presented to, and agreed at, Planning Committee.	Briefing papers, supporting maps and studies to be uploaded to Members iPads in advance of the meeting.

	If required, Officers to present to Members at Planning Committee
	Any follow-up Members queries to be provided to Officers for consideration; to revert to Members.
Final versions of agreed topic-based evidence papers to be presented to, and agreed at, Planning Committee as a chapter of the emerging DLPP.	Briefing papers, supporting maps and studies to be uploaded to Members iPads in advance of the meeting. If required, Officers to present to Members at Planning Committee

Members are reminded of the confidential nature of the DLPP, the Council's Code of Conduct and the responsibilities of both officers and Members to this process.

C – Call for Sites, Strategic Employment, Homes

Members are reminded a Call for Sites (CFS) exercise was launched on 19 November 2025 for a period of twelve (12) weeks whereby landowners and other stakeholders are invited to submit land for consideration for economic and residential uses in suitable locations across the Borough. The CFS currently remains live with a summary of responses and any emerging LDP issues to be presented to Members in due course following completion of the consultation period on 19 February 2026.

D – Strategic Housing Study, Emerging Evidence, Landowner Engagement

Members are reminded that officers and appointed consultants (Hyas Associates, Nexus Planning) are currently developing an evidence base to inform the emerging DLPP on the approach to strategic housing. Whilst initial evidence was presented at the Members' LDP workshop on 20 October 2025, officers advised that as part of the assessment of supply from uncommitted lands (i.e. sites identified by the Council's Forward Planning Section as having development potential) an assessment of land availability is required. Landowners have now been contacted regarding the potential availability of their lands for housing development and their willingness to see their lands considered further within the DLPP process.

Members are advised that one hundred and one (101) notification letters have now issued to specific landowners with a response date of 19 February 2026. Any responses received will be considered by officers as part of the wider emerging evidence of this study to be presented to Members in due course.

E – Local Development Plan, Working Groups

Coastal Forum, Local Development Plan Working Group

Officers from the Forward Planning Team attended a remote meeting of the DAERA/DfI Coastal Forum, Local Development Plan Working Group, which took place on 17 December 2025, to discuss the Forum's emerging work programme (as presented to and agreed at January 2025 Planning Committee). Copies of agreed previous meeting minutes from 13 October 2025 are **enclosed** for Members' information.

Metropolitan Area Spatial Working Group

A meeting of the Metropolitan Area Spatial Working Group (MASWG) took place on 08 January 2026, hosted by Mid and East Antrim Borough Council. A copy of draft meeting minutes, and a copy of the agreed previous meeting minutes (held on 08 October 2025, hosted by Lisburn and Castlereagh City Council) are **enclosed** for Members' information.

At the recent meeting, the Department for Infrastructure, Strategic Planning presented to the group a summary of recent policy revisions to the Strategic Planning Policy Statement (SPPS) on Renewable and Low Carbon Energy. A copy of the presentation is **enclosed** for Members information.

The next meeting of the MASWG is due to take place on 16 April 2025, to be hosted by Antrim and Newtownabbey Borough Council. Diary invites to this meeting to be issued in due course.

3. Previous Decision of Council

November, December 2025, and January 2026 – DfI s14 update, agreed.

4. Financial Position/Implication

Not applicable.

5. **Recommendation**

It is recommended that the report be noted.

Prepared by: Simon Thompson, Local Development Plan and Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning

ITEM 3.14

P/PLAN/1 CORRESPONDENCE FROM DEPARTMENT FOR INFRASTRUCTURE - LOUGH NEAGH

1. Purpose

The purpose of this report is to advise Members of correspondence received from the Department for Infrastructure (DfI) Regional Planning Policy Directorate (enclosed**) regarding further enforcement action in relation to sand dredging operations at Lough Neagh.**

2. Background

Members will be aware that sand dredging operations at Lough Neagh have been the subject of ongoing planning enforcement action by the Department for Infrastructure. An enforcement notice was originally issued by the Department on 8 February 2021 in respect of the unauthorised development. The matter is recorded under references T/2014/0012/CA and EN/2021/0035.

An appeals process in relation to the enforcement action remains ongoing.

3. Correspondence

Correspondence dated 2 February 2026 has been received from the DfI Regional Planning Policy Directorate, advising Council of the Department's intention to take further enforcement action in respect of the same site and development.

The correspondence states that, due to the ongoing appeals process and pursuant to the provisions of Section 132(4)(b) of the Planning Act (Northern Ireland) 2011, the Department is proceeding with enforcement action by issuing a further enforcement notice in respect of the sand dredging operations at Lough Neagh.

Enforcement action in this matter remains the responsibility of the Department for Infrastructure and it is considered no action/response is necessary by Council, and, that the Department's intention to issue the new Enforcement Notice should be noted.

4. Recommendation

It is recommended that the report be noted.

Prepared and Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development, Planning

ITEM 3.15

P/PLAN/1 ROYAL TOWN PLANNING INSTITUTE (RTPI) (NI) ANNUAL DINNER 2026

1. Purpose

The purpose of this report is to inform Members of the forthcoming RTPI Northern Ireland Dinner taking place from 7.00pm - 11.30pm on 5 March 2026 at the Titanic Hotel, Belfast, and to advise arrangements for attendance.

2. Background

The Royal Town Planning Institute (RTPI) Northern Ireland hosts professional events that bring together planning professionals, Elected Members, and local government officials involved in the planning system.

The annual RTPI Northern Ireland Dinner provides an opportunity for engagement, networking, and discussion on current and emerging planning policy matters and best practice.

Attendance at such events supports Officers' and Members' understanding of planning issues, strengthens relationships with professional bodies, and helps ensure the Council remains informed of developments affecting the planning system in Northern Ireland.

Tickets for the event cost £60 plus VAT per person, and a table of 10 £600 plus VAT.

3. Recommendation

It is recommended that a table of 10 be booked at a cost of £600 + VAT and that the Chairperson and Vice Chairperson along with Planning Committee Members and relevant Officers attend the event.

Prepared by: Stephanie Boyd, Planning Economic Development and Building Control
Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning

3.16 ANY OTHER RELEVANT BUSINESS

Any Other Relevant Business (AORB) may be taken at this point.