

COMMITTEE ITEM	3.1 ADDENDUM
APPLICATION NO	LA03/2025/0530/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed expansion and redevelopment of existing Balloo Hire business including extension of site to the east, the reconfiguration of existing external storage areas/yard to include the external storage of shipping containers, the demolition of existing buildings, erection of workshop building, wash bays, landscaping, parking, access and ancillary site works.
SITE/LOCATION	Lands incorporating the existing Balloo Hire Centre, including lands the east and to the rear of No. 72 - 76 Nutts Corner Road, Crumlin, BT29 4SJ.
APPLICANT	Baloo Hire Ltd
AGENT	Bell Roslton
LAST SITE VISIT	9 th October 2025
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk/application/700319	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Members, following the publication of the Committee Report, a further letter of objection has been received raising concerns in relating to the location of the foul discharge tank, located to the southern boundary of the site adjacent to neighbouring properties. Additionally, conditions have also been provided by Shared Environmental Services (SES).</p> <p>The location of the foul discharge tank is annotated on Drawing 12 dated 21st July 2025, the drawing indicates that the discharge may be pumped to the northern area of the site for percolation. The applicant has confirmed that this forms the proposed discharge method. Given the uncertainty with Drawing 12 it is considered that a condition to this effect it necessary in order to require the percolation to be within a defined area of the site.</p> <p>Concerns were raised in relation to the foul discharge consent being located adjacent to neighbouring properties and the impact that this may have in relation to smell and pollution. At present the closest neighbouring property to the proposed tank is located approximately 35 metres away and standard advice would indicate that neighbouring properties should be located 15 metres from any proposed foul discharge tank in order to mitigate any significant impacts on amenity. It is notable that a current planning application is proposed (Ref: LA03/2025/0859/F) to the southeast of the site boundary, which seeks permission for a dwelling and garage. The proposed site layout would indicate the footprint of the proposed dwelling to be located approximately 17.5 metres from the proposed tank. However, that</p>	

application (Ref: LA03/2025/0859/F) has not been determined and should not influence the assessment of the current application.

Given the uncertainty on Drawing 12 in relation to the location of the percolation area and in order to protect the residential amenity of adjoining dwellings, a condition is considered necessary which would require the percolation to be located within a defined area of the site should planning permission be forthcoming.

Two of the recommended conditions provided by SES relate to the need for a Discharge Consent for both sewage disposal and surface 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 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.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

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

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

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

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

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

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

of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

5. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect amenity at nearby sensitive dwellings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of aviation safety.

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

Reason: In the interest of aviation safety.

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

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

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

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

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

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

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

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

28. Notwithstanding the detail on Drawing Nos. 12 & 13 date stamped 21st July 2025, the drawing should only be referenced for the purposes of the location of the foul and surface water drainage network.

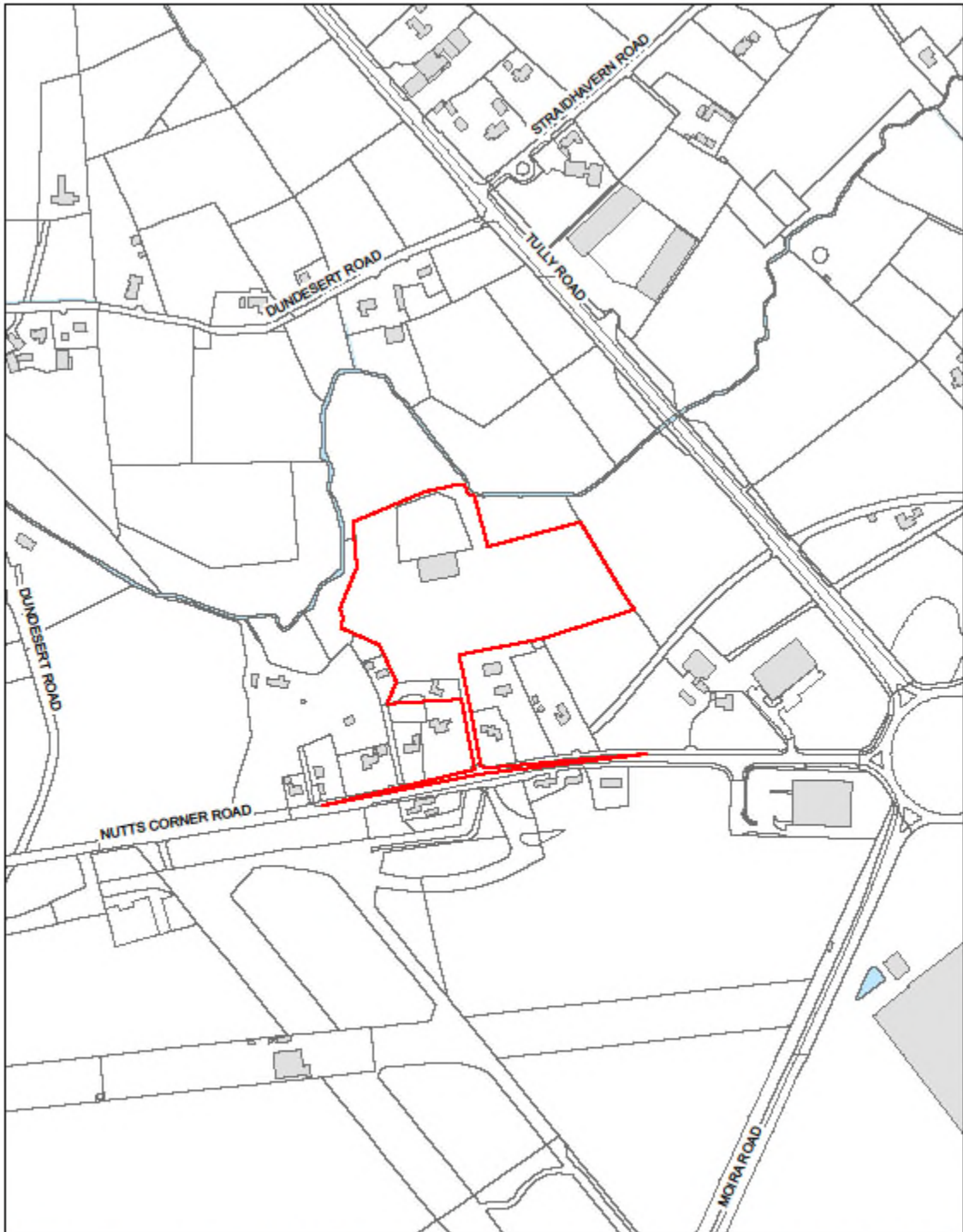
Reason: In the interests of clarity.

29. The foul discharge percolation area associated with the foul discharge tank as indicated in blue on Drawing No. 12 date stamped 21st July 2025 shall be located within the area hatched orange on Drawing No. 12 date stamped 21st July 2025.

Reason: In the interests of residential amenity.

30. The proposed underground holding tank (Tank 1 – Drawing No.12) shall have a functioning level warning device installed. The tank shall be emptied when required by a licenced waste carrier and waste transfer notes shall be made available for inspection by the Council, whether electronic or otherwise upon request.

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



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Reference : LA03/2025/0530/F

1:5,000 

 Site Location



COMMITTEE ITEM	3.2 ADDENDUM
APPLICATION NO	LA03/2025/0496/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of Battery Energy Storage System (150MW) including battery enclosures, with 110kV substation with associated transformers, switch house and control room (with photovoltaics (PV) panels to roof), lighting and closed-circuit television (CCTV) columns, boundary fencing, landscaping, installation of water hydrants, and associated ancillary works including the construction of a new access from Lislunnan Road.
SITE/LOCATION	Lands c.40m south and c.130m east of No. 64 Lislunnan Road, c.130m southwest of No. 89A Carncome Road, and c. 60m northeast of No. 56 Lislunnan Road, Kells, Ballymena
APPLICANT	Valor Power
AGENT	Turley
LAST SITE VISIT	5 th November 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
<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 https://planningregister.planningsystemni.gov.uk/application/701035</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Members, following the publication of the Committee Report, two (2) additional letters of objection have been received, bringing the total number of objections to thirty-nine (39).</p> <p>One of the additional letters of objection refers to the impact of the proposal on an existing badger sett. The letter of objection details that during construction, there would be no way to take a drain pipe from the site to the watercourse without encroaching on the 25m buffer zone for the existing badger sett.</p> <p>As shown on the Strategic Drainage Plan (Drawing Number 17, date stamped 10th September 2025), the proposal includes the use of filter trenches with porous pipes and a hydro brake flow control system which are set along the northern boundary of the site.</p> <p>It is noted that a drainage pipe flows to the north of the site and to avoid any disturbance to badgers and their setts, Condition 22 ensures that any drainage pipe is located outside of the 25m radius from the badger setts. In addition, it was noted that the protection zone as shown in Appendix V in the Badger Survey Report (Document 08, date stamped 7th July 2025) includes land outside of the applicant's ownership and therefore Condition 21 has been amended to specify the exclusion zone is to be marked out within the application site to ensure no encroachment.</p>	

The proposal is therefore not considered to have an adverse effect on Bats or Badgers and therefore complies with Policy DM 38 of the ANPS.

An additional objection letter raises concerns regarding the drainage plan which shows the site draining to the Conor Burn through land not under the ownership of the applicant. This is shown as Figure 4-2 within the Drainage Assessment (Document 03/1, date stamped 10th November 2025).

The applicant's agent was made aware of the objection and responded confirming that Figure 4-2 is an error in the Drainage Assessment and is superseded by the drainage layout at Appendix 1 of the Drainage Assessment. The applicant has confirmed that the lands required for the drainage are lands under their control and that they have permission to carry out the drainage.

Condition 22 stipulates that the BESS facility shall not become operational until the site drainage has been constructed in accordance with the approved drainage details. The wording of the condition will ensure that the drainage works are carried out prior to the BESS becoming operational. In addition, title to land is a legal issue, planning permission does not confer title. It is the responsibility of the developer to ensure that he/she controls all the lands necessary to carry out the proposed development. The applicant is aware of the matter and the landowner is also aware and therefore neither are prejudiced.

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 development hereby permitted shall cease on or before 25 years from the date when the operational use commences or as otherwise agreed in writing by the Council and the land restored to its former condition within one year of the cessation of the development or as otherwise agreed in writing with the Planning Authority.

Reason: To enable the Planning Authority to retain control over the development.

3. The facility hereby granted shall operate at a capacity not exceeding 150MW.

Reason: To enable the Council to retain control over the development.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02/1 date stamped 27th August 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the

adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

5. The gradient(s) of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

6. Noise arising from the operation of the development hereby approved, shall not exceed the Rating Levels detailed within the Table below (and Table 7 within the Noise Impact Assessment), when measured within the external amenity area of the following noise sensitive receptors, and assessed in accordance with British Standard 4142:2014 +A1:2019. Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent, or subsequently obtain replacement dwelling approval, but are not listed in the table below, shall be represented by the physically closest location listed in the table unless otherwise agreed by Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19. The proposed planting shall be carried out in accordance with approved Drawing No. 16 bearing the date stamp 7th July 2025 and approved Document No. 12, date stamped 7th July 2025. The planting shall be carried out within the first available season after commencement of the development hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

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

20. If within the lifetime of the development following the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place within the next available full planting season, unless the Council gives its written consent to any variation.

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

21. No development activity, including ground preparation or vegetation clearance, shall take place until a protection zone(s), clearly marked with posts joined with hazard warning tape within lands outlined in red and blue on Drawing Number 01, date stamped 7th July 2025 has been provided around each badger sett entrance at a radius of 25 metres as shown on Appendix V in the badger survey report (Document 08, date stamped 7th July 2025). No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zone(s) without the consent of the Council unless an appropriate Wildlife Licence has been obtained from NIEA.

The protection zone(s) shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect Badgers and their setts.

22. The BESS facility shall not become operational until the site drainage has been constructed in accordance with; the Strategic Drainage Plan, Drawing Number 17, date stamped 10th September 2025, the Drainage Assessment, Document 03/1, date stamped 10th November 2025 and the Pollution Control Statement, Document 22, date stamped 13th October 2025 with the exception of the drainage pipe coloured green on Drawing Number 17, date stamped 10th September 2025 which must be laid outside of the protection zone for the badger setts as shown on Appendix V in the badger survey report (Document 08, date stamped 7th July 2025).

The site drainage must include a suitable storage volume for containment of contaminated firewater, an impermeable membrane lining that is effective in preventing contaminated water infiltrating into the ground and the installation of an emergency shut off control valve in the final discharge storm water manhole, a Class 1 bypass oil separator, an impervious membrane and the specified fire suppression attenuation volumes, unless otherwise agreed in writing by the Council.

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

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

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

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

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



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

1:2,500



COMMITTEE ITEM	3.4 ADDENDUM
APPLICATION NO	LA03/2025/0540/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Part-retrospective application for the retention of a workshop building (including ancillary office, storage, and toilet facilities) and the retention of an extension to existing yard (including a concrete ramp); together with proposed landscaping works comprising an earth bund and new planting, improvements to the existing site access, and all associated works
SITE/LOCATION	Approximately 100m north of No.15 Gallagher Road, Toomebridge, BT41 3QS
APPLICANT	Bell Transport
AGENT	O'Toole & Starkey Ltd
LAST SITE VISIT	27 th August 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
<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 https://planningregister.planningsystemni.gov.uk/application/701370</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Members, following the publication of the Planning Committee Report, further information has been received from the applicant's agent including a Supplementary Planning Note (Document 08, dated 6th February 2026).</p> <p>The additional information has been submitted in response to the concerns raised in relation to the principle of development, the change in rural character and the lack of integration at the application site.</p> <p>It is stated that the principle of development is established given that Bell Transport's commercial presence on the site for 30 years and the agent argues that the development complies with DM 2.7 of the ANPS which allows for the expansion of an established rural enterprise.</p> <p>As outlined in the Planning Committee Report, a Certificate of Lawful Use or Development (CLEUD) application was previously submitted in an attempt to regularise the existing site operations (Ref: LA03/2025/0156/CLEUD). A Certificate was issued by the Council on the 19th December 2025 which permitted some of the operational development as it was demonstrated to exist for the requisite 5 year period, however, the use of the land as a haulage business was not established or certified and therefore no lawful business use exists.</p> <p>The agent argues within Document 08 that the CLEUD did certify the weighbridge, the operating booth and laneway is intrinsically linked to the movement and management of heavy vehicles and cannot be divorced from a working yard</p>	

environment. However, as outlined above, the CLEUD did not certify any established use.

The most recent planning approvals for the site involve the construction of new farm sheds and a farm dwelling (Refs: LA03/2023/0710/F and LA03/2022/0348/F). The lawful and established use on the site is agricultural with no lawful commercial business. However, the agent notes that under the previous permission for the replacement farm sheds, (Ref: LA03/2023/0710/F) the approved drawings refer to the applicant for the replacement farm sheds being Bell Transport. The agent details that this provides a valuable baseline which confirms the co-existence of both the agricultural and transport elements. Whilst reference may have been made to Bell Transport on the plans, the description of development refers explicitly to farm sheds which were to be used to store hay bales. This does not establish the use of a haulage business on site.

Further information has been submitted in relation to the site's history including the presence of M&L Contracts (a construction firm) who the agent details occupied the eastern portion of the yard for over 20 years, vacating it in September 2024. The agent contends that the presence of the open-air storage of construction materials is visible on aerial imagery from 2019, 2020 and 2021 which demonstrates the 'expansion' land has been in continuous commercial use for two decades. However, the process for certifying the lawfulness of development is through a Certificate of Lawful Established Use or Development.

For this reason, the development is not considered to comply with Policy DM 2.7 in relation to established industrial and businesses uses.

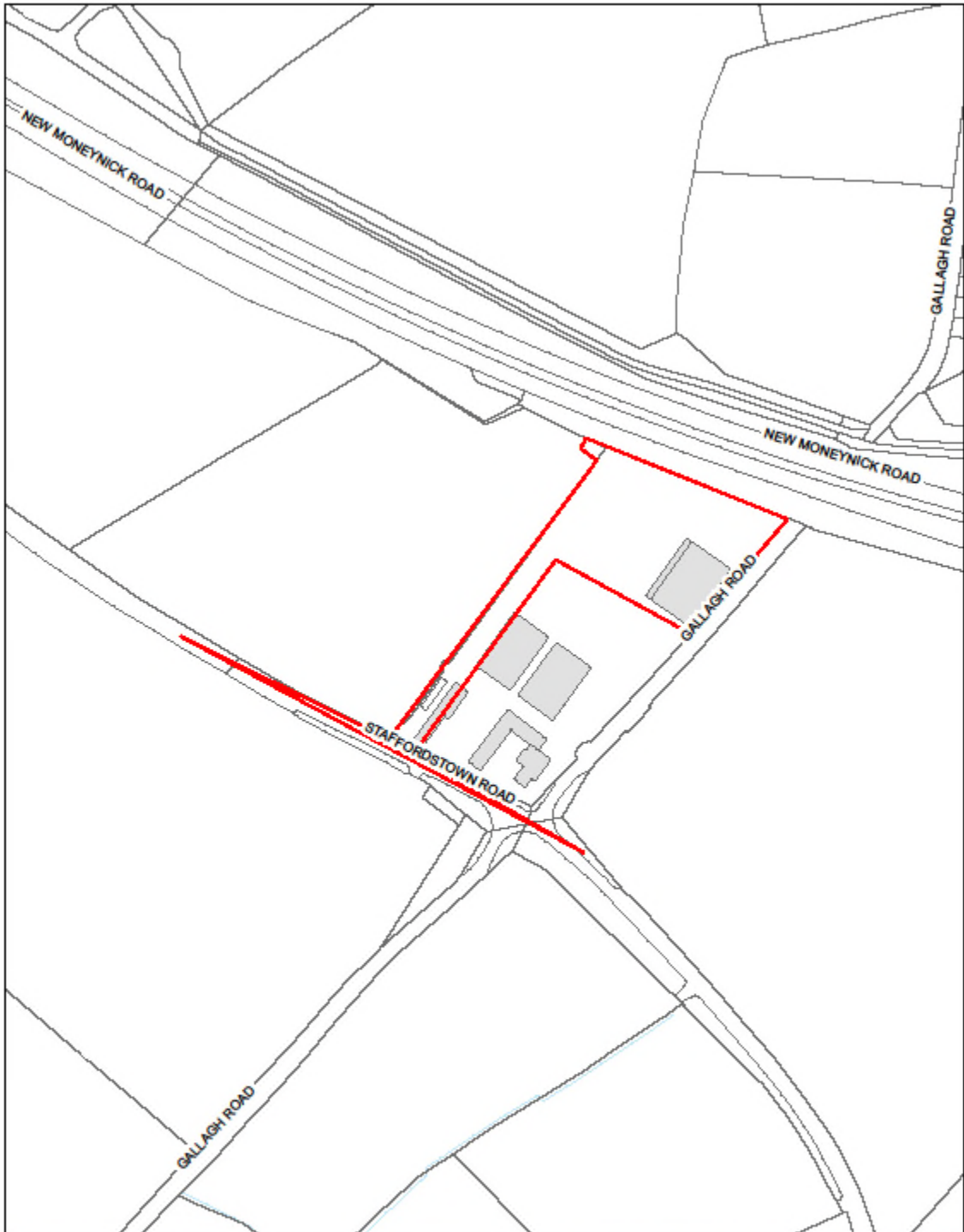
In relation to integration and landscaping, the agent argues that the development sits within the immediate context of a long-established farm and transport yard complex and refers to the previously approved farm sheds which it is argued are of a substantial scale.

The proposal includes an earth bund and proposed landscaping and the agent refers to a number of previous approvals where the Council accepted bunding as an appropriate mitigation tool. Whilst it is clear the bunding and planting can be appropriate in many cases, the development relies heavily on new landscaping to provide an appropriate level of integration as the site itself lacks any established natural boundaries to the north and west. It is noted that the proposed landscaping would aid integration however, the landscaping will take time to mature and given the location of the site in close proximity to the main A6 dual carriageway the development is considered contrary to criterion (d) of Policy DM 27.2 of the ANPS.

In relation to rural character, paragraph 6.70 of the SPPS and criterion (a) of Policy DM 27.3 indicates that proposals should respect rural character. The application site is bounded by agricultural fields directly east and west and further south of the site where the character is predominately agricultural in nature with little economic activity. It is accepted that agricultural buildings were previously approved on site. However, the development is considered to result in an urban form of commercial development within this rural area given the scale of the associated hardstanding for the parking of a number of HGVs and their associated trailers close to the A6 dual carriageway. The subject development is considered to be at odds with this predominately rural area.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASONS FOR REFUSAL**

1. The proposal is contrary to Paragraph 6.87 of the SPPS and Policies SP 1.11 and DM 2 'Economic Development – Countryside' of the Antrim and Newtownabbey Plan Strategy in that there is no overriding reason why the proposal is essential within this rural location and cannot be located within a settlement.
2. The proposal is contrary to paragraph 6.70 of the SPPS, criterion (d) of Policy DM 27.2 and criterion (a) of Policy DM 27.3 of the Antrim and Newtownabbey Plan Strategy in that the workshop relies heavily on new landscaping and earthworks for integration, and the lorry park results in an urban style of development which fails to respect the rural character of the area.



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Planning Reference:
LA03/2025/0540/F

1:2,500 



COMMITTEE ITEM	3.7 ADDENDUM
APPLICATION NO	LA03/2025/0574/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION SUBJECT TO DFI RIVERS RESPONSE
PROPOSAL	Retention of extension of servicing yard area (to accommodate storage of shipping containers, concrete aggregate bays and raised concrete hardstanding), retention of lean-to building extension and boundary mesh security fencing
SITE/LOCATION	37 Mallusk Road, Newtownabbey, BT36 4PP
APPLICANT	CFM Ltd
AGENT	CFM Ltd
LAST SITE VISIT	1 st October 2025
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk/application/701675	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Members, following the publication of the Planning Committee Report, further information has been received from the agent in the form of amended plans (Drawings 03/3, 04/3 and 08, date stamped 11th February and 13th February 2026) along with an email from the agent dated 10th February 2026 and a Planning Statement (Document 03, date stamped 13th February 2026).</p> <p>The amended plans indicate the relocation of the aggregate storage area and shipping container to the northeastern corner of the site. The repositioning of these elements which are now set back 42m from the Mallusk Road reduces the visual impact of these external storage areas.</p> <p>Public views of these storage areas will be restricted when travelling in a northwesterly direction along the Mallusk Road as the existing vegetation along the southeastern boundary is to be retained which will provide a level of screening. When travelling in a southeasterly direction along the Mallusk Road, the storage elements will be visible, however, given the set back from the public road and the level of the site, below the road, the visual impact is not considered to be significant. The amendment addresses the previous concerns in relation to visual impact and the relevant reason for refusal has been removed.</p> <p>In relation to development within the floodplain it is noted that the portal frame building, whilst remaining in the floodplain, has been reduced in size from 167sqm to 149.5sqm. As stated within the Planning Statement (Document 03, date stamped 13th February 2026) the building now constitutes an exception to Policy DM 46 given that it is minor development (generally defined as extensions to non-residential premises with a footprint of less than 150sqm).</p>	

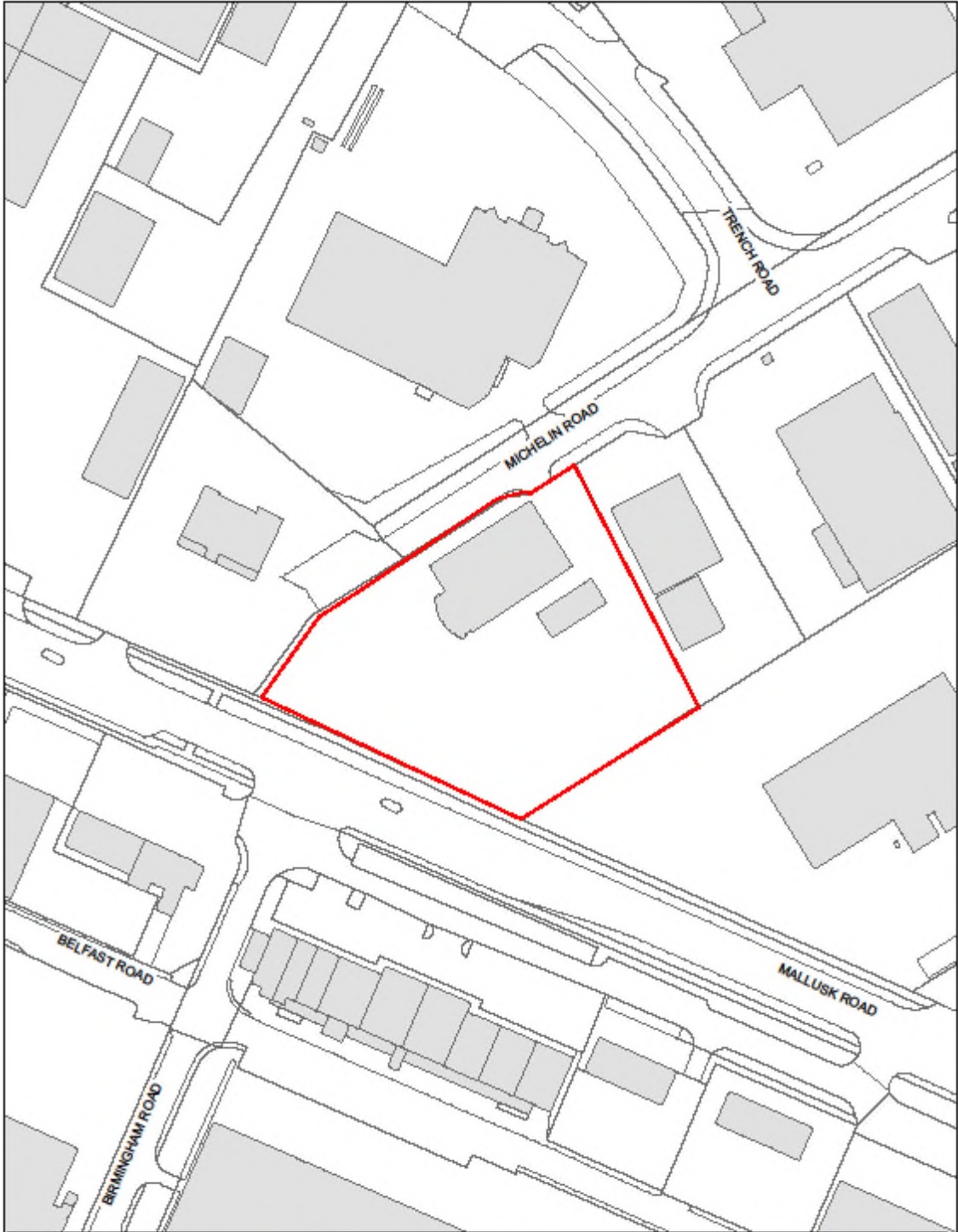
The extension to the yard area of 450sqm of hard standing does exceed the threshold for minor development as defined in Policy DM 46 of the ANPS, however, it is noted that the development includes a reduction in ground level in parts which has resulted in the creation of additional floodplain storage capacity (Drawing Number 03/3, date stamped 13th February 2026). Existing and proposed levels are shown on Drawing Number 03/3, date stamped 13th February 2026, indicating that levels have been decreased by approximately 0.25m within the site. The agent has indicated that this therefore represents a betterment in terms of flood risk and that no significant harm would result.

Whilst the extension to the yard area does not meet with any of the exceptions listed in Policy DM 46, the agent's arguments are accepted given the reduction in ground levels and increase in flood capacity, which in turn decreases flood risk to the site and elsewhere. In the absence of any significant adverse harm, DfI Rivers were consulted with the amended information along with the Flood Risk Statement (Document 01/1, date stamped 7th October 2025). However, their response remains outstanding.

For the reasons outlined above, subject to a positive consultation response from DfI Rivers, it is considered that the previous concerns outlined in the original Committee Report are addressed and the refusal reason in relation to flood risk has been removed.

The recommendation is therefore to grant planning permission, subject to DfI Rivers response and with delegated authority being granted to Officer's to attach appropriate conditions.

RECOMMENDATION	GRANT PLANNING PERMISSION SUBJECT TO DFI RIVERS RESPONSE AND DELEGATED AUTHORITY BEING GRANTED TO OFFICERS TO ATTACH APPROPRIATE CONDITIONS.
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Site Location Plan
LA03/2025/0574/F

1:1,250



COMMITTEE ITEM	3.8 ADDENDUM
APPLICATION NO	LA03/2025/0729/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of timber fence (replacing hedge and fence)
SITE/LOCATION	114 Ballyrobin Road, Muckamore, Antrim, BT41 4TF
APPLICANT	Maureen & Robin Herbison
AGENT	Park Design Associates
LAST SITE VISIT	08/12/2025
CASE OFFICER	Michael Glynn Tel: 028 903 40411 Email: Michael.glynn@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/703470</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Following the publication of the Planning Committee Report, a supporting letter was received on 2nd February 2026 from a Member of Parliament, which refers to a site meeting facilitated by their office and attended by the applicant and a Planning Enforcement Officer. The letter states that it was agreed at the meeting that the fence would be painted green and an application would be submitted to regularise the situation. The letter went on to express surprise at the subsequent view of the planners and concluded by registering support for the proposed development.</p> <p>Additionally, an amended Site Layout Plan (Drawing No. 02/1, date stamped 4th February 2026) was submitted which included a proposed hedge to be planted in front of the constructed fence. Information set out on the amended Site Layout Plan states that the new hedge along the front of the existing fence will consist of non-berry producing plants such as Hornbeam or Copper Beech and will be planted in double staggered rows 450mm apart, and that any plants dying within 5 years are to be replaced.</p> <p>Although it is acknowledged that the proposed planting will soften the impact of the fence when fully grown, it will take a significant period of time for the planting to become fully established. It is considered that the amended scheme does not address the Council's concerns with regards to the scale, massing, design and external materials of the fence, which is not sympathetic to the existing property and is considered to detract from the appearance and character of the surrounding area.</p> <p>In conclusion, it is considered the proposal remains contrary to the policy provisions of the SPPS and Policy SP 4 and Policy DM 22 of the Antrim and Newtownabbey Plan Strategy.</p>	
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 not considered to unduly impact the amenity of neighbouring properties;
- 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
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RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASON FOR REFUSAL

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| PROPOSED REASON FOR REFUSAL |
| 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy SP 4 and Policy DM 22 of the Antrim and Newtownabbey Plan Strategy, in that the scale, massing, design and external materials of the proposal are not sympathetic to the existing property and detract from the appearance and character of the surrounding area. |

Reviewed by Senior Planning Officer – Johanne McKendry and Date 05/02/2025

Reviewed by Head of Planning – Barry Diamond and 13th February 2026

Reviewed by Deputy Director of Planning – Sharon Mossman and Date

Reviewed By Director of Planning and Economic Development – Majella McAlister and Date

In reviewing this report, the officers above have confirmed that they have no perceived or confirmed conflict of interest.