



11 March 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 March 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

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## **AGENDA FOR PLANNING COMMITTEE – 16 MARCH 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: **LA03/2025/0777/F**

Proposed erection of 3 no. storage and distribution units, associated car parking, landscaping and all associated site and access works, access from existing site access from Doagh Road at lands at Houston Business Park, 50m to the south of 610 - 626 Doagh Road, Newtownabbey.

#### 3.2 Planning Application No: **LA03/2025/0551/F**

Proposed extension to the front of the existing Ballyclare Primary School building and removal of existing temporary mobile accommodation. Proposal includes the demolition of the existing two storey building on site and all associated site works at Ballyclare Primary School, Doagh Road, Ballyclare, BT39 9BG.

#### 3.3 Planning Application No: **LA03/2025/0071/O**

'Loughlands' - Proposed development of 6 no. detached dwellings and garages (Renewal of LA03/2021/0684/O) at lands approx. 7m southwest of no.72 & approx. 8m northeast of no.76 Kingsmoss Road, Newtownabbey, BT36 4TN.

#### 3.4 Planning Application No: **LA03/2025/0844/S54**

Dwelling - Retrospective change of house type from approval LA03/2020/0828/F (Variation of Condition 10 of planning approval Ref: LA03/2024/0350/F in relation to obscure glazing and removal of Condition 11 of planning approval Ref: LA03/2024/0350/F in relation to fencing) approx. 26m south of 34 Glebecoole Park, Newtownabbey, BT36 6HX.

- 3.5 Planning Application No: **LA03/2025/0722/F**  
Retention of change of use from shop to office and storage shed at Safe Gas (NI Ltd), 245 Carnmoney Road, Newtownabbey, BT36 6JR.
- 3.6 Planning Application No: **LA03/2025/0721/A**  
Retention of 1 No. Digital Sign and 1 no. Projecting Sign Safe Gas (NI Ltd), 245 Carnmoney Road, Newtownabbey, BT36 6JR.
- 3.7 Planning Application No: **LA03/2025/0854/O**  
Proposed dwelling at approximately 12m northeast of No. 39 Cullyburn Road, Newtownabbey, BT36 5BN.
- 3.8 Planning Application No: **LA03/2025/0628/F**  
Proposed new car-port to front of dwelling and new front boundary wall at 69 New Lodge Road, Caulside, Antrim, BT41 2QW.
- 3.9 Planning Application No: **LA03/2025/0775/F**  
Installation of timber posts and timber panel fence to the side of the property (Retrospective) at 1 Umry Gardens, Antrim, BT41 4NL.

#### **PART TWO – Other Planning Matters**

- 3.10 Delegated Planning Decisions and Appeals February 2026
- 3.11 Department of Agriculture Environment and Rural Affairs (DAERA) Planning Improvement Plan
- 3.12 Department for Infrastructure (DfI) Approval of Revised Scheme of Delegation
- 3.13 Department for Infrastructure Response to Chairperson of Planning Committee Regarding Revisions to the Regional Policy Framework for the Two-Tier Planning System.
- 3.14 Second Review of the implementation of The Planning Act (NI) 2011
- 3.15 Any Other Relevant Business

#### **PART TWO – Other Planning Matters – In Confidence**

- 3.16 Update on the Local Development Plan – In Confidence
- 3.17 Legal Update Report – In Confidence

#### **PART ONE - Decisions on Enforcement Cases - In Confidence**

- 3.18 Enforcement Case – **LA03/2025/0220/CA** – In Confidence

3.19 Enforcement Case – **LA03/2023/0243/CA** – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE  
PLANNING COMMITTEE ON 16 MARCH 2026**

**PART ONE  
PLANNING APPLICATIONS**

<b>COMMITTEE ITEM</b>	<b>3.1</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0777/F</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>MAJOR APPLICATION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed erection of 3 no. storage and distribution units, associated car parking, landscaping and all associated site and access works, access from existing site access from Doagh Road.
<b>SITE/LOCATION</b>	Lands at Houston Business Park, 50m to the south of 610 - 626 Doagh Road, Newtownabbey.
<b>APPLICANT</b>	Kenmark N0 2 Ltd
<b>AGENT</b>	TSA Planning
<b>LAST SITE VISIT</b>	25 <sup>th</sup> February 2026
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:alicia.leathem@antrimandnewtownabbey.gov.uk">alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>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</b>  <a href="https://planningregister.planningsystemni.gov.uk/application/700319">https://planningregister.planningsystemni.gov.uk/application/700319</a></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located outside the development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and within the settlement limit of Metropolitan Newtownabbey and also within the Employment Zoning for a Major Employment Location: Global Point/Ballyhenry (Ref MNY07).</p> <p>The site comprises an area of land situated off the Doagh Road, made up of a series of agricultural fields, which are largely rectangular in shape. The site abuts the rear gardens of No's 612, 616, 618, 620 and 626 Doagh Road. The southern boundary of the site abuts a watercourse and a railway line with the eastern boundary being undefined whilst the western boundary is defined by hedgerows. The Three Mile Water River flows along part of the southern boundary of the application site. There are a number of drainage ditches within the site which run from north to south and connect to a small undesignated watercourse to the west of the site which connects to the Three Mile Water River. The topography of the site falls from north to south from the Doagh Road towards the river. An existing vehicular access point with a right-hand turning pocket from the Doagh Road has been constructed on foot of a previous grant of planning permission which serves the application site and other adjoining lands.</p> <p>The dwellings at No's 610 – 626 Doagh Road are a mix of single and one and a half storey dwellings while No.616 Doagh Road is a two-storey dwelling. Most of the rear boundaries of the properties along the Doagh Road are well defined with mature trees. Mossley Mill and Mossley Train Halt are approximately 1 mile to the east, Houston's Corner Roundabout, which links to the Ballynure Road (A8), is approximately 0.2 miles to the west.</p>	

## RELEVANT PLANNING HISTORY

Planning Reference: LA03/2025/0493/PAN

Location: Lands situated to the south of 610-626 Doagh Road, Newtownabbey.

Proposal: Proposed erection of 3 no. storage and distribution units, associated car parking, existing site access from Doagh Road, landscaping and all associated site and access works.

Decision: PAN Acceptable (16.07.2025)

Planning Reference: LA03/2024/0704/S54

Location: Lands situated approx. 350m SE of 632 Doagh Road and 150m south of 618 Doagh Road, Newtownabbey.

Proposal: Proposed erection of 1 no. storage and distribution centre and 3no. light industrial units (Variation of Condition 7 from planning approval LA03/2022/0726/F regarding submission of landscaping scheme).

Decision: Permission Granted (28.03.2025)

Planning Reference: LA03/2022/0726/F

Location: Lands situated approx. 350m SE of 632 Doagh Road and 150m south of 618 Doagh Road, Newtownabbey.

Proposal: Proposed erection of 1 no. storage and distribution centre and 3no. light industrial units (Variation of condition 13 from planning approval LA03/2018/0917/F relating to Heavy Goods Vehicles).

Decision: Permission Granted (05.12.2022)

Planning Reference: LA03/2022/0506/F

Location: Lands situated approx. 350m SE of 632 Doagh Road and 150m south of 618 Doagh Road, Newtownabbey

Proposal: Proposed erection of 1 no. storage and distribution centre and 3no. light industrial units (Removal of conditions 13 & 14 from planning approval LA03/2018/0917/F relating to Heavy Goods Vehicles)

Decision: Application Withdrawn (30.08.2022)

Planning Reference: LA03/2018/0917/F

Location: Lands situated approx. 350m SE of 632 Doagh Road and 150m south of 618 Doagh Road, Newtownabbey

Proposal: Proposed erection of 1 no. storage and distribution centre and 3no. light industrial units, associated car parking, site access from Doagh Road, landscaping and all associated site and access works

Decision: Permission Granted (15.04.2019)

Planning Reference: LA03/2017/0135/F

Location: Land approx. 100m to the south of Doagh Road and to the east side of Ballynure Road, Ballyearl, Newtownabbey,

Proposal: Erection of Warehousing/Distribution Unit with Associated Offices and Car Parking

Decision: Permission Granted: 26.07.2017

Planning Reference: U/2009/0055/F

Location: Lands on the south side of Doagh Road and on the east side of Ballynure Road, Ballyearl, Newtownabbey.

Proposal: Erection of light industrial units & warehousing/distribution units with associated parking.

Decision: Permission Granted: 22.08.2011

## **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 3<sup>rd</sup> 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 outside the development limit and is within the inner edge of the green belt. The Plan offers no specific guidance on this proposal.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located outside any settlement limit and is therefore in the countryside. 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 and also within the Employment Zoning for a Major Employment Location: Global Point/Ballyhenry (Ref MNY07). A number of key site requirements are set out in dBMAP.

SPPS 2<sup>nd</sup> Edition – 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 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. SP 3 is supported by Policies:

- Policy DM 10 Access and Parking
- Policy DM 12 Active Travel
- Policy DM 14 Public Utilities and Infrastructure
- Policy DM 15 Development Relying on Non-Mains Sewerage

**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 25 Urban Design
- Policy DM 28 Amenity Impact

**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;
- Policy DM 42 Trees and 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

## CONSULTATION

**Council Environmental Health Section** – No objection subject to conditions

**Northern Ireland Water** – No objection

**Department for Infrastructure Roads**- No objection subject to condition.

**Department for Infrastructure Rivers**- No objection subject to clarification.

**Department for Communities Historic Monuments** - No objection

**DAERA Water Management Unit** – No objection subject to condition.

**Shared Environmental Services** – No objections subject to conditions.

## REPRESENTATION

Thirteen (13) neighbouring properties were notified, and 6 (six) letters of representation were received from four (4) properties. The full representations made regarding this proposal are 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 (noise nuisance, light nuisance, general disturbance);
- Impacts on equine welfare;
- Current level of landscaping is unacceptable and substandard;
- Non-compliance with previous approval and conditions;
- Concerns with the proposed operating hours;
- Traffic movements, volume and road safety concerns;
- Impact on the safety of occupants of adjacent properties;
- Adequacy of existing and proposed landscaping, maintenance, type and timing;
- Lack of detail within the Service Management Plan and oCEMP;
- Concerns in relation to the boundary treatments and acoustic fencing;
- Inconsistencies with traffic figures with the NIA and TAF; and
- Enforceability and detail of planning conditions.

It is worth noting that any issues raised during the pre-application community consultation are noted within the Pre-Application Community Consultation Report (PACC) (Document 14).

## **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
- NI Water Infrastructure
- Archaeology and Built Heritage
- Other Matters

### **Legislative Framework**

#### 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 12<sup>th</sup> 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 Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals and transitional arrangements are set out in it. On 11th December 2025, the Department for Infrastructure published the SPPS, Edition 2, which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS, Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

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. In line with the transitional arrangements set out within the ANPS and the SPPS, the BUAP, dBMAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

The site is defined as being outside the settlement limit within Belfast Urban Area Plan (BUAP) and within the settlement limit of Metropolitan Newtownabbey and zoned as a major area of existing employment/industry (MNY 07) as defined within draft Belfast Metropolitan Area Plan (dBMAP). The zoning is subject to a number of Key Site Requirements (KSR's), which are covered throughout the detail of the report. Although the BUAP remains the adopted plan for the area, draft BMAP is still a material consideration. In addition, the planning history of the site is an important consideration in this instance. Previous planning permissions (Ref: LA03/2018/0917/F, LA03/2022/0726/S54 & LA03/202/0704/S54) which remain extant, granted permission for 1 storage and distribution centre and 3 light industrial units on a wider site inclusive of the application site with development having commenced. The current proposal seeks permission for the erection of 3 storage and distribution units, associated car parking, landscaping and all associated site and access works, access from existing

site access from Doagh Road. It is considered that the proposed uses are compliant with the KSR, which allows for storage and distribution uses.

The next applicable KSR requires that development of the application site is in accordance with an overall comprehensive masterplan. The overwhelming majority of the balance of lands outside the application site are contained within Zone B and are subject to either existing or committed development. The proposed development occupies the entire application site area and therefore a concept masterplan is not considered necessary for these reasons.

Policies 1.7 -1.10 of the ANPS direct economic growth towards the identified settlements with a particular emphasis on land zoned for a particular use. Policies SP 2.9 and SP 2.10, together with DM 1 of the ANPS, relate to Local Employment Sites and the requirement to safeguard zoned lands for employment generating uses. While the application lands are not identified as a Local Employment Site under the ANPS (given that this designation will be addressed as part of the LPP), the lands are nevertheless zoned for employment use within dBMAP 2004. In this context, it is considered that the provisions of Policy SP 2.10 are applicable. This policy not only seeks to safeguard such lands to meet local employment needs but also supports their redevelopment and regeneration to provide more modern, fit-for-purpose employment facilities. As indicated above, the current proposal seeks permission for the erection of three storage and distribution units, associated car parking, landscaping and all associated site and access works, access from existing site access from Doagh Road. The proposal therefore comprises of a suitable use and on lands zoned for employment/industry use.

Overall, it is considered that the proposal complies with the Policy provisions of SP 1.7-1.10, SP 2.9 -2.10 and Policy DM 1 of the ANPS and the principle of development is considered acceptable subject to all other policy and environmental considerations being met.

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

Strategic Policy 6: Placemaking and Good Design 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 25 'Urban Design' will require development to demonstrate a clear understanding of the characteristic of the site, its wider context and how the proposal will connect with the surrounding area. Policy DM 25 requires a high-quality design in its layout and appearance and the compliance with a number of criteria.

The proposal includes three individual storage and distribution units, (in replacement of one larger unit) with access via an existing road network which is proposed to extend to provide access to two of the units. The proposed site plan (Drawing No. 03) provides the layout which shows the site subdivided to provide three sperate plots, each with their own curtilage, building access and parking areas. In relation to the layout Unit 4 and Unit 5 running parallel to each other and perpendicular to Unit 6 and the access road to the north.

Units 4 and 5 are reflective of each other with Unit 4 measuring approximately 109 metres in length by 31 metres in width and 11.3 metres in height and providing

approximately 3,400 sqm of floorspace. Whilst Unit 5 measures 105 metres in length by 31 metres in width with a height of 11.3 metres and approximately 3,900 sqm of floorspace. Both Unit 4 and 5 have wrap around office provision to the northern boundary providing 186sqm of floorspace. Unit 4 is accessed directly off the internal road which formed part of the previous approval and includes 1 docking door and three docking level access doors to the western elevation, a total of 10 HGV spaces and 25 car parking spaces are also provided within the curtilage of Unit 4. In addition, a NIE substation is located to the north of Unit 4.

Unit 5 is accessed off the proposed estate road that runs to the north of the site and to the rear of the existing residential properties which are located to the north along Doagh Road.

Unit 6 is the larger of the three units and is located in the eastern portion of the site and measures approximately 54 metres in width, 106 metres in length and 11.6 metres in height, providing c.6000 sqm of floorspace. Provision for office space is located to the west of the unit measuring 12.5 metres in width and 40 metres in length providing office space of approximately 1000sqm across two floors. The unit includes three narrow projections which extend approximately 48.5 metres from the southern elevation and are raised above ground level by approximately 0.5 metres and have an overall height of 4.5 metres. The purpose of the projections is to allow for level access to vans, each of the projections can accommodate 30 vans (15 on either side) for loading and unloading. There are 8 No. docking doors and 7 level access doors located to the northern elevation of Unit 6 with accommodation for 90 van spaces located along the southern loading bays and 128 car parking spaces.

Access to Unit 6 is from a proposed estate road that runs to the north of the site and to the rear of the existing residential properties located to the north along Doagh Road. A gate house is proposed at the access to Unit 6 which measures 15 metres in length, 4.2 metres in width and a ridge height of 3.4 metres with a flat roof. The gate house is finished in aluminium cladding; a waste storage area is located to the northern boundary with a vehicle wash bay to the southeastern boundary.

Each of the three main buildings take the appearance of a standardised industrial building with a mix of cladding to the walls and the roof with sections of glazing to the office buildings. Collectively the design and appearance does not appear at odds with the existing built form within the wider area. One of the KSRs within dBMAP limits the height of the buildings to no more than two storey which the proposed buildings comply with whilst another KSR relates to the need for variety in elevational treatment and height with particular consideration given to views into the site. As noted above Units 4 and 5 have an overall ridge height of 11.3 metres whilst Unit 6 has a ridge height of 11.6 metres thereby creating a mix of heights with other heights in buildings and finished floor levels been evident in the existing built form and committed development. A comparison of the previously approved development and the current proposal in terms of layout and scale have been provided on Drawing No 27 which highlights that although the proposal represents additional units, the overall ridge height and scale of the individual units has a lower ridge height than the previously approved building and a reduced scale and massing.

The proposed buildings do not have a variety of elevational treatments; however, it is noteworthy that this KSR relates to the entire zoning (including lands at Global Point) which would result in a mixture of elevational designs across the entire zoning. In

addition, a Landscape and Visual Appraisal (LVA) (Document 09) has been submitted which includes eight different viewpoints. The LVA highlights that due to a combination of topography, vegetation cover and built elements in the landscape the site has a small visual envelope. It is concluded that the site lies within a cluster of existing and ongoing industrial development and that the receiving landscape can accommodate the scale of the proposal. A number of the KSRs relate to the provision of a high standard of landscaping, in addition, Policy DM 42 of the ANPS addresses Trees and Development and promotes the inclusion of additional landscaping, the retention and protection of existing vegetation and the need to provide for long term maintenance. A Landscape Management Plan (LMP), (Document 01) and Drawing No. 21 relates to landscaping proposals. It is acknowledged that the previous approval (Ref: LA03/2018/0917/F) and subsequent Section 54 application (Ref: LA03/2024/0704/S54) contained a landscaping scheme which has commenced on the site. Letters of objection have raised concerns in relation to the adequacy of the existing landscaping, the type and timing of the proposed landscaping and the need for any proposed landscaping to be conditioned to be carried out prior to the development commencing to allow for more mitigation during construction works.

The proposed landscaping plan (Drawing 21) indicates that the existing landscaping buffer located to the north of the site along the Doagh Road which wraps around the rear of the private amenity space of the adjacent residential properties is to be retained and protected during construction. Inset from the landscape buffer to the rear of the residential properties is a further landscape buffer measuring 49.5 metres at its widest point which narrows to 9 metres. This buffer is proposed to be made up of native boundary planting, interspersed with clear stem and feathered trees ranging in height from 2.5 metres to 4 metres. The landscape proposal (Drawing 21) indicates that inset from this buffer will be a further area of native grassland/wildflower mix with a strip of grassland and additional trees which help define this landscaped area. The native boundary planting and grassland/wildflower mix buffer is to extend along the eastern and southern boundary of the site. In addition, pockets of grassland, ornamental planting and trees are proposed within the remainder of the site. Overall, it is considered that the proposed planting and retention of existing planting is considered acceptable in the context of the site, the LMP sets out design objectives, overall performance and maintenance and long-term objectives, the LMP also indicates that in the event of any tree/plant or grass failure that the Landscape Management Company shall engage a competent and suitably qualified landscape contractor to implement replacement planting.

In relation to the boundary treatment, Drawing 01 indicates that an existing 2.1 metre acoustic fence defines the northern boundary adjacent to the residential properties. A further 2.1 metre acoustic fence is proposed to the south of this on the outer edge of the landscaping buffer which will run parallel to the proposed access laneway up until the entrance of Unit 6. The boundaries of Units 4 and 5 are to be defined by 2-metre-high paladin fence with Unit 6 being 2.4-metre-high paladin fencing.

It is acknowledged that the buildings are significant in terms of scale and massing, however, taking into consideration the site history, the employment/industrial zoning and the context of the surrounding area, including; the existing built form and the topography of the lands, it is considered that the design and layout of the proposal is considered acceptable and will not have 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 lands zoned as a major area of existing employment/industry (MNY 07) as defined by dBMAP which lies adjacent to residential properties along the Doagh Road, to the east of existing industrial buildings and to the west of the Council's Crematorium. The existing access land for the wider site runs to the west of 626 Doagh Road with the proposed access to serve Units 5 and 6 located to the south of the existing residential properties. It is notable that this arrangement is reflective of that which was previously approved on the site under the previous approvals. Letters of objection have raised concerns in relation to the impact on amenity, due to adverse noise, light and general disturbance. Noise concerns relate to the impact of vehicles visiting the site, vehicles idling, reversing beepers and the impact of the access arrangement running to the rear of the adjacent dwellings. Concerns have also been raised in relation to the lack of defined operating hours and the inadequacy of the submitted Service Management Plan (SMP) (Document 04) and the lack of detail therein. It is acknowledged that the SMP does not provide specific detail on the operations on site, however, it is considered that if planning permission is forthcoming, specific operations could be controlled via condition as set out in the proposed conditions.

Given that the previous approval granted permission for storage and distribution use with a similar access arrangement to the previous approval, the applicant has the benefit of a fallback position. Therefore, the main area of consideration relates to the impact of the proposed development on the amenity of nearby residents. It is acknowledged that given the separation distances between existing neighbouring buildings and the proposed buildings, there are no concerns with overlooking, overshadowing or dominance.

### Noise and Disturbance

Given the nature of the proposed operations the potential does exist for noise and general disturbance. The current proposal sees an increase in vehicular activity during the night-time period in excess of that which was previously approved particularly for Unit 6 where the end user is indicated to be DHL. A Noise Impact Assessment (NIA, Document 03) was submitted in support of the application and was reviewed by the Council's Environmental Health Section (EHS). The NIA relies on background noise data from the original assessment (Ref: LA03/2018/0917/F) and separates the night-time period into 23:00–05:00 and 05:00–07:00 to reflect the proposed tenant's requirement for increased early morning vehicle movements. Measured background sound levels were identified as 37 dB LA90 (23:00–05:00) and

44 dB LA90 (05:00–07:00), with the higher early morning level attributed to increased traffic on surrounding roads. EHS accepted this explanation.

EHS comment that the NIA assesses the impact of varying traffic volumes on nearby residential receptors. For daytime, it is assumed that the rating level is as outlined in Appendix A of the NIA and is -2.6dB below background sound levels for both night-time periods, (23:00–05:00 and 05:00–07:00) predicted rating levels remain below the respective background levels (23:00-05:00 - 37dB LA90 & 05:00-07:00 - 44 dB LA90). EHS raised queries regarding the control of vehicle movements for each unit, the use of refrigerated vehicles, forklifts, plant operations, door management and the acoustic barrier. Following this, an Addendum (Document 03/1) was submitted and EHS confirmed it provided clarification, including a breakdown of vehicle numbers by unit and by night-time period (23:00-05:00 and 05:00-07:00).

It is worth noting that the NIA and TAF provide differing vehicle numbers, which was also raised as a concern by third parties, however, the NIA Addendum and a Transport Explanatory Note (Document 15) provide clarification in this regard and indicate that the NIA adopts a worst-case scenario to establish the maximum level of activity that could occur without causing noise nuisance. It assesses up to 12 HGV and 50 car/van movements per hour between 23:00–05:00, and up to 40 HGV and 200 car/van movements per hour between 05:00–07:00. These figures represent theoretical upper limits rather than actual or predicted activity levels.

In comparison, the Transport Explanatory Note (Document 15), based on TRICS database surveys, sets out typical average vehicle movements on the public road network. One example is the average 'Total Vehicles' expected to enter the site between 05:00-06:00 which is anticipated to be approximately 67. In contrast, the NIA has demonstrated that, with the inclusion of the additional acoustic barrier, up to 240 vehicles could utilise the access road with the noise rating levels not breaching the measured background sound level of 44dB LA90 (between 05:00-07:00). Document 15 highlights that there is one period whereby the predicted average HGV movements (47) between 06:00-07:00 is higher than the NIAs 'worst case' scenario (40). However, it is noted the predicted rating level of 39.9dB LAr, is -4.1dB below background, therefore EHS go on to comment that even if the average number of HGVs utilised the access road, it would be highly unlikely this would cause any significant change to the rating level, nor would it cause the overall rating level from the site to breach existing background levels.

EHS also comment that the figures presented have utilised guidance contained in BS:4142 which looks at external amenity. Between the hours of 23:00-07:00 (nighttime hours) more consideration would be given to internal amenity standards provided under BS:8233. Whilst these figures have not been provided, considering the attenuation provided by an openable window, and knowledge of the rating level (39.9dB LAr) internal sound levels will continue to be protected in line with BS:8233.

EHS highlight that the NIA is based on BS:4142 (external amenity) and between the hours of 23:00-07:00 (nighttime hours) more consideration should be given to internal amenity standards provided under BS:8233.

EHS confirm clarification has been provided in relation to the location and specification of the additional 2.1-metre-high acoustic barrier located to the northern boundary. Additionally, Section 4.2 of the NIA Addendum (Document 03/1) confirms

that no refrigerated HGV deliveries will take place during the night-time hours. It is noted that there is no reference in relation to refrigerated HGVs during the daytime.

As they were not included as part of the assessment EHS seek to condition that refrigerated HGVs shall not be used on the site at any time. In relation to dock levellers and doors, Document 03/1 states that all dock leveller doors facing the Doagh Road shall be kept closed except for when vehicles are moving from/to the door. EHS are of the opinion that in order to prevent noise breakout impacting nearby residential receptors, that a condition requiring specific doors in Units 4, 5 and 6 to remain in the closed position except for the loading/unloading and/or for ingress/egress.

EHS indicate that the external use of forklift trucks and other mobile plant has not been included as part of the NIA. EHS recommend a condition prohibiting the use of forklift trucks and other mobile plant during nighttime hours in the northern yard of Unit 6 or within the curtilage of Units 4 and 5. In order to protect daytime amenity all forklift trucks and mobile plant shall be fitted with broadband reversing alarms. EHS also recommend that the waste storage area to the northwest of Unit 6 is not serviced by collections between the hours of 23:00-07:00.

In addition, EHS indicate that in order to safeguard the amenity of adjacent residential occupants a noise management plan should be submitted to the Council prior to occupation to ensure that suitable noise management practices are employed on site by any future tenants. In conclusion EHS have indicated that amenity can be protected with the inclusion of recommended conditions and it is considered that the proposed development will not give rise to significant adverse impacts in relation to noise and general disturbance.

#### Light Impact

Concerns have been raised in relation to the impact of light nuisance on the development. The applicant has submitted a Light Impact Assessment (LIA, Document 06/1). EHS indicate that the LIA states the site is considered to fall within Environmental Zone 3 (E3) with a vertical illuminance limit of 10 lux pre curfew and 2lux post curfew (after 23:00). EHS are of the opinion that the site falls within Environmental Zone 2 (E2) with a vertical illuminance limit of 5 lux pre curfew and 1lux post curfew (after 23:00). This would also be in line with the LIA prepared for the previous approval (Ref: LA03/2018/0917/F). It is worth noting that none of the adjacent properties along the Doagh Road are shown to breach the 1lux post curfew, however, EHS recommend a condition to limit the site under the E2 limits.

In conclusion EHS have indicated that amenity can be protected with the inclusion of recommended conditions and it is considered that the proposed development will not give rise to significant adverse impacts in relation to light disturbance.

#### **Access, Movement and Parking**

Strategic Policy 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. SP 3 is supported by Policy DM 10.

Policy DM 10 gives support to development proposals where it is demonstrated that there is the capacity on the road network to accommodate the type and amount of

traffic likely to be generated where access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods and adequate provision is made for car and cycle parking and any necessary servicing arrangements. Policy DM 10.2 of the ANPS, advises that the Council will continue to take account of the supplementary guidance set out in Development Control Advice Note (DCAN) 15: Vehicular Access Standards, Creating Places and Parking Standards. A number of the KSRs relate to the need for a Transport Assessment, access to this section of the zoning from the Doagh Road, any enhancement of visibility splays, improvements to be done through the normal development management procedures. Third parties have raised concerns in relation to the lack of specific traffic figures, the wider traffic implications on the road network, peak traffic volume and the access arrangement in relation to road safety and the safety of adjacent residents carrying out ongoing recreational activities from their properties.

Supporting information highlights that the location of the site being 250 metres from the A8 allows for easy transportation in and out of the site, with good links to either Larne or Belfast Port. Vehicular access is taken directly from the Doagh Road to the north of the site, which includes a dedicated right turn pocket, the proposed access then extends through Houston Business Park. This access was constructed on foot of previous planning permissions Ref's: U/2009/0055/F and LA03/2018/0917/F and meets with the requirements of the KSR in dBMAP. The previous approval included a Transport Assessment (TA) which carried out a review of all committed developments in the area in assessing the impact of the proposal on the local road network. The TA concluded that the surrounding highway network can accommodate the level of traffic that will be generated by the proposal, without the requirement for mitigation measures.

A Transport Assessment Form (TAF, Document 05) and A Transport Explanatory Note (Document 15) were submitted in support of the application. The TAF highlights that the TRICS database has been utilised to quantify the number of users arriving at the site by all modes based on the GFA of "Employment/F- Warehousing (commercial)", which has been selected as the most representative land use for the proposed use. The database contains a wide range of developments, both in terms of size and location. To achieve the minimum number of sites (6) recommended by TRICS, sites surveyed more than 8 years ago have been included. Whilst there is a parcel distribution category within TRICS, there were only 3 multi modal sites available on the database, thus it was not appropriate to use for Unit 6, which has been assessed as a distribution unit as per units 4&5. The TAF estimates that there will be 353 car drivers and 118 HGV visitors to the site daily. Based on the TRICS database information, the busiest hour for vehicles will be the normal PM peak (17:00- 18:00) of which there will be 88 trips in total and during the normal AM peak (08:00-09:00) it is indicated there will be 83 trips in total.

Document 15 highlights that the TRICS database is concerned with typically busier traffic periods, therefore does not include overnight surveys. The figures are an average, so there will be some businesses which are busier and some less busy. Equally, there will be fluctuations throughout the year, with the likes of a parcel distribution business being very busy in December and very quiet in February, with an average somewhere in between. Consultation was carried out with DfI Roads who raised no objections in relation to the access or the level of vehicular activity associated with the site or the impact on road safety as a result of the road configuration. Normal road safety practises and adherence to the highway code is a

requirement for each road user and falls outside the planning framework. As discussed above the figures presented in the TAF were generally of a lesser quantum than that presented within the NIA. As such DfI Roads were reconsulted with the Transport Explanatory Note in order to ensure that the higher levels of potential vehicular activity included in the NIA could be accommodated on the road network, DfI Roads raised no objections in this regard.

The aim of Policy DM 12 Active Travel (Walking and Cycling) is to promote measures in the design and layout of developments that will support increased walking and cycling. The site has direct pedestrian access to public roads, and this allows a variety of alternative modes of transport to be utilised by future employees. One of the KSRs in dBMAP requires new and improved pedestrian and cycling links from the site. The promotion of alternative forms of transport is noted including appropriate provision of secure bicycle stands throughout the site and the existing pedestrian footpath which exists along a portion of the frontage of the site which links to other forms of public transport including the Mossley Railway Halt. It is concluded that the proposal is compliant with the KSRs set out in BMAP 2014 and the policy provisions of DM12. 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). The TAF provides a breakdown of the parking requirements and on-site provision for each of the 3 distribution units. The maximum parking standard is 1 parking space per 250sqm GFA and 1 space for HGV parking per 250sqm, offices are considered at 1 space per 20sqm plus 10% for visitors.

Through considering 'Parking Standards', Unit 4 would require 23 car parking spaces and 13 HGV parking spaces with the site plan indicating 25 car parking spaces and 14 HGV parking spaces. Unit 5 would require 25 car parking spaces and 15 HGV parking spaces with 15 HGV parking spaces and 37 car parking spaces provided. Unit 6 would require 66 car parking spaces and 23 HGV parking spaces, the site plan shows 15 HGV parking spaces, 90 van spaces and 128 car parking spaces provided.

It is accepted that the parking provision for Unit 6 has a shortfall of 8 HGV spaces with an overprovision of car and van spaces. However, supporting information indicates that this is a bespoke unit designed to meet the operational needs of DHL and therefore the business model requiring less HGVs and more vans is considered rational.

It is considered that the development has adequate parking, turning and circulation spaces within the site for vehicles that will be attracted to the development and is in accordance with Policies DM 10 and DM 12 of the ANPS.

### **Flooding, Groundwater, 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 which is supported by Policy DM 47. Additionally, a KSR requires A Flood Risk Assessment to be carried out for development as part of the zoning may lie within the 1 in 100-year floodplain of the Three Mile Water.

A Flood Risk Assessment (FRA), (Document 08) and a Drainage Assessment (DA), (Document 07) were submitted in support of the application. The Flood Maps (NI) indicate that the site lies within the 1 in 100 year fluvial including the most up to date allowance for climate change. DfI Rivers indicate that this proposal is within the floodplain, however, Policy DM 46 allows for exceptions for development in the floodplain. It is considered that the proposed site levels remain consistent with the previous grant of planning permission on the site which provides a fallback position for the developer and therefore the development was viewed as an exception to the policy and an FRA was submitted to allow for consideration of the development in the floodplain.

DfI Rivers has reviewed the FRA and notes that the previous permission establishes consented ground levels outside the 1% AEP floodplain, which was the basis for assessment at the time of the original planning decision. However, the FRA goes on to state that those same levels now interact with the 1% AEP plus Climate Change floodplain, which is the basis for assessment under Policy DM 46 of the ANPS.

Section 1.5.1 of the FRA states "groundworks have been implemented as per consented levels in LA03/2018/0917/F and LA03/2022/0726/F". Section 1.5.1 of the FRA also states, "The proposed development has been sited outside of the modelled 1% AEP + CC fluvial floodplain when taking into account permitted changes to ground levels associated with consented (part implemented) development, and the policy is not engaged".

It is noted that the proposed finished ground levels as annotated on Drawing No. 13 are consistent with the levels on the previous grant of permission where it abuts the floodplain. In addition, the proposed development does not encroach any further towards the Three Mile Water River or encroach upon the floodplain to any extent that differs from the previous grant of planning permission. DfI Rivers confirm that they are satisfied that the site is outside the 1 in 100-year fluvial floodplain and that DM 46 is not applicable to this site given the previous grant of permission. DfI Rivers, while not being responsible for the preparation of the FRA, accepts its logic and has no reason to disagree with its conclusions.

DfI Rivers have also reviewed the DA (Document 07) for the internal drainage design, including rehabilitation of existing sewers and suitable discharge points to the local drainage and watercourse system that will encourage the safe disposal of storm water runoff away from the site and other neighbouring areas. Drawing No. 30 indicates that the hydrobrake is located on manhole S10, however, this does not correspond with the Drainage Calculations provided within Appendix B of the DA. It is noted that the hydrobrake is positioned on manhole S13 as per the drawing contained within the DA and in the interests of certainty and to ensure appropriate storm water attenuation on site, a condition requiring the hydrobrake to be manhole S13 is considered necessary.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site; however, the existing access road is traversed by an undesignated culverted watercourse. SP 10.3 (c) states that there is a presumption against development proposals that would impede the operational effectiveness of flood defence and drainage infrastructure or hinder access to enable their maintenance. There are no buildings or other structures over the line of a culverted watercourse other than the access road.

DfI Rivers indicate that a suitable maintenance strip along a watercourse of a minimum 5m must also be in place but up to 10m where considered necessary. It is essential that a working strip of minimum width 5m from the top of the bank is retained but up to 10m where considered necessary and that the working strip is protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or any future development by way of a planning condition. The Three Mile Water runs to the southwestern boundary and a working strip would be necessary. No development is proposed within the working strip, however, given the landscaping proposed, it is considered necessary to impose a condition that no trees or shrubs may be planted within 5 metres of the watercourse. There are no other open watercourses within the application site.

#### NI Water Infrastructure

NIW have recommend approval, however, they state that there is a site-specific condition that development shall not begin until the applicant provides evidence, to the satisfaction of the Council, that the proposed works will not affect the existing sewer infrastructure. When taking into consideration the fallback position of the applicant, it is considered that a condition to this effect is not necessary as the developer has extant permissions which they could build out. The agreement of NI Water will still have to be achieved to secure a connection to the public sewer.

#### **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 Three Mile Water River flows along the southern boundary and there are a number of watercourses traversing the site which are hydrologically linked to the Belfast Lough Special Protection Area (SPA), Belfast Lough Ramsar Site, East Coast (Northern Ireland) Marine Proposed SPA [subsumes Belfast Lough Open Water SPA] which are of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended).

During the construction phase there is the potential for polluting discharges of varying forms to discharge into the Three Mile Water River. Construction phase activities including the handling/storage of cementitious materials and byproducts, handling/storage of sediment and silt-laden runoff and the storage of machinery and hydrocarbons have the potential to generate pollution sources on site. A vehicle wash bay is proposed in the southeastern corner of the application site. 'Dirty' water created during the operation of this aspect of the development creates the potential for polluting discharges to the Three Mile Water River through the storm water sewer network proposed on the site. Third parties raise concerns in relation to the adequacy of the detail within the submitted oCEMP.

Consultation was carried out with Shared Environmental Services (SES) who consider the mitigation measures outlined in the oCEMP are commensurate with the risk posed by the proposed development subject to recommended conditions which include adherence to the oCEMP. One of the recommended conditions provided by SES relate to the need for a Discharge Consent for storm water, however, the Discharge Consent is a separate regulatory consent that is dealt with by DAERA and which the applicant will be required to be in receipt of prior to operations commencing on the site. 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. The remaining two conditions provided are considered necessary in order to ensure that the project will not have an adverse effect on the integrity of any European site.

In conclusion the application was assessed by SES who consider that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects subject to recommended conditions.

#### Priority Habitats & Protected Species

The applicant has submitted a Bio-Diversity Checklist and Ecological Assessment (Document 02). The supporting information comments that the agricultural fields comprising the site are improved grassland, which holds a low ecological value and is common and widespread throughout the country and no Schedule 9 'Invasive Species' were recorded on the site. It is indicated that the site was inspected for the presence of features suitable for supporting roosting bats such as trees or built structures. There are no built structures or mature/semi-mature trees located within the application site, therefore no impacts upon roosting bats are predicted to arise. A LIA has been provided for the scheme which indicates that the existing east and south buffer zones will not be subject to significant nighttime artificial illumination. Furthermore, current landscape proposals also include the provision of a planted buffer to the eastern and southern boundaries including native boundary planting, feathered trees and clear stem trees. The provision of this buffer will further reduce and minimise any potential impacts upon adjacent habitat and linear features in addition to the creation of new foraging and commuting provision for the local bat population. The report concludes that there will be no significant impacts upon foraging or commuting bats.

With respect to badgers the Ecologist states that the site, boundaries and 25m buffer zone was inspected for field evidence of the presence of badgers or their protected sites of refuge. No field evidence was identified to suggest the presence of badger or their sites of refuge within the site or the associated 25m buffer. No well-defined mammal trails, foraging snuffle holes, dung pits or latrine lines were identified while no actual or potential sites of refuge were recorded within the application site or surrounding 25m buffer zone. In addition, the Ecologist also states that the site was inspected for the presence of other habitats or features with the potential to support protected or priority species. The watercourse to the west of the application site was inspected for evidence of Otter activity, including slips, slides, runs, couches, lays, holts or sprints. No field evidence was identified to suggest the presence of Otter within the application site or along the watercourse. No other habitats or site features are present which would have the potential to support any other protected/priority species with the exception of the scrub/ruderal growth that may support breeding birds. The two existing drainage ditches that flow through the site area from north to south both contain flowing water and are therefore considered unsuitable for

supporting Smooth Newt. In addition, there are no areas of standing water present within the application site.

The Ecologist concludes that these findings are akin to those previously reported and no mitigation is required to safeguard the ecological interests of the application site. Overall, it is considered the proposal will not have an unacceptable adverse impact to ecology,

#### Water Contamination

Supporting information (Document 16) was submitted in relation to potential water contamination, the information highlights that NI Water's consultation response states that there is available capacity in the WWTW and there is a public foul sewer within 20m of the site that can adequately serve this proposal. The submitted drainage plan (Drawing No. 30) demonstrates the provision of separate storm and foul systems and indicates the foul drainage which includes a connection to the public foul sewer via a vehicle wash silt trap and a petrol interceptor as per NI Waters requirements. Document 16 also confirms that there is currently no plan for vehicle refuelling on the site. Consultation was undertaken with DAERA – Water Management Unit (WMU) who raised no objections.

#### 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 Preliminary Risk Assessment (PRA, Document 10) was submitted which concludes no pollutant linkages on site (very low to low risk) and, no further risk assessment is required. The PRA recommends steps for any unidentified contamination encountered during the construction process. Consultation was carried out with EHS who raise no objections subject to recommended conditions relating to unidentified contamination during site works. An earlier PRA was also submitted for the wider site under planning application Ref: LA03/2018/0917/F which addressed the whole of the site which did not raise any significant concerns with potential sources of contamination.

#### **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.

There are two upstanding raths within the wider zoning and therefore consultation was carried out with DfC Historic Environment Division (HED) who highlight that the archaeological site was subject to archaeological evaluation as per condition relating to the previous approval (Ref:LA03/2018/0917/F) which was completed and discharged under LA03/2023/0393/DC. No finds or features of archaeological significance were uncovered, as such HED has assessed the application and, due to the results of the previous archaeological excavation, is content that the proposal meets with the requirements of the SPPS and the ANPS.

#### **Other Matters**

*Current Proposal*

Letters of objection raised concerns in relation to the current proposal breaching the conditions and not being in accordance with the previous approvals and the implications for future compliance. Concerns were also raised regarding the layout of the scheme and the preference for changes to the proposed layout in particular the access arrangements. The current application has to be assessed on its own merits, with a decision being made based on the development plan and relevant policies prevailing at that time together with other material considerations. Any enforcement investigations relating to the previous approval is outside the remit of the current application, if planning permission is forthcoming and a breach of condition occurs, this can be investigated by the Councils enforcement through the standard procedures.

*Equine Considerations*

Letters of objection raised concerns in relation the impact on the welfare of horses which are housed in the adjacent properties and reference is made to appeal decisions which considered the welfare of horses. It is considered that appeal cases (2009/A0218 & 2014/A0042) by the Planning Appeals Commission do not relate to equine welfare or safety and are therefore not comparable. The other appeal references are decisions made in a different jurisdiction by the UK Planning Inspectorate (Refs: APP/E230/W/17/3187893 & APP/Q1153/A/10/2101001). Copies of these appeal decisions were not provided, nor were they available on the Planning Inspectorate Portal. The current proposal is not expected to give rise to any more significant impacts than the fallback position which exists from the extant planning permissions on the site.

**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.

**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. Prior to occupation of any of the Units hereby approved, a 2.1-metre-high acoustic barrier shall be installed at the location presented on stamped approved Drawing No. 28 date stamped 31/12/25. The barrier shall have a surface weight of not less than 6kg/m<sup>2</sup>, be of solid construction (i.e. no gaps or holes for sound to pass through) and if it is of a timber fence construction, it shall

be of the shiplapped design. The acoustic barrier shall be maintained for the lifetime of the development.

Reason: In order to protect amenity at near-by residential dwellings.

3. There shall be no refrigerated vehicles serving any of the units hereby permitted at any time.

Reason: In order to protect amenity at nearby residential dwellings.

4. All roller doors to the northern façade of Unit 6 and all roller doors to Units 4 and 5 shall remain in the closed position except for the loading/unloading of vehicles.

Reason: In order to protect amenity at nearby residential dwellings.

5. All external doors to Units 4 and 5 and to the northern façade of Unit 6 shall remain in the closed position except for ingress/egress.

Reason: In order to protect amenity at nearby residential dwellings.

6. Forklift trucks and other mobile plant shall not operate in the northern yard of Unit 6 or within the curtilage of Units 4 and 5 between the hours of 23:00-07:00.

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

7. All forklift trucks and mobile plant operating within the permitted development shall be fitted with broadband reversing alarms.

Reason: In order to protect amenity at near-by residential dwellings.

8. No waste collections from the development hereby permitted shall take place at any time between the hours of 23:00-07:00.

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

9. Prior to the occupation of any of the Units hereby permitted, the operator of that Unit shall submit a Noise Management Plan to be agreed in writing with the Council prior to implementation. The Noise Management Plan shall at a minimum provide information regarding;

- Staff training and awareness (on aspects of quiet deliveries and considerate operational practices);
- Vehicle/plant maintenance;
- Details of how the operator will appropriately record, respond and investigate complaints from neighbouring receptors;
- Documentation on the procedures to review and improve noise management on site

Reason: In order to protect amenity at near-by residential dwellings.

10. If during the development works, a new source of contamination and risks are found, which had not been previously identified, works should cease and the Council shall be notified immediately.

Any new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to be agreed with the Council prior to implementation.

Reason: To control any risk to human health arising from land contamination.

11. After completing any remediation works required and prior to occupation of the development, a verification report shall be submitted for agreement with the Council. The report shall be in accordance with Land Contamination Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and be completed by a competent person.

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

Reason: To control any risk to human health arising from land contamination.

12. Light intrusion from the proposed development into windows at nearby sensitive properties shall not exceed 5 Ev (lux) at any time between 07:00 - 23:00hrs and 1 Ev (lux) at any time between 23:00 - 07:00.

Reason: To protect amenity at nearby sensitive dwellings.

13. Prior to and throughout construction, the appointed contractor must implement and adhere to all the mitigation measures set out in the outline Construction Environmental Management Plan (Document 11) dated 20/10/2025.

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

14. The operational drainage for the site must be designed in accordance with Drawing No. 30 date stamped 31/12/202 to include an oil interceptor.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site and in order to decrease the risk of the incorrect diversion of contaminated water to drains carrying rain / surface water to a waterway.

15. No operation in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with stamped approved Drawing No. 3 date stamped 20/10/2025 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.

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

16. Notwithstanding the detail on the approved plans the hydrobrake to control the rate of surface water runoff from the site shall be fitted to manhole 13 as detailed within the Drainage Assessment labelled Document 07.

Reason: To ensure adequate surface water drainage is provided on the site.

17. The existing landscaping annotated to be retained on Drawing No. 21 date stamped 20/10/2025 shall be retained in perpetuity at a minimum height of 2 metres for hedging and 4 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal. If within the lifetime of the development 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: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

18. Prior to the occupation of the any Unit hereby approved, all soft and hard landscaping incorporated on Drawing No. 21, date stamped 20/10/2025 shall be completed in full. The landscaping shall be retained thereafter at a minimum height of 2 metres for hedging and 4 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal. The landscaping works shall be carried out to the appropriate British Standard or other recognised Codes of Practice. If any tree, shrub or hedge or other landscaped area is uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub, hedge or area of grass of the same species and size as that originally planted shall be planted at the same place, within the next available planting season unless the Council gives its written consent to any variation.

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

19. The landscape areas as indicated on the stamped approved Drawing Nos 21 date stamped 20/10/202 shall be managed and maintained in perpetuity in accordance with the Landscape Management Plan, Document 01 date stamped 0/10/202 any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

Reason: To ensure the successful establishment and ongoing management and maintenance of all landscaped areas in the interests of visual amenity

20. If within a period of 5 years from the date of the planting of any tree, shrub or hedge or other landscaped area, that tree, shrub or hedge or other landscaped area is removed, uprooted or destroyed or dies, or becomes, in the opinion of the

Council, seriously damaged or defective, another tree, shrub, hedge or area of grass 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.

21. No vegetation clearance/removal of hedgerows, trees or shrubs shall take place between 1 March and 30 September inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance/demolition and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

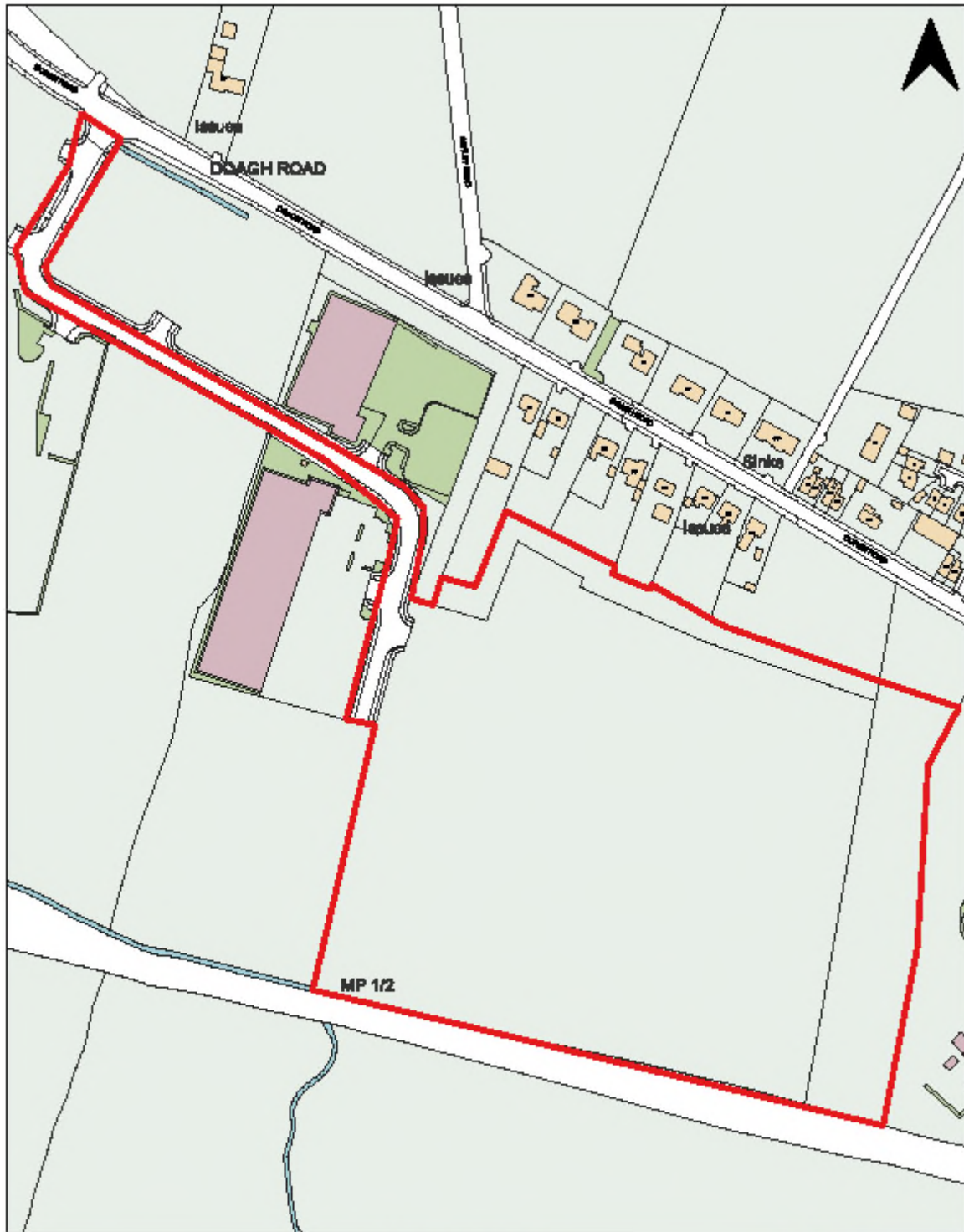
Reason: To protect breeding birds.

22. A protective barrier no less than 2m in height comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts and securely supported weldmesh panels (as illustrated in Figs 2 & 3 of BS5837:2012) shall be erected at outside the Root Protection Area from protected trees as identified on Drawing No. 21 date stamped 20<sup>th</sup> October 2025 prior to commencement of the development hereby approved and shall be permanently retained for the period of construction on the site. There shall be no machinery or stockpiling of materials or soil within this tree protection zone.

Reason: To ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

23. Notwithstanding the detail on the approved plans a 5-metre riparian buffer will be maintained along the banks of the Three Mile Water River. There shall be no development or landscaping within the buffer area.

Reason: To ensure an area for maintenance of the watercourse is available.



Legend

Site Boundary 

LA03/2025/0777/F



1:2,500

<b>COMMITTEE ITEM</b>	<b>3.2</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0551/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>MAJOR DEVELOPMENT</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed extension to the front of the existing Ballyclare Primary School building and removal of existing temporary mobile accommodation. Proposal includes the demolition of the existing two storey building on site and all associated site works.
<b>SITE/LOCATION</b>	Ballyclare Primary School, Doagh Road, Ballyclare, BT39 9BG
<b>APPLICANT</b>	Education Authority
<b>AGENT</b>	Resolve Planning
<b>LAST SITE VISIT</b>	25 <sup>th</sup> February 2026
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:Alicia.leathem@antrimandnewtownabbey.gov.uk">Alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>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</b>  <a href="https://planningregister.planningsystemni.gov.uk/application/705547">https://planningregister.planningsystemni.gov.uk/application/705547</a></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located along the Doagh Road in Ballyclare on the outer periphery of the town centre boundary and within the settlement limit as defined within draft Belfast Metropolitan Area Plan (dBMAP). The southeastern section of the site is designated as part of the wider Area of Townscape Character (ATC) as defined within draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site extends to 0.79 hectares and comprises the Ballyclare Primary School which includes the former two-storey school building (no longer used for teaching purposes), the main school building and several mobile classroom buildings. The site also includes hard play areas and hardstanding car parking areas.</p> <p>The site is located within an area of mixed use, Ballyclare Presbyterian Church is located to the north of the site alongside some terraced housing and retail premises. Immediately to the east lies St. John's Church and beyond lies Ballyclare Town Hall and The Square. Dixon Park playing fields and Ballyclare Secondary School are located to the south of the site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2025/0390/PAN  Location: Ballyclare Primary School, Doagh Road, Ballyclare, BT39 9BG  Proposal: Proposed extension to the front of the existing Ballyclare Primary School building and removal of existing temporary mobile accommodation. Proposal includes the demolition of the existing two storey building on site and all associated site works.</p> <p>Decision: PAN Acceptable (30/04/2025)</p>	

Planning Reference: U/2012/0308/F

Location: Ballyclare Primary School, Doagh Road, Ballyclare, Co Antrim, BT39 9B

Proposal: Extension to existing entrance foyer and reception provision. New modular building within courtyard for replacement staffroom.

Decision: Permission Granted (29/11/2012)

Planning Reference: U/2008/0019/F

Location: Ballyclare Primary School, Doagh Road, Ballyclare, Co Antrim, BT39 9B

Proposal: Erection of 2.4m high fence, 3.0m high fence, pedestrian gates, vehicle gates and retaining wall.

Decision: Permission Granted (17/07/2008)

Planning Reference: U/2007/0413/F

Location: Ballyclare Primary School, Doagh Road, Ballyclare, Co Antrim, BT39 9B

Proposal: Erection of new security fence/wall and pedestrian gate at existing school.

Decision: Permission Granted (22/08/2007)

Planning Reference: U/2006/0506/F

Location: Ballyclare Primary School, Doagh Road, Ballyclare, Co Antrim, BT39 9B

Proposal: Erection of three new mobile classrooms to be used for educational purposes.

Decision: Temporary Approval (06/12/2006)

#### **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.

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Draft Belfast Metropolitan Area Plan together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) published in September 2015 confirms that until such time as a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

SPPS – Strategic Planning Policy Statement for Northern Ireland (2<sup>ND</sup> Edition): 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 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 Active Travel (Walking and Cycling)
- Policy DM 14 Public Utilities and Infrastructure

**Strategic Policy 5 – Community Infrastructure (SP 5):** sets out that the Council's aims of seeking to promote access to community services and the protection of areas of open space areas. SP5 is supported by Policies:

- Policy DM 24 Community Facilities

**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 25 Urban Design
- 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
- Policy DM 34 Areas of Townscape Character

**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 38 Protected Species;
- Policy DM 42 Trees and 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 47 Surface Water Drainage & Sustainable Drainage Systems

- Policy DM 52 Contaminated Land

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the development limit of Ballyclare. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (dBMAP): The application site is located within the development limit of Ballyclare.

## CONSULTATION

**Council Environmental Health Section:** No objection, subject to conditions.

**Northern Ireland Water:** No objection.

**DfI Roads:** No objection, subject to conditions.

**DfI Rivers:** No objection.

**DAERA Natural Environment Division:** No objection.

**Historic Environment Division, Historic Buildings:** No objection.

## REPRESENTATION

Twenty-Six (26) neighbouring properties were notified and no letters of representation have been received.

It is noteworthy that during the Pre-Application Community Consultation (PACC) a number of representations were made and feedback was provided on the individual issues which are summarised within the PACC report (Document 03/1).

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Legislative Framework
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Road Safety, Traffic, and Parking
- Natural Heritage
- Flood Risk & Heritage
- Other Matters

### Legislative Framework

#### Environmental Impact Assessment

As the development falls within Schedule 2, Category 2, 10 (b) (urban development projects, including the construction of shopping centres and car parks) 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

The subject site is located along the Doagh Road in Ballyclare, there are no relevant designated sites close by. The proposed development comprises an extension to the existing Ballyclare Primary School, 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.

It is therefore 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.

### Pre-Application Notice (PAN)

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 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 PAN (ref: LA03/2025/0230/PAN) was submitted to the Council and was deemed to be acceptable on 30<sup>th</sup> April 2025. The Pre-Application Community Consultation Report (Document 03/1) submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.

### **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 Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals and transitional arrangements are set out in it. On 11<sup>th</sup> December 2025, the Department for Infrastructure published the SPPS, Edition 2, which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS, Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

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 limit of Ballyclare in the draft Belfast Metropolitan Area Plan 2015 (dBMAP). In line with the transitional arrangements set out in the ANPS and the SPPS, the dBMAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

The application seeks full planning permission for a proposed extension to the front of the existing Ballyclare Primary School building and removal of existing temporary mobile accommodation. The proposal includes the demolition of the existing two storey building on site and all associated site works.

The Strategic Planning Policy Statement (SPPS) states that in determining planning applications, planning authorities should progress proposals which can improve the health and wellbeing of local communities and help build a shared and strong society. The proposal albeit for an educational facility falls under the definition of a community facility, the SPPS defines "town centre uses" as including community facilities and seeks to secure a 'town centre first' approach. As indicated the application site is located within the settlement of Ballyclare immediately outside the town centre boundary as defined within dBMAP. The provisions of the SPPS require that an assessment of need should be carried out and a sequential assessment should be undertaken.

However, in this case the proposal seeks permission for an extension to the existing school facilities and as such the planning history of the site is an important consideration. Ballyclare Primary School was built in 1880 and has provided education facilities for local students for over 150 years at this location. The principle of a school is therefore acceptable and there have been a number of planning permissions over the preceding years for alterations, extensions and temporary classrooms. Supporting information (Document 08) indicates that it is recognised that Ballyclare Primary School's existing facilities do not meet the present needs of the school or the accommodation standards as specified within the current Department of Education Secondary School Building Handbook. It is therefore proposed to provide a two-storey extension to the existing school building which will facilitate and support the school's commitment to providing high quality education and pastoral support in the area.

Strategic Policy 5 of the ANPS addresses 'Community Infrastructure' and indicates that the Council will seek to ensure all communities in the Borough have access to health, education, community and recreational facilities that meet the needs of the communities they serve and that such development will be assessed in accordance with Policy DM 24. One of the criteria within Policy DM 24 indicates that the Council will support proposals that provide new or enhanced community facilities and services and that new facilities should be located within or adjacent to town, district or local centres or other locations that are easily accessible by public transport, walking and cycling.

As indicated the application site is located within the settlement limit of Ballyclare immediately adjacent to the town centre boundary, additionally the proposal is for an extension to an existing school with a high level of accessibility. In conclusion, the principle of an extension to the existing school at this location is acceptable subject to all other policy and environmental considerations being met.

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

The SPPS indicates 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. Additionally Strategic Policy 6: Placemaking and Good Design of the ANPS seeks to ensure that the principles of placemaking and good design are central to the consideration of all new development proposals. Policy DM 25 'Urban Design' supports SP 6 and stipulates that development within settlements will be required to demonstrate a clear understanding of the characteristics of the site, its wider context and how the proposal will connect with the surrounding area. Policy DM 25 goes on to require that all development will be expected to deliver high quality design in its layout and appearance and demonstrate a number of stipulated criteria. The proposal was accompanied by a Design and Access Statement (Document 08).

The existing core school building accommodates 14 classrooms and support spaces, with an additional seven temporary classrooms on site, providing an additional 7 classrooms with support spaces. The remaining areas within the site consist of a staff car park and hard and soft landscaped areas. The proposal seeks permission for the demolition of a small section of the existing school located to the southwestern section of the site and the erection of a two-storey extension to the front of the existing school building. The proposal takes the form of a rectangular box located to the northwestern elevation fronting onto the Doagh Road, measuring 23.6 metres in width and 32.5 metres in depth and an overall height of 10 metres from ground level. The roof profile takes the form of a flat roof with an outer parapet. The finishes to the proposal include facing brick to match the existing school, light grey cladding panels, aluminium windows and rainwater goods. The proposed extension is to accommodate an additional 9 classrooms split across two floors. The ground floor accommodates 4 additional classrooms, two stairwells (one inclusive of a lift), cloakroom and toilet facilities together with ancillary spaces. Whilst the first floor accommodates the remaining 5 classrooms, stairwells, cloakroom and toilet facilities together with ancillary spaces. Overall, the design and appearance takes the form of a standard educational facility and does not introduce any new design elements that detract from the core school building.

Policy DM 25 of the ANPS requires proposals to promote accessible and inclusive places for all. In this case the proposal includes ramped access internal to the proposed extension together with a lift to provide access to the first floor. Policy DM 25 also requires proposals to promote linkages to nearby places, paths, streets and open spaces and be designed to encourage social interaction. In this regard the proposed development is located on the existing school site to ensure it remains accessible for all site users and is centrally located for the school's existing catchment area. Access to the proposed development will be provided by way of the existing access of Doagh Road, however, it is indicated that a temporary access will be implemented for a contractor site entrance located along the western boundary of the site along the access serving the Ballyclare Secondary School. The existing car parking area will be reformatted to allow for higher car parking provisions due to the demolition of a section of the existing school building located in the southeastern section of the site.

Policy DM 25 of the ANPS also requires the incorporation of an appropriate landscaping scheme to include the treatment and retention of existing trees and

landscape features. Additionally, Policies DM 40 and DM 42 addresses 'Landscape protection and Trees and Development'. A number of mature trees are evident along the road frontage and the proposal includes additional tree planting of approximately 19 no. trees, as well as a mix of shrub and herbaceous planting to enhance the visual character of the site and also promote a mix of biodiversity on the site. Ten trees are to be removed to facilitate the development, while 3no. existing trees along the Doagh Road boundary are to be removed based on the arboriculturist's recommendations in the Tree Survey. The proposal therefore represents a net gain in trees. Drawing No. 19/1 demonstrates the tree protection areas of existing trees to be retained, which is outlined in further detail in the submitted Tree Survey. A landscape management plan (LMP) (Document 06) accompanied the application and sets out the overall management objectives and maintenance operations.

It is indicated within the supporting information (Document 08) that the proposed development has been designed to take into account supplementary planning guidance 'Living Places: An Urban Stewardship and Design Guide for Northern Ireland' as required by Policy DM 25 of the ANPS. It is indicated that the proposal has been designed to take account of its surrounding context in Ballyclare, is maximising the existing use of land within Ballyclare, is accessible due to the central location, improves car parking provision on site and is hospitable in providing a more welcoming environment on site.

Development of the site is indicated to be carried out in four phases to allow for continuation of the school activities and for limited disturbance to the site and surrounding road network. For the reasons outlined above it is considered that the design, layout, and appearance of the proposed extension including its scale and massing are considered acceptable within the context of the site.

### **Impact on Character and Appearance of the Area**

As indicated above Policy DM 25 'Urban Design' of the ANPS stipulates that development within settlements will be required to demonstrate a clear understanding of the characteristics of the site, its wider context and how the proposal will connect with the surrounding area. The application site is located along the Doagh Road in Ballyclare on the outer periphery of the town centre boundary, additionally the southeastern section of the site is designated as part of the wider Area of Townscape Character (ATC) as defined within draft Belfast Metropolitan Area Plan (dBMAP).

The application site is open and exposed to critical views when travelling along Doagh Road. The site also lies in close proximity to Ballyclare Town Hall, Market Square, Ballyclare, a Grade B2 listed building of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011. Policy SP 7 of the ANPS deals with the 'Historic Environment' including both the impact on listed buildings and development within ATCs. Policy DM 32 expands on development affecting listed buildings and their settings which fundamentally requires the special architectural or historic interest of the building or their settings to be respected. In relation to development within ATC's Policy DM 34 indicates that where demolition is proposed this will be conditional on prior agreement for the appropriate redevelopment of the site and any redevelopment should maintain or enhance the overall character of the area and respect its built form.

In relation to the demolition aspect, it is accepted that an appropriate redevelopment scheme has been provided and forms part of the overall proposal. Consultation was carried out with Department for Communities, Historic Environment Division (HED) who indicated that based on the scale of the development and the urban setting that the proposal is sufficiently removed from the listed buildings and that the application poses no greater demonstrable harm on the setting of the listed buildings than currently exists.

In relation to the character of the wider area, the proposal is located within an area which has a mixture of land uses and a variety of architectural styles and appearances. The proposal will read as a natural extension to the existing primary school and it is accepted that the proposed extension is located to the front of the existing building forming part of the critical elevation. The proposed extension introduces a two-storey element adjacent to a single storey section with the introduction of a flat roof profile and a number of new external finishes. However, the sloping topography of the land together with the setback from the immediate road frontage and the varying heights within the existing built form in the area helps ensure that the proposed two storey extension will not appear overly dominant. The introduction of a flat roof and new materials will not detract from the character of the immediate site or wider area given the mix of roofscapes and finishes which are currently evident. Additionally, it is considered that the removal of the temporary classrooms from the road frontage location will aid the regeneration of the site and ultimately provide a better outlook along the road frontage.

As such it is considered that the height, scale and massing is respectful of the existing context and the materials are reflective of the surroundings. Overall, it is considered that the setback nature and the proportions of the proposed development will respect the surrounding context and will be in keeping with the overall character and environmental quality of the area and will not detract from the nearby listed buildings or the quality of the ATC.

### **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 where an assessment report has concluded that the proposal will not have an unacceptable adverse impact on local amenity.

Residential development is located to the north and northwest of the application site, with commercial and community uses located to the south and west of the site. The proposed extension is located to the northern section of the site; however, it does not encroach closer to neighbouring properties than the built form of the existing school and therefore will not create a significant impact on the nearby residential properties due to its location and separation distance. Some level of disturbance is to be expected by the removal of the temporary classrooms located in the northeastern section of the site and during the construction phase, however, this will be short term and during daytime hours.

Taking into consideration the context of the wider site and the separation distance from any neighbouring properties and the fact that no increase to the number of pupils or staff is proposed, it is considered that the proposal will have minimum impact on the amenity of nearby residents.

In relation to artificial lighting the Council's Environmental Health Section (EHS) indicated that the agent has confirmed that there will be proposed artificial lighting at ramps and at the entrance of the school, with no floodlighting proposed. Thereby EHS are satisfied with the proposal in this regard.

### **Road Safety, Traffic, and Parking**

With regards to transportation 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 Doagh Road. It is also noted that a new temporary access is proposed to serve construction vehicles located to the west of the site via an access used to serve Ballyclare Secondary School.

A Transport Assessment Form (TAF) (Document 02) was submitted in support of the application which indicated that as the proposal is for an extension and upgrade to the existing facilities that all traffic associated with the site is already existing on the local and wider road network. It is highlighted that the proposed pupil and staff numbers will remain as existing, that being 560 pupils and 69 staff. The proposed development is not anticipated to increase the number of trips to the site, there are no proposed changes to the existing drop-off areas, crossing points, set down areas or existing access arrangements. DfI Roads has indicated that they have no objection to the access arrangements. As indicated above there is no increase in either pupil or staff numbers and as such it is accepted that there is no intensification of use. It is considered that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic.

Policy SP 3.10 of 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). As stated, the proposal will not result in an increase in staff or pupil numbers and therefore there are no additional car parking requirements arising from the proposed school extension. However, it is indicated that in order to improve the parking provision on site the current proposal includes an additional 12 car parking spaces to supplement the existing 24 car parking spaces, providing a total of 36 car parking spaces inclusive of two accessible spaces. It is also indicated that 10 overflow spaces are provided within Ballyclare Secondary School and it is notable that ancillary staff work a pattern of shifts with some outside of normal school hours.

Although the parking provision has a shortfall of 4 spaces from that required by Parking Standards, the proposed parking provides an increase on what currently exists with no increase in staff or visitor numbers thereby providing a betterment from what currently exists. The proposal would lead to additional traffic parking on the site; however, it does not generate additional vehicular activity associated with the

school. In line with principles for disabled access and welfare provision the proposal incorporates a level access on approach to the school and to the external space.

It is considered that the combination of parking provision provided to serve the application site is considered appropriate, DfI Roads have not raised any concerns with the parking arrangements.

### **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. Policy SP 8.3 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.

The majority of the application site is located on brownfield land which is currently utilised for existing buildings. The school building is to be partially demolished and the temporary modular buildings removed as part of the proposal. Due to the removal of buildings, the applicant has submitted a Bat Roost Emergence Survey Report (Document 03) in support of their application. The Bat Roost Emergence Survey Report indicated that an assessment was undertaken on the 16 trees impacted by the proposed works and on Building B1 (front elevation only), Building B2, and eight mobile classrooms. One dusk emergence survey was conducted on three potential roosting features (PRFs) which had low bat roost potential. Two located on the main school building, and one on a mobile classroom. No bat roost features were observed on the 16 trees, no bats were recorded emerging from the front elevation of Building B1 or Mobile Classroom 5 and no roosts were identified. Bats were recorded foraging and commuting around the school buildings.

Consultation was carried out with DAERA's Natural Environment Division (NED) who raised no objections to the proposal, however, NED welcomed the proposed mitigation and enhancement proposals as set out within the Bat Roost Emergence Survey report which includes two bat boxes to be installed on suitable retained trees which are indicated to be monitored to confirm the success of the mitigation on years 3 and 5 following the completion of works and bat friendly landscaping is included in the final landscaping plan. It is considered that the mitigation in relation to the bat boxes can be included as a condition if planning permission is forthcoming.

### 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 04) was submitted with the application. The GQRA indicates that an intrusive investigation was undertaken comprising of 12 sample boreholes with soil sampling, groundwater monitoring and gas monitoring. The GQRA identified no risks to controlled waters or human health at the site and found there were no complete pollutant linkages. Consultation was carried out with EHS who have no objections to the proposal subject to recommended conditions.

## **Flooding and Drainage**

Policy SP 10 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.

A Drainage Assessment (DA), (Document 11), was submitted in support of the application. DfI Rivers were consulted on the application and have indicated that the DA 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 a limited rate supported by relevant correspondence from NI Water. DfI Rivers advise that the applicant will be responsible for the design, construction and maintenance of the drainage network and managing the flood risk associated with this network. While not being responsible for the preparation of the DA, DfI Rivers accepts its logic and has no reason to disagree with its conclusions.

The introduction of SUDs is supported by Policy DM 47 which states that SUDs will be the preferred means of treating surface water and managing flow rates for development proposals in locations where this is a feasible solution. The DA includes an attenuation tank to retain surface water on site and restrict the rate of runoff. While no soft SUDs are proposed, the proposal is considered acceptable given the existing level of hardstanding within the site at present.

## **Other Matters**

### Climate Change

The 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 08 indicates that the proposed extension has been designed to be as energy efficient as possible and be able to withstand any predicted changes in local climate. The proposal will not increase the risk of flooding on site and the site is not in an area at risk of fluvial or coastal flooding.

### NI Water Infrastructure

NI Water were consulted and have indicated that they have no objections to the proposed development.

## **CONCLUSION**

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

- The principle of the development is acceptable given the proposal is an extension to an existing school;
- The design, layout and appearance of the proposal is acceptable;
- There are no significant neighbour amenity concerns;
- There is no significant flood risk associated with this development;
- There are no significant natural and built heritage concerns; and
- There are no significant access concerns, with the parking provision within the context of the site.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS	
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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 gradient(s) of the access road shall not exceed 4% (1 in 25) over the first 10m 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 the interests of road safety and the convenience of road user.

3. If during the development works, a new source of contamination and risks are found, which had not been previously identified, works should cease and the Council's Planning Section shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

Reason: To control any risk to human health arising from land contamination.

4. Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to be agreed with the Council before being implemented as agreed.

Reason: To control any risk to human health arising from land contamination.

5. Prior to the removal of any trees within the site a detailed plan showing the location and design of at least 2 No. bat boxes shall be submitted to and agreed in writing with the Council. The bat boxes will be constructed in accordance with the agreed design and thereafter erected and maintained for the duration of the development hereby approved.

Reason: In order to ensure that the impact on bats on the site is appropriately mitigated.

6. No development shall commence until a Precautionary Working Method Statement (PWMS) has been agreed with a suitably qualified Ecologist detailing best practice and avoidance measures to prevent killing or injuring bats. The PWMS shall be adhered to and implemented in full throughout the construction phase. The PWMS shall be made available for inspection by the Council on request.

Reason: In order to ensure that the impact on bats on the site is appropriately mitigated.

7. Any external lighting shall not exceed 1 Ev (lux) at any time between 23:00 and 08:00 hours.

Reason: In order to ensure that the impact on bats on the site is appropriately mitigated.

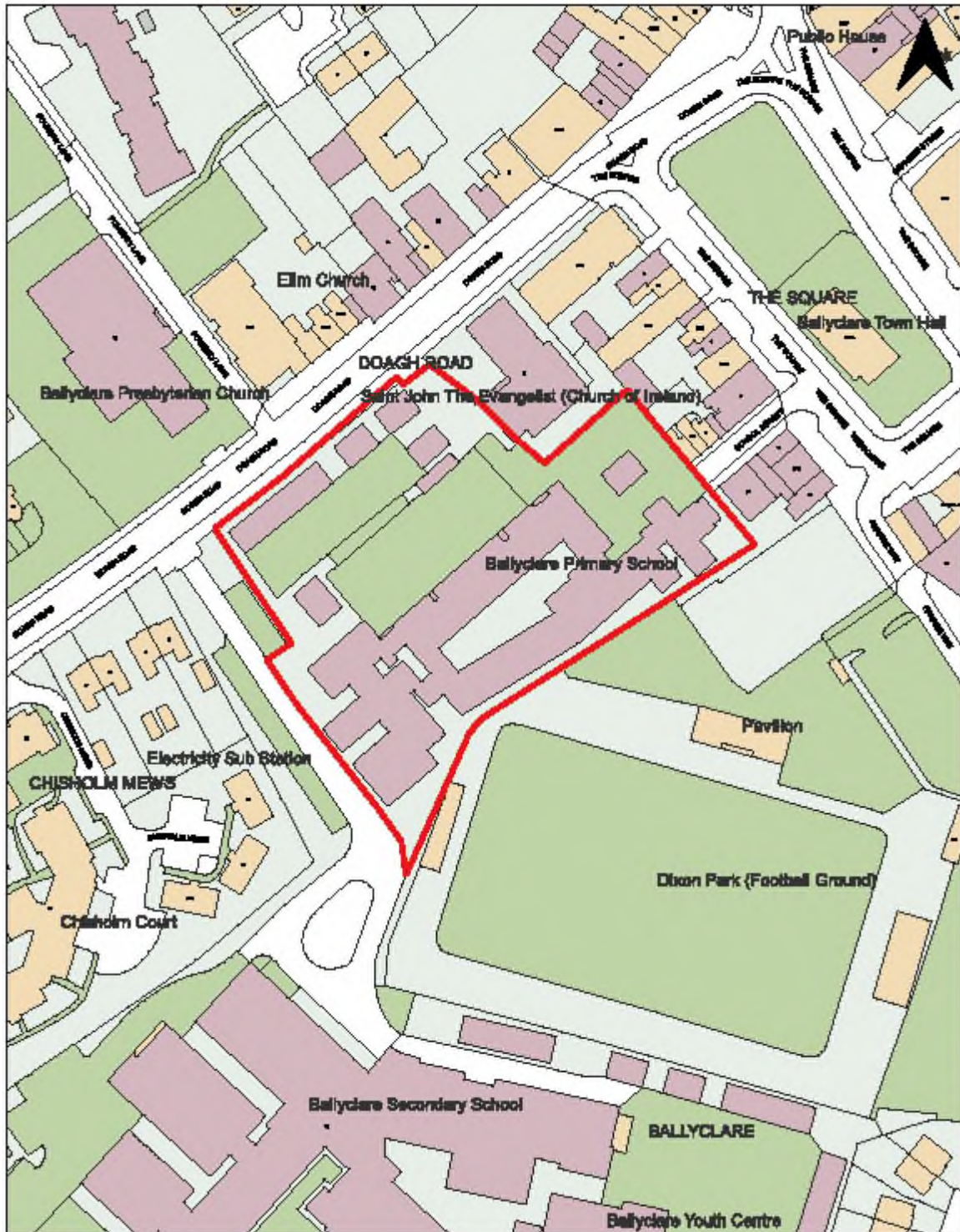
8. Prior to works commencing on site, all existing trees as indicated on Drawing No. 19/1 date stamped 12th December 2025, as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council.

Reason: To protect the biodiversity value of the site, including protected species.

9. The proposed landscaping indicated on Drawing No. 19/1 date stamped 12th December 2025 shall be carried out within the first planting season following the commencement of the development hereby approved and shall be retained thereafter at a minimum height of 2 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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



Legend

Site Boundary

LA03/2025/0551/F



1:1,250

<b>COMMITTEE ITEM</b>	<b>3.3</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0071/O</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	'Loughlands' - Proposed development of 6 no. detached dwellings and garages (Renewal of LA03/2021/0684/O)
<b>SITE/LOCATION</b>	Lands approx. 7m southwest of no.72 & approx. 8m northeast of no.76 Kingsmoss Road, Newtownabbey, BT36 4TN
<b>APPLICANT</b>	Miss E. Mc Clean
<b>AGENT</b>	En'D Ltd.
<b>LAST SITE VISIT</b>	10/02/2025
<b>CASE OFFICER</b>	Tierna Mc Veigh Tel: 028 90340401 Email: <a href="mailto:tierna.mcveigh@antrimandnewtownabbey.gov.uk">tierna.mcveigh@antrimandnewtownabbey.gov.uk</a>
<p><b>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</b></p> <p><a href="https://planningregister.planningsystemni.gov.uk/application/696166">https://planningregister.planningsystemni.gov.uk/application/696166</a></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the development limits of Kingsmoss as defined in the Belfast Urban Area Plan and the draft Belfast Metropolitan Area Plan (published 2004) (dBMAP).</p> <p>The application site is positioned between Nos. 72 and 76 Kingsmoss Road. It is a roadside site, sitting slightly below the level of the adjacent public road and is relatively flat. A wooden fence and sparse hedging define the southern and eastern boundaries of the site, with more mature trees and hedging along the northern and western boundaries. Field sheugh's bound the site to the east and south.</p> <p>The surrounding area is characterised by single storey and two storey detached dwellings of differing designs.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2021/0684/O  Location: Lands approx. 60m northeast of no.72 &amp; approx. 70m southwest of no.76 Kingsmoss Road, Newtownabbey, BT36 4TN  Proposal: 'Loughlands' – Proposed development of 6no. detached dwellings and garages  Decision: Permission Granted (10th February 2022)</p> <p>Planning Reference: LA03/2017/0242/O  Location: Lands approx. 60m northeast of no.72 &amp; approx. 70m southwest of no.76 Kingsmoss Road, Newtownabbey, BT36 4TN</p>	

Proposal: 'Loughlands' – Proposed development of 6no. detached dwellings and garages

Decision: Permission Granted (24th July 2018)

### **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: The application site is located within the countryside.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the development limit of Kingsmoss. The plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit of Kingsmoss, a small settlement which has developed at the junction of the Ballyrobert Road and the Kingsmoss Road. The development limit has been drawn to prevent further development along the Ballyrobert Road and Kingsmoss Road, to prevent encroachment into the open countryside and to prevent coalescence with Ballyrobert to the north.

Strategic Planning Policy Statement 2<sup>nd</sup> Edition (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: 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 12 Active Travel (Walking and Cycling); and
- Policy DM 15 Development relying on non mains sewerage.

**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 Policy:

- Policy DM 17 Homes in Settlements.

**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 the following 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;
- Policy DM 40 Landscape Protection; 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

**Environmental Health Section** – No objection

**NI Water** – No objection

**DFI Roads** – No objection subject to condition

**DfI Rivers** – No objection

**DAERA: Natural Environment Division (NED)** – No objection subject to condition

**Northern Ireland Electricity (NIE)** – No objection

## REPRESENTATION

Eleven (11) neighbouring properties were notified of the application and eight (8) objections have been received from seven (7) postal addresses within the neighbour notification area. The full representations made regarding this proposal

are available for Members to view online at the Planning Portal:  
<https://planningregister.planningsystemni.gov.uk/application/696166>

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

- The application site is part of a SLNCl and the proposal would have an impact on wildlife including birds and bats;
- Impact on drainage and waste water evacuation;
- Flooding concerns;
- Concerns regarding density of the proposal;
- Impact on the character of the area;
- Impact on road safety, additional traffic and the safety of pedestrians, due to the lack of a footpath;
- Overlooking and loss of privacy (Nos. 70 and 72);
- Loss of Light (Nos. 70 and 72);
- Loss of hawthorn and tree hedging;
- Concerns regarding the need for the proposal given ongoing housing developments within the area;
- Query regarding land ownership; and
- Concerns regarding alleged contradictory information within the updated Preliminary Ecological Assessment (PEA) (Document 02) and its accompanying covering letter.

#### **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
- Design, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk and Drainage
- Access, Movement and Parking
- Impact on Features of Natural Heritage
- Other Matters

#### **Preliminary Matters**

##### Appropriate Assessment

The subject site is located at lands approximately 7m southwest of No.72 and approx. 8m northeast of No.76 Kingsmoss Road, Newtownabbey and there are no relevant designated sites close by. The proposed development comprises 6 no. detached dwellings and garages. An informal consultation was sent to Shared Environmental Services (SES) and in their response dated 19th November 2025 stated that the nearest hydrological link to any watercourses flowing towards Lough Neagh is approximately 224m from the application site and that there are no conceivable effects on any European sites during construction and/or operation. 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.

#### Environmental Impact Assessment

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.

#### **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 (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.

Whilst the application site is located within the countryside as defined within the Belfast Urban Area Plan, however, the site is also defined as being within the settlement limit of Kingmoss as designated within the draft Belfast Metropolitan Area Plan, published 2004 (dBMAP). It is considered that dBMAP gives the most up to date position and is therefore given significant weight in terms of the principle of residential development on this site. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS. The proposal was previously granted permission under application Ref: LA03/2021/0684/O and this permission expired 10th February 2025.

The SPPS refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

SP 4.1 of the ANPS outlines that the Council will apply a presumption in favour of the development of new homes provided applications meet the requirements of Policy SP 4 and other relevant policies and provisions of the LDP. Policy DM 17: 'Homes in Settlements' aims to promote the development of high quality, attractive and sustainable homes within settlements, which meet the present and future needs of all sections of the population within the Borough. As stipulated in DM 17.2 in assessing residential development proposals the Council will take account of the supplementary planning guidance document, Creating Places – Achieving Quality in Residential Developments.

Within this policy context and given the site's location within the settlement limits of Kingsmoss as set out within draft BMAP, it is considered that the principle of housing on this site is acceptable subject to the development complying with all other policy and environmental considerations as detailed below.

### **Urban Design and Impact on the Character and Appearance of the Area**

The SPPS refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Furthermore, the aim of Policy DM 17 of the ANPS is to promote the development of high quality, attractive and sustainable homes within settlements, which meets the present and future needs of all sections of the population within the Borough. DM 17.1 allows for the development of quality and sustainable residential schemes in settlements, where they do not contribute to town cramming and can meet a number of criteria.

Criteria (a) of DM 17.1 requires the number of units proposed respects the scale and size of the settlement. The site is defined as being within the settlement limits of Kingmoss as designated within dBMAP and as stipulated by criteria (a) the number of units proposed must respect the size and scale of the settlement. Criteria (c) requires developments to provide a range of housing of different types and sizes, well integrated as part of the scheme ensuring that the siting and design is appropriate to the location and does not conflict with the character of the area.

Objectors have raised concerns that the proposal would negatively affect the character of the area and that the proposed density constitutes overdevelopment of the site. In response, the applicant contends that the proposed density reflects the traditional pattern and scale of development in the locality, and was previously deemed acceptable under planning approval Ref: LA03/2021/0684/O.

This proposal is for the erection of 6no. residential units with garages on a site measuring approximately 0.39 hectares. The surrounding area is predominately characterised by single dwellings on medium/large plots. The density of the proposal equates to fifteen (15) dwellings per hectare. In terms of the existing wider area, the opposite site equates to eight (8) dwellings per hectare, immediately to the northeast thirteen (13) dwellings per hectare and to the southwest twelve (12) dwellings per hectare. It is considered that within the surrounding context the density is acceptable.

A number of design criteria are set out within Policy DM 25 of the ANPS to ensure the proposal delivers a high-quality design in its layout and appearance. As this is an outline application, details regarding the design, siting and layout of the proposed dwelling have not been submitted, only that of a site location plan. Further detailed plans will be required as part of any subsequent Reserved Matters submission.

Overall, it is considered that the proposal would not be at odds with the character of the area and that the density is not significantly higher than that found in the established residential area. Furthermore, it is deemed that the application site can accommodate six (6) residential units of a design and layout, with sufficient landscaping and amenity space areas that will demonstrate a quality and sustainable residential environment and without having a significant impact on the character and appearance of the area.

For the reasons set out above it is considered that the proposal complies with the provisions of the SPPS and Policy DM 17 of the ANPS.

### **Neighbour Amenity**

Paragraph 4.11 of the SPPS, requires that local planning authorities take account of environmental and amenity considerations when managing development. Paragraph 4.12 specifically identifies the types of amenity impacts that may have potential implications for health and well-being. These include design quality, visual intrusion, general nuisance, loss of natural light, and overshadowing, all of which should be carefully considered in assessing development proposals.

Policy DM 28 of the ANPS deals with the amenity impact of development proposals. DM 28.1 sets out 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. DM 28.2 refers to a number of issues which may result from the development including overlooking and/or loss of light, dominance or overshadowing, noise, vibration and other forms of disturbance, odour, fumes and other forms of environmental pollution. These issues will be a material consideration in the assessment of all proposals.

Objections have been received regarding overlooking and overshadowing. As this is an outline application, details regarding the design, siting and layout of the proposed dwelling have not been submitted. These details will be required as part of any subsequent Reserved Matters submission.

The application site is bounded on three sides by existing residential properties; No. 70 and No. 72 Kingsmoss Road are situated approximately 8m away at the closest point, to the northeastern site boundary. No.76 Kingsmoss Road is situated approximately 8.5metres to the southwestern site boundary and No. 427A Ballyclare Road is situated approximately 6 metres to the southeast.

As the application seeks outline permission, no details have been submitted in relation to the layout of the dwellings. The application site has a depth of approximately 33 metres at the narrowest point and at the greatest point the depth is approximately 68 metres. The frontage length of the site is approximately 98 metres. Existing mature vegetation remains to the rear, southeastern boundary of the site and it is considered that appropriately designed dwellings could be accommodated on the site without resulting in any adverse impact on the residential amenity of neighbouring property and adequate separation distances as recommended in Creating Places can be achieved.

The Council's Environmental Health Section was consulted regarding the proposal and responded with no objection.

### **Access, Movement and Parking**

Paragraph 6.296 of the SPPS outlines that the overarching aim with regard to transportation is to facilitate safe and efficient access, movement, and parking. This is reinforced by the regional strategic objective set out in paragraph 6.297, which seeks to promote road safety for pedestrians, cyclists, and other vulnerable road users.

SP 3.10 of the ANPS states that all new developments provide safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. DM 10.1 of the ANPS reiterates this requirement stating that the Council will support development proposals where it is demonstrated that the road network can accommodate traffic, including cumulative impacts; that access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods; and adequate provision is made for parking and servicing. DM 10.2 of the ANPS states the supplementary guidance set out in DCAN 15, Creating Places and Parking standards will be taken into account.

Access to the proposed development is to be taken from Kingsmoss Road and the final design will include a footway along the site frontage. As this is an outline application further details will be provided at Reserved Matters stage, however, it has been stipulated by DfI Roads on the RS1 form that the accesses will be designed for paired dwellings and a condition has been added to ensure the accesses are designed in accordance with the RS1 form (Condition 4). Several objections have been submitted regarding the proposals potential to create additional traffic and road safety issues.

DfI Roads has been consulted and has raised no objection to the proposal in terms of parking or road safety matters that the development may create in this instance. DfI Roads has also taken into consideration the objections submitted and advises that any approved design must comply with DCAN 15 Vehicular Access Standards and Parking Standards. Further detailed plans will be required as part of any subsequent Reserved Matters submission.

### **Flood Risk and Drainage**

Paragraph 6.103 of the SPPS states the aim in relation to flood risk is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere. A review of DfI Flood Maps indicates that the application site is not affected by fluvial or pluvial flooding for both present day and climate change prediction. DfI Rivers in its response stated that there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which DfI Rivers has no record.

Paragraph 4.12 of the SPPS states that there are a wide range of amenity considerations that should be considered by planning authorities when managing development, including drainage. Paragraph 6.113 further emphasises that development in areas with a known history of surface water flooding should only be permitted where the developer can demonstrate, through a Drainage assessment (DA), that the flood risk can be effectively controlled and mitigated and that it will not create greater potential for surface water flooding elsewhere.

Policy DM 47 of the ANPS states that consideration of drainage issues is a requirement for all development proposals. DM 47.2 criteria (a) requires the submission of a Drainage Assessment (DA) for proposals that involve a change of use involving buildings and/or hard surfacing of 1,000sqm or greater in area.

In line with DM 47.4, of the ANPS the Council will seek to promote the use of Sustainable Drainage Systems (SuDS) as the preferred approach for managing surface water and controlling runoff rates. Furthermore, under DM 47.5, applicants are expected to show that they have fully considered the incorporation of SuDS whether soft (green/landscaped systems) or hard (engineered solutions). Any SuDS proposal must be supported by an appropriate management and maintenance plan, detailing how the system will be maintained and funded over the long term.

The Council's approach is further reinforced in Paragraph 6.118 of the SPPS, which states that, in managing development particularly in areas prone to surface water flooding planning authorities should encourage developers to incorporate Sustainable Drainage Systems (SuDS) as the preferred method of drainage.

Several objections have been submitted concerning the proposals potential to cause flooding on the site and surrounding environs, with one objector questioning the PEA's assessment of the hydrological condition of the field sheughs, stating that the field and ditches are not dry rather they are predominantly wet. The objector further commented that they had photographic evidence to support this claim. The objector was contacted via email on 3rd December 2025 and invited to provide supporting evidence; however, to date, no photographic or other evidence has been submitted to support this claim.

The proposed development is not situated within a fluvial or pluvial floodplain, nor is there any recorded history of surface water flooding at the site. Accordingly, there are no flood risk constraints to the proposal. Matters relating to site drainage can therefore be addressed at the Reserved Matters stage, by way of a condition requiring the applicant to submit a Drainage Assessment (DA) demonstrating that surface water can be effectively managed and that the development will not increase flood risk elsewhere.

Under previous planning approvals, Refs: LA03/2017/0242/O and LA03/2021/0684/O a condition was attached to the decision requiring additional information, relating to drainage to be submitted as part of the Reserved Matters application. This condition has been recommended to be repeated on any forthcoming decision.

The applicant should be advised that, in accordance with DM 47.3, the Drainage Assessment (DA) must clearly demonstrate that appropriate and robust measures will be put in place to effectively mitigate flood risk both to the proposed development and from the development to surrounding land. The DA must also set out suitable arrangements for the long-term management and maintenance of any drainage infrastructure on which the proposed mitigation relies.

### **Impact on Features of Natural Heritage**

One of the SPPS regional strategic objectives, set out in Paragraph 6.172, is to protect, conserve, enhance, and restore the abundance, quality, diversity, and distinctiveness of the region's natural heritage. This objective is reinforced in

Strategic Policy SP 8 of the ANPS, which emphasises the importance of safeguarding and enhancing natural heritage assets and resources.

A disused railway runs along the northeastern boundary of the site, forming a corridor that has been identified as a Site of Local Nature Conservation Importance (SLNCl). Objectors have raised concerns regarding the potential impact of the proposed development on local wildlife, including bats, birds, newts both within the immediate vicinity of the site and within the SLNCl designation.

In relation to locally designated sites, Paragraph 6.190 of the SPPS states that development which could have a significant adverse impact on a site of local importance should only be permitted where the benefits of the proposal outweigh the value of the site. In such cases, appropriate mitigation and/or compensatory measures are required to address any potential impacts.

Policy DM 37 of the ANPS further aims to protect designated SCLNI's from potentially damaging impacts of inappropriate development whilst Policy DM 38 of the ANPS aims to protect European protected species.

A NI Biodiversity Checklist and Ecological Statement was submitted to support the proposal, (Document 01 date stamped 27<sup>th</sup> February 2025) and further information (Document 02 date stamped 25<sup>th</sup> June 2025) was submitted by the agent at the request of DAERA Natural Environment Division (NED).

One objector questioned the validity of the applicant's submitted information regarding bats, stating that bats are regularly observed flying over the site. Again, the objector was contacted via email on 19<sup>th</sup> November 2025 and invited to provide supporting evidence; however, to date, no photographic or other evidence has been submitted.

In terms of bats, the Ecological Statement provided within Document 01, date stamped 27<sup>th</sup> February 2025 concludes that the proposal would have no/negligible impact on any potential bat roost sites or foraging habitat within the locality and that no further surveys are recommended. NED queried the inconsistencies between the previous 2017 Ecological Statement which recorded the presence of a large Ash tree with moderate bat roosting potential. Further information contained within the Ecologist's letter set out within Document 02, date stamped 25<sup>th</sup> June 2025 indicates that the tree is adjacent to the railway bridge and street lighting, is on the side of a road with a number of houses around it. As a consequence, the ecologist states that these features would mean that the tree would not be a habitat favourable for roosting bats. In addition, the bridge adjacent is more attractable with easier access to less buildings and light, but it does not exclude the tree being used for foraging and along the hedgerow. Again, the ecologist points out that the street lighting, houses and crossroads will deter a bat coming along the hedgerow, however, they do state that there is potential for the bats to forage on the site from the east or south.

NED in its response dated 30<sup>th</sup> January 2026 were content with the additional information received and stated that substantiated reasoning for why the tree no longer meets the criteria for moderate roosting potential is accepted.

The PEA indicates that there is potential for common bird species to nest within the hedgerows and trees surrounding the site. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. Any removal of vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found and an informative can be added to any future grant of planning permission regarding this aspect.

Concerns were also raised within the letters of objection that there was the potential for newts within the field sheughs, with one objector requesting for a dedicated newt survey to be carried out. The agent submitted a Phase One Habitat Survey (Document 02, date-stamped 25 June 2025), which states that no evidence of newts was recorded and that the on-site drainage ditches are likely to remain dry during the summer months. The report concludes that the ditches are unlikely to constitute suitable breeding habitat for newts.

Having reviewed Document 02, NED considers that uncertainty remains regarding the potential for the drainage ditches to periodically retain water at other times of the year. As such, NED advises that a precautionary approach should be applied and has requested newt mitigation measures to include the provision of a minimum 5-metre buffer between the drainage ditches and all construction activities, together with the temporary installation of newt-proof fencing for the duration of the construction phase. This matter can be addressed through the use of a condition, should approval be forthcoming.

In relation to grassland classification, the objector notes that the covering letter to Document 02 refers to the site as unimproved natural grassland, while the PEA later describes it as improved grassland. In contrast to improved grassland, unimproved grassland is species rich. The ecologist clarified within Document 02, date stamped 25<sup>th</sup> June 2025 that the field is for agriculture, with silage or hay being cut annually.

In accordance with Policies DM 37 and DM 38, it is considered that the proposal would not have an adverse impact on the SLNCI as the existing residential development has already disturbed the natural wildlife corridor, and the proposed development is expected to have a negligible impact on bat foraging activity. Furthermore, no protected or priority species were identified within the site.

Objectors have also raised concerns regarding the removal of the roadside hawthorn hedge and trees to provide the access and have stated that in previous planning approvals, a condition was imposed restricting the removal of existing hawthorn hedges. Policy DM 42 of the ANPS aims to protect existing trees, woodland and hedgerows which are considered to be of amenity value, promote well considered landscape schemes in new developments and enhance tree cover. This is reiterated in DM 42.1 where there is an emphasis to maintain existing trees, hedgerows where appropriate and incorporate these into the overall design.

As stated previously this is an outline application and detailed plans have not been submitted. Whilst the site location plan shows no detail regarding the removal of hedging or trees, a section of hedging is likely required to be removed

to facilitate access arrangements into the site from the Kingsmoss Road. A condition has been recommended to ensure the retention of hedging and trees where necessary including the provision of new planting in accordance with Policy DM 42.

In their response dated 30th January 2026, NED acknowledges that the site is bounded by hedgerows identified as a Northern Ireland Priority Habitat. Should planning permission be granted, NED has requested, by way of condition, the submission of a landscaping scheme demonstrating the retention of existing trees and hedgerows within the site boundary, together with details of any proposed additional planting, habitat enhancement measures, and ongoing management arrangements and this has been included at the end of the report.

Overall, the potential impacts of the proposed development on designated sites and other natural heritage interests have been fully considered. On the basis of the information provided and NED's consultation response dated 30th January 2026 raising no objection to the proposal subject to conditions, the proposal is considered acceptable in this regard.

### **Sewage Disposal**

Objections have been raised with regards to the management of sewage from the proposal as the application site is marshy and often subject to large areas of standing water. The applicant refutes these claims as set out within their representations, dated 28th April 2025.

DM 15.1 of the ANPS states that the Council will only support development proposals relying on non-mains sewerage, where it can be demonstrated that this will not create or add to a pollution problem. DM 15.2 of the ANPS further states that development proposals will be required to be supported by sufficient information on the means of sewerage. The P1 application form indicates that the surface water will be disposed of via soakaways and that foul sewage will be disposed of via septic tanks.

DAERA WMU is the regulatory body responsible for granting Consent to Discharge. A number of site-specific factors need to be taken into account in assessing the suitability of the proposed means of effluent disposal including proposed treatment methods and disposal methods/locations whether to underground stratum or waterway. This information can only be fully assessed when a Discharge Consent application (deemed complete) has been received by NIEA. If Discharge Consent is not granted the applicant may seek to requisition a sewer connection from NI water and a condition has been added to state that no development shall take place on site until the method of sewage disposal has been granted under the terms of the Water (NI) Order 1999. NI Water was consulted and offers no objection.

### **Other Matters**

#### Need for the proposal

Concerns have been raised by an objector regarding the need of the proposal given the construction and approval of housing developments within the area. Each planning application received by the Council is assessed on its own merits, with a decision being made based on the development plan, prevailing planning

policies and other material considerations. Where a development proposal complies with the development plan and planning policies, it is not necessary for the applicant to demonstrate a need for the development proposal as is in this case. Planning policy does not require a 'needs test' for such development and given the proposal is located within the development limits of Kingsmoss as defined by dBMAP planning policy would support this location for residential development.

#### Land Ownership Query

An objector has raised concerns that not all of all the land forming the application site is owned by the applicant, especially the hedgerows separating No. 70 and No.72 Kingsmoss Road. The applicant maintains that the accuracy of the red line boundary is correct and advises that their solicitor has confirmed this, refuting what they consider to be a false claim. No evidence has been submitted to the Council by the third party to substantiate their position. It is noted, however, that the concerns raised are considered to be a civil matter and fall outside the remit of the Council's Planning Section. As such, these issues have not been afforded determining weight in the assessment of this application.

#### Northern Ireland Electricity

The application site is affected by high and low voltage overhead powerlines. NIE networks in its consultation response offers no objection to the proposal however indicates that the applicant should apply for a mark up and that the proposed development should take into account the position of any NIE Networks' equipment in the area to ensure safety. The developer should maintain statutory clearance from NIE Networks' equipment during the construction and operational phases of the project.

### **CONCLUSION**

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

- The principle of the development is considered acceptable;
- The density of the development will not result in an adverse impact on the character of the area;
- It is considered the proposed development will not result in an unacceptable impact on the character and appearance of the area;
- It is considered the proposal would not have an unacceptable impact on residential amenity; and
- The application site is not affected by fluvial or pluvial Flooding for both present day and climate change prediction.

### **RECOMMENDATION GRANT OUTLINE PLANNING PERMISSION**

#### **PROPOSED CONDITIONS**

1. Application for approval of the reserved matters shall 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; or
  - ii. the expiration of 2 years from the date of approval of the last 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 shall 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. A scale plan at 1:500 shall be submitted as part of the Reserved Matters application showing the access to be constructed in accordance with the attached form RS1.

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

5. No development shall take place until a plan indicating floor levels of the proposed dwellings in relation to existing and proposed ground levels has been submitted to and approved by the Council.

Reason: To ensure the dwellings integrate into the landform and to ensure the residents privacy is not adversely affected.

6. Full drainage details shall be submitted as part of the Reserved Matters application, demonstrating all necessary attenuation measures to ensure that post-construction surface water runoff does not exceed pre-construction levels. The Drainage Assessment (DA) must also include arrangements for the long-term management and maintenance of any drainage infrastructure on which the mitigation relies.

Reason: To ensure that the development incorporates a satisfactory and sustainable drainage system.

7. A newt mitigation plan showing the retention of the open watercourse along the southern boundary shall be submitted as part of the Reserved Matters, this plan shall show temporary newt fencing 5 metres from the watercourse and shall be installed prior to commencement of any construction activities and shall remain in place until all construction activities are complete. No construction activities including storage of oil/fuels, concrete mixing and

washing areas, storage of machinery/materials/spoil etc. shall be carried out within the 5m buffer.

Reason: To minimise the impact of the proposal on newts.

8. No development including ground preparation or vegetation clearance, shall take place until a Landscaping and Planting Plan has been submitted as part of the Reserved Matters application and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

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

9. 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 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.

10. The existing mature ash tree in the northern section of the site as highlighted in green and all other existing boundary trees and shrubs, as indicated in blue on Drawing Number 01 date stamped 3rd February 2025 shall be permanently retained. The existing boundary trees and hedging shall be allowed to grow on and shall be maintained at a minimum height of 3 metres while the mature ash tree shall be maintained at a height of not less than 10 metres.

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

11. A detailed plan showing the retention of all existing trees and hedgerows shall be submitted as part of any reserved matters application. This plan shall also include full details of the measures for the protection of all trees and hedgerows to be retained, including the provision of appropriate protective fencing, in accordance with British Standard 5837:2012 – Trees in Relation to Design, Demolition and Construction: Recommendations.

Reason: To minimise the impact of the proposal on the biodiversity of the site including protected species.

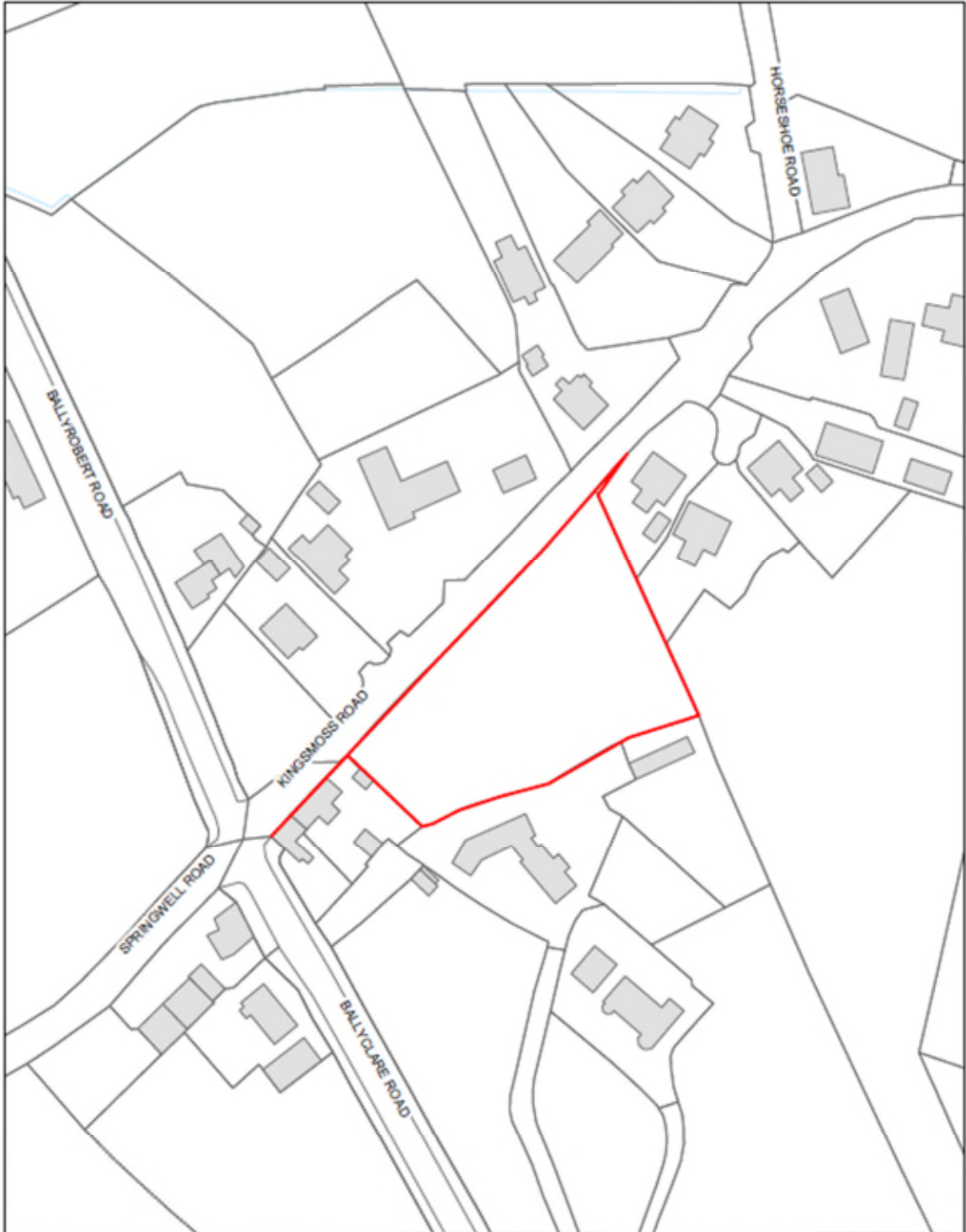
12. During the first available planting season after implementing the access and visibility splays as per the attached RS1 form, a new northwestern boundary shall be defined by a post and wire fence and a hawthorn/natural species hedge shall be planted in a double staggered row 200mm apart, at 450mm

spacing, at a minimum height of 950mm on the inside along its entire length other than the access points and retained for the lifetime of the development.

Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

13.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.




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**Site Location Plan**

1:1,250

Reference: LA03/2025/0071/O

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.4</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0844/S54</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>PREVIOUS PLANNING COMMITTEE DECISION</b>
<b>RECOMMENDATION</b>	<b>GRANT SECTION 54 APPLICATION</b>
<b>PROPOSAL</b>	Dwelling - Retrospective change of house type from approval LA03/2020/0828/F (Variation of Condition 10 of planning approval Ref: LA03/2024/0350/F in relation to obscure glazing and removal of Condition 11 of planning approval Ref: LA03/2024/0350/F in relation to fencing)
<b>SITE/LOCATION</b>	Approx. 26m south of 34 Glebecoole Park, Newtownabbey, BT36 6HX
<b>APPLICANT</b>	Framework Construction
<b>AGENT</b>	HR Jess Ltd
<b>LAST SITE VISIT</b>	22nd January 2026
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>

**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/705131>**

#### **SITE DESCRIPTION**

The application site is located at lands to the rear of No. 34 Glebecoole Park, which is within the development limits of Metropolitan Newtownabbey as defined by the Belfast Urban Area Plan 2001 and the draft Belfast Metropolitan Area Plan (published 2004).

The application site contains an existing semi-detached dwelling together with the subject dwelling, which is recently constructed. The subject dwelling is located in the southwestern portion of the application site and to the rear of the dwelling at No. 34 Glebecoole Park.

The northern boundary of the site along Glebecoole Park is currently defined by a recently constructed 1 metre high wall with a set of metal gates. The eastern/southeastern boundary of the application site is defined partially by a 1.8 metre high closed boarded fencing and partially with existing vegetation at a height of 5 metres with gaps having recently been planted with hedging (less than 2 metres in height). The site's southwestern boundary is also mostly defined with existing vegetation. The rear garden area of No. 34 Glebecoole Park is enclosed by close boarded wooden fencing at a height of 1.8 metres.

The topography within the site is relatively flat and the application site is located within an existing residential area. The area is characterised mainly by two-storey, semi-detached, redbrick dwellings with some rendered properties. The Lilian Bland Pavilion is located to the northwest of the application site.

## RELEVANT PLANNING HISTORY

Planning Reference: LA03/2024/0816/S54

Location: Rear of 34 Glebecoole Park, Newtownabbey

Proposal: Dwelling (removal of condition 10 from planning approval LA03/2024/0350/F)

Decision: Permission Refused (25th March 2025)

Planning Reference: LA03/2024/0824/S54

Location: Rear of 34 Glebecoole Park, Newtownabbey

Proposal: Dwelling (Retrospective change of house type from Approval LA03/2020/0828/F) (variation of Condition 11 from approval LA03/2024/0350/F)

Decision: Permission Refused (27th January 2025)

Planning Reference: LA03/2024/0350/F

Location: Rear of 34 Glebecoole Park, Newtownabbey

Proposal: Dwelling (retrospective change of house type from LA03/2020/0828/F)

Decision: Permission Granted (19th August 2024)

Planning Reference: LA03/2024/0209/F

Location: Adjacent to 34 Glebecoole Park, Newtownabbey

Proposal: 2 no. Apartments

Decision: Permission Refused - Appeal dismissed

Planning Reference: LA03/2020/0828/F

Location: 34 Glebecoole Park, Newtownabbey

Proposal: Erection of 1no. detached dwelling and retention of existing dwelling

Decision: Permission Granted (31st March 2022)

Planning Reference: LA03/2019/0928/F

Location: 34 Glebecoole Park, Newtownabbey, BT36 6HX

Proposal: Erection of 2no. detached dwellings (& retention of existing dwelling)

Decision: Application Withdrawn (20th July 2020)

Planning Reference: LA03/2018/0843/F

Location: 32 Glebecoole Park, Newtownabbey

Proposal: 4no. residential apartments with parking, landscaping and associated site works

Decision: Permission Granted (8th January 2019)

## 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.

Draft Belfast Metropolitan Area Plan (2004): The application site lies within the settlement development limits of Metropolitan Newtownabbey.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Newtownabbey. 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 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 14 - Public Utilities.

**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 17 – Homes in Settlements.

**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 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.

## **CONSULTATION**

No consultations were carried out as the application is to remove and vary a condition of a previous grant of planning permission only.

## **REPRESENTATION**

Sixteen (16) neighbouring properties were notified and two (2) representations have been received from two (2) neighbour notified properties.

The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningssystemni.gov.uk>).

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

- Concerns in relation to continuous noncompliance with planning conditions;
- The large gaps in the boundary hedging justify the need for the fencing and obscured glazing;
- Previous timeframes and conditions imposed by the Council have not been adhered to which causes detriment to the neighbours; and
- Work should be completed in accordance with the approved plans.

## **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Preliminary Matters
- Policy Context and Appropriateness of Variation/ Removal of Conditions
- Other Matters

### **Preliminary Matters**

Previous planning applications have been refused by the Council's Planning Committee for the variation of Condition 11 (Ref: LA03/2024/0824/S54) and for the removal of Condition 10 (Ref: LA03/2024/0816/S54) of the original grant of planning permission for the dwelling on the site which was constructed under planning approval Ref: LA03/2024/0350/F.

On 26th January 2026 Officers contacted the agent to advise that the application would likely be recommended for refusal given the Council's previous decisions on identical applications. Officers afforded the applicant the opportunity to amend the application or proceed to Planning Committee with a recommendation to refuse the application.

On 30th January 2026 the agent submitted an amended proposal and provided an updated Site Layout Plan (Drawing No. 02 date stamped 30th January 2026) showing part of the southeastern boundary being infilled with a 2-metre-high closed boarded fence.

On 2nd February 2026 the agent submitted a further amendment which now forms the current application. The application now seeks a variation of Condition 10 of planning approval Ref: LA03/2024/0350/F in relation to obscure glazing and the removal of Condition 11 of planning approval Ref: LA03/2024/0350/F in relation to the erection of fencing.

### **Policy Context and Appropriateness of Variation/Removal of Conditions**

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 development limits of Metropolitan Newtownabbey as per the Draft Belfast Metropolitan Plan (2004). 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 SP 1 of the ANPS advises that when considering individual development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS). The Council will work with applicants to find solutions which means that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in our Borough.

Strategic Policy SP 1.2 of the ANPS goes on to recommend that planning applications that accord with the provisions of the Local Development Plan (LDP) will be approved, unless material considerations indicate otherwise. In assessing proposals all relevant policies will be considered.

Strategic Policy 4 (SP 4) of the ANPS deals with homes, and is supported by SP 4.1 of the ANPS which indicates that in order to provide a choice of housing for people in socially balanced and inclusive communities across the Borough, the Council will apply a presumption in favour of the development of new homes provided applications meet the requirements of Policy SP 4 and other relevant policies and provisions of the LDP.

Both of the relevant development plans (BUAP And dBMAP) identify the application site as being on un-zoned land within the development limits of Metropolitan Newtownabbey.

Planning approval was previously granted by the Council's Planning Committee for a dwelling (retrospective change of house type from planning approval reference LA03/2020/0828/F) under planning application Ref: LA03/2024/0350/F on 22nd August 2024.

The current application now seeks to vary Condition 10 and remove Condition 11 of the previous planning approval Ref: LA03/2024/0350/F.

Condition 10 of planning approval Ref: LA03/2024/0350/F reads:

'Within 4 weeks of the date of this decision notice the windows on the eastern elevation of the dwelling hereby approved and coloured green on Drawing No. 03/1 bearing the date stamp 3rd July 2024 shall be finished in obscure glass which will thereafter be retained for the lifetime of the development.

Reason: In order to prevent overlooking of nearby residential properties.'

As detailed in the updated P1 Form the applicant seeks to vary Condition 10 to read:

Prior to occupation of the dwelling the windows on the eastern elevation of the dwelling hereby approved and coloured green on Drawing No. 03/1 bearing the date stamp 3rd July 2024 shall be finished in obscure glass which will thereafter be retained for the lifetime of the development.

The agent has also forwarded photographs of the subject windows which appear to have obscure glass in place. The subject windows serve a utility room and a WC.

At the time of the previous grant of planning permission Ref: LA03/2024/0650/F for a dwelling (retrospective change of house type from LA03/2020/0828/F), the Planning Committee decided to impose conditions requiring the utility room window as well as the WC being finished in obscure glass to prevent overlooking to the neighbouring dwelling at No. 1- 3 St. Quentin Park. The Planning Committee also imposed a condition requiring the erection of boundary fencing (Condition 11). It is noted that the boundary fencing has not been implemented in accordance with this condition and that this application also seeks to remove the requirement to erect the boundary fence.

The variation of Condition 10 of planning approval Ref: LA03/2024/0350/F essentially amends the wording of this condition to require the subject windows to be finished in obscure glazing prior to occupation of the dwelling, rather than within 4 weeks of the date of the previous permission (which has long passed). Furthermore, the agent has submitted two photographs indicating that the subject windows have already been finished in obscure glazing. It is recommended that the variation of Condition 10 of planning approval Ref: LA03/2024/0350/F should be granted and that the obscure glazing of the windows should remain for the lifetime of the development in order to prevent any detrimental impact on neighbour amenity by way of overlooking and loss of privacy in accordance with the policy requirements laid out within Policy DM 28 of the ANPS. and therefore, the amended wording of the condition to retain the obscure glazing in the windows would be acceptable.

Condition 11 of planning approval Ref: LA03/2024/0350/F reads:

'Within 4 weeks of the date of this decision notice, a 2-metre-high close boarded wooden fence must be erected along the areas indicated in blue along the southeastern boundary of the application site as shown on Drawing No. 02 bearing the date stamp 13th May 2024. Thereafter but prior to the occupation of the dwelling hereby approved, a 2-metre-high close boarded wooden fence must be erected along the remainder of the southeastern boundary. All fencing required by this condition will be retained for the lifetime of the development.

Reason: In order to prevent overlooking of the nearby residential properties.'

The applicant now seeks to remove this condition and states that; 'the obscure glazing to the utility room removes the need for a fence. The existing mature vegetation to the boundary is to be retained and supplemented.'

It is noted that a section of hedging along the southeastern boundary has been infilled with new planting as shown in photo images contained in the Supporting Statement (Document 01 date stamped 5th December 2025) and on the Site Layout Plan (Drawing 02/1 date stamped 3rd February 2026) and witnessed during the Officer's site visit. A portion of this boundary adjacent to the apartments at Nos. 32A, 32 B, 32 C, and 32 D Glebecoole Park is defined by 1.8-metre-high timber fencing.

It is recognised that at the time of the original planning decision, the Planning Committee felt it necessary to require the erection of two-metre-high fencing along the southeastern boundary as well as ensuring that the windows on the southeastern gable of the dwelling were obscured in order to protect the amenity at the nearby residential properties. The gap closest to the dwelling nearing completion has now been closed off with recently planted hedging. In addition, the windows on the southeastern gable have been fitted with obscure glazing and the strip of garden adjacent to the boundary is not considered to be an area that would be frequently used by the occupiers of the dwelling which limits the opportunity for overlooking.

It is now considered that there is a limited opportunity for overlooking of the garden area and dwelling at No. 1- 3 St Quentin Park or to the apartments at No. 32 A-D Glebecoole Park, to occur. While a gap in the hedge remains, this is located in the garden area to the front of the dwelling and likely to provide limited opportunity for overlooking.

It is noted that Condition 7 of the original approval requires the retention of the existing natural screenings of the site at a minimum height of two metres. This includes the hedgerow to the southeast of the application site. With the above considered it is accepted that the proposed removal of Condition 11 of planning approval Ref: LA03/2024/0350/F would be acceptable and the development would be considered to comply with the policy requirements laid out within Policy DM 28 of the ANPS as it would not result in any significant detrimental impact on neighbour amenity by way of overlooking and loss of privacy.

#### **Other Matters**

It is noted that concerns were raised by the third party in relation to non-compliance with approved plans and conditions, however, this is a matter that lies outside of the consideration of this planning application.

#### **CONCLUSION**

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

- The proposal to vary Condition 10 and remove Condition 11 of planning approval Ref: LA03/2024/0350/F is acceptable and would not result in any significant impact on the amenity experienced at No. 1 – 3 St Quentin Park.

**RECOMMENDATION****GRANT SECTION 54 APPLICATION****PROPOSED CONDITIONS**

1. This decision is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02 bearing the date stamped 13th May 2024 prior to the occupation of the dwelling 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.

3. 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.

4. No other development hereby permitted shall be occupied until the existing access indicated on Drawing No. 02 bearing the date stamp 13th May 2024 has been permanently closed and the carriageway and footway properly reinstated to DfI 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.

5. The dwelling shall not be occupied until hard surfaced areas have been constructed in accordance with approved Drawing No. 02 bearing the date stamped 13th May 2024 to provide adequate facilities for parking 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.

Reason: To ensure that adequate provision has been made for parking.

6. For the duration of the construction phase, a clearly defined buffer of at least 10m shall be maintained between the location for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and watercourses within and adjacent to the red line boundary.

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

7. The existing natural screenings of the site, as indicated on approved Drawing No. 02 bearing the date stamp 13th May 2024 shall be retained at a minimum height of 2 metres 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.

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.

8. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread of any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

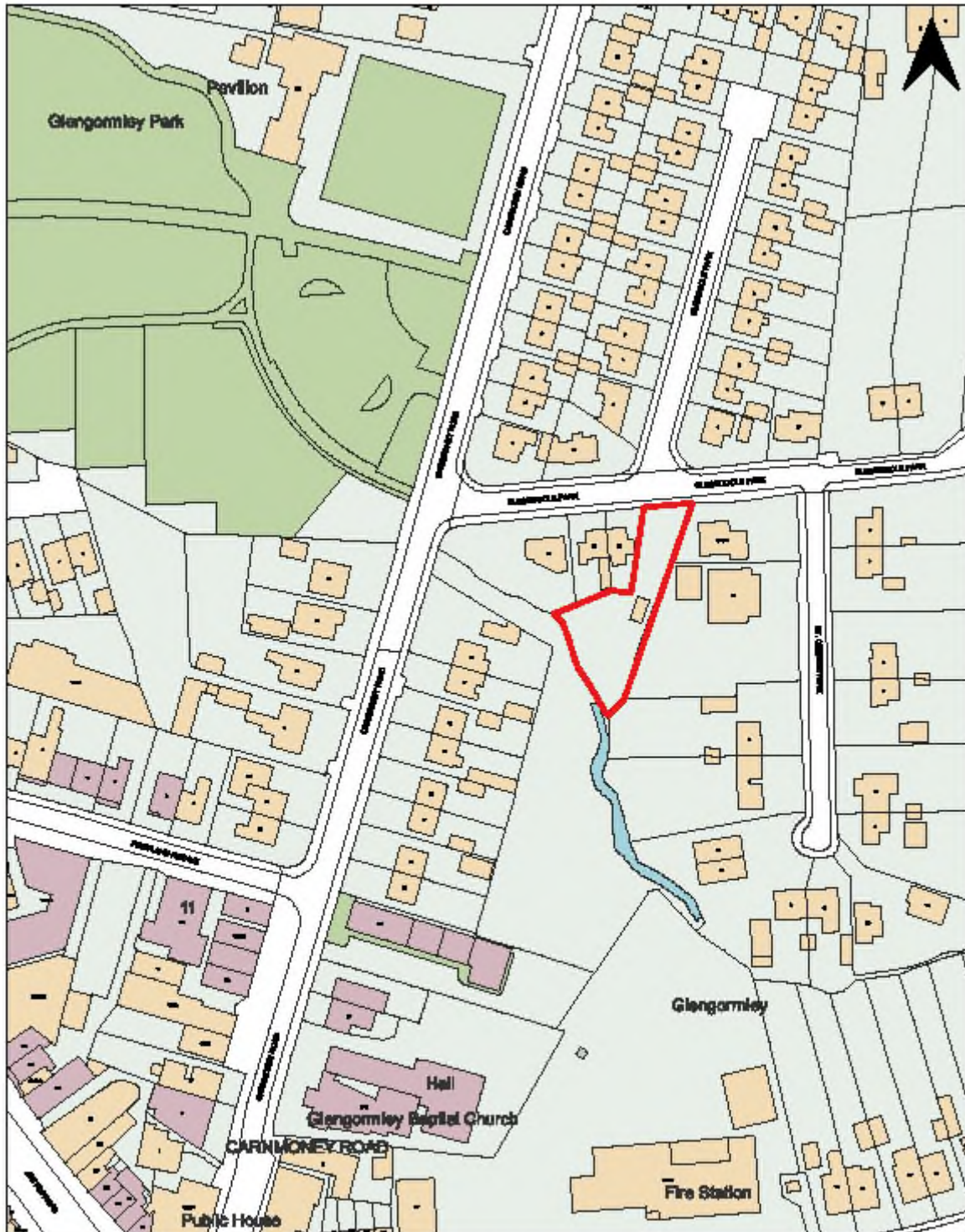
Reason: To ensure the continuity of amenity afforded by existing trees.

9. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development 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

10. Prior to the occupation of the development, the windows on the eastern elevation of the dwelling hereby approved and coloured green on Drawing No. 03/1 bearing the date stamped 3rd July 2024 shall be finished in obscure glass which will thereafter be retained for the lifetime of the development.

Reason: In order to prevent overlooking of the nearby residential properties.



Legend

Site Boundary 

LA03/2025/0844/S54



1:1,250

<b>COMMITTEE ITEM</b>	<b>3.5</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0722/F</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Retention of change of use from shop to office and storage shed
<b>SITE/LOCATION</b>	Safe Gas (NI Ltd), 245 Carnmoney Road, Newtownabbey, BT36 6JR
<b>APPLICANT</b>	Safe Gas NI
<b>AGENT</b>	McGurran Associates Ltd
<b>LAST SITE VISIT</b>	10/12/2025
<b>CASE OFFICER</b>	Dan Savage Tel: 028 90340438 Email: <a href="mailto:daniel.savage@antrimandnewtownabbey.gov.uk">daniel.savage@antrimandnewtownabbey.gov.uk</a>
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 <a href="https://planningregister.planningsystemni.gov.uk/application/703413">https://planningregister.planningsystemni.gov.uk/application/703413</a>	
<b>SITE DESCRIPTION</b>	
<p>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 within a residential area outside of Glengormley Local Centre.</p> <p>The application site comprises a two-storey, end terrace property at No. 245 Carnmoney Road. The site is located at the end of a cul-de-sac adjacent to Prince Charles Way which is located directly north of the site. A pedestrian access gate is located along the northern boundary, which provides access to the rear yard. A narrow hardstanding yard lies to the rear of the host building. Beyond the hardstanding strip, the yard opens up into a large space which includes a green corrugated metal shed. The boundaries of the shed are defined by a 1.8m high fence, while additional mature hedgerows are located along the northern elevation.</p> <p>The area is predominantly residential in character, with a number of residential properties located directly south, west and east of the site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/1996/0236 Location: 245 Carnmoney Road, Newtownabbey, BT36 6JR Proposal: Reinstatement and extension of existing shop Decision: Permission Granted (19/09/1996)</p> <p>Planning Reference: U/1996/0391 Location: 245 Carnmoney Road, Newtownabbey, BT36 6JR Proposal: Erection of timber boundary fence and hoop house in association with approved shop</p>	

Decision: Permission Granted (11/02/1997)

Planning Reference: U/2010/0195/F

Location: 245 Carnmoney Road, Newtownabbey, BT36 6JR

Proposal: Retrospective application for retention of single storey store to rear of premises to replace former store destroyed by arson

Decision: Permission Granted (21/10/2010)

Planning Reference: LA03/2025/0721/A

Location: Safe Gas (NI Ltd), 245 Carnmoney Road, Newtownabbey, BT36 6JR

Proposal: Retention of 1 no. Digital Sign and 1 no. Projecting Sign

Decision: Current Application

### **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 Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (2004): The application site is located within the development limits of Metropolitan Newtownabbey.

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 2 – Employment (SP 2):** aims to encourage growth and investment to support enterprise and increase employment benefits. 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 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.

- 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

**Environmental Health Section-** No objection

## REPRESENTATION

Four (4) neighbouring properties were notified of the application and eight (8) letters of objection have been received from seven individual properties.

The full representation made regarding the proposal is available to view on the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/703413>

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 is provided below:

- Overdevelopment;
- Impact on character of the area;
- Inappropriate use of building materials;
- Uncertainty of the proposed use;
- Validity of retrospective applications;
- Drainage concerns;
- Impact on trees;
- Impact on local wildlife and the environment;
- Crime and safety;

- Visual impact;
- Overlooking and impact on neighbour amenity;
- Insufficient parking spaces and impact on road safety; and
- Land ownership concerns.

### **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;
- Siting, Design and impact on Appearance of the area;
- Neighbour Amenity;
- Access and Parking;
- Flood Risk; and
- Other Matters

#### **Preliminary Matters**

##### Environmental Impact Assessment

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.

##### Habitats Regulation Assessment

The subject site is located at 245 Carnmoney Road, and there are no relevant designated sites close by. The proposed development comprises a change of use from a retail unit to an office 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.

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.

##### Concurrent Application

This planning application is being assessed in conjunction with the associated application Advertisement Consent (Ref: LA03/2025/0721/A).

#### **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 site is defined as being within the development limit of Metropolitan Newtownabbey in the Belfast Urban Area Plan (published 2004) (BUAP). In line with the transitional arrangements set out in the SPPS, 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.

### **Principle of Development**

SP 1.1 of the ANPS indicates that the Council will take a positive approach that reflects the presumption in favour of sustainable development and that the Council will work with applicants to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in our Borough.

Letters of objection raised concerns that the application is unclear in regard to the final intended use. The office seeks retrospective permission for a change of use from a retail shop to the retention of an office with ancillary storage shed. It is noted within The Planning (Use Classes) Order (Northern Ireland) 2015 that the use as an office other than a financial, professional and other services office would fall within Class B1. The application site lies outside of any defined town or local centre but lies within the development limit of Metropolitan Newtownabbey.

DM 1.6 of the ANPS indicates that proposals for business and employment-related development within settlements will be acceptable where these are in accessible locations and of a scale and nature appropriate to the location and accord with other relevant policies of the LDP. DM 1.7 of the ANPS indicates that proposals for the redevelopment of individual business premises that are not zoned for employment use will be assessed on their individual merits against other relevant policies of the LDP. Paragraph 6.273 of the SPPS requires planning authorities to adopt a town centre first approach for retail and main town centre uses. Whilst Paragraph 6.281 of the SPPS and Policy DM 7 introduces a sequential test for development outside of centres, including leisure facilities.

In this case, the planning history and historic use of the site is particularly relevant. The approved use on the site is for a shop (Ref: U/1996/0236). In addition, further permissions for alterations to the shop have been implemented on site and the subject building has been used by a number of retailing businesses. It is therefore considered that the application site has a long-established retailing use, falling under Class A1 and therefore already comprises an existing town centre use. Although the use of an office is considered to be a main town centre use, as outlined above the site already hosts a town centre use and therefore the change to an office is considered acceptable in this instance.

Additionally, the development involves a storage shed located to the rear of the office building. The storage shed is small in scale and is ancillary to the main use of the office, is within an accessible location and of a scale and nature appropriate to the area and therefore complies with Policy DM 1.6 of the ANPS in this regard.

The development also complies with the provisions of DM 1.7 of the ANPS in that the Council will enable the redevelopment of individual business premises that are not zoned for employment use, previously a retailing unit. The nature and scale of the development is appropriate to its location.

The development is considered to be acceptable in principle in accordance with Policies SP1.1, DM 1.6 and 1.7 of the ANPS, subject to all other policy and environmental considerations being met.

### **Siting, Design and impact on Appearance of the area**

Policy SP6 of the ANPS seeks to promote good placemaking, high quality design practices and the importance of the development responding positively to the local context, in this case the wider residential area. DM 25.1 provides the policy for urban design and requires proposals to make a positive contribution and relate well to the character, appearance and use of materials of the surrounding area.

The development consists of two main elements, the change of use from a shop to an office along with the erection of a storage shed. The overfall floorspace of the host building remains unaltered, with no additional floorspace created. The ground floor involves an open plan office, toilets and a detached kitchen, while the first floor includes an additional open plan office, with an extra toilet and store. The design and appearance of the building remains largely unaltered, with the external alterations involving minor cosmetic changes, including a two-tone paint scheme consisting of a dark green and grey finish, along with doors, shutters and windows to be painted in the same dark green finish.

Secondly, the storage shed to the rear is located within the yard area adjacent to the rear boundary between the site and neighbouring properties at No. 6 Abernethy Drive and Nos. 243-241 Carnmoney Road. The shed has a maximum ridge height of approximately 3m, length of 6m and width of 4m. The shed hosts one (1) roller shutter door and one (1) pedestrian door to the front elevation. The shed is finished in bottle green cladding, similar to the finish of the main office.

Concerns have been raised through letters of objection regarding the inappropriate design and use of materials on the shed. However, it is considered to be of a standard finish and design for a storage shed. Given the close boarded 1.8m high fence, the dense mature vegetation along the northern site boundary and the rear boundary, the shed is not visible from the main Princes Charles Way, with public views almost entirely limited due to the boundary screening height. A condition is proposed to ensure that the existing vegetation is retained along the northern and eastern boundary, to ensure screening of the site and maintain the character of the area.

Concerns were also raised by third parties regarding the negative impact the development would have on the character of the area, concerns regarding overdevelopment of the site and concerns around security and safety.

The change of use of the building along with the storage shed to the rear, given the size and scale of the storage shed and the internal works proposed is not considered to represent overdevelopment of the site. In addition, given the established retailing use on site, the change of use is not considered to significantly impact the character of the area. In relation to security and safety, the office and

small storage shed is not considered to significantly increase the risk of crime or anti-social behaviour. No evidence has been submitted to demonstrate that the development would lead to increased levels of anti-social behaviour, however, if at any time it is considered that anti-social behaviour is taking place at the site this should be reported to the PSNI who can investigate.

It is considered that the development makes a positive contribution and relates well to the scale, massing and character of the area as it makes use of an existing building and promotes its upkeep which may otherwise be at risk of falling into disrepair.

The development is considered to be compliant with Policy DM 25 in that the development is sympathetic to the character of the area.

### **Neighbour Amenity**

Paragraphs 4.11 and 4.12 of the Strategic Planning Policy Statement 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.

The site is bound by residential properties directly south along Carnmoney Road along with additional properties located southeast along Abernethy Drive. The change of use from a retail unit to an office is not considered to significantly impact the adjacent residential properties given the proposed use. In relation to the storage shed, it has been confirmed within supporting information (Document 01, date stamped 6<sup>th</sup> January 2026) that the shed is to be used for storage in association with a gas boiler heating business and will store parts such as flue components, plumbing fixtures and fittings, it is noted that employees can come and collect parts from the shed but this is only occasional as they work off site.

Concerns were raised through letters of objection regarding the potential for overlooking and loss of privacy. The shed relates to storage of heating supplies as outlined above and is single storey in nature. There is not considered to be any significant overlooking or loss of privacy concerns.

The Council's Environmental Health Section were consulted and offered no objection to the office and ancillary storage shed, subject to noise control conditions, including that the shed shall not operate anytime between 23:00 and 07:00 hours to protect the amenity of neighbouring residents.

Overall, it is considered that the development will not have an unacceptable impact on neighbour amenity and complies with Paragraphs 4.11 and 4.12 of the SPSS and 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. 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 requires adequate provision is made for car and cycle parking and any necessary servicing arrangements. Paragraph 6.303 of the SPPS and DM 10. 2 of the ANPS details that in assessing parking arrangements, the Council will continue to take account of supplementary guidance including Parking Standards (DoE, 2005).

Letters of objection raised concerns with regards to increased traffic generation, parking and access issues along with congestion which has the potential to limit access for emergency vehicles.

The development seeks to utilise the existing access from the Carnmoney Road, along with a pedestrian access from Prince Charles Way to access the rear of the site which is to remain unaltered by the development. The development is for an office use and storage shed, replacing an existing retail use at the site which is not considered to result in a significant increase in the number of vehicles attending the site.

In relation to parking, the application site does not offer any designated parking spaces. Based on DfI Parking Standards, the use of a retail unit this size would require approximately 3 no. parking spaces while the use of the same unit as an office would require 3 no. parking spaces. It is acknowledged that the previous use on site as a retail unit also did not offer any assigned parking provision. However, due to the application site's location within the cul-de-sac, there are a number of off-street parking spaces, including three immediately adjacent. DfI Roads were consulted on the development and have raised no objection.

It is considered given the existing use of the site that the access and parking is acceptable.

### **Flood Risk**

Policy DM 47.2 of the ANPS and Paragraph 6.114 of the SPPS sets out the threshold where a Drainage Assessment is required. The application site is not located within the 1 in 100-year fluvial or 1 in 100-year coastal floodplain. A Drainage Assessment will be required if the development involves a change of use involving new buildings and or new impermeable hard surfacing exceeding 1000 square metres, in line with Policy DM 47.2.

The development does not exceed the threshold set out within Paragraph 6.114 of the SPPS or Policy DM 47.2 to require the submission of a Drainage Assessment. However, the applicant should carry out their own assessment of flood risk. The development 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 in this regard.

### **Other Matters**

#### Features of Natural Heritage

Policy DM 42 of the ANPS requires that the development will not cause an unacceptable loss of/or damage to trees or other landscape features which contribute significantly to local environmental quality. In addition, Criteria L to M of

DM 25 seeks to incorporate landscaping and promote biodiversity in all new developments where possible.

Objectors raised concerns relating to the negative impact on biodiversity and trees in the area. No trees are to be removed as part of the development with all hedges and trees along the northern and eastern boundary to be retained. An informative has been added in relation to the promotion of swifts. It is considered that the development will not cause unacceptable loss of, or damage to trees or other landscape features.

#### Letters of Objection

##### Precedent for commercial buildings within the area

Letters of objection raised concerns relating to the granting of approval and that it would set a precedent for future non-domestic properties within the residential area.

Each planning application received by the Council is assessed on its own merits, with a decision being made based on the development plan prevailing at that time and other material considerations, it cannot be said that the approval of this development will automatically lead to the granting of planning permission for any similar proposals submitted in the surrounding area due to the weight given to the previous retailing use on the site.

##### Validity and Retrospective Nature of the Application

Concerns were raised by third parties regarding the implications for the breach of planning regulations as this development has been operating without the benefit of planning permission. The applicant has sought to rectify the breach of planning by submitting a planning application under Section 55 of The Planning Act (Northern Ireland) 2011 in order that a retrospective application can be assessed.

##### Land Ownership

Letters of objection raised concerns in relation to the proposed development being located on lands not under the ownership of the applicant who has indicated on the submitted application form that they own all of the land subject to this application. This matter was raised with the applicant and it was confirmed that the applicant owned all the lands indicated on the site plan.

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.

<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
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<b>PROPOSED CONDITIONS</b>	
1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.  Reason: This is a retrospective application	
2. The existing hedgerow and vegetation along the northern and eastern boundaries of the site as indicated on the approved plan 02, date stamped 3rd	

October 2025 shall be retained at a minimum height of 3 metres and trees within the hedgerow shall be allowed to grow on or as agreed in writing with the Council.

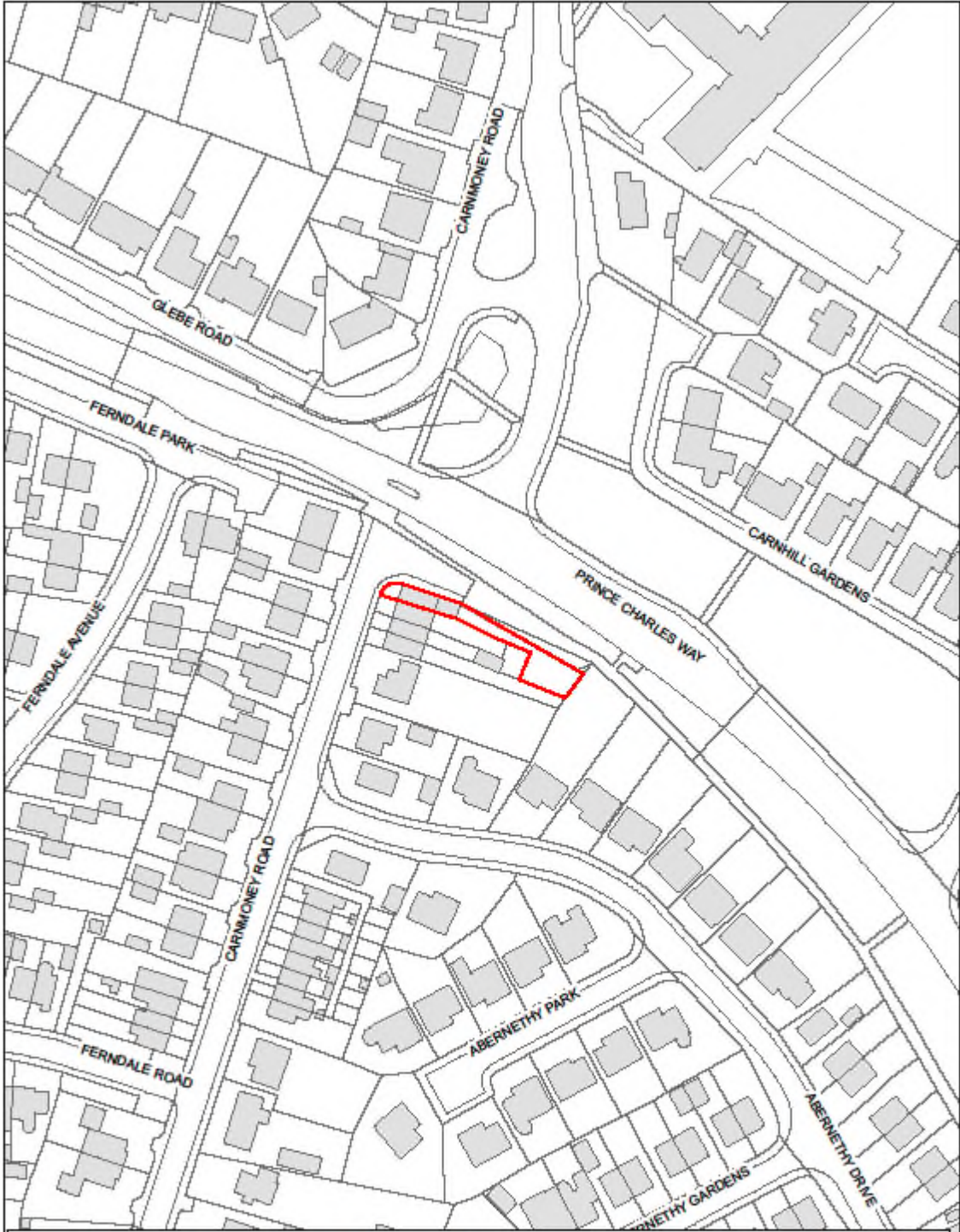
Reason: To ensure the maintenance of screening to the site.

3. The storage shed as shown on Drawing Number 04, stamped 3rd October 2025 shall be used for storage purposes only ancillary to the use of Gas Works (NI Ltd).

Reason: In order to protect amenity at nearby noise sensitive receptors and prevent a proliferation of uses in the area.

4. The storage shed hereby approved as shown on Drawing Number 04, date stamped 3rd October 2025 shall not be accessed at any time between 23:00 and 07:00 hours.

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



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**Reference : LA03/2025/0722/F**

1:1,250 

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.6</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0721/A</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE ADVERTISEMENT CONSENT</b>
<b>PROPOSAL</b>	Retention of 1 no. Digital Sign and 1 no. Projecting Sign
<b>SITE/LOCATION</b>	Safe Gas (NI Ltd), 245 Carnmoney Road, Newtownabbey, BT36 6JR
<b>APPLICANT</b>	Safe Gas
<b>AGENT</b>	McGurran Associates Ltd
<b>LAST SITE VISIT</b>	11/12/2025
<b>CASE OFFICER</b>	Dan Savage Tel: 028 90340438 Email: <a href="mailto:daniel.savage@antrimandnewtownabbey.gov.uk">daniel.savage@antrimandnewtownabbey.gov.uk</a>
<p>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  <a href="https://planningregister.planningsystemni.gov.uk/application/703410">https://planningregister.planningsystemni.gov.uk/application/703410</a></p>	
<b>SITE DESCRIPTION</b>	
<p>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 within a residential area outside of the Glengormley Local Centre.</p> <p>The application site comprises a two-storey, end terrace property at No. 245 Carnmoney Road. The site is located at the end of a cul-de-sac which abuts Prince Charles Way directly north of the site.</p> <p>A pedestrian access gate is also located along the northern boundary, which provides access to the rear yard. A narrow hardstanding yard lies to the rear of the host building. Beyond the hardstanding strip, the yard opens up into a large space comprising of a green corrugated metal shed. The boundaries of the shed are defined by a 1.8m high fence, while an additional mature hedgerow is located along the northern elevation.</p> <p>The area is predominantly residential in character, with a number of residential properties located directly south, west and east of the site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/1996/0236  Location: 245 Carnmoney Road, Newtownabbey, BT36 6JR  Proposal: Reinstatement and extension of existing shop  Decision: Permission Granted (19/09/1996)</p> <p>Planning Reference: U/1997/0071  Location: 245 Carnmoney Road, Newtownabbey  Proposal: Erection of 2 no. wall mounted signs (static with external overhead lighting)</p>	

Decision: Permission Granted (10/06/1997)

Planning Reference: LA03/2025/0722/F

Location: Safe Gas (NI) Ltd, 245 Carnmoney Road, Newtownabbey, BT36 6JR

Proposal: Retention of change of use from shop to office and storage shed

Decision: Current Application

### **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 Belfast Urban Area. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit of Newtownabbey. The Plan offers no specific guidance on this proposal.

SPPS 2 – Strategic Planning Policy Statement for Northern Ireland (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: 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 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 26 Shopfront Design;
- Policy DM 28 Amenity Impact; and
- Policy DM 29 Advertisements

Annex A of PPS 17: Control of Outdoor Advertisements; sets out the guidance for the display of outdoor advertisements.

## **CONSULTATION**

**DFI Roads** - No objection, subject to conditions

**Environmental Health Section** - No objection

## **REPRESENTATION**

There is no statutory requirement to notify neighbours or advertise in respect of the subject application.

## **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;
- Amenity, Design and Appearance;
- Impact on Residential Amenity;
- Public Safety

### **Preliminary Matters**

#### Concurrent Application

The advertisement consent was submitted concurrently with a planning application for a change of use to an office and associated storage shed (Planning Ref: LA03/2025/0722/F)

### **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 Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 is the relevant statutory rule for the control of advertisements, made under the provisions of Section 130 of the Planning Act (Northern Ireland) 2011. Regulation 3(1) of the Regulations requires that the Council exercises its power in relation to advertisement control only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and relevant factors.

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 in the development limits of the

Belfast Urban Area as defined within the Belfast Urban Area Plan (BUAP) and within the development limits of Newtownabbey as designated in the Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP). In line with the transitional arrangements set out in the SPPS, BUAP, the dBMAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

### **Principle of Development**

The application seeks advertisement consent for the retention of 1 no. gable mounted digital sign and 1 no. projecting sign, located on the existing building at No.245 Carnmoney Road. There is a concurrent planning application for the change of use of this property from a shop to an office for Safe Gas (NI Ltd) along with a storage shed (Planning Ref: LA03/2025/0722/F).

DM 29.1 of the ANPS indicates that the Council will support proposals for consent to display advertisements on land or buildings to which it relates, provided that the proposal meets a number of criteria in terms of its visual amenity and providing it does not prejudice public safety.

In this case, it is noted that whilst the subject advertisements are not located on land that currently benefits from planning permission, there is an existing approved retail use on the site along with a previous approval for signage. In addition, the applicant has confirmed that the signage will solely advertise the proposed business, as outlined in Document 01, date stamped 12<sup>th</sup> December 2025.

In principle, the proposed advertisement is considered acceptable subject to the approval of the concurrent application, Ref: LA03/2025/0722/F as the property has a previous approval for retailing. It is considered that an appropriate type and level of signage is acceptable at this location subject to all other policy and environmental considerations being met.

### **Amenity, Design and Appearance**

DM 29.1 of the ANPS requires that advertisements; do not detract from the visual amenity of the area in which it is sited, it must respect the scale, proportion and architectural features of the building to which it is attached, must be sympathetic to its location in terms of the style of sign and finishes to be used and must avoid visual clutter.

The application seeks permission for a wall mounted advertising display on the gable end of No. 245 Carnmoney Road, comprising a single sided LED screen. In addition, the application also seeks advertisement consent for 1 no. wall mounted projecting sign, located above the main entrance.

DM 29.3 of the ANPS, indicates that in considering applications for advertisements, the Council will take account of the guidance set out in Annex A of PPS 17: Control of Outdoor Advertisements. Annex A of PPS 17 sets out guidance for outdoor advertisements, including large electronic screen displays.

Guidance within Annex A indicates that in primarily residential areas only painted on façade signage would be acceptable. It goes on to outline that in predominantly residential areas, where offices occupy part or all of a former residential property, it is essential that advertising remains unobtrusive in order that the residential amenity

of the area is not prejudiced. Whilst Paragraph 6.56 of the SPPS indicates that advertisements should respect amenity and contribute positively to the appearance of a well-cared for and attractive environment.

The wall mounted LED sign measures approximately 2.2m in length by 1.6m in height while the wall mounted projecting sign, located to the front of the building measures approximately 0.6m in height by 0.9m in length. The latter sign is located on a black background with the company branding and is considered to be of an appropriate size and scale for this residential area.

As outlined in Annex A, proposed signage within a residential area should be by means of nameplates made of metal or other suitable materials and should be fixed to the doorway pilaster, or if there is no pilaster, they may be fixed to the masonry beside the front door.

The surrounding area is predominately residential in nature consisting of residential properties directly south, east and west. The proposed digital sign is of a large scale and is situated along a highly visible stretch of Prince Charles Way and will be visible to road users for approximately 25m in either direction along Princes Charles Way and visible from the junction between Princes Charles Way and Carnmoney Road.

It is considered that the LED illuminated signage when viewed in the context of the surrounding area would have a significant detrimental impact upon the visual amenity and character of the area. The agent contends within their supporting information (Document 01, date stamped 12<sup>th</sup> December 2025) that whilst they appreciate this is a residential area, there is a commercial approval on site which is also located on the edge of the built-up area and gables onto Prince Charles Way.

Whilst it is accepted that the site has approval for a retailing use and an appropriate level of signage would be acceptable, the LED digital signage is not considered appropriate for the residential area and will have a detrimental impact on the character of the area given its dimensions and visibility and would be contrary to Paragraph 6.56 of the SPPS and DM 29.1 of the ANPS.

### **Impact on Residential 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 disturbance.

Residential properties abut the site to the south along Carnmoney Road and to the east within Abernethy Drive. However, due to the positioning of the LED sign on the gable elevation of the building, there are limited concerns with regards to the impact on these neighbouring properties as they do not look onto the signage.

The nearest residential property that will have a view of the sign, is located at No. 216 Carnmoney Road, which lies approximately 25m northeast of the application site. It is considered that the illuminated signage will be visible from this property, however, due to the orientation of the building along with the separation distance, any impact from light nuisance is considered to be minimal. The signage will be visible at properties located along Glebe Road and Carnhill Garden, which lie approximately 60m and 70m away, however, a significant level of vegetation will

help reduce the impact. The Council's Environmental Health Section was consulted on the proposal and raised no objections to the level of illuminance from the signage.

While the sign is to be illuminated and is located a short distance from residential properties, some level of illumination is expected to reach nearby residential properties, but given the separation distance, dense vegetation and the fact the LED screen is fronting onto the road, no significant concerns are raised with regards to neighbouring amenity. Therefore, the proposal is considered to comply with DM 28 of the ANPS in this regard.

**Public Safety**

Signs by their virtue are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. In assessing the impact of a sign on public safety the Council will have regard to its effect upon the safe use and operation of any form of traffic. DM 29.1 of the ANPS stipulates that consent will be given for the display of an advertisement where it does not prejudice public safety.

The proposed signage is located on the gable of No. 245 Carnmoney Road and will be visible to road users travelling along Prince Charles Way for approximately 25m and also to road users exiting the Carnmoney Road at its junction with Prince Charles Way. The signage consists of a wall mounted sign with LED illumination; however, it is to be static illumination and will be set back approximately 14m from the public road.

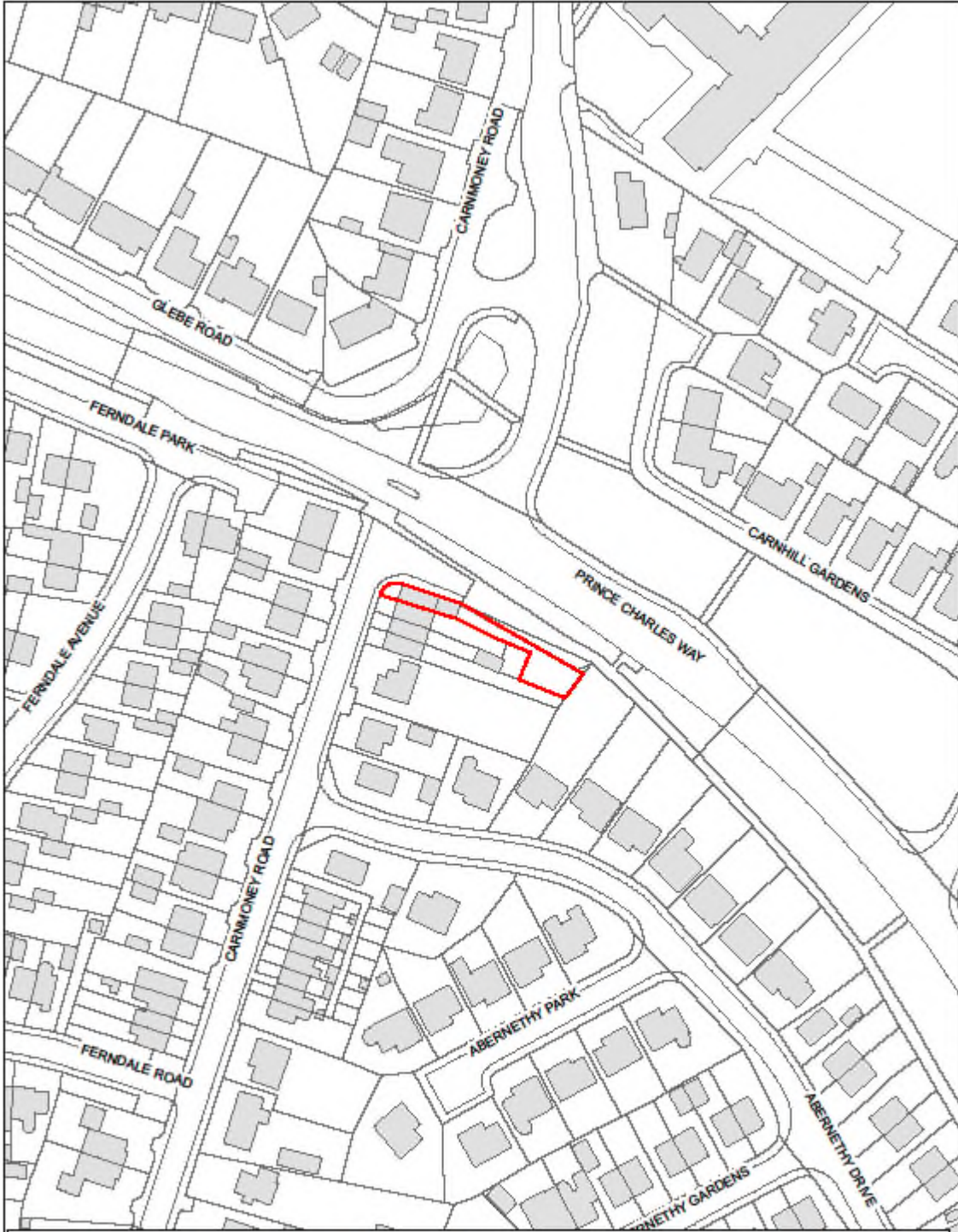
DfI Roads has been consulted and have responded with no objections subject to a condition regarding luminance levels. It is considered that the proposal will not have a detrimental impact on public safety.

**RECOMMENDATION**

**REFUSE ADVERTISEMENT CONSENT**

**PROPOSED REASON FOR REFUSAL**


1. The proposal is contrary to the policy provisions of Paragraph 6.56 of the Strategic Planning Policy Statement and DM 29.1 of the Council's Plan Strategy, in that the signage would detract from the visual amenity of the area in which it is sited and is not sympathetic to its location in terms of the style of sign.



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**Reference : LA03/2025/0721/A**

1:1,250 

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.7</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0854/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed dwelling
<b>SITE/LOCATION</b>	Approximately 12m northeast of No. 39 Cullyburn Road, Newtownabbey, BT36 5BN
<b>APPLICANT</b>	Jonathan Wilson
<b>AGENT</b>	Arca Design
<b>LAST SITE VISIT</b>	3rd December 2025
<b>CASE OFFICER</b>	Alice Gallagher Tel: 028 903 40424 Email: <a href="mailto:alice.gallagher@antrimandnewtownabbey.gov.uk">alice.gallagher@antrimandnewtownabbey.gov.uk</a>
<p><b>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: <a href="https://planningregister.planningsystemni.gov.uk/application/700410">https://planningregister.planningsystemni.gov.uk/application/700410</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located approximately 12m northeast of No. 39 Cullyburn Road, Newtownabbey, which is within the countryside and outside the development limit of any settlement as designated in the draft Belfast Metropolitan Area Plan (dBMAP) (published 2004).</p> <p>The application site is set back approximately 105m from the Cullyburn Road and is served by a shared laneway which connects to an existing farm dwelling and outbuildings at No. 39 Cullyburn Road. The lane is bounded on each side by mature hedgerows approximately 2m in height.</p> <p>The application site is elevated approximately 30m above road level and consists of a small agricultural field (approximately 11m by 14m). The site is situated adjacent to an area of hardstanding, which forms part of a farm holding to the west and a small farm outbuilding to the south. The site's northern, eastern and western boundaries are defined by a low mature hedgerow approximately 1.5m in height. The southern boundary is undefined but is situated adjacent to a small outbuilding. A small watercourse traverses the site from the northwestern corner and continues beyond the southwestern site boundary.</p> <p>The area in which the site is located is typically rural in character mostly consisting of farm holdings and single dwellings.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/2012/0285/O  Location: Lands 20m north-east of No. 39 Cullyburn Road Newtownabbey  Proposal: Erection of dwelling and Garage  Decision: Permission Granted (11th July 2013)</p> <p>Planning Reference: LA03/2025/0320/F</p>	

Location: Approx. 22m south of 41 Cullyburn Road, (accessed from Rea Hill Road), Newtownabbey, BT36 5BN  
Proposal: Replacement dwelling  
Decision: Permission Granted (27th February 2026)

## **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.

Draft Belfast Metropolitan Area Plan (dBMAP) (Published 2004): The application site is located within the open countryside outside the development limit of any settlement limit as identified within the draft Belfast Metropolitan Area Plan. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland (2<sup>nd</sup> Edition): 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 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;

- Policy DM 18C – Dwellings within a Built-Up Frontage; and
- Policy DM 18D – Dwellings within an Existing Cluster.

**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 46 The Control of Development in Floodplains; and
- 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** – Objection

**Department for Infrastructure Roads** – Objection

**Department for Infrastructure Rivers** – No objection

**NIEA** – No objection

**DAERA WMU** – No objection

**Shared Environmental Service** – No response

## REPRESENTATION

Four (4) neighbouring properties were notified of the application, and one (1) letter of objection has been received from one (1) neighbour notified property.

The full representation made regarding this proposal are available for Members to view online at the Planning Portal at:

<https://planningregister.planningssystemni.gov.uk/application/701951>

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

- Concern that the proposed dwelling would result in an adverse impact of overlooking and loss of privacy of the neighbouring property's rear amenity

area (the proposal referred to is the subject of a planning application for a replacement dwelling recently approved under planning Ref: LA03/2025/0320/F);

- Concerns that the proposed dwelling would ruin views from the said neighbouring property; and
- Concerns regarding the accuracy of the blue line as indicated on the Site Location Plan (Drawing No. 01 date stamped 14th November 2025).

#### **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
- Flood Risk
- Sewerage and Drainage
- Other Matters

#### **Preliminary Matters**

##### Habitats Regulation Assessment

This planning application was considered in light of the assessment requirements of Regulations 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, formally consulted Shared Environmental Services (SES) following informal advice from SES that an HRA was required due to the water at the eastern boundary of the application site that is hydrologically connected to European sites and Ramsar sites approximately 10km downstream in Belfast Lough. SES have not yet returned their formal response to include the HRA report and therefore no conclusion has been made with regards to the impact of the proposed development on designated sites and habitats.

##### Environmental Impact Assessment

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 it is located within a sensitive area, therefore there is no requirement for an EIA screening determination.

##### Request for Further Information

- Justification for the proposal in relation to a new dwelling in the countryside in accordance with Policy DM 18 of the ANPS was requested from the agent on 14th January 2026.
- In response, the agent submitted a Supporting Statement (Document 01 date stamped 20th January 2026), which indicates that the agent considers the proposal to be 'infill development within an existing cluster of buildings'. No additional policy context was provided.

- With regards to the concerns raised by the objector in relation to the applicant's land ownership as indicated by the 'blue line' shown on the Site Location Plan (Drawing No. 01 date stamped 14th November 2025), clarification was sought from the agent via email on 2nd February 2026.
- The agent provided clarification relating to the applicant's land ownership and an amended Site Location Plan (Drawing No. 01/1 date stamped 5th February 2026), extending the blue line to include a portion of land to the west of the application site as outlined in red.

### **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 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 draft Belfast Metropolitan Area Plan (dBMAP) (Published 2004). In line with the transitional arrangements set out in the SPPS, dBMAP 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 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 within a built-up frontage under Policy DM 18C of the ANPS and another is for a dwelling within an existing cluster under Policy DM 18D of the ANPS.

A Supporting Statement (Document 01 date stamped 20th January 2026) was submitted, which sets out that the agent considers the proposal to be 'infill development within an existing cluster of buildings' as well as making reference to a previous grant of planning permission for a dwelling and garage on the application site under planning Ref: U/2012/0285/O. The statement does not address how the development proposal meets the policy requirements set out within Policy DM 18C or Policy DM 18D of the ANPS, nor how the proposal complies with the policy context in respect of any other policy within the ANPS.

DM 18.16 of the ANPS states the Council will support an application for the development of a small gap site, sufficient only to accommodate up to a maximum of two dwellings within an otherwise substantial and continuously built-up frontage where all of the criteria are met:

Criterion (a) requires that the frontage comprises five or more substantial buildings consisting of at least three dwellings but excluding ancillary buildings such as garages, small outbuildings and open sided structures. The site is not considered to form a gap within an otherwise substantial and continuously built-up frontage, nor is it within a line of development. The submitted Site Layout Plan (Drawing No. 01/1 date stamped 5th February 2026) indicates that there are three dwellings within proximity of the application site, however, these dwellings are not situated within an otherwise substantial and continuously built-up frontage. In addition, the application site is situated within a grouping of agricultural buildings and is surrounded on three sides by agricultural sheds. The proposal is not considered to meet criterion (a) of Policy 18C.

Criterion (b) requires that the frontage appears as a visual entity in the landscape and all the existing buildings front directly onto a public road or private shared laneway. The application site is accessed via a private laneway approximately 130m in length. Although the group of buildings adjacent to the application site appear as a visual entity in the landscape, the buildings do not front directly onto the laneway. The laneway facilitates access to the application site and the surrounding farm buildings; it then terminates at the agricultural shed which abuts the southern site boundary and does not extend beyond the application site. The proposal is therefore not considered to meet criterion (b) of Policy DM 18C.

Criterion (c) requires that the gap site for up to two dwellings is not greater than 60m between the existing buildings. The gap between the existing agricultural buildings north and south of the application site is approximately 18.8m. The proposal is therefore considered to satisfy criterion (c) of Policy DM 18C.

Criterion (d) requires that the proposed site provides a suitable degree of enclosure to allow the proposed development to integrate into the countryside. It is considered that the site is capable of providing a suitable degree of enclosure due to the existing mature hedgerow along the northern, eastern and western site boundaries and the agricultural sheds to the south. The proposal is therefore considered to satisfy criterion (d) of Policy DM 18C.

Criterion (e) requires that the proposed development respects the existing development pattern and will not significantly alter its existing character or visually intrude into the open countryside. As this application seeks outline planning approval no detailed designs of the development proposal have been provided, however, it is considered that an appropriately designed dwelling on the application site would not significantly alter its existing character or visually intrude into the open countryside and as such is considered to satisfy criterion (e) of Policy DM 18C.

In summary, the proposal fails to comply with criteria (a) and (b) of Policy DM 18C of the ANPS and the principle of development is therefore not acceptable in this regard.

Policy DM 18D of the ANPS refers to dwellings within an existing cluster and DM 18.17 of the ANPS states the Council will permit a new dwelling within an existing cluster of development where all of the following criteria are met:

Criterion (a) of Policy DM 18D of the ANPS requires that the cluster lies outside a farm holding and comprises a group of five or more substantial buildings incorporating at least three dwellings but excluding ancillary buildings such as garages, outbuildings and open sided structures. The Site Layout Plan (Drawing 01/1 date stamped 5th February 2026) suggests that the cluster of development includes the dwelling labelled No. 21 (although this dwelling is indicated as being No. 41 Cullyburn Road on Land and Property Services website), two (2) dwellings (one of which is No. 39 Cullyburn Road and the other has no postal address) and ten (10) 'agricultural' buildings. Whilst no farm maps have been submitted in support of the planning application, the agent has advised in the Supporting Statement (Document 01 date stamped 20th January 2026) that the site is located amongst agricultural buildings, thus suggesting that the site lies within a farm holding. The proposal therefore does not comply with Criterion (a) of Policy DM 18D.

Criterion (b) of Policy DM 18D of the ANPS requires that the cluster appears as a visual entity in the landscape and incorporates or is closely associated with a local focal point, such as a community building or facility, or a crossroads. Due to the topography of the surrounding lands rising from the roadside, the farm dwelling at No. 39 Cullyburn Road and the associated agricultural buildings, which are elevated above the road take the form of skyline development. Part of the cluster as identified by the agent in the Site Location Plan (Drawing No. 01/1 date stamped 5th February 2026), namely the existing dwelling at No. 39 Cullyburn Road and four (4) of the outbuildings, appear as a visual entity in the landscape when travelling in both directions along the Cullyburn Road. However, this group of buildings neither incorporate nor are closely associated with a local focal point. The proposal is therefore not considered to comply with Criterion (b) of Policy DM 18D of the ANPS.

Criterion (c) of Policy DM 18D of the ANPS requires that the proposed site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster. It is considered that the site is capable of providing a suitable degree of enclosure due to the existing mature hedgerow along the northern, eastern and western boundaries, and the agricultural sheds to the south. As such the proposal is considered to comply with criterion (c) of Policy DM 18D of the ANPS.

Criterion (d) of Policy DM 18D of the ANPS requires that the new dwelling can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character or visually intrude into the landscape. It is not considered that a cluster exists in the area, however, the proposed development would not visually intrude beyond the existing built form into the landscape.

Given that the proposed application site lies within a farm holding, it is not considered to be associated with a cluster consisting of at least three (3) dwellings, and the proposal does not incorporate or is closely associated with a local focal point, the proposal fails to comply with criterion (a) and (b) of Policy DM 18D of the ANPS and the principle of development is therefore not acceptable.

It is noted that in the Supporting Statement (Document 01 date stamped 20th January 2026), the agent has referred to a previous grant of planning approval for a dwelling on the application site under planning Ref: U/2012/0285/O, which lapsed on 19th July 2018. No Certificate of Lawful Development has been granted to confirm that the development has commenced on the site in compliance with the said

approval. As such the applicant has no legal fallback position and the lapsed permission is not viewed as a material consideration to be taken into account in the determination of the current planning application. Moreover, the Council will assess each individual application on its own merits, with a decision being made based on the development plan which prevails at that time and the relevant development plan policies. It is noted that the dwelling approved under planning Ref: U/2012/0285/O was considered under planning policies which have since been superseded by the ANPS.

### **Design, Integration and Rural Character**

Paragraph 6.70 of the SPPS 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.

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 indicates 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.

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.

As this is a planning application which seeks outline permission, no details regarding the design of the proposed dwelling have been submitted, however, the Site Layout Plan (Drawing No. 01/1 date stamped 5th February 2026), indicates the proposed dwelling is to be located behind an existing agricultural outbuilding. Whilst it is considered that the existing building may provide a level of screening, due to the elevated nature of the site it is considered that a new dwelling on this site would be intermittently visible when travelling in both directions along the Cullyburn Road. Notwithstanding that the principle of a new dwelling has not been established, it is considered that a dwelling within the application site could be designed to integrate sympathetically with its surroundings, subject to a condition being attached to any forthcoming planning approval limiting the ridge height to 6 metres. This would ensure that the proposed dwelling does not breach the height of the surrounding dwellings and buildings and appear as skyline development when viewed from both approaches when travelling along the Cullyburn Road.

In summary, whilst it is considered that the principle of development is not acceptable, it is considered that a proposed dwelling could integrate into the surrounding landscape if a condition which restricted the ridge height to 6 metres is imposed.

### **Neighbour Amenity**

Paragraph 4.27 of the SPPS states 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.

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.

It is noted that a letter of objection has been received from the applicant of a planning application for a replacement dwelling and garage at approximately 22m south of No. 41 Cullyburn Road, recently approved under planning Ref: LA03/2025/0320/F. This dwelling is located 12m to the northeast of the application site. The building to be replaced under planning Ref: LA03/2025/0320/F has been labelled on the current application (Drawing No. 01/1 date stamped 5th February 2026), as 'agricultural', however, the building does exhibit the characteristics of a dwelling.

The objector has raised concerns that the proposed dwelling (subject to the current application) would have an adverse impact of overlooking on the rear windows and rear amenity area of the proposed replacement dwelling and garage which has now been approved under planning Ref: LA03/2025/0320/F. As stated above, the proposed dwelling under the current proposal is approximately 12m southwest of the objector's dwelling, however, it is considered that an appropriately designed dwelling could be orientated within the application site to prevent any adverse impacts with regards to overlooking and loss of privacy.

The objector also raised concerns in relation to views from their property, however, the potential impact of a proposed development on private views is not generally viewed as a material planning consideration. Private individuals do not have a right to a view and even if a new development changes a view from a private property, this is not normally sufficient grounds to withhold planning permission.

The Council's Environmental Health Section (EHS) was consulted and raised concerns in relation to the siting of the proposed dwelling, which is within 75 metres of a number of farm buildings associated with two (2) different farms, each of which have the potential to cause public health nuisances from odour, noise and pests. EHS confirmed that a site visit indicated that neither farm is in operation at present, that a dwelling and outbuildings within the blue line boundary is leased out, with activity within the outbuildings being unknown and that slurry storage is available within the agricultural shed approximately 18 metres to the southeast of the application site. EHS advised that due to the proposed dwelling not being associated with either farm or their associated outbuildings that there is no guarantee that farm activities will not recommence in the future. EHS is of the view that amenity at the proposed residential dwelling could therefore not be suitably protected from the adverse impacts of odour, vermin, flies etc. arising from the adjacent farm buildings. EHS went on to state that such impacts are minimised by increasing separation distance and the proposed dwelling is located closer to the existing farm buildings than the existing/approved dwellings and therefore is likely to be impacted to a greater degree and suggested that consideration should be given to relocating the proposed dwelling so that a separation distance of at least 75m is achieved.

This was not requested from the agent as the principle of development has not been established. Additionally, it is considered that where site constraints prevent separation distances of sufficient magnitude, the potential impact may be mitigated by other means, such as the careful design and orientation of the dwelling and living areas, or the inclusion of mechanical ventilation systems where necessary.

### **Access and Parking**

Paragraph 6.296 of the SPPS indicates that the aim of the SPPS with regard to transportation is to secure improved integration with land-use planning, and to facilitate safe and efficient access, movement and parking. Additionally, criterion (g) within paragraph 6.297 of the SPPS states that the regional strategic objectives for transportation and land-use planning are to promote road safety, in particular for pedestrians, cyclists and other vulnerable road users.

SP 3.10 of the ANPS 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.

DfI Roads was consulted and advised that the visibility splay to the east (non-critical side) is not available, and requested the application form to be amended to indicate an 'alteration of an existing access to a public road', the red line on the location plan to be amended to include the required 2.0m x 45m visibility splays in both directions be fully triangulated, and Certificate C of the application form to be completed and notice to be served on the landowner to the east of the access for the land required to provide visibility splay to the east.

Given the concerns with the principle of development, Officers did not request the information but notwithstanding the concern with the principle of development such information would normally be required to ensure that the proposed development would provide safe access arrangements.

### **Natural Heritage**

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 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 within Policy DM 37 of the ANPS, policies relating to protected species are provided under Policy DM 38 of the ANPS, whilst Policy DM 39 of the ANPS addresses other habitats, species and features of natural heritage importance.

DAERA Water Management Unit (WMU) was consulted owing to the watercourse that traverses the site. WMU did not raise any objection to the proposed dwelling and made reference to DAERA Standing Advice for Single Dwellings. It is therefore considered appropriate to attach a condition to any forthcoming planning approval which stipulates no development should take place on-site until the method of sewage disposal has been agreed with Northern Ireland Water (NIW) or a consent to discharge has been granted.

Shared Environmental Services (SES) was consulted owing to the watercourses that traverses the application site and the potential hydrological link to European sites and Ramsar sites approximately 10km downstream at Belfast Lough. SES have not yet

provided a consultation response, however, given that the principle of development has not been established, it is not considered necessary to await the response of SES prior to making a decision on the proposal. In the absence of the completed HRA from SES, a conclusion cannot be made on the impact of the proposal on designated sites.

There is no significant vegetation removal proposed as part of the development, however, it is considered that detail of a proposed landscaping scheme should be provided through the use of suitably worded conditions if planning permission were to be forthcoming.

### **Flood Risk**

Policy DM 46 of the ANPS advises that the Council will not permit development within the floodplains of rivers or seas unless a number of exemptions apply.

DfI Rivers was consulted and advised that the site is traversed from north to south by multiple undesignated watercourses and may be affected by undesignated watercourses of which DfI Rivers have no record. In relation to Policy DM 46 of the ANPS, DfI Rivers indicated that the site does not lie within a floodplain as indicated by The Flood Maps (NI) but advised this does not mean there is no associated flood risk with the undesignated watercourses traversing the site.

DfI Rivers has confirmed that a Drainage Assessment is not required as the proposal does not exceed any of the listed thresholds listed within Policy DM 47 of the ANPS. Regardless, it advised that the developer should still be advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere. Additionally, a consent to discharge storm water run-off from the site under Schedule 6 of the Drainage (NI) Order 1973 will be required.

DfI Rivers has stated that there should be no erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations and it is essential that a working strip of minimum width 5m from the top of the bank is retained, but up to 10m where considered necessary. DfI Rivers has stated that the working strip should be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or any future development, and must be shown on a site layout drawing and imposed by way of a planning condition in any forthcoming planning approval. It is noted that due to the notable small site size (approximately 11m by 14m) achieving this working strip of a minimum of 5m would be difficult given the location of multiple watercourses traversing the site from north to south.

Owing to the concern with the principle of development no further information or additional drawings in relation to the above matters were sought from the applicant.

### **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.

The location of the septic tank is detailed on the Site Layout Plan (Drawing No. 01/1 date stamped 5th February 2026). The site is not known to be located in an area known to be at risk from pollution. A septic tank will also require a Discharge Consent to be granted by DAERA Water Management Unit.

The proposed dwelling is not located 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.

### **Other Matters**

With regards to the concerns raised by the objector in relation to the applicant's land ownership as indicated by the 'blue line' shown on Drawing No. 01 date stamped 14th November 2025, the agent provided clarification and submitted an amended Site Location Plan (Drawing No. 01/1 date stamped 5th February 2026) to show the extent of the applicant's ownership to extend the blue line to include a portion of land to the west of the application site.

### **CONCLUSION**

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

- The principle of development has not been established as the application site is not a small gap site which forms part of a substantial and continuously built-up frontage;
- The proposal does not meet the policy requirements for a dwelling within a cluster as the site is within a farm holding and the cluster of farm buildings is not closely associated with a local focal point;
- The proposed dwelling could integrate into the surrounding area if an appropriate ridge height restriction was imposed;
- It is considered that mitigation measures could be put in place so as not to compromise the amenity of the proposed dwelling or neighbouring occupiers;
- It is considered that it may not be possible to develop the site due to the watercourses that traverses the site which requires a minimum of 5m wide working strip;
- It is considered possible to mitigate any flood risk at the application site; and
- The natural heritage impacts of the proposal have not been demonstrated.

### **RECOMMENDATION**

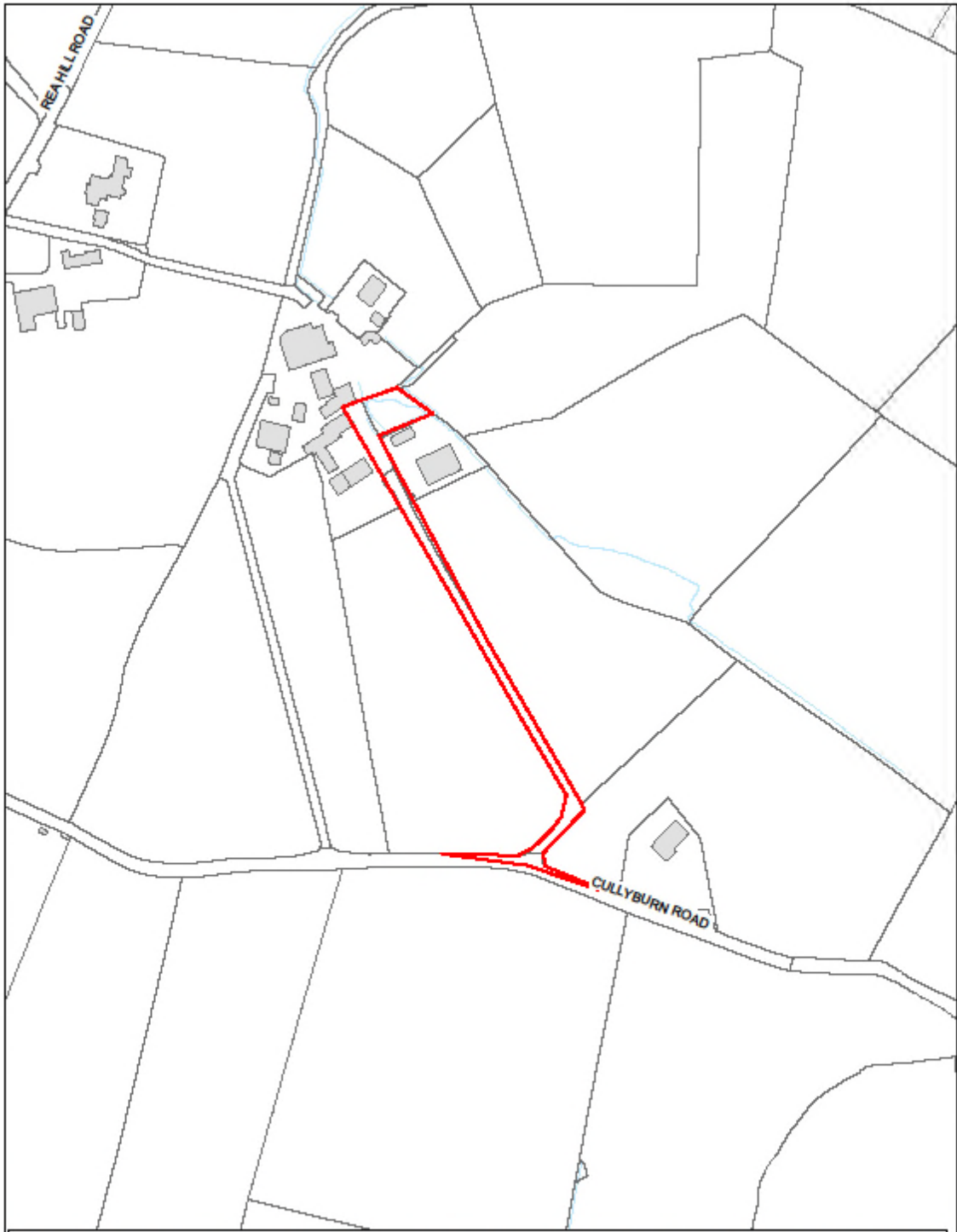
**REFUSE OUTLINE PLANNING PERMISSION**

### **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 Policies SP1.11 and DM 18C of the Antrim and Newtownabbey Plan Strategy in that the development does not comply with; criterion (a) as the proposal is not considered

to form part of a substantial and continuously built-up frontage and criterion (b) as the proposed dwelling is not located within a frontage that appears as a visual entity in the landscape.

2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement paragraph 6.73 and fails to meet the provisions of Policies SP1.11 DM 18D of the Antrim and Newtownabbey Plan Strategy in that the proposal does not comply with; criterion (a) as the proposed dwelling is located within a farm holding and criterion (b) as the proposed dwelling is not located within a cluster which incorporates or is closely associated with a local focal point.



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**Reference : LA03/2025/0854/O**

1:2,500 

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.8</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0628/F</b>
<b>DEA</b>	<b>ANTRIM</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed new car-port to front of dwelling and new front boundary wall
<b>SITE/LOCATION</b>	69 New Lodge Road, Caulside, Antrim, BT41 2QW
<b>APPLICANT</b>	Mr & Mrs Neill Park
<b>AGENT</b>	Tumelty Planning Services
<b>LAST SITE VISIT</b>	29/10/2025
<b>CASE OFFICER</b>	Micheal Glynn Tel: 028 9034 0411 Email: <a href="mailto:michael.glynn@antrimandnewtownabbey.gov.uk">michael.glynn@antrimandnewtownabbey.gov.uk</a>

**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/702244>

#### **SITE DESCRIPTION**

The application site is located at No. 69 New Lodge Road, Antrim, 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 a semi-detached two-storey dwelling finished in dashed render, slate roof tiles and PVC windows. Amenity space is located at the rear (east) and parking provision is provided at the front (west) and side (south). The application site abuts one neighbouring property, No. 71 New Lodge Road to the north. The topography of the application site is relatively flat. A large shed situated to the southeast of the host dwelling does not benefit from planning permission. The northern boundary of the site is defined by a wall approximately 1.5m in height, the eastern and southern site boundaries are defined by mature hedgerows approximately 1.5m in height and the western site boundary is defined by a wall approximately 1.6m in height.

The surrounding area is predominantly open countryside to the north, south and east, with an industrial estate located opposite and to the west of the application site.

#### **PLANNING HISTORY**

Planning Reference: LA03/2016/0982/F  
Location: 69 New Lodge Road, Antrim  
Proposal: Two storey rear extension to dwelling house (superseding scheme approved under T/2014/0522/F)  
Decision: Permission Granted (14/02/2017)

Planning Reference: T/2014/0522/F  
Location: 69 New Lodge Road, Antrim  
Proposal: Two storey rear extension to dwelling house

Decision: Permission Granted (11/03/2015)

## **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

DfI Roads – No objection

## REPRESENTATION

Three (3) 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. 69 New Lodge Road, and there are no relevant designated sites close by. The proposed development comprises the retention of car-port to the front of the dwelling and a new front boundary wall. 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.

#### 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.

### **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 other works such as fences.

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 car port is acceptable subject to the listed criteria being met. Policy DM 22 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.

Additionally, the ANPS states that consideration of drainage issues is a requirement for all development proposals. 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.

### **Scale, Massing, Design and Appearance**

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.

The application seeks full planning permission for the retention of a carport to the front of the existing dwelling and a new front boundary wall. The carport has an approximate length of 9.9m, a width of 6.1m and a height of 4.2m. The development is finished with red brick, vertical timber strips and blue/black roof tiles to match the existing dwelling.

The red brick finish to the carport is considered to be a contrasting feature to the dwelling and is not in keeping with the predominant render finish of the host dwelling. Red brick is considered to be an urban design feature and is not in keeping with the character of the existing dwelling or the rural character of the New Lodge Road. Additionally, the siting of the car port along the roadside to the front of the host dwelling is considered inappropriate. The development is highly visible when travelling in both directions along New Lodge Road, where it presents as a dominant, obtrusive and out of character feature contrasting poorly with the set back of the dwellings.

As a result, the car port is considered detrimental to the character and appearance of both the dwelling and the wider 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 guidance reinforces that the current development, due to the height, extent and choice of materials, fails to meet these design expectations.

The new front boundary wall has an approximate height of 1.6m and includes five pillars with a height of approximately 2.2m. The wall extends approximately 26.6m along the New Lodge Road with a 3.8m wide entrance in the middle. The wall is finished in rough cast render to match the existing dwelling. Due to the length and height of the wall along a roadside boundary in the rural area it is considered to be contrary to the policy provisions of the SPPS and Policies SP 4 and DM 22 of the ANPS.

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**

Policies DM 22 and 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 forms of disturbance.

No. 71 New Lodge Road abuts the application site to the north. Although the wall extends to the northern shared boundary with No. 71, It is considered the development will have no significant impacts of overlooking, dominance or loss of light at this neighbouring property due to its separation distance of 16 metres and the single storey nature of the carport which does not include any windows. The proposal is not considered to have a detrimental impact on the residential amenity of this property.

**Impact on Trees and Environmental Quality of this Area**

Criteria (c) of Policies DM 22 and 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 proposal 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. The development will create an additional two car parking spaces within the application site to serve the existing dwelling and it is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes.

**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. 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.

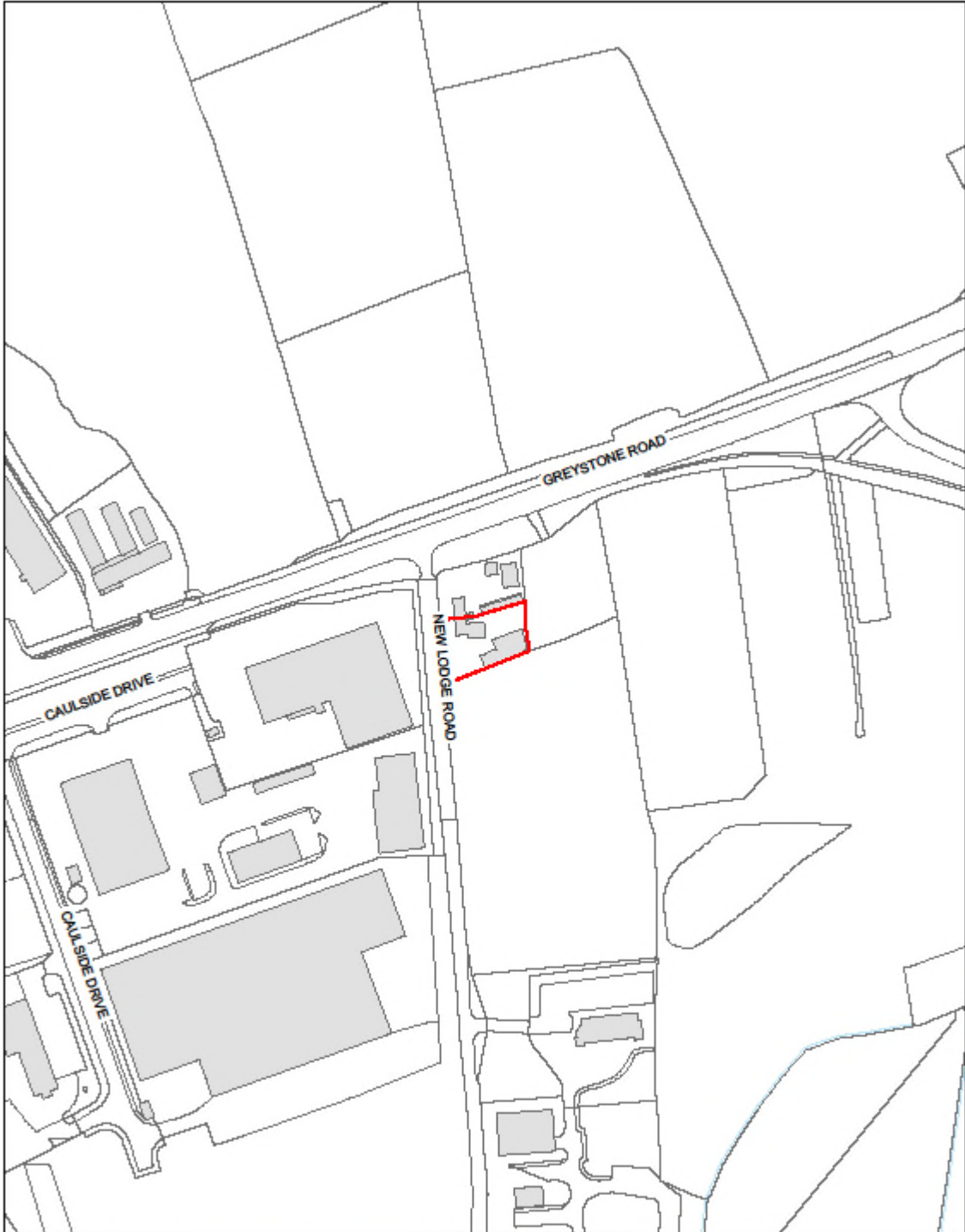
**CONCLUSION**

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

- The principle of development is considered acceptable;
- The proposal is considered unacceptable in terms of scale, massing, design and appearance;
- The proposal is considered acceptable in terms of neighbour amenity;
- The proposal is not considered to result in adverse impacts on trees and environmental quality of this area;
- The proposal is not considered to negatively impact upon private amenity space, or parking and manoeuvring within the application site.

**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 Local Development Plan, 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 : LA03/2025/0628/F**

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 Site Location



<b>COMMITTEE ITEM</b>	<b>3.9</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0775/F</b>
<b>DEA</b>	<b>ANTRIM</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Installation of timber posts and timber panel fence to the side of the property (Retrospective)
<b>SITE/LOCATION</b>	1 Umry Gardens, Antrim, BT41 4NL
<b>APPLICANT</b>	Patricia Bonner
<b>AGENT</b>	Steer Group
<b>LAST SITE VISIT</b>	08/12/2025
<b>CASE OFFICER</b>	Micheal Glynn Tel: 028 9034 0411 Email: <a href="mailto:michael.glynn@antrimandnewtownabbey.gov.uk">michael.glynn@antrimandnewtownabbey.gov.uk</a>
<p><b>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</b></p> <p><a href="https://planningregister.planningsystemni.gov.uk/application/703885">https://planningregister.planningsystemni.gov.uk/application/703885</a></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at to the side (south) of No. 1 Umry Gardens, which is within the development limits of Antrim as defined by the Antrim Area Plan 1984-2001.</p> <p>The site contains an existing roadside boundary fence approximately 1.8m in height, which is located to the side (south) of a two-storey detached dwelling. The amenity space of the dwelling is located at the rear (east) and parking provision is provided at the front (west). The application site abuts one neighbouring property; No. 2 Umry Gardens to the north. The topography of the site is relatively flat.</p> <p>The surrounding area is predominantly residential, comprising of houses of varying types and design.</p>	
<b>PLANNING HISTORY</b>	
There is no relevant planning history.	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>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.</p> <p>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.</p>	

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 development limits of Antrim 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 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
- 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. 1 Umyr Gardens, Antrim, and there are no relevant designated sites close by. The proposed development comprises a boundary 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.

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.

#### 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.

- A Supporting Statement (Document 01 date stamped 19th 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 development limits of Antrim as defined 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 to existing dwellings.

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 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 4.25 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 and 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.

The application seeks full planning permission for the retention of a 2m high close boarded timber fence along the southern (roadside) boundary of the application site, which abuts the Randalstown Road. The fence spans approximately 43.9m along the southern roadside boundary of the dwelling at No. 1 Umry Gardens. As indicated on the Fence Elevation Plan (Drawing No. 03 date stamped 19th October 2025 and Drawing No. 04 date stamped 29th January 2026) an artificial ivy hedge woven onto a plastic mesh fixed directly to the timber fence is proposed along the southern roadside boundary. The specification of the UV-protected green plastic artificial hedge states that the material is approximately 10-25mm thick, single sided and is provided on a 3000mm x 1500mm roll. An image of the artificial ivy installed onto a section of the fence is indicated on the Fence Elevation Plan.

Currently, artificial ivy is installed on the eastern section of the fence on the roadside elevation for an expanse of approximately 10m, however, the Fence Elevation Plan (Drawing No. 03 date stamped 19th October 2025) indicates that the artificial ivy is to be fixed to the full extent of the roadside fence elevation.

The scale, height and appearance of the 2m high fence appears visually intrusive and inappropriate to the area. It is considered that the ivy does not significantly reduce the impact of the scale, height and appearance of the fence.

A Supporting Statement (Document 01 date stamped 19th October 2025) was submitted by the agent, which stated that the reason for the installation of the 2m high fence was to address concerns relating to safety, privacy and security. It also states that the applicant was unaware that planning permission was required for the erection of the fence and regrets this oversight.

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. Expanses of close-board fencing bordering public areas are visually unacceptable. As the fence spans approximately 43.9m along the roadside boundary it is considered that due to the height, extent and choice of materials, the fence fails to meet these design expectations.

A recent planning appeal which sought the retention of a fence (Ref: LA03/2024/0851/S54 & Ref: 2025/A0013) at No. 2 Castlewater Wood, Antrim was dismissed by the Planning Appeals Commission (PAC) in August 2025. The fence relating to the said appeal decision had a height of 1.8m and an expanse of approximately 18m and was considered to detract from the character and appearance of the surrounding area.

It is considered there are many similarities when considering the current application fence and the fence which was the subject of the planning appeal including height, expanse and location. The artificial ivy is not considered to provide any mitigation due to its synthetic, non-living nature, which lacks the ecological benefits of real plants and fails to mimic the seasonal, organic, and environmentally

beneficial qualities of actual ivy or boundary hedging. Additionally, artificial ivy can fade or become brittle due to prolonged exposure to sunlight and weathering, making it look shabby and as such the proposed close-board fencing (with or without the artificial ivy attached) bordering the Randalstown Road is considered to be visually unacceptable.

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**

Policies DM 22 and 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 forms of disturbance.

It is considered that the subject fence will have no significant amenity impacts, including that of overlooking, dominance or loss of light at any neighbouring properties due to the nature, scale and location of the development along the roadside boundary, which does not abut 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.

Although there are no trees or other landscape features along the roadside boundary, as evident from earlier Google Streetview images, a low fence approximately 1m in height with mature hedgerow atop reaching a maximum height of approximately 1.8m was located along the subject roadside boundary before the fence was erected.

The proposed artificial ivy has no environmentally beneficial qualities. Most artificial ivy is made from petroleum-based plastics (like polyethylene) that do not break down easily, contributing to waste and pollution and does not offer any environmental benefits and as such is not an acceptable substitute for natural, living foliage.

### **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. The proposal does not impact on the existing amenity space, or access and parking arrangements for the property and is considered acceptable in this regard.

### **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. Additionally, 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 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:

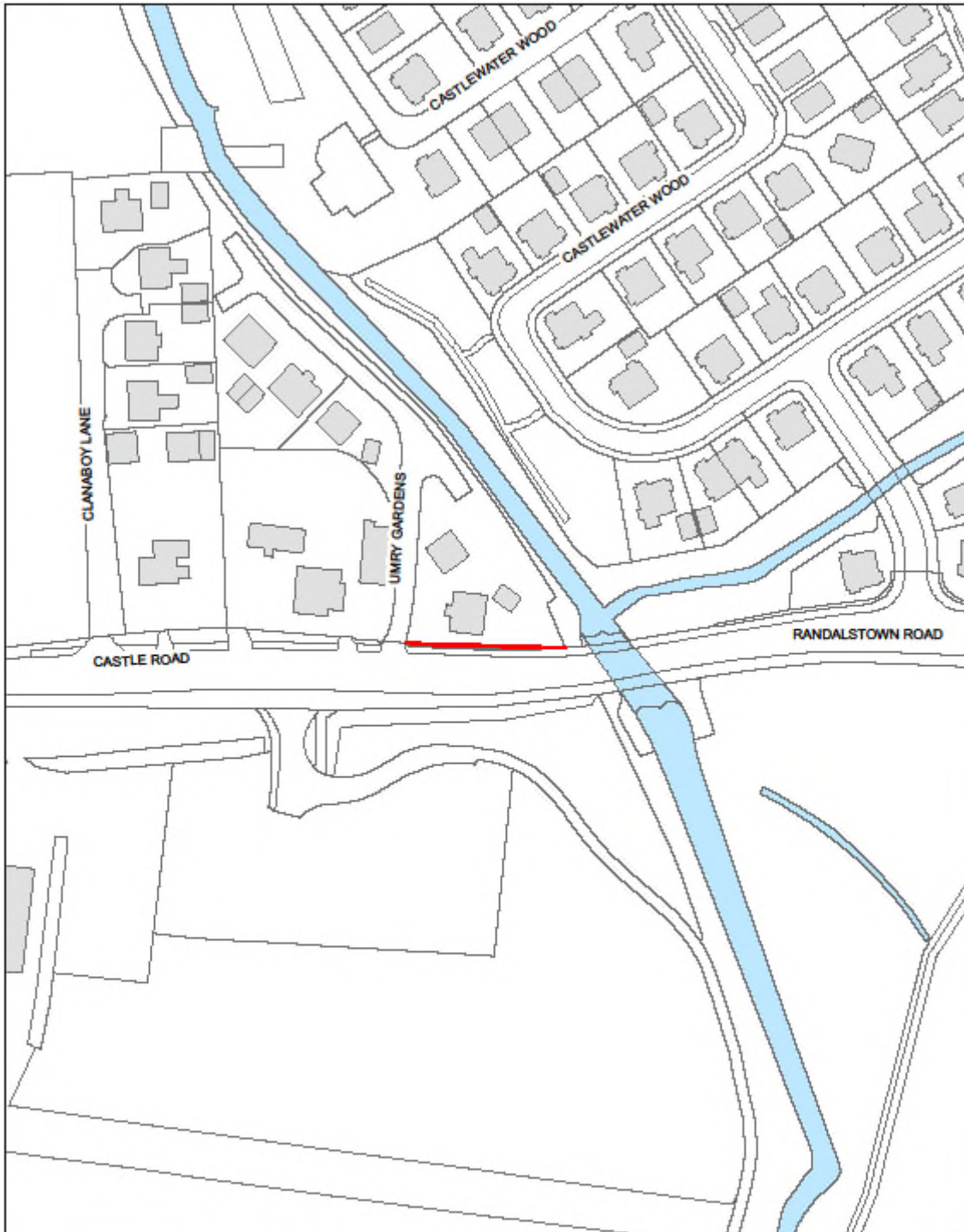
- The principle of development is considered acceptable;
- The proposal is considered unacceptable in terms of scale, massing, design and appearance;
- The proposal is considered acceptable in terms of neighbour amenity;
- The proposal is not considered to result in adverse impacts on trees and environmental quality of this area; and
- The proposal 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 paragraph 4.27 and Policies SP 4 and DM 22 of the Antrim and Newtownabbey Plan Strategy, in that the subject fence is not sympathetic to the existing property and detracts from the appearance and character of the surrounding area.



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**Reference : LA03/2025/0775/F**

1:1,250 

 Site Location



## **PART TWO**

### **OTHER PLANNING MATTERS**

## ITEM 3.10

### P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS FEBRUARY 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 February 2026.

#### 2. Delegated Decisions of Council

A list of planning decisions issued by Officers during the month of February 2026 under delegated powers together with information relating to planning appeals are enclosed for Members' information.

#### 3. Planning Appeal Commission Decisions

One (1) appeal against the non-determination of an application for full planning permission was allowed during the month of February by the PAC.

<b>Planning application:</b>	<b>LA03/2025/0294/F</b>
PAC reference:	2025/A0036
Proposed Development:	Retention of a substantially constructed dwelling with design and landscaping amendments.
Location:	Approx 65m north of 21 Glebe Road, Newtownabbey.
Date of Appeal Submission:	30/06/2025
Date of Appeal Decision:	02/02/2026
<b>Decision:</b>	<b>Appeal Allowed – Council Decision Not Upheld</b>

A copy of the decision is enclosed.

One (1) appeal was allowed during the month of February by the PAC.

<b>Planning application:</b>	<b>LA03/2025/0165/F</b>
PAC reference:	2025/A0084
Proposed Development:	Proposed conversion of upper floor of existing/approved two storey apartment to new standalone 2-bedroom apartment, incorporating internal alterations
Location:	14-16 Rashee Road Ballyclare, Ballyclare, BT39 9HJ
Date of Appeal Submission:	07/11/2025
Date of Appeal Decision:	24/02/2026
<b>Decision:</b>	<b>Appeal Allowed – Council Decision Not Upheld</b>

A copy of the decision is enclosed.

One (1) Enforcement Notice appeal was upheld during the month of February by the PAC.

<b>Enforcement Reference:</b>	<b>LA03/2025/0297/CA</b>
PAC reference:	2025/E0019

Proposed Development: Use of a building being used as a hair salon (Class A1 (d):  
Shops in the Planning (Use Classes) Order (Northern Ireland)  
2015.  
Location: Premises at 11 Roxhill, Groggan, BT41 3ER  
Date of Appeal Submission: 27/05/2025  
Date of Appeal Decision: 17/02/2026  
**Decision: The Enforcement Notice (as varied) is upheld – Council  
Decision 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 3.11

### **P/PLAN/1 DEPARTMENT OF AGRICULTURE ENVIRONMENT AND RURAL AFFAIRS (DAERA) PLANNING IMPROVEMENT PLAN**

#### **1. Purpose**

**The purpose of this report is to advise Members of correspondence received from the Planning Response Team of Northern Ireland Environment Agency (NIEA), an Agency within the Department of Agriculture, Environment and Rural Affairs (DAERA) (enclosed) regarding their Planning Improvement Plan and initial steps to provide an update on consultation timeframes.**

#### **2. Background**

Members are aware that DAERA are both a statutory and non-statutory consultee with the planning process. There are 8 discrete teams within DAERA that can be asked for technical advice during the planning process and responses are co-ordinated by the Planning Response Team within NIEA. DAERA acknowledge that they are continuing to experience delays in the provision of consultation responses to Planning Authorities. These delays are a major contributing factor to inefficiency in the processing of planning applications.

#### **3. Correspondence**

Correspondence dated 23 February 2026 was received from the Planning Response Team, Northern Ireland Environment Agency (NIEA), an Agency within the Department of Agriculture, Environment and Rural Affairs (DAERA) enclosing the NIEA Planning Improvement Plan (enclosed).

The NIEA Planning Improvement Plan is a strategic improvement plan that provides a single, coordinated framework for improving the NIEA's performance in responding to statutory planning consultations. It is a key initiative for the NIEA designed to strengthen the effectiveness, consistency, transparency, engagement and the quality of service provided. The overarching objective of the Plan is to increase NIEA's performance rate for statutory consultations and sets out the work strands within the plan.

Additionally, the correspondence advises that the intended first steps of communication and stakeholder work strand should be completed by 1 March 2026. NIEA have undertaken to provide Planning Authorities with an update on open consultations and an update on processing timeframes for the development type.

#### **4. Recommendation**

**It is recommended that the report be noted.**

Prepared by: Kathryn Bradley, Planning and Economic Development Business Support Manager

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/23 DEPARTMENT FOR INFRASTRUCTURE (DFI) APPROVAL OF REVISED SCHEME OF DELEGATION**

#### **1. Purpose**

**The purpose of this report is to advise Members that the revised Scheme of Delegation, as approved at February 2026 Planning Committee has been agreed by the Department for Infrastructure.**

#### **2. Background**

Members will recall at the February Planning Committee revisions to the Council's Planning Protocol including Scheme of Delegation were approved. As advised the amended Scheme of Delegation required submission to the Department for Infrastructure, for agreement, before publication.

Correspondence has been received from the Department for Infrastructure advising that the Department has approved the 'Updated Scheme of Delegation' (enclosed).

In accordance with the requirements set out in regulation 10 of the Development Management Regulations Officers will now arrange for advertising of the updated Scheme of Delegation.

The updated Scheme of Delegation is effective from 2 March 2026.

#### **3. Previous Decision of Council**

At the February 2026 Planning Committee meeting it was agreed that the revised Scheme of Delegation be approved and formally submitted to the Department for Infrastructure for agreement, and, if agreed, Officers will bring back the final version to the Planning Committee for noting and proceed to advertise.

#### **4. Recommendation**

**It is recommended that the report be noted.**

Prepared by: Kathryn Bradley, Planning and Economic Development Business Support Manager

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning

## ITEM 3.13

### **P/PLAN/1 DEPARTMENT FOR INFRASTRUCTURE (Dfi) RESPONSE LETTER TO CHAIR OF PLANNING COMMITTEE REGARDING REVISIONS TO THE REGIONAL POLICY FRAMEWORK FOR THE TWO-TIER PLANNING SYSTEM**

#### 1. Purpose

**The purpose of this report is to update Members regarding correspondence issued from the Chairperson of the Planning Committee as agreed by the Planning Committee to the Department for Infrastructure (Dfi) regarding updated guidance in relation to the application of the Regional Development Strategy regarding Local Development Plan Preparation.**

#### 2. Background

Members will recall it was agreed that the Chairperson of the Planning Committee should write to the Department seeking clarification on the issue of the application of the Regional Development Strategy (RDS) in the preparation of Local Development Plans. The Council's Plan Strategy was assessed by the Planning Appeals Commission (PAC) as sound under the relevant test as set out in Development Plan Practice Note (DPPN) 6 which states that Councils should *take account* of the RDS in its plan preparation. This is also set out in the Planning Act Sections 8 and 9.

Following submission of the PAC's Report to the Department, the Department subsequently issued a Section 12 and Section 14 to the Council, based on the application of Section 1 of the Planning Act 2011, where the Department is required to ensure that policy is in *general conformity* with the RDS. As such the Planning Committee agreed to seek clarification from the Department if it would be updating DPPN 6 so that the matter of the wording of the RDS test is clear to all parties involved which may have ensured that the PAC's Report was aligned with the requirements of the Department and prevented the issuing of a Section 14 to the Council, which is now required to make a plan amendment.

#### 3. Previous Decision of Council

**The Council agreed to write to the Department seeking confirmation that the guidance would be updated in relation to the RDS issue.**

#### 4. Key Issues

A copy of the Department's response is **enclosed** which states that "while the requirements on Councils to "take account of regional policy differs from the duty on the Department to secure "general conformity" with the RDS, the two obligations are nevertheless compatible. In undertaking its role in oversight and adoption the Department will be guided at all times by its Section 1 duties."

It is the view of Officers that plans are now subject to a two-tier test in relation to the RDS -one, where the test is to take account of the RDS and is the test that is applied

by the PAC/Councils and the second, where the test is to be in general conformity with the RDS, which is the test applied by the Department.

The Department has now written to Councils regarding a review of the Planning Act 2011 and Officers propose to include that for the purposes of clarity and streamlining of the Local Development Plan process, all references to the RDS as set out in the Planning Act as follows should be streamlined to be the same terminology so there is no ambiguity between the Department/Council/Planning Appeals Commission as to the wording and assessment of the RDS in plan preparation and that DPPN 6 should also be updated to reflect this:-

- Section 1 of the Planning Act - The Department must ensure that any such policy is in general conformity with the Regional Development Strategy;
- Sections 8 and 9 of the Planning Act - In preparing a plan strategy/local policies strategy, the Council must take account of the Regional Development Strategy (also the test applied by the Planning Appeals Commission).

#### **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 and Planning

## ITEM 3.14

### P/PLAN/1 SECOND REVIEW OF THE IMPLEMENTATION OF THE PLANNING ACT (NI) 2011

#### 1. Purpose

**The purpose of this report is to advise Members that correspondence has been received from the Department for Infrastructure (DfI) advising Planning Authorities that preparatory work has commenced with regards to its second report on the review of the implementation of the Planning Act (NI) 2011 (enclosed).**

#### 2. Background

The Department for Infrastructure is undertaking a second review of the implementation of the Planning Act (NI) 2011 as required by Section 228 of the Act.

The purposes of the review are set out in The Planning Act 2011 (Review) Regulations (NI) 2020 as to:

- consider the objectives intended to be achieved by the 2011 Act;
- assess the extent to which those objectives have been achieved; and
- assess whether it is appropriate to retain, amend or repeal any provision of the 2011 Act or subordinate legislation made under the 2011 Act, in order to achieve those objectives.

The first report into the review of the Planning Act was published by the Department in January 2022 and is available at <https://www.infrastructure-ni.gov.uk/publications/review-planning-act-ni-2011-report>

The second review will focus on supplementing the assessments and evidence gathered from the first review whilst also bringing forward any additional comments raised by Planning Authorities.

Officers have reviewed the assessments submitted prior to the 2022 report and considered challenges and operational matters that have arisen since then and propose the following matters are raised in a formal response to the Department.

#### **Part 1 Functions of Department with respect to development of land**

- In relation to Department's role for formulating and co-ordinating policy for the orderly and consistent development of land etc and the Department's oversight role in relation to policy to being required to be in general conformity with the RDS, the Department should, for the purposes of streamlining the plan process ensure that the tests for the RDS in relation to the plan are consistent in legislation. The evidence base for this is clear in the delay in Antrim and Newtownabbey Borough Council's Plan

Strategy and subsequent Section 14 where the Department and PAC assessed the RDS under different legislative requirements.

## Part 2 Local Development Plan

- There is a need for a fundamental review of the Local Development Plan (LDP) making process as the new system is not delivering as anticipated. It is almost eleven (11) years from the transfer of planning powers to Local Government (LG) and not one (1) Council has an adopted LDP. A timeline of ANBC's plan is provided for evidential context.

1. The date published the DPS	28 June 2019
2. The date we submitted plan to DfI	8 March 2021
3. The date DfI wrote to the PAC	3 June 2021
4. The date the PAC had the IE and when it ended	3 <sup>rd</sup> May 2022 to 28 June 2022
5. The date the PAC issued the report to DfI	4 October 2023
6. The date DfI issued the report and Section 12 to Council	27 September 2024
7. The date we adopted the DPS	3 July 2025
8. The date we got the Section 14	28 October 2025
9. The date DfI responded.	2 February 2026

- The legal requirement and to prepare and keep under a review a Timetable should be removed or streamlined as this is an unnecessary administrative burden on the plan system when many factors are outside a council's control. Likewise, the legislative requirement for a plan to be prepared in accordance with a Timetable should be removed, for the same reasons.
- The legislative test to take account of the RDS, should be streamlined to match the requirements applied by the Department in the formulation of policy and in their oversight role in relation to requirements of a plan/RDS.
- In relation to the requirements to cause an IE, consideration should be given to the streamlining of causing an IE. Both the Department and PAC undertake a check to determine if an IE can go forward. The plan process in Northern Ireland goes through multiple administrative stages – Council to DfI, DfI to PAC, PAC to DfI, DfI to Council. These need streamlined and the duplication of roles between DfI/PAC clarified and reduced.
- In relation to the requirements for adoption, the Department should consider streamlining the process and also amend the legislation so that the PAC report can be released to the Council at the same time as the Department. In the case of ANBC, it was over a year before the Council were able to see the PAC report or get feedback on whether the plan was sound.

### **Part 3 Planning Control**

- There should be a statutory timeframe for the Department to decide if an application is called in. The Department took one year to decide if the application for Straid Congregational Church was called in.
- There should be legislative provision for Council's to stop the clock on the processing of a major application where substantial new information is required during its processing.
- There is a need for greater clarity in legislation in relation to submission of additional information during appeals and at other stages in the planning application decision making process.
- The Council would like to see Sections 219-222 of the Act enacted in relation to the Correction of errors
- The Council would request that Section 229 to say a failure by a consultee to provide a substantive response within 21 days will be regarded as having no objection.

### **3. Recommendation**

**It is recommended that a response is issued by Officers listing the above matters and that the Department is notified that party or Individual Members may also respond direct.**

Prepared and Agreed by: Sharon Mossman Deputy Director of Planning and Building Control

Approved by: Majella McAlister, Director of Economic Development and Planning

### **3.15 ANY OTHER RELEVANT BUSINESS**

Any Other Relevant Business (AORB) may be taken at this point.