

COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2023/0930/F
DEA	ANTRIM
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 134 bed centre for mental health comprising of wards, staff and visitor facilities, management and operational spaces, health and well-being facilities, external landscaping and gardens, car parking, servicing facilities and associated ancillary works.
SITE/LOCATION	Lands to south of Antrim Area Hospital and East of Bush Manor, Bush Road, Antrim
APPLICANT	Northern Health & Social Care Trust
AGENT	Turley
LAST SITE VISIT	22/01/2024
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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.</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Since the publication of the Committee Report, the applicant has requested that five of the recommended conditions are amended (Nos: 2, 3, 10, 16 and 19. In the Committee Report these conditions refer to; 'prior to the commencement of development.....' and the applicant would like the wording amended to read 'No development shall commence on site (other than archaeological works and site preparation) until...'</p> <p>The reason for the amendments to the aforementioned conditions relates solely to the timing of certain works in the site as part of the construction programme. It is considered that Condition 3 relating to the timing of the proposed boundary treatment can be amended to read 'prior to the development becoming operational which effectively still achieves the aim of safeguarding the amenity of nearby residents. In addition, Condition 19 relates to the construction detail of the bat boxes, which can be amended to read; 'prior to the removal of any trees...' this will allow construction to commence but limit any impact on the affected bat population until the necessary information is received by the Council.</p> <p>It is considered that the remaining conditions (2, 10 and 16) are required to remain as presented given that the detail which is requested in the conditions would be required prior to commencement of any works on site.</p> <p>In conclusion it is recommended that Conditions 3 and 19 are amended whilst Conditions 2, 10 and 16 are to remain.</p>	
CONCLUSION	
The following is a summary of the main reasons for the recommendation:	

- The principle of the development has been established;
- The design, layout and appearance of the proposal is acceptable;
- There is no significant impact on the character or appearance of the area;
- 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;
- There are no significant access concerns and the parking provision within the context of the site considered acceptable; and
- 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. No development shall commence until a detailed plan has been submitted and agreed with the Council showing the access points connected to the internal road network of the wider hospital site.

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

3. The building hereby permitted shall not become operational until plans detailing a boundary treatment of not less than 2.0 metres in height along the western boundary has been submitted to and approved in writing with the Council. The boundary treatment shall be implemented as approved and retained for the lifetime of the development.

Reason: In order to safeguard the amenity of nearby residential properties.

4. The building hereby permitted shall become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No 03 date stamped 18th December 2023 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.

5. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works shall 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 including human health and to ensure the site is suitable for use.

6. After completing all remediation works under Condition 5 and prior to occupation 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 and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

7. 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.

8. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 7.

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

9. 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 7. 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.

10. A final Construction Environmental Management Plan (CEMP) shall be submitted to Council, at least 4 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. The mitigation measures stipulated within the CEMP will be carried out in full.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure the project will not have an adverse effect on the integrity of any European site.

11. The cumulative noise level of all noise generating sources associated with the development hereby approved, including any character corrections, shall not exceed the predicted daytime and night-time Rating levels within the Table below, as detailed within Table 5.3 of Document Number 03/1, date stamped 8th April 2024.

Receptor Location	Rating Levels dB L _{Ar}	
	Day (07:00-23:00 hrs)	Night (23:00-07:00hrs)
ER01 98 Bush Manor	26	26
ER02 181 Bush Manor	29	30
ER03 185 Bush Manor	30	31
ER04 Oak House Staff Accommodation	37	39
ER05 Fern House	32	33

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

12. 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 cumulative 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.

13. The site operator shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Condition 12, 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.

14. Should the cumulative level of noise arising from the approved development measured within Condition 12 exceed the levels stated within Condition 11, 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 1 are not exceeded.

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) at any time between 07:00 and 23:00 hours, and 1 Ev (lux) at anytime between 23:00 and 08:00 hours.

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

16. Prior to works commencing on site, all existing trees shown as being retained on Drawing No. 31/1 date stamped 8th April 2024, 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 Natural Heritage 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.

17. The existing natural screenings of the site, as indicated on Drawing No 31/1 date stamped 8th April 2024 shall be retained at a minimum height 3 metres for hedgerow and 6 metres for trees and shall be allowed to grow on 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 their removal.

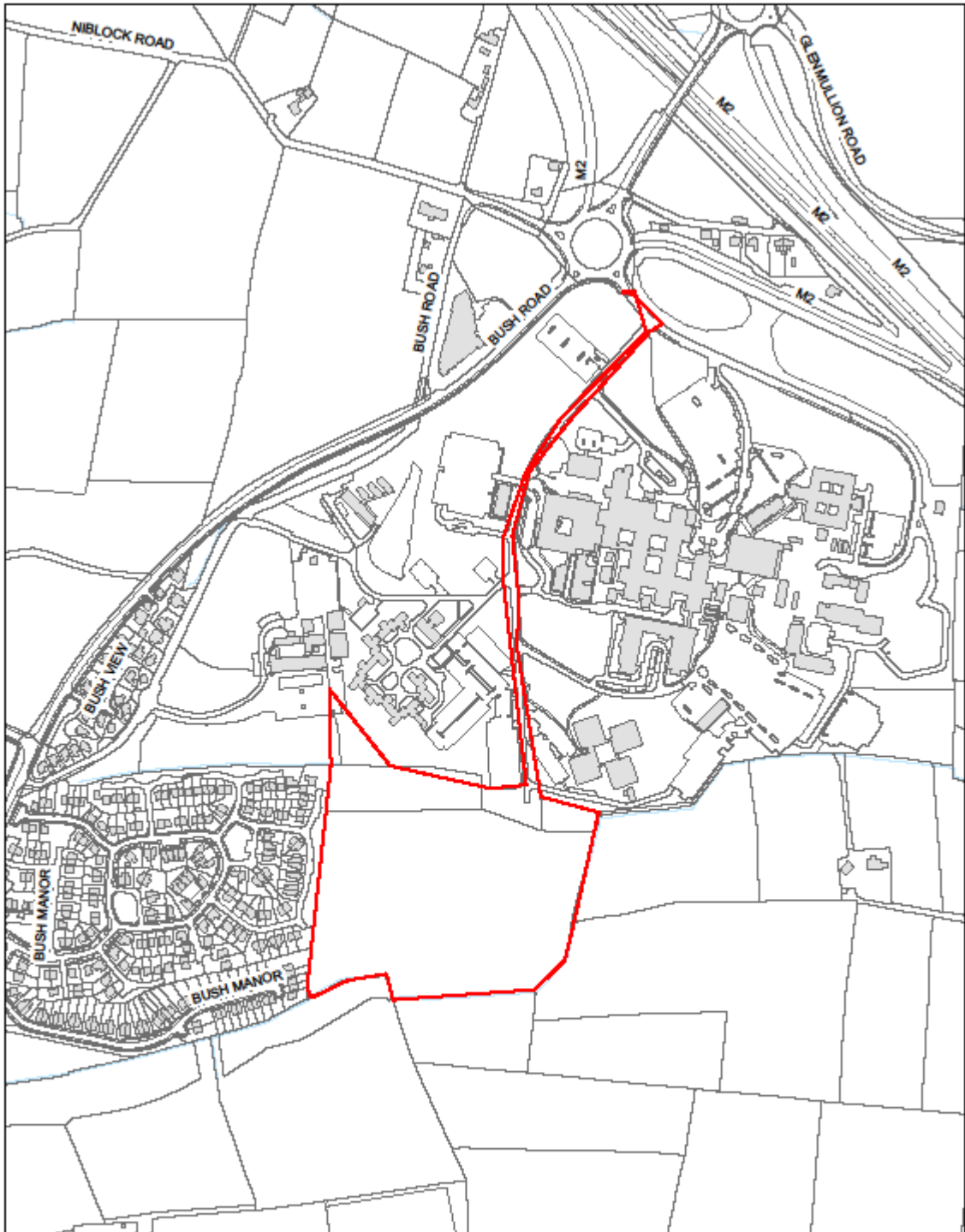
Reason: To ensure the maintenance of screening to the site.

18. The proposed landscaping as indicated on Drawing No. 31/1 date stamped 8th April 2024 shall be carried out within the first planting season following the occupation of the development hereby approved and shall be retained for the lifetime of the development at a minimum height of 3 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.

19. Prior to the removal of any trees within the site a detailed plan showing the location and design of at least 6 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.



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Site Location Plan

1:5,000 

Reference: LA03/2023/0930/F

 Site Location



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2023/0277/F
DEA	BALLYCLARE
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Demolition of existing buildings on site and erection of 12 No. apartments, including associated and ancillary works.
SITE/LOCATION	28 The Square Ballyclare, BT39 9BB
APPLICANT	Colin Fletcher
AGENT	Gravis Planning
LAST SITE VISIT	8 th April 2024
CASE OFFICER	Sairead de Brún Tel: 028 90340406 Email: Sairead.debrun@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</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Since the publication of the Committee Report, one (1) letter of support has been received in respect of the development proposal.</p> <p>The issues raised include:</p> <ul style="list-style-type: none"> • The proposal provides much needed social housing in Ballyclare; • The proposal will support the 'regenerate our town centres' proposals; • Car ownership for the proposal will be lower than market led housing; • Regional policy is aimed at reducing the reliance on private car and promoting sustainable forms of transport; • A parking survey has been undertaken to demonstrate available on street parking within walking distance; and • Similar schemes have been granted throughout NI with similar or lower parking <p>As set out in the Committee Report, it is accepted that the proposal will provide social housing and will involve the regeneration of a site within Ballyclare Town Centre. It is also accepted that car ownership for a social housing scheme may be likely to be lower than market led housing and that sustainable forms of transport should be encouraged and therefore considering these circumstances, policy allows for a reduction in parking provision.</p> <p>Notwithstanding the above, the proposal is required to provide at least 16no. car parking spaces and only 3no. car parking spaces have been provided for the development. This equates to an 80% reduction in the required parking, and such a significant shortfall is considered unacceptable.</p>	

Although the agent has indicated that there is on-street parking within the vicinity of the site, it has not been satisfactorily demonstrated that these parking spaces will be available to the future occupants of this development. Even if they were, it is considered that relying on these public car parking spaces to serve the proposed development will only shift the parking issue to other areas of the town and could have a detrimental impact upon the viability of the town centre area.

No details with regards to other similar schemes have been submitted, however, in any event, each application must be assessed on its own merits and a reduction in parking on one site does not automatically allow for a reduction in parking on all sites which propose a similar land use.

This application has been with the Council for 14 months and the applicant has been afforded ample opportunity in order to seek to address the parking concerns. The provision of parking for the development has been considered and the issues raised do not change the recommendation. It is therefore considered that the proposal is unacceptable as adequate and appropriate provision has not been made for parking.

CONCLUSION

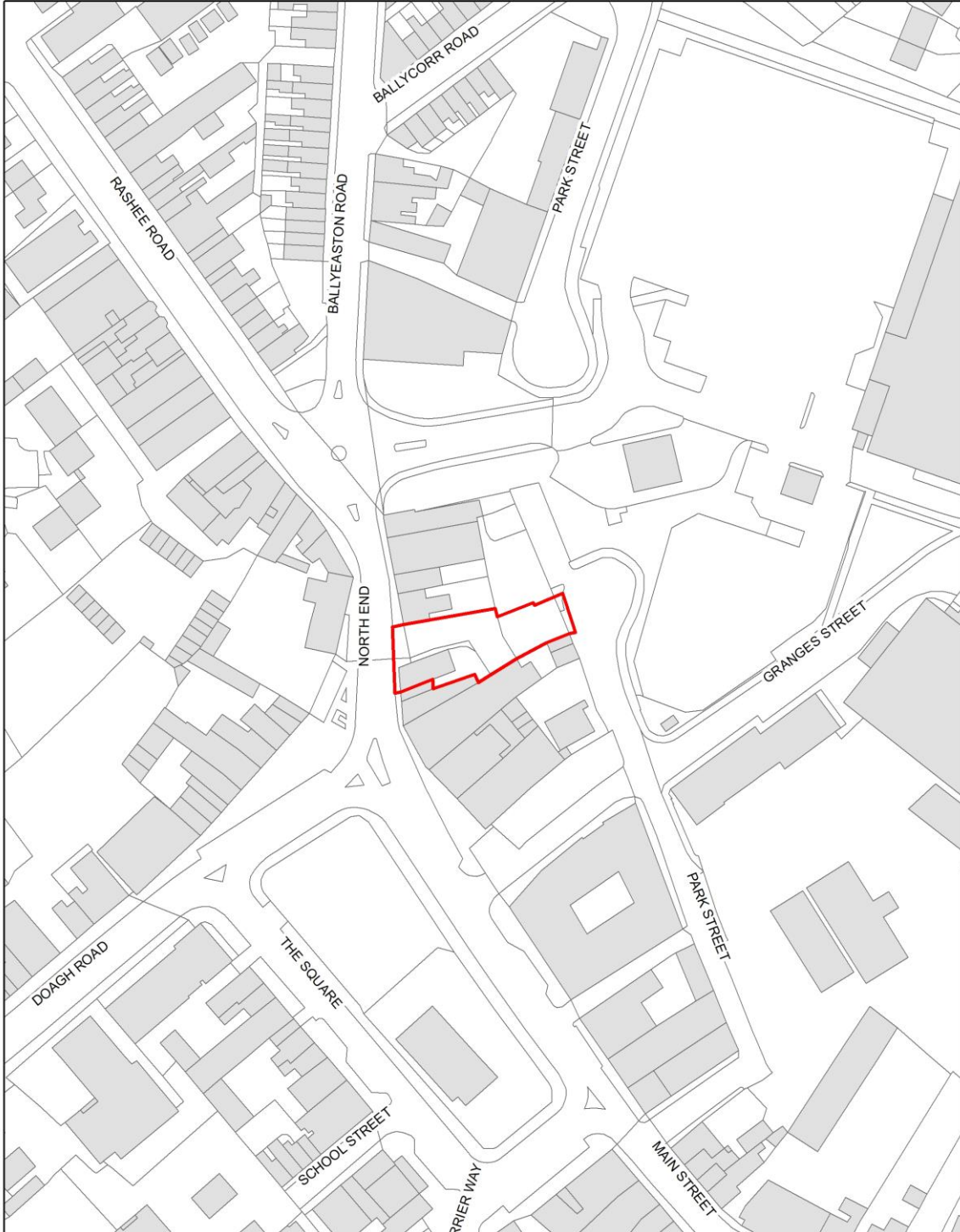
The following is a summary of the main reasons for the recommendation:

- The principle of the development is acceptable;
- The size, scale and massing of the proposal are suitable for the site and the surrounding area;
- There will not be unacceptable adverse impact on neighbouring amenity;
- It has not been demonstrated that appropriate provision has been made for car parking; and
- There will not be an unacceptable adverse impact on the historic built environment.

RECOMMENDATION | REFUSE PLANNING PERMISSION

REFUSAL REASON:

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and criterion (f) of Policy QD 1 of Planning Policy Statement 7 Quality Residential Environments, and Policy AMP 7 of PPS 3, in that inadequate parking has been provided for this development.



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Site Location Plan

Reference: LA03/2023/0277/F

 Site Location

1:1,250 



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2024/0094/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of 4 no. retirement bungalows, parking, landscaping, and associated site works (in substitution for nursing home approved under LA03/2016/0902/RM)
SITE/LOCATION	Land 40 metres east of No. 1 Castle Lodge, Randalstown
APPLICANT	JFM Construction
AGENT	MBA Planning
LAST SITE VISIT	9 th April 2024
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk

Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal <https://planningregister.planningsystemni.gov.uk>.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Following the publication of the Planning Committee Report further information has been received from the applicant (A Statement to Planning Committee – Document 03) together with 2 no. letters of support, one from a neighbour and one from Ulster Property Sales (Estate Agency).

The Statement to Planning Committee (Document 03) provides further detail of the applicant's rationale for the proposal and also appends a letter from Lynn + Brewster (Estate Agency).

The statement outlines how the application site by virtue of its location is not a normal countryside site and how the immediate surrounding area is heavily developed giving it an urban character. As already discussed in the initial planning report the applicant argues that the scheme would be less visually prominent, have a more attractive frontage and would be a less intensive form of development than the previously approved nursing home.

The statement also highlights that there is a pressing need for the proposed type of accommodation and has appended a letter from Lynn and Brewster (Estate Agency) who have confirmed that there is a demand for bungalows and more specifically retirement bungalows in the Randalstown Area.

The main points raised within the letters of support are summarised below:

- Support for the proposal as the alternative (the previously approved nursing home) would have a detrimental impact on the adjacent neighbours in terms of outlook, traffic and footfall;

- Concerns that if the nursing home were to be developed that there would be detrimental impacts on neighbours in relation to parking, noise and nuisance from vehicles visiting the site;
- Support for the proposal in terms of need for the proposed house types (bungalow) due to a lack of stock in the current NI housing market and specifically in the Randalstown Area;
- The lack of newly developed bungalow accommodation is seeing the requirement for the over 55's who are keen to purchase this house type having to undertake modernisation and adaption works; and
- UPS has indicated that a Senior Manager in NIHE has voiced support for the application, however, no evidence of this is included.

Giving regard to the additional information/letters of support, it remains to be considered that while there may be demand for bungalow and new housing stock in the area, that the proposal does not provide any exceptional reason as to why this development of four (4) retirement dwellings is essential at this location and could not be located within a settlement. The proposal is not a 'like for like' development and thus, the site's planning history alone is not considered to be an overriding material consideration that would justify a decision contrary to Policy.

There is nowhere within PPS 21 which indicates that a grant of planning permission for a nursing home may be exchanged for a different form of residential development. It should also be noted that since the publication of the original planning report, Northern Ireland Water (NIW) have changed and updated their response to advise that they now have no objection to the proposal.

CONCLUSION

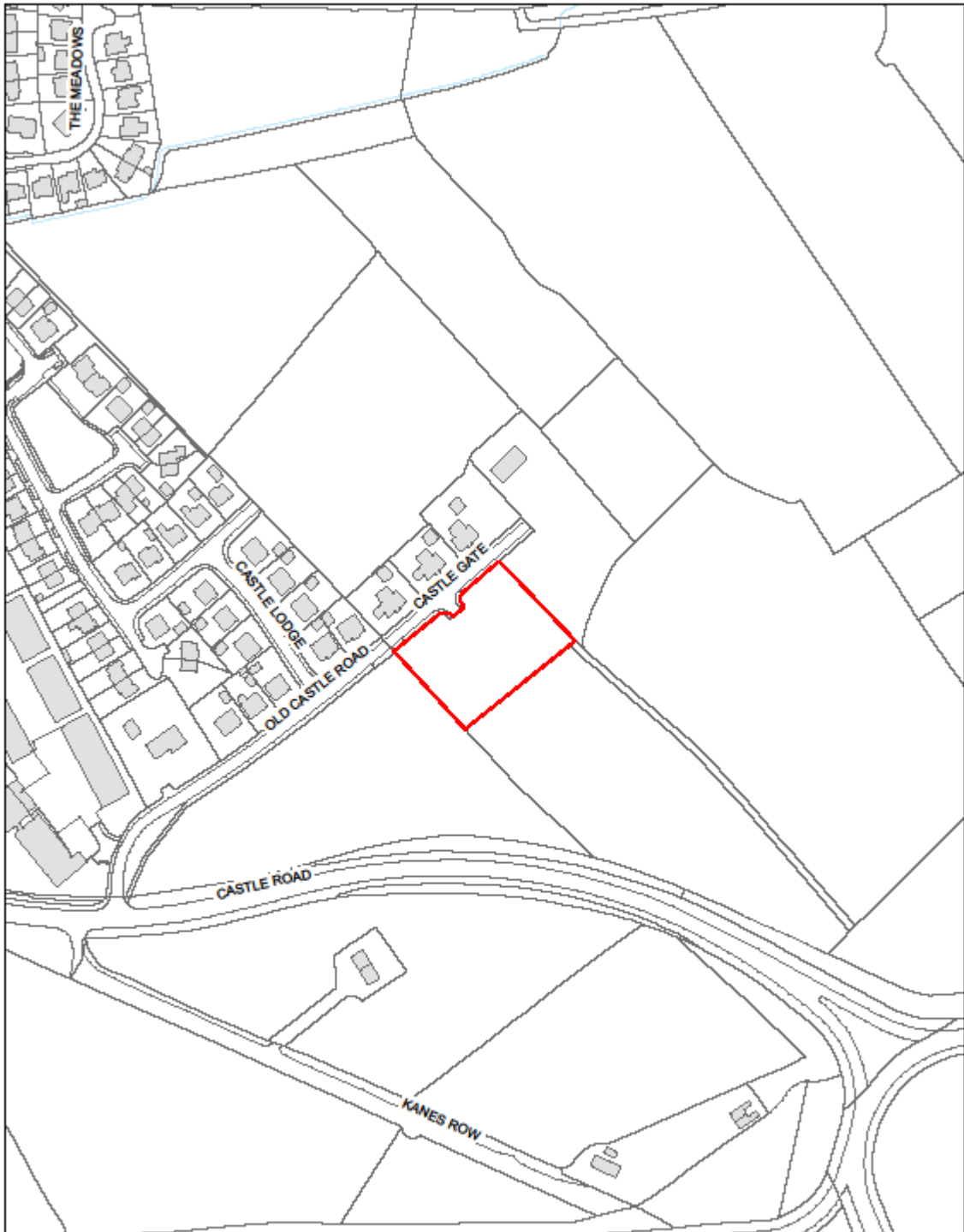
The following is a summary of the main reasons for the recommendation:

- The principle of the development has not been established in accordance with the policy provisions of Policy CTY 1;
- The design of the proposal is acceptable in accordance with Policy CTY 13;
- The proposal would not alter the overall character and appearance of the area in accordance with Policy CTY 14;
- There would not be detrimental impact on amenity resultant from the proposal.

RECOMMENDATION : REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.



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Site Location Plan

1:2,500 

Reference: LA03/2024/0094/F

 Site Location

