



15 September 2021

Committee Chair: Councillor S Flanagan

Committee Vice-Chair: Alderman F Agnew

Committee Members: Aldermen – P Brett, T Campbell and J Smyth  
Councillors – J Archibald-Brown, H Cushinan, R Lynch,  
M Magill, N Ramsay, R Swann and B Webb

Dear Member

#### **MEETING OF THE PLANNING COMMITTEE**

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 20 September 2021 at 6.00pm.**

Planning Committee Members are requested to attend the meeting in the Chamber, any other Members wishing to attend may do so via Zoom.

Yours sincerely

A handwritten signature in black ink that reads "Jacqui Dixon".

Jacqui Dixon, BSc MBA  
**Chief Executive, Antrim & Newtownabbey Borough Council**

**For any queries please contact Member Services:**

Tel: 028 9034 0048 / 028 9448 1301  
[memberservices@antrimandnewtownabbey.gov.uk](mailto:memberservices@antrimandnewtownabbey.gov.uk)

## **AGENDA FOR PLANNING COMMITTEE – September 2021**

**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: - LA03/2020/0552/F**

Proposed residential development, including demolition of nos 75 & 77 Jordanstown Road, comprising 80 no dwellings (46no detached & 34no semi-detached) with associated garages and sunrooms, landscaping, open space, Wastewater Treatment Works (temporary) and Pumping Station, with all other associated site and access works at lands immediately adjacent to the north/northeast of Oakfield Residential Development and Jordanstown Special School Jordanstown Road Newtownabbey.

#### **3.2 Planning Application No: LA03/2021/0429/F**

Demolition of existing buildings and construction of replacement 3100sqm GFA storage and manufacturing facility (Use Classes B2 & B4) producing Covid-19 testing equipment, including roof mounted solar panels, associated HGV/Car parking, landscaping, upgrade to existing access onto the Largy Road, sewage treatment plant and all other ancillary site works at lands and buildings adjacent and approx. 45m north east of 61 Largy Road Crumlin and land approx. 100m north east of 59 Largy Road Crumlin BT29 4RR.

#### **3.3 Planning Application No: LA03/2020/0569/F**

Proposed change of use from outbuilding and yard to motoring school to include; extension to curtilage, retention of extended hardstanding area and proposed extension to existing outbuilding. Proposed alteration of access onto the Lylehill Road and retention of access onto Ballyutoag Road and a 2-metre-high roadside boundary gate at 133 Ballyutoag Road Belfast.

#### **3.4 Planning Application No: LA03/2021/0612/O**

Infill site for 1 no. dwelling and garage under CTY 8 at lands 80m South of 44 Loughbeg Road Toomebridge.

3.5 Planning Application No: LA03/2021/0239/F

Two single storey dwellings and associated garage at lands to the rear of 3  
Bourlon Road, Antrim.

**PART TWO – Other Planning Matters**

3.6 Delegated Planning Decisions and Appeals August 2021.

3.7 Proposal of Application Notices (PANs) for Major Development August 2021.

3.8 Minutes of the Metropolitan Area Spatial Working Group.

3.9 Correspondence from Mid Ulster Council regarding the Planning Portal.

4. Any Other Business.

## **PART ONE**

### **DECISIONS ON PLANNING APPLICATIONS**

<b>COMMITTEE ITEM</b>	<b>3.1</b>
<b>APPLICATION NO</b>	<b>LA03/2020/0552/F</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>MAJOR DEVELOPMENT</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed residential development, including demolition of nos 75 & 77 Jordanstown Road, comprising 80no dwellings (46no detached & 34no semi-detached) with associated garages and sunrooms, landscaping, open space, Wastewater Treatment Works (temporary) and Pumping Station, with all other associated site and access works
<b>SITE/LOCATION</b>	Land immediately north and north-west of Oakfield Park and Jordanstown Special School, Jordanstown Road, Newtownabbey.
<b>APPLICANT</b>	Silverwood Development Lands Ltd
<b>AGENT</b>	TSA Planning
<b>LAST SITE VISIT</b>	12 August 2021
<b>CASE OFFICER</b>	John Davison
<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="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b>	
<b>SITE DESCRIPTION</b>	<p>The site comprises 5.47 hectares of unmaintained (overgrown in parts) land which is of an irregular shape. Access from Jordanstown Road is by the adopted carriageway leading to the Oakfield Park residential development and the entrance of Jordanstown Special School. The site frontage on the northern side of Jordanstown Road extends for roughly 150 metres.</p> <p>While it appears generally flat and level with the Jordanstown Road, the site rises very slightly as it extends to the northwest from the road to its boundary with the Ulster University playing fields. This boundary is defined by a small stream (the Meadowbank Stream) running northwest to southeast. The eastern boundary of the site is contiguous with the Jordanstown Special Schools site. The northwestern boundary is defined by the railway line and the Clonvara development. The northwestern site boundaries are well defined by belts of large trees along the edge of Clonvara and the railway line. These trees and the trees along the university playing fields boundary are a major landscape feature in the immediate locality and provide a degree of visual enclosure of the site. Although visually important, a significant number of the boundary trees are of limited ecological interest and/or in poor physical condition.</p> <p>There is no evidence of any maintenance of the land which comprises the application site. There are a number of pathways through the site which indicate a degree of informal usage. A small, enclosed electricity substation is located within the site immediately beyond the southeastern corner of the Clonvara development.</p> <p>A portion of the site bounded by the Oakfield Park estate road and Jordanstown Road is currently fenced off and in use as a building site compound. Within the</p>

compound are several mature trees in good condition. The sites 150 metre (approx.) boundary with Jordanstown Road has little in the way of defining vegetation.

#### **RELEVANT PLANNING HISTORY**

Planning Reference: U/2004/0505/O

Location: Adjacent to 85 Jordanstown Road, Newtownabbey`

Proposal: Site for Residential Development

Decision: Outline Permission Granted (07.12.2006)

Planning Reference: U/2008/0568/RM

Location: Adjacent to 85 Jordanstown Road, Newtownabbey

Proposal: Site for Residential Development (75 Units)

Decision: Reserved Matters Consent Granted (18.11.2009)

Planning Reference: U/2009/0533/RM

Location: Adjacent to 85 Jordanstown Road

Proposal: Residential Development (25 Dwellings)

Decision: Reserved Matters Consent Granted (26.11.2009)

Planning Reference: LA03/2017/1073/LDE

Location: Adjacent to 85 Jordanstown Road, Newtownabbey

Proposal: Commencement of development through the construction of foundations for plot 82 as approved by U/2009/0533/RM

Decision: Certificate of Lawful Development (Existing) Granted

#### **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, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the 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.

##### Belfast Urban Area Plan (2001) (BUAP):

The application site is located within the settlement limit of Metropolitan Newtownabbey; the BUAP offers no specific guidance on the application site. The curtilage of 85a Jordanstown Road falls within the Lenamore Area of Townscape Character designated by the Plan.

##### draft Newtownabbey Area Plan 2005 (dNAP):

The application site is located within the settlement limit of Newtownabbey; the dNAP includes that part of the site which adjoins Clonvara and comprises the former

residence and curtilage known as 85a Jordanstown Road (now demolished) within the draft Lenamore Area of Townscape Character (dNAP; ATC2) but offers no specific guidance on the remainder of the application site.

draft Belfast Metropolitan Area Plan 2004 (dBMAP):

The application site is located within the settlement limit of Metropolitan Newtownabbey; dBMAP offers no specific guidance on the greater part of the application site however, consistent with dNAP, proposes that the (now demolished) dwelling and the curtilage of 85a Jordanstown Road be included within the Lenamore draft Area of Townscape Character (dBMAP; MNY 25).

The university playing fields beyond the site's northeastern boundary forms part of the Ulster University draft Local Landscape Policy Area, MNY46.

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.

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS6: Planning, Archaeology and the Built Heritage: sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

Addendum to PPS 6: Areas of Townscape Character: sets out planning policy and guidance relating to Areas of Townscape Character, for demolition of buildings, new development and the control of advertisements.

PPS 7: Quality Residential Environments: sets out planning policies for achieving quality in new residential development. This PPS is supplemented by the Creating Places Design Guide.

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas: sets out planning policy and guidance on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements. It also sets out policy on the conversion of existing buildings to flats or apartments and contains policy to promote greater use of permeable paving within new residential developments.

PPS 8: Open Space, Sport and Outdoor Recreation: sets out planning policy for the protection of open space, the provision of new areas of open space in association with residential development and the use of land for sport and outdoor recreation.

PPS 15: Planning and Flood Risk (Revised September 2014): sets out planning policy to minimise the risk of flooding to people, property and the environment.

## CONSULTATION

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

**Northern Ireland Water** – No objections.

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

**Department for Infrastructure Rivers** – No objection.

**Department for Communities Historic Environment Division** – No objection subject to conditions.

**Northern Ireland Environment Agency – (Environment, Marine and Fisheries) & (Shared Environmental Services)** No objection subject to conditions.

## REPRESENTATION

Forty neighbouring properties were notified of the application submission and nine letters of representation were received from five notified properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- The development will exacerbate traffic flow problems in the locality.
- The development will result in the loss of flora and fauna and open space in the locality.
- Insufficient information has been provided on the preservation of trees and on the proposed lifespan of the temporary waste water treatment plant.
- The development will put pressure on social/community infrastructure in the locality.
- The temporary waste water treatment plant will cause public health problems.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Material issues in the determination of this application are:

- Pre-Application Matters
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access and Traffic
- Impact on Protected Trees and Fauna
- Flood Risk
- Other Matters

### Pre-Application Matters:

A pre-application discussion (PAD) was held on 2 October 2019. A number of action points were discussed at this meeting. Areas of discussion included the consultee responses, the importance of trees on the site and their potential relationship with new development; environmental health issues relating to noise and possible odours; access and traffic arrangements; the historic built environment within which the application site sits; the protection of the aquatic environment and pollution



prevention measures, ecological issues; potential flood risk issues, and design and layout.

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 27 May 2020. Residents within a 200 metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements to be instituted to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency.

The planning application was received following expiration of the required 12-week period following submission of the PAN.

### **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.

Consequent upon the declaration of the BMAP adoption as unlawful by the Court of Appeal in May 2017, BUAP 2001 is the statutory local development plan for the area in which the application site is located. BUAP does not identify a land use zoning for the application site and makes no other comment on it.

While the majority of the site remains un-zoned by dNAP (2005) and dBMAP (2004) a portion of it falls within the Lenamore draft ATC proposed by both draft plans. In addition, Part 3, Volume 1 and Part 4, Volume 2 of dBMAP advises that development proposals within ATCs shall be considered within the context of prevailing regional policy and guidance set out in the Addendum to PPS6 Areas of Townscape Character. While the SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough it retains the existing Addendum to PPS6 and advises that where there is a conflict between any policy retained and the transitional arrangements of the SPPS it must be resolved in favour of the SPPS. Significantly, the SPPS indicates that sustainable development should be permitted having regard to all material considerations unless demonstrable harm to interests of acknowledged importance is caused. It underlines the desirability of promoting good design and the more efficient use of urban land without town cramming.

While BUAP is silent on the majority of lands comprising the application site its location within the settlement limit indicates a presumption in favour of development for appropriate proposals. A portion of the application site formerly occupied by the now demolished dwelling and the curtilage of 85a Jordantown Road does, however, fall within the Lenamore ATC designated in BUAP which identifies the importance of the spacious layout, narrow un-adopted roads and mature trees to the character of the area.

Similarly, while it remains within the settlement limit of Metropolitan Newtownabbey dNAP and dBMAP do not seek to zone the application site lands. The boundary of

the draft ATC designation in both plans (dNAP: ATC2 & dBMAP; MNY33) retains the former curtilage of 85a Jordanstown Road. Materially, dBMAP also includes the Ulster University playing fields which abut the northeastern boundary of the site in the draft Local Landscape Policy Area (LLPA) designation MNY46 (dBMAP, 2004). dNAP seeks to expand the rationale underpinning Lenamore ATC by identifying those characteristics which contribute to the "urban village" of Jordanstown and encouraging their protection while including improvement of the public realm and the established character of the area. Designation MNY 25 (dBMAP) further clarifies and distils this approach by identifying those key features of the ATC which should be taken into account when assessing development proposals, these include:

- The Victorian and Edwardian dwellings set within mature gardens;
- Integration with Inter-war, Post-war and 1980/90's housing that fits comfortably with the existing topography
- The informal layout of narrow un-adopted roads with dense mature landscaping
- St Patricks Church
- The Listed Victorian Old Rectory
- The Listed Arts and Crafts Eden Lodge
- The early 20<sup>th</sup> century and Inter-war detached dwellings on Circular Road
- The 1950's detached house on the southern side of Circular Road.

With implications for both housing density and the character and appearance of the area these factors represent draft guidance but are consistent with the relevant policy context provided by Addendum to PPS6 Areas of Townscape Character which is also a material consideration in the determination of this application.

In considering the implications of the application for the Lenamore ATC the following factors are pertinent. The portion of the application site within the ATC represents a small section of the designation on its southeastern edge and the dwelling and curtilage which were formerly on site have been demolished leaving the land vacant and unmaintained. In addition, between the site and the majority of the ATC to the northwest, the "new" residential scheme known as Clonvara has been approved since the original ATC designation within BUAP. Material also is that there is no internal subdivision of the ATC which means that the proposal must be assessed on its potential to impact upon the whole of the ATC. The density of the proposed development, its impact upon mature trees /vegetation and its effect upon the character of the area (including all Lenamore ATC) are therefore key considerations.

In simple density (units per hectare) terms the proposed development is between 12 and 15.75 dwellings per hectare and may be described as low density. It fits within the range of established residential densities that surround it with both lower and higher residential densities in the surrounding ATC. With little or no impact on adjacent hedgerows, the proposed retention of most existing mature trees on the site boundaries, and the provision of replacement and supplementary tree planting along those boundaries, it is anticipated that the proposal will have no substantive impact upon the key features of the Lenamore ATC. Nor is it considered that the loss of the former curtilage of 85a Jordanstown Road or the development of the site will adversely impact upon the character of the wider ATC or the setting of St Patrick's Church, the Old Rectory (No. 122 Jordanstown Road) or indeed Eden Lodge (129 Circular Road).

Consideration of the proposal indicates that it is generally consistent with the policy context set out in the statutory development plan (BUAP) and subsequent draft plans. As it involves the redevelopment of a small section of Lenamore ATC the proposal must be assessed against the Addendum to PPS6: Areas of Townscape Character policy ATC 2 (New Development in an ATC). ATC 2 advises that only development that maintains or enhances its overall and respects the built form of an ATC will be permitted. The character of Lenamore ATC derives from its built form and its trees, archaeological and other landscape features: these are addressed in greater detail in the following sections but it is considered that the proposal will not undermine either the objectives of the addendum to PPS 6, policy ATC 2 or the specific key features which underpin the Lenamore ATC.

A previous outline planning consent for residential development was granted on this site under planning reference U/2004/0505/O in 2006 and a subsequent Reserved Matters (RM) Consent for 75 detached dwellings, apartments and town houses was granted in November 2009. Subsequent to the grant of this consent a further amended application (ref: U/2009/0553/RM) was submitted for 25 dwellings and garages on the southeastern portion of the site and that consent was granted in August 2010. Associated with this RM consent is a Certificate of Lawful Development (Existing) (ref: LA03/2017/1073/LDE) which was issued by the Council in January 2018. The LDE confirms that the Council is satisfied that the development approved under U/2004/0505/O and U/2009/0553/RM was commenced in accordance with the previous grant of planning permission.

Construction of the amended RM proposals approved is now substantially complete. The relevant planning history of the application site is a material consideration in the determination of the current planning application and must be weighed against the currently prevailing planning policies. Where there is no variation of the principles which those prevailing policies eschew or any other change in circumstances in the interim it must be considered that the principle of development remains acceptable unless there are material considerations which indicate otherwise.

In respect of the proposed development there is no conflict or change of policy direction between the SPPS and the other material policies. These include:

- PPS 7 Quality Residential Environments;
- 2<sup>nd</sup> Addendum PPS 7 Safeguarding the Character of Established Residential Areas;
- PPS 2 Natural Heritage;
- PPS 3 Access, Movement and Parking;
- PPS 8 Open Space, Sport and Outdoor Recreation
- PPS 15 Planning and Flood Risk

Taking into account the strategic SPPS objective of the policy is to secure the prudent and efficient use of land, the inclusion of the lands within the development limit and the previous grant of planning permission on the site, it is considered that the principle of residential development is acceptable subject to compliance with the relevant policy and environmental matters arising.

### **Design, Layout and Appearance**

In delivering the SPPS requirement to make more efficient use of urban land it is essential that proposals do not result in "town cramming" and the density of

proposals combined with their form, scale massing and layout respect local character, environmental quality and the amenity of all residents. Policy QD1 of PPS7 requires that permission will only be granted for new residential development where it is *demonstrated* that the proposal will create a quality and sustainable residential environment. The design and layout of the proposal must therefore contribute to the amenity and appearance of the neighbourhood in which it is to be set.

Policy QD1 establishes nine criteria necessary to achieve this; criterion one is that the development respects the surrounding built environment and is appropriate to the topography and character of the site. The proposed layout sits in the existing topographical context of the site which is one of a very gradual rise to the northwest, and “reads” consistently with that of the surrounding “Jordanstown Village” area in terms of levels. The proposed layout of dwellings exhibits no substantive variation between the proposed finished and existing ground levels on the site and is consistent with the densities of the residential properties along the Jordanstown Road but lower in density than the completed phases of Oakland Park, Clonvara and Railway Court. In terms of scale, proportions and appearance, the individual dwelling types which are a mixture of detached and semi-detached villas reflect many of the design cues, construction detailing and use of materials found in the locality and within the Lenamore ATC. The massing of the development reflects its 2-storey detached and semi-detached composition with a density and appearance which sits easily within the receiving environment. The broad design philosophy is articulated in detail in the Supporting Planning Statement and the Design & Access Statement, which in essence, seeks to reflect the materials, massing and detailed design cues of the existing Edwardian dwellings within the ATC and wider “Jordanstown Village” area. It is considered therefore that the proposal meets the first criterion of policy QD 1.

Consultation with Historic Environment Division (HED) indicates that the proposal conforms to the requirements of criterion 2 of QD1, i.e., the identification and protection of archaeological, built heritage or landscape features. While Eden Lodge opposite the site is a listed building it is not considered that its setting will be affected by the proposed development. There are no archaeological or landscape feature issues arising. The proposal is also considered compliant with the requirements of PPS6 Planning, Archaeology and the Built Heritage.

The development may also be considered compliant with the requirements of Criterion 3 of PPS 7 QD 1 insofar as the provision of public and private open space and landscaped areas satisfies the guidance in Creating Places in that the properties with three or more bedrooms require an average of 70 square metres of private amenity space. The minimum individual private open space provision within the proposal is in excess of the recommended 70 sq. metres while the average for the development as a whole is around 150 sq. metres. Communal landscaped areas proposed are well integrated and comprise approximately 18% of the developable site area which exceeds the Creating Places minimum recommendation of 10% for new green field development.

Policy QD 1, criterion 4 indicates that where necessary appropriate local neighbourhood facilities will be sought. The proposal does not offer the provision of any such facilities. However, the proposal benefits from the existence of a range of educational, recreational, retail and religious facilities within reasonable walking

distance. Although one representation suggested that primary school provision in the locality would be put under pressure by the proposed development the weight to be attributed to this representation is in itself insufficient to support withholding planning permission given that the quantum of development proposed (80 dwellings) in the absence of specific evidence supporting the requirement for such facilities.

Criterion 5 of Policy QD 1 requires that the proposal supports walking, cycling and the provision of adequate and convenient access to public transport. With limited variation in levels across the site movement to/from all parts of the proposed layout will afford easy access for pedestrians and cyclists including those whose mobility may be impaired. The Jordanstown halt is within easy walking distance of the proposed development and the site is served by a regular bus service with stops nearby on the Jordanstown Road and Circular Road. The proposal will benefit from direct access to the shared footpath /cycle way on either side of the access along the Jordanstown Road and access through the University grounds to the Shore Road and to Hazelbank Park and the network of cycle paths in the wider area.

QD 1 criterion 6 requires that the proposed layout provides an adequate and appropriate standard of in curtilage parking within new housing layouts. The proposal is designed to provide adequate car and cycle parking for each dwelling within the curtilage of the dwelling. The guidance in Creating Places indicates the parking provision for individual dwellings should be appropriate to the size of dwelling (number of bedrooms) be visually unobtrusive, provide for the passive surveillance of vehicles and reduces hazards for other road users. It is considered that the proposal satisfies this guidance. Creating Places also recommends that provision should take account of the density of the development and the type and size of dwellings proposed.

The final iteration of the proposed development of 80 dwellings, which comprises a mixture of semi and detached 3, and 4 bedroom houses provides a minimum of two in-curtilage spaces with room within each plot to provide for the storage of cycles. The overwhelming majority of plots (all, with the exception of plots 44,45 and 46 in the central part of the proposed layout) are laid out in a manner which would allow for 3 in curtilage parking spaces. In curtilage parking capacity within the development is in the order of 236 spaces and further informal parking for visitors may be accommodated on the carriageway without obstructing entrances or blocking access along the carriageway. It is considered that a suitable standard of appropriate vehicle parking within the proposed development can be provided.

QD 1 Criterion 7 requires that proposals exhibit the best local traditions of form, materials and detailing. The proposed form, materials and detailing have been drawn from some of the best features of the Lenamore ATC and the wider Jordanstown village area. A key feature of the ATC is the Edwardian era dwellings which play a significant role in forming its character. The design of the proposed dwellings relies heavily upon this Edwardian influence, for example, the hipped roof of the proposed semi-detached dwelling type OP1. In addition, detached dwelling types OP3 and OP4s reflect the significance of this style of roof within the ATC. The use of brick, and render finishes, typically found on Edwardian era dwellings is also found on dwelling types OP2, OP4, OP5 and OP6 and is again consistent with the styling cues within the area. Fenestration and entrance detailing of the proposed house types further reflects the adoption of period (primarily) Edwardian construction

detailing. This is broadly consistent with the finishes and characteristics found within the ATC. Accordingly, it is considered that the proposal satisfies Criterion 7 of policy QD 1.

Criterion 8 is essentially a requirement that the development be a "good neighbour". (A detailed assessment of the impact of the development on existing nearby properties in this respect is set out in the assessment of neighbour amenity below and it is considered that the proposal will conform with this requirement).

The final criterion (9) is that the proposal deters crime and promotes personal safety. A representation arising from the pre-application notification process expressed the concern that the original "draft" proposal left the existing path along the southern edge of Clonvara. This it was felt could result in a continuation of what was asserted to be a history of anti-social behaviour within the site. The current iteration of the proposed layout removes this secluded pedestrian access from the Jordanstown Road and alters the layout to facilitate a suitable degree of passive surveillance of the boundary with the Clonvara development from the dwellings closest to this boundary. Within the application site the proposed dwellings are orientated to provide a suitable level of passive surveillance over the areas of public open space within the development.

In light of the assessment of the foregoing matters the proposal can be considered to conform to the requirements of policy QD1 of PPS 7.

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

Policy LC1 of the 2<sup>nd</sup> addendum to PPS 7 Protecting Local Character, Environmental Quality and Residential Amenity reinforces the requirements of policy QD1 of PPS 7 and seeks to safeguard the quality of established residential areas by requiring that a proposal should not be of significantly higher density and that the pattern of development compliments that of the receiving environment.

While acknowledging the variety of house types and styles within the "Jordanstown Village" area, a predominant characteristic of the area is its overwhelmingly residential character with both semi-detached and detached dwellings with generous garden plots set within mature vegetation. As indicated earlier the proposed density of development is considered to be within an appropriate range for the locality. There are 32 detached dwellings with 3 or 4 bedrooms; the remainder of the dwellings (46) are 3 and 4 bedroom semi-detached properties. However, another characteristic of the Lenamore ATC and the "Jordanstown Village" area is the variation in dwelling size within it. Houses range from large dwellings on generous plots to smaller detached, semi-detached and terraced dwellings. Within this context the proposed dwellings, in terms of their scale and massing, plot size and proposed layout, are considered to complement the existing character of development in the adjoining areas. It is considered that the proposal respects the established nature of its receiving environment and is consistent with the requirements of policy LC 1 of (2<sup>nd</sup> Add.) PPS 7

### **Neighbourhood Amenity**

Criterion (h) of policy QD1 of PPS 7 requires that there are no unacceptable effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Creating Places indicates that it is good

practice in low density developments to adopt a separation of around 20 metres between opposing first floor windows. A number of the dwellings proposed are orientated to present rear elevations to the site boundaries.

Plots 24 -29a present rear elevations towards Clonvara and 50 -58 present rear elevations to the railway line boundary and beyond to the existing dwellings in Lenamore Park; separation distances between existing and proposed residential units are well in excess of 20 metres and inter-visibility is further restricted through the (proposed) retention of mature vegetation along these boundaries. Within the proposed layout, plots 40-44 present back-to-back relationships to plots 46 -50 the separation distance achieved is marginally greater than 20 metres and meets Creating Places guidance on this matter. It is considered that there is no unacceptable impact by virtue of "overlooking" on any remaining part of the application site. Similarly plot size, dwelling orientation and individual separation distances will present no issues in respect of loss of light or overshadowing. In terms of the potential for overlooking, both between proposed dwellings and the relationship between new and existing residential units it is considered that the proposal would not give rise to an unacceptable level of overlooking.

The amenity impact caused by the proposed removal of a number of trees within the site is addressed within the section on protected trees and fauna below. The application identifies a potential for noise nuisance to arise from the adjacent railway and proposes a noise barrier be constructed along the site boundary with the railway line. Consultation with the Environmental Health Section of the Council identifies the required specification for the barrier and that so constructed it will mitigate the amenity issue arising. Similarly, consideration of the potential for noise and other nuisance arising from the temporary waste water treatment plant along with concerns about potential ground contamination from the plant were raised in 3<sup>rd</sup> party representations on the application. Environmental Health have assessed and validated proposals to preclude any such matters arising which were submitted as part of the application and it is considered that a temporary waste water treatment plant will pose no unacceptable neighbourhood amenity issues of smell, noise or ground contamination. It is considered therefore that the proposal satisfies the requirements of PPS 7 QD 1 (h).

### **Access and Traffic**

Policy AMP 2 of PPS 3 Access, Movement and Parking advises that planning permission will only be granted for development proposals involving direct access or the intensification of use of an existing access onto a public road where it does not prejudice road safety or significantly inconvenience the flow of traffic. Policy AMP2 also advises that the standard of the existing road network and the expected impact of the proposal on that network will also be taken into account when determining applications. To facilitate this Policy AMP6 of PPS 3 requires that the developer shall submit a Transport Assessment (TA) to evaluate the transport implications of the proposal.

Access to the application site is from the Jordantown Road via the existing adopted public road known as Oakfield Park which currently serves the recently constructed dwellings beyond the southeastern boundary of the Special School. Three representations considered the additional traffic which the proposal will bring onto the local roads unacceptable. Two residents strongly objected to the development

on grounds that the proposal presented a significant road safety risk and requested that the application be refused. A third representation, also from a local resident, requested that consideration is given to better traffic management of the surrounding road network.

The TA submitted by the developer examines the potential implications of the traffic that will be generated by the proposal for conditions on the existing road network and its findings have been analysed and validated by DfI Roads who accept the conclusions that the Jordanstown Road site access has the capacity to operate effectively and efficiently on completion of the proposed development and that the additional traffic can be accommodated on the surrounding highway network without the requirement for offsite mitigation measures. The most up to date collision history data obtained from Northern Ireland Statistics and Research Agency is reviewed within the TA, however, it cannot provide any substantive evidence attributable to the road network around the application site.

As indicated above the proposed layout is considered to facilitate the easy and safe movement of pedestrian, cyclists and vehicles through all parts of the development. Car parking provision is satisfactory and the number of units which may be comfortably served by the shared surfaces within the development are compliant with the guidance in Creating Places being well below the maximum of 25 units allowed to be served through shared surfaces. DfI Roads have positively determined the developers Private Streets submission. It is therefore considered that the proposal satisfies the requirements of PPS 3 Access Movement and Parking.

#### **Impact on Protected Trees and Fauna**

The existence of mature trees and hedges in the locality of the application site and their contribution to the "Jordanstown Village" area and in particular the Lenamore ATC, and, to integrating the proposal into its receiving environment is a significant consideration in this case. As indicated above both the ATC designation and policy QD 1 of PPS7 require careful assessment of a proposals impact where there are existing mature trees and hedges. There are approximately 200 trees (individual or in groups) which are subject to an existing Tree Preservation Order. There are a small number of other trees on site which are not subject to the TPO. In all there are around 240 trees within the application site.

Three representations received from local resident expressed strong concerns that the mature trees and other flora will be lost to the development; a specific concern expressed was that mature trees along the boundary with the railway line will be removed to the detriment of the character and amenity of dwellings on Lenamore Park. The importance of existing mature vegetation in defining the character of the Lenamore ATC and contributing to the integration of the proposal into the existing townscape was underlined in the formal pre-application discussion (PAD) by the Council's Tree Officer.

The PAD also noted that under the previous planning permission U/2009/0533/RM (the commencement of which was confirmed by LA03/2017/0173/LDE), consent was given to remove 8 trees within the body of the site.

The PAD further confirmed that a number of mature trees were in poor condition or of species such as Lawson cypress with little ecological value. In addressing the potential impact of the proposal on existing character and particularly along the



northwestern site boundaries further consultation with the Council's Tree Officer confirmed that the absence of ecological value for any individual or group of trees would not of itself be reason for accepting the removal of a tree(s) if they contributed to the overall visual amenity of the trees. Subsequent design iterations resulted in proposals which reduced the number of trees to be removed. The proposal in its final iteration seeks to remove around 42 trees of which 3 are dead, 17 are in poor condition and/or a safety risk and 4 not subject to the TPO. 11 trees or groups of trees in fair /good condition are to be removed to facilitate the final layout of houses within the site. Included within this 42 are the 8 with previous consent for removal.

Within the site frontage east of the access to the Jordanstown Road it is proposed to remove 6 trees which are in poor condition as they have suffered significant bark and/or root damage. Along the site frontage immediately west of the access from the Jordanstown Road there are three trees to be removed, two of which are dead with the third, a lime tree which is heavily diseased. On this southern section of the application site substantial supplementary boundary planting along the Jordanstown Road and Oakfield Road boundaries is proposed; the species to be planted are indigenous and comprise of Lime, Oak, Alder, Birch, Pear and Whitebeam. The substantial stand of mature trees contiguous with the western boundary of the Clonvara development is to be retained with the exception of 5 individual trees at its northern end which are to be removed to facilitate the construction of the proposed layout. It is not considered that the removals would have a substantive impact upon the visual amenity afforded by this tree grouping.

The impact upon trees along the application boundary with the railway line is of concern to a neighbouring objector. A number of mature trees which contribute visually to the definition of the boundary with the railway line are outwith the application site and as such will remain unaffected; immediately adjoining and within the site however, it is proposed to remove groups of over mature Lawson cypress, hybrid Poplar and Lodge pole Pine which are in poor condition which are interspersed with a number of large mature trees to be retained and which will be subject to arboricultural works/maintenance to ensure they do not pose a potential health and safety risk. While this will result in a thinning out of the existing vegetation along the railway boundary, the retention of a number of mature trees and existing mature trees within the private amenity space of dwellings proposed on plots 40 and 50 will retain the boundary vegetation to a depth of between 15 and 25 metres in the central section of the railway boundary. It is considered that the proposed removal of trees and other works, although thinning out the boundary at this point, will contribute to the overall health and longevity of the vegetation remaining. To replace the trees to be removed along the southern segment of the railway boundary, supplementary planting of Lime, Oak, Birch, Alder and Whitebeam extending to the boundary with Clonvara and to depth of 10 metres is proposed.

While a number of trees will also be removed from the interior of the site these do not make a contribution to the character of the wider area. It is not proposed to remove any of the (substantial) mature trees and hedges which visually define the applications boundary with the University playing fields. The importance of those mature trees which currently define the northwestern and northern boundaries of the application site derives from (i), their contribution to the sense of place intrinsic to the "Jordanstown Village" area, the distinctive character and appearance of the

Lenamore ATC, and (ii) the contribution the trees make in facilitating the integration of the proposal into the area, has been set out earlier in the report. It is considered that a significant number of the trees, due their poor condition, poor appearance and limited ecological value make a limited contribution to helping integrate the proposed development within the surrounding townscape. The proposed planting of a substantial number of new trees of suitable species to replace those to be removed and to augment the internal landscaping of the proposal is anticipated to establish an environment which is consistent with the character for which the village area and ATC are recognised and sustainable in the longer term.

The removal of trees along the railway line will reduce the apparent bulk of mature vegetation within sections of this boundary, however, it is considered that this will not undermine the objectives of the ATC or its character. In addition, it is considered that it will not unacceptably impact upon the amenity of neighbouring properties either existing or proposed. Accordingly, the removal of the trees identified would not constitute a sustainable reason for refusal and it is considered that the protection of retained trees and the proposed level of supplementary indigenous planting may be secured by condition.

Two objectors expressed concern about the impact upon wildlife which might be resident on the application site and specifically that bats may be present. Policy NH 2, (Species Protected by Law) of PPS 2 Natural Heritage advises that planning permission will only be granted for a proposal which is not likely to harm a European protected species of flora or fauna. An Ecological Appraisal submitted by the developer and assessed and validated by Northern Ireland Environment Agency (NIEA) found no protected species of flora within the site. The watercourse and hedgerow along the boundary with the University playing fields meets the criteria for a NI Priority Habitat, however, no evidence of protected species, in this case, badger or otter was found. A number of potential bat roosts were identified and a bat survey undertaken.

Bats are a protected species under Schedule 2 of Conservation (Natural Habitats etc) Regulations (Northern Ireland) 1995 (as Amended). Evidence of bats was recorded although no bats were present at the time of survey. To address this matter Bat Mitigation proposals adopting the precautionary approach of installing 24 artificial bat roosts on retained trees within the site was submitted and validated by NIEA. In light of the foregoing it not considered that the proposal would contravene policy NH 2 of PPS 2 or that the proposal would result in the loss of protected habitat or species.

### **Flood Risk**

PPS15 Planning and Flood Risk, sets out the policies which seek to protect people, property and the environment from flooding. Policy FLD1 of PPS15 seeks to restrict development within the fluvial (river) and coastal floodplains, Policy FLD 2 seeks to ensure the protection of existing drainage infrastructure such as open watercourses (designated or undesignated), while Policy FLD 3 requires the submission of a Drainage Assessment for a development which is over 1 hectare in area or comprises more than 10 dwellings.

A small portion of the northeastern portion of the application site falls within the flood plain of the Meadow Bank Stream which runs along the boundary with the University

playing fields. To address any potential flood risk issues, the developer submitted a Flood Risk and Drainage Assessment (FRDA) which was assessed and validated by DfI Rivers. The FRDA includes proposed mitigation measures to address any potential for flooding to arise on the site. These measures include: (i) the site layout has been designed to avoid development within the Meadow Bank stream floodplain and ensure that it (the development) does not adversely impact upon flood storage capacity or the flood conveyance capacity of the stream, (ii) all finished floor levels for the proposed dwellings are designed with a suitable freeboard (600mm) to protect them from a 1:100 year flood event and (iii) it is proposed to replace undesignated watercourses (ditches) within the site by the new storm drainage system which will serve to perform the drainage for the site. In respect of the site drainage there are no drainage flows into the site from surrounding land and no history of pluvial (rainwater) flooding on site.

In light of the foregoing it is considered that there are no flood risk grounds which would support the withholding of planning consent for this proposal.

### **Other Matters**

Amongst the matters raised by objectors was that development of the application site would result in the loss of open space. PPS 8: Open Space, Sport and outdoor recreation, policy OS 1, states that there will be a presumption against the loss of existing open space which will apply irrespective of its physical condition or appearance. However, policy OS 1 also indicates that an exception will be made where the loss of open space will have no significant detrimental impact upon the amenity, character or biodiversity of an area. Thus while the condition and appearance of the application site is not material the potential impact of its loss on the surrounding area will be. In the foregoing text the impact of the proposal has been assessed in detail and is not considered to have a significant detrimental effect on character and amenity. Similarly, the appraisal of the site's biodiversity does not anticipate a detrimental impact upon biodiversity in the area. Accordingly, it is found to be the case that no conflict arises between the proposal and the objectives of Policy OS 1 of PPS 8.

In respect of open space provision within the application site Policy OS 2 of PPS 8 requires provision of public open space of at least 10 % of the total site area: it is proposed that such open space will in this case be in the order of 18.5% of the site area.

### **CONCLUSION**

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

- The statutory requirements in terms of pre-application notification have been appropriately discharged;
- The principle of the development is considered to comply with the requirements of the statutory development plan BUAP2001, the policy set out in the Strategic Planning Policy Statement and content of the relevant draft plans (dNAP and dBMAP) for the area have been given appropriate weight;
- Design, layout and appearance have been assessed within the context of the relevant prevailing planning policies and are deemed to comply with their requirements;

- The impact upon the character and appearance of the area is considered acceptable being consistent with the requirements of policy and to have no unacceptable impacts upon its receiving environment and the wider townscape;
- Consultation with DfI Roads confirms that access to the application site can be provided to a suitable standard and that the traffic generated by the proposal will not have an unacceptable impact upon the adjoining road network;
- The impact of the proposal on protected trees and fauna has been assessed against the key criteria of sustaining the requirements of the ATC designation, the policy requirement to protect residential character and the amenity of existing and intended residents; and
- The proposal is considered to be compliant with the requirements of planning policy on matters relating to open space.

<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
-----------------------	----------------------------------

<b>PROPOSED CONDITIONS</b>
----------------------------

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 Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 54A bearing the date stamp 10 MAY 2021.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980

3. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

4. All habitable rooms to the dwellings identified on Figure F, within Document Number 01A, date stamped 31 Mar 2021, shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 19dB R<sub>TrA</sub>.

Reason: In order to ensure a suitable internal noise environment is achieved within the dwellings in close proximity to the railway line.

5. All habitable rooms to the dwellings identified on Figure F, within Document Number 01A, date stamped 31 Mar 2021, shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 19dB R<sub>TrA</sub>.

Reason: To ensure a suitable noise environment is achieved within the dwellings in close proximity to the railway line, without jeopardising the provision of adequate ventilation.

6. A 1.5-metre-high acoustic barrier shall be installed to the northwestern boundary of the site as presented on Figure F, within Document Number 01A, date stamped 31 Mar 2021. The barrier shall have a surface weight of not less than 6kg/m<sup>2</sup>, be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it shall be of the ship-lapped design.

Reason: In order to protect external amenity at nearby noise sensitive receptors adjacent to the railway line.

7. The total noise level from plant associated with the Waste Water Treatment Plant shall not exceed a rating level of 34dB L<sub>Ar</sub> when measured within the external amenity area of any nearby noise sensitive receptor and assessed in accordance with British Standard 4142:2014 + A1:2019.

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

8. The total noise level from plant associated with the pumping station shall not exceed a rating level of 34dB L<sub>Ar</sub> when measured within the external amenity area of any nearby noise sensitive receptor and assessed in accordance with British Standard 4142:2014 + A1:2019.

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

9. The dwellings shall not be occupied until the remediation measures as presented within the Remedial Strategy, Document Number 14, date stamped 10 Nov 2020 have been fully implemented and verified to the satisfaction of the Council. There shall be no amendments or deviations from the remediation and verification recommendations contained within the Remedial Strategy, without the prior written approval of the Council.

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

10. Verification documentation shall be submitted in the form of a verification report, to the Council. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all risks posed by contamination.

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

11. 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>.

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

12. After completing the remediation works under Condition 9; 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/landcontamination-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.

13. The developer must submit a Final site specific Construction Environmental Management Plan (CEMP) for approval by the Council at least 8 weeks before commencement of any works on site. This plan should contain all the appropriate environmental mitigation within the Outline CEMP dated September 2020.

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase to protect the features of European Sites in Belfast Lough and the protection of the water environment.

14. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available.

15. 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 in consultation with Historic Environment Division, Department for Communities. 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.

The development shall be carried out in accordance with the programme of archaeological work

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

16. 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 15. 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.

17. The Bat Mitigation Plan (Documents 17), date stamped 30/07/2021 and Drawing No. 59 date stamped 13/08/2021 shall be implemented in full prior to the occupation of the first dwelling on the development hereby approved.

Reason: To ensure the protection of bats within or adjoining the site

18. No retained tree, as indicated on Drawing No. 58/1 date stamped 07-SEP-2021 shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area 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 prior written consent of the Council.

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

19. 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 shall be erected outside the root protection zone as identified in Drawing No. 58/1 date stamped 07-SEP-2021 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 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.

20. Notwithstanding the provisions of The Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and re-enacting that Order, no operational development other than that expressly authorised by this permission shall commence within the Area of Tree Protection Zone as identified on Drawing No. 58/1 date stamped 07-SEP-2021 without prior approval from the Council.

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

21. The boundary treatments as identified on Drawing No. 58/1 date stamped 07-SEP-2021 within the Area of Tree Protection Zone shall be erected by hand digging only. Recommendations contained within paragraph 7.5.5 of BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations) shall be adhered to.

Reason: To ensure that damage to tree roots of retained trees is minimal.

22. The proposed landscaping works as indicated on Drawing Number 56/4 date stamped 07-SEP-2021 shall be carried out in accordance with these approved details and the appropriate British Standard or other recognised Codes of Practice no later than the first planting season after the occupation of the first residential unit hereby approved and shall be retained in perpetuity, unless the Council gives written consent to their removal.

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

23. The open space and amenity areas indicated on approved Drawing No. 03B date stamped 07-SEP-2021 shall be managed and maintained in accordance with the Landscape Management and Maintenance Plan, DOC 08 date stamped 19-08-2020 and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

Reason: To ensure successful establishment and ongoing management and maintenance in perpetuity of the open space and amenity areas in the interests of visual and residential amenity.

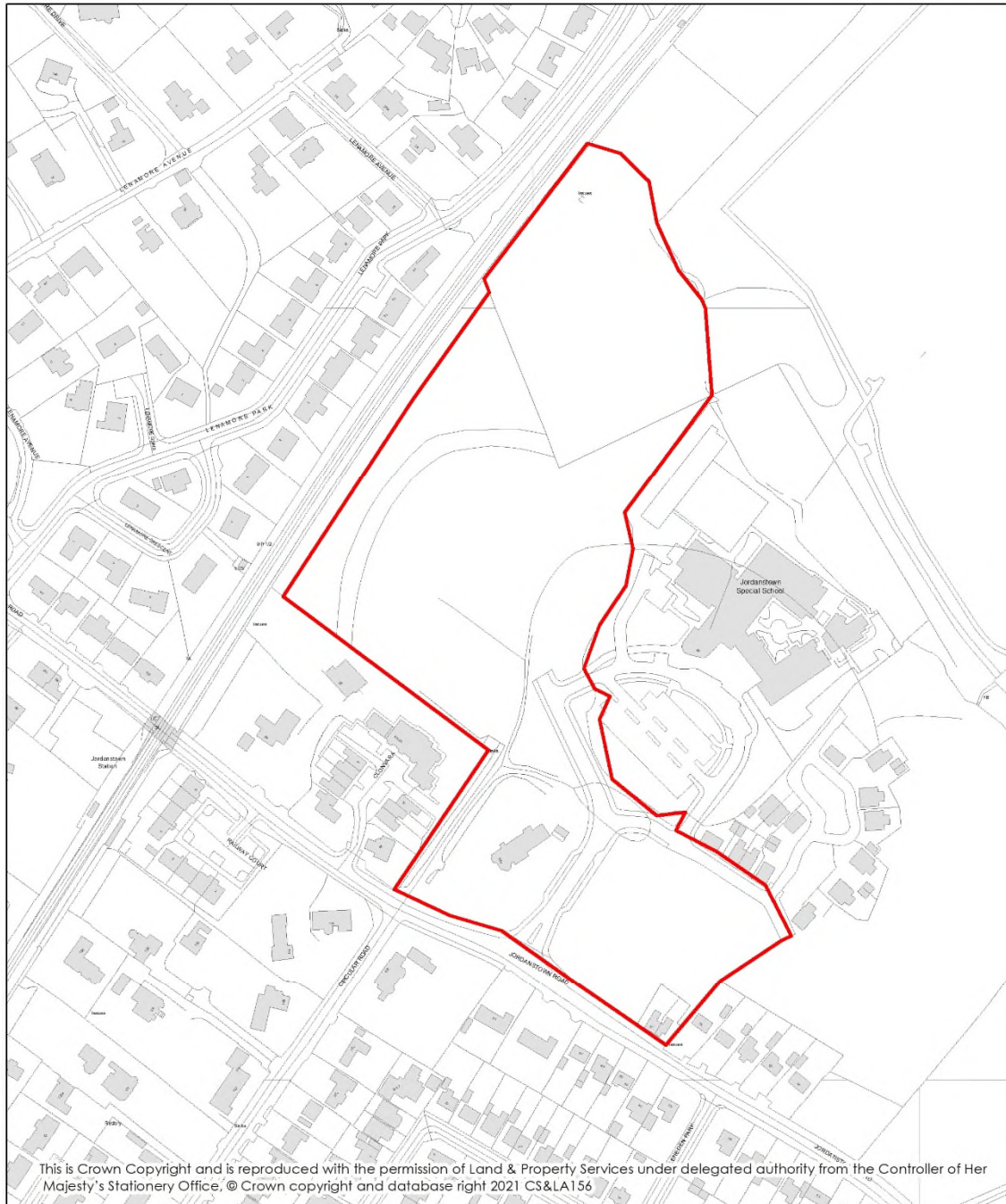
24. All hard and soft landscape works shall be carried out in accordance with the approved details on approved Drawing Nos, 58/1, 07B & 04B date stamped 07-SEP-2021 and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out in the first available planting season after the occupation of any part of the development.

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

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

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





This is Crown Copyright and is reproduced with the permission of Land & Property Services under delegated authority from the Controller of Her Majesty's Stationery Office. © Crown copyright and database right 2021 CS&LA156

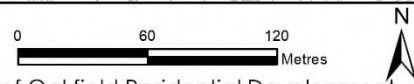
## Location Map

Reference: LA03/2020/0552/F

Location: Lands immediately adjacent to the north/northeast of Oakfield Residential Development and Jordanstown Special School Jordanstown Road Newtownabbey

Proposal: Proposed residential development, including demolition of nos 75 & 77 Jordanstown Road, comprising 80no dwellings

Site Boundary



<b>COMMITTEE ITEM</b>	<b>3.2</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0429/F</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Demolition of existing buildings and construction of replacement 3,100sqm GFA storage and manufacturing facility (Use Classes B2 & B4) producing Covid-19 testing equipment, including roof mounted solar panels, associated HGV/Car parking, landscaping, upgrade to existing access onto the Largy Road, sewage treatment plant and all other ancillary site works.
<b>SITE/LOCATION</b>	Land and buildings adjacent and approximately 45 metres northeast of 61 Largy Road and approximately 100 metres northeast of 59 Largy Road, Crumlin, BT29 4RR
<b>APPLICANT</b>	Randox Laboratories
<b>AGENT</b>	Matrix Planning Consultancy
<b>LAST SITE VISIT</b>	12th May 2021
<b>CASE OFFICER</b>	Johanne McKendry Tel: 028 903 Ext 40420 Email: <a href="mailto:johanne.mckendry@antrimandnewtownabbey.gov.uk">johanne.mckendry@antrimandnewtownabbey.gov.uk</a>
<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="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b>	
<b>SITE DESCRIPTION</b>	
<p>The application site is approximately 0.95 hectares in area and is located in the countryside outside the development limits of any settlement as designated in the Antrim Area Plan 1984-2001. The site is located within a relatively built-up area on the northern side of Largy Road approximately 2 kilometres east of Lough Neagh and approximately 5 kilometres west of the settlement of Crumlin. The site is bounded by Gortnagallon Road to the west, Ardmore Road to the north and Largy Road to the south.</p> <p>The application site is a section of brownfield land within the former Redland factory site, which has an overall area of 5.8 hectares and includes vacant factory buildings to the northeast and several smaller administrative buildings currently used by Randox for offices and laboratories to the southwest. The topography of the site is relatively flat and contains a large area of hardstanding and areas of informal car parking surrounding the existing buildings.</p> <p>The application site houses two existing factory buildings, one a mid-sized derelict former factory building and the second is a derelict former workshop building, which are proposed to be demolished. An existing private sewage (waste water) treatment plant is also located within the application site. The site is to be served by an existing access onto the Largy Road, which has served the site historically and continues therein. The boundaries of the application site are undefined, however, established roadside vegetation screens any significant or prolonged critical viewpoints from the adjoining road network.</p>	

There are a mixture of land uses in the immediate vicinity of the application site. To the north and south is open agricultural land and to the east adjacent to the Redlands factory buildings is Maxwell Freight Services. There are five residential dwellings fronting Largy Road to the south, and to the west on the opposite side of Gortnagallon Road there are two additional dwellings and Orchard Foam Packaging Company. Lakeview Farm Meats is located to the southwest on the opposite side of the Largy Road.

#### **RELEVANT PLANNING HISTORY**

Planning Reference: T/1974/0097

Location: Gortnagallon, Crumlin.

Proposal: Extension to offices.

Decision: Permission Granted (01.05.1974)

Planning Reference: T/1979/0498

Location: Largy Road, Gortnagallon, Crumlin.

Proposal: New plant building.

Decision: Permission Granted (28.12.1979)

Planning Reference: T/1993/0292

Location: 61 Largy Road, Crumlin.

Proposal: Extension to sales area.

Decision: Permission Granted 16.08.1993)

Planning Reference: T/2002/0750/F

Location: 61 Largy Road, Crumlin.

Proposal: Alterations and extension to existing factory buildings.

Decision: Permission Granted (05.11.2002)

Planning Reference: T/2003/0845/F

Location: 61 Largy Road, Crumlin.

Proposal: Extension to collation building.

Decision: Permission Granted (05.11.2003)

#### **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 Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) 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.

Antrim Area Plan 1984 – 2001: Paragraph 6.3 of Section 6 'Employment, Industry and Tourism' of the Plan states, 'In rural areas permission will normally be given for small scale commercial and industrial activities in existing buildings such as disused agricultural or commercial buildings or on derelict sites, provided there is no objections such as unsightliness, noise, smell and excessive or dangerous traffic generation'. There is no specific advice with respect to the current development 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.

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS 4: Planning and Economic Development: sets out planning policies for economic development uses.

PPS 15: Planning and Flood Risk (Revised September 2014): sets out planning policies to minimise flood risk to people, property and the environment.

PPS21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. This is supplemented by Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

## **CONSULTATION**

**Council Environmental Health Section** - No objection subject to conditions.

**Northern Ireland Water** - No objection.

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

**Department for Infrastructure Rivers** – No objection subject to a condition.

**Belfast International Airport** - No objection subject to conditions.

**UK Crown Bodies: DIO.LMS** - No objection.

**Department of Agriculture, Environment and Rural Affairs - Natural Environment Division** - No objection subject to a condition.

**Department of Agriculture, Environment and Rural Affairs - Water Management Unit** - No objection subject to conditions.

**Department of Agriculture, Environment and Rural Affairs – Regulation Unit and Ground Water Team** - No objection subject to conditions.

## **REPRESENTATION**

Nineteen (19) neighbouring properties were notified, and thirteen (13) letters of objection have been received from seven (7) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- The principle of development is not acceptable;
- The proposal is contrary to Policy PED 3 of PPS 4 in that the exceptional circumstances for storage and distribution use is not apparent;
- Accuracy of data within the Transport Assessment Form (TAF) is questionable due to less traffic on roads during the pandemic period;
- There is a bus stop adjacent to proposed egress onto Gortnagallon Road;
- Concerns regarding a proposed exit/egress onto Gortnagallon Road;
- The site egress should be located on Largy Road;
- Increase in traffic using small country roads and impact on residential amenity by way of noise, general disturbance, difficulty accessing existing residential properties and impact on road safety;
- Conflict between traffic turning right entering the site on the Largy Road and vehicles turning left from Gortnagallon Road onto Largy Road;
- Traffic generation from the Phase 2 development should be taken into consideration;
- Existing parking areas within the site to serve the proposed development should be included within the red line of the application site, increasing the site area to over 1 hectare in area, making the application invalid;
- Reference to Phase 2 future development could be seen as an attempt to avoid an application for Major development and community consultation;
- The proposal is a Major development, and no community consultation was carried out;
- Over-industrialisation of the countryside and impact on character of the area;
- The waste water treatment plant should be included with the red line of the application site and included in the description of development;
- An increase in the red line of the application site would increase the site area beyond 1 Hectare resulting in the proposal being classified as Major development;
- Details of the waste water treatment plant are not included;
- Noise, odour and general disturbance;
- Visual impact;
- The scale of development and intensification of use of a brownfield site;
- Lack of detail to allow a thorough assessment of the development proposal;
- Pollution of Lough Neagh and environmental impact and danger to wildlife;
- Job creation will not benefit the local economy;
- Radox has not invested in local infrastructure;
- The EIA Determination failed to consider operational noise as a potential impact of the development proposal.

## 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 and Appearance and Impact on the Character of the Area
- Neighbour Amenity
- Flood Risk
- Natural Heritage
- Access and Parking
- Other Matters

### **Preliminary Matters**

#### Habitats Regulation Assessment

The application site is located approximately 2 kilometres east of Lough Neagh, which is a designated Area of Special Scientific Interest (ASSI) and a Special Protection Area (SPA) under the 2009 Wild Birds Directive (2009/147/EC). As a SPA, Lough Neagh is protected as a 'European Site' under Regulation 9 of the Habitats Regulations. Shared Environmental Services (SES) was informally consulted with respect to Regulation 43 (1) of the Conservation (Natural habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). Because the application site is not connected to any European sites and there are no pathways to Lough Neagh, SES advised that further assessment for HRA is not required.

#### Environmental Impact Assessment.

As the development is within Category 10 (B) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether the application is or is not EIA development. An EIA screening determination was carried out and it is determined that the planning application does not require to be accompanied by an Environmental Statement.

### **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 Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal. The application site is located outside any settlement limit and lies in the countryside as designated by the Plan. Albeit the 'Employment, Industry and Tourism' section of the Plan states 'In rural areas permission will normally be given for small scale commercial and industrial activities in existing buildings such as disused agricultural or commercial buildings or on derelict sites, provided there is no objections such as unsightliness, noise, smell and excessive or dangerous traffic generation', the Plan offers no site specific policy or guidance pertinent to this development proposal.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPS's).

In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPS's which provide the relevant regional policy context for consideration of the proposal:

- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 4: Planning an Economic Development;
- PPS 15: Planning and Flood Risk; and
- PPS 21: Sustainable Development in the Countryside.

In respect of determining the principle of development, Policy CTY 1 of PPS 21 states that planning permission will be granted for development in the countryside in certain circumstances. One of the nine types of non-residential development categories deemed to be acceptable under Policy CTY 1 is for industry and business uses in accordance with PPS 4.

Concerns were raised by objectors that the principle of development was not acceptable as the proposal is contrary to Policy PED 3 of PPS 4 in that the exceptional circumstances for a storage and distribution use is not apparent.

Policy PED 2 'Economic Development Use in the Countryside' of PPS 4 seeks to facilitate and accommodate economic growth and states that proposals for economic development uses in the countryside will be permitted in accordance with the provisions of Policy PED 3, PED 4, PED 5 and PED 6. The relevant policy in this case is Policy PED 4 'The Redevelopment of an Established Economic Development Use'.

Policy PED 4 is expressively permissive and states that a proposal for the redevelopment of an established economic development use in the countryside for industrial or business purposes (or a sui generis employment use) will be permitted where it is demonstrated that all four of the following criteria can be met:

- a) the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is only a proportionate increase in the site area:

The former Redland site is approximately 5.8 hectares in area and contains a number of vacant buildings associated with the former factory use. The application site is contained within the said site and is approximately 0.95 hectares in area and houses two existing factory buildings which are proposed to be demolished and replaced with a single storage and manufacturing facility. The development proposal is well screened and can be absorbed within the existing location, taking account of existing buildings and established mature boundaries.

- b) there would be environmental benefits as a result of the redevelopment:

The proposal seeks to demolish several buildings and redevelop the existing area of hardstanding to provide a modern purpose-built facility. The proposal would provide the following environmental benefits: from a visual perspective the proposal will enhance the vast area of hardstanding; a Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) have been submitted, which



determined no unacceptable risks to environmental receptors have been identified and if any potentially asbestos containing materials are found can be mitigated by appropriate conditions to protect environmental receptors as well as protection of human health. These mitigation and remediation works would not otherwise occur but for the proposed development; a biodiversity checklist has been completed, which has confirmed the site has limited ecological value, and consequently the introduction of discrete areas of grass, shrub and tree planting will be of ecological benefit and promote biodiversity; an upgraded site access will provide road safety benefits; and the inclusion of solar panels on the roof and greywater recycling in the form of rainwater harvesting will reduce the environmental footprint and provide benefit by way of reduced run-off and providing energy for the proposed building and existing administrative buildings and laboratories.

- c) the redevelopment scheme deals comprehensively with the full extent of the existing site or in the case of partial redevelopment addresses the implications for the remainder of the site:  
The proposal seeks to redevelop approximately 0.95 hectares of the overall former Redlands factory site and whilst the remainder of the site to the east has not been considered in this development proposal, it contains former factory buildings which are derelict and in a state of disrepair. The agent has stated that taking account of the ongoing expansion of Radox, given its ongoing support to the UK Government's National COVID-19 testing programme, this area will be used for future phases of redevelopment with the existing buildings being demolished and replaced with modern purpose-built units. This has been marked as 'Phase 2 – Future Redevelopment Site' on Drawing Number 03/1 date stamped 14th July 2021.
- d) the overall visual impact of replacement buildings is not significantly greater than that of the buildings to be replaced:  
The subject site is flat and contained within a larger industrial setting which benefits from a considerable degree of enclosure from the established mature vegetation along the road frontage to the north along Ardmore Road and to the south at Largy Road. Public views are completely restricted to the east from the Ballyclan Road, given the intervening buildings associated with Maxwell Freight Services. Whilst the western boundary to Gortnagallon Road is more open, several intervening buildings restrict the ability to obtain clear views into the site. Whilst the proposed replacement building is larger in height and scale than the existing buildings, it will not have a significantly greater visual impact as it will have no road frontage and the existing buildings and vegetation will continue to restrict critical views.

Policy PED 9 'General Criteria for Economic Development' of PPS 4 sets out the general criteria which all proposals are expected to meet in addition to those considered in Policy PED 2, which overlap other policies contained within PPS 2, PPS 3, PPS 4 and PPS 21. The proposal is considered acceptable in principle as it complies with Policy CTY 1 of PPS 21 and Policy PED 2 of PPS 4 subject to compliance with Policy PED 9 of PPS 4, PPS 2, PPS 3 and PPS 15 which will be considered in more detail below.

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

The application seeks full planning permission for the demolition of two existing buildings, with a Class B3 General Industrial use and the construction of a replacement storage and manufacturing facility with a gross floor area of 3100sqm GFA (Use Classes



B2 and B4) producing and storage of Covid-19 testing equipment, including roof mounted solar panels, associated HGV/Car parking, landscaping, an upgrade to the existing access onto the Largy Road and the replacement and upgrade of the existing waste water treatment plant.

The proposed two storey storage and manufacturing building is located centrally within the application site and is served by a single access from the Largy Road. The building has a frontage length of approximately 52 metres, a width of approximately 54 metres and a height of approximately 8.5 metres.

The pitched roof design has double height linear bays erected side by side. The finishes of the building include smooth render external walls with black metal cladding to the entrance and a zinc cladding canopy, an insulated roof and wall cladding coloured Goosewing Grey with grey flashings and trims.

Six fire escape doors are proposed for the building: two on the northeastern elevation, two on the southwestern elevation, one on the southeastern and one on the northwestern elevation. The 'goods in', 'goods out' and forklift access roller doors are all located on the northeastern elevation. The staff entrance doors are located on the southwestern elevation. The electronically operated workshop doors are colour coated insulated sectional overhead doors, incorporating a single row of three vision panels, clear opening and coloured Merlin Grey. The personnel door contains steel flush panels, rebated cold rolled steel frames, complete with ironmongery and weather sealing, with a Merlin Grey coloured powder coat finish. The triple glazed windows are finished in grey aluminium. The scheme also introduces solar panels on the roof.

The proposed ground floor consists of a lobby/reception area, conference room, male and female staff toilets, shower area, staff locker room, a kitchen and seating area for up to 68 people, and a conference room. The ground floor area also includes a loading area and packaging dispatch area (410sqm) storage and an unloading area (770sqm), an assembly production area with 19 assembly booths, two offices and an overspill work area (970sqm) which is double height. The proposed first floor contains 450sqm of office accommodation including a private office, an open plan office with meeting area for up to 24 members of staff and a WC. The total internal floor area totals 2,970sqm and the external footprint of the building is 3,100sqm.

The proposed modern purpose-built storage and manufacturing building has been designed to take into consideration the standard design elements of units of this type and size. The size, scale, colour and materials palette chosen is typical of this type of storage and manufacturing building.

The southeastern and southwestern aspects have car parking punctuated with trees and shrubs to soften the entrance approach. HGV parking is proposed adjacent to the northeastern elevation. A 1.5-metre-high ranch style fence is proposed to the rear of the visibility splays at Largy Road.

Objectors raised concerns with regards to the over-industrialisation of the countryside and the impact on the character of the area with respect to the development proposal. As stated above there are a number of commercial and manufacturing uses in the immediate vicinity of the application site and the scale, appearance and location of the proposed development is considered acceptable as it is well integrated

in the landscape and it is grouped with and reads against existing commercial buildings within the overall site. The site is not considered to be a prominent feature in the landscape due to the site's flat topography. In addition, the proposed building is set back approximately 75 metres from the Largy Road and there is established mature vegetation along the periphery. As a result, the proposed building will be well screened and largely enclosed from public viewpoints.

It is considered that the proposed development can be absorbed into the existing landscape, will not lead to an unacceptable change in the character of the area and meets with the provisions of criterion (a), (j), (k) (l) and (m) of Policy PED 9 of PPS 4 and Policy CTY 13 and Policy 14 of PPS 21.

### **Neighbour Amenity**

A number of letters of objection have been received concerning potential impacts on residential amenity by way of traffic noise, operational noise, noise and odour from the proposed waste water treatment plant and general disturbance arising from the proposed development. An objector also raised concern that the Environmental Impact Assessment (EIA) Determination failed to consider operational noise as a potential impact of the development proposal and that lack of detail was submitted to allow a thorough assessment of the development proposal.

A Noise Assessment, Document 03 date stamped 16th April 2021, was submitted in respect of the proposed storage and manufacturing building and associated development. The Council's Environmental Health Section (EH) reviewed the assessment and following consideration of the report sought further clarification in respect to a number of noise sources associated with the proposed development, the potential noise and odour associated with the proposed waste water treatment plant, and additional information with regards to artificial lighting.

A Noise Assessment Addendum, Document 03/Addendum 1 date stamped 30th June 2021 and an Additional Supporting Information Report, Document 10 date stamped 30th June 2021, were submitted and a review and amendment to the EIA Determination was carried out on 25th August 2021 in order to address the above concerns.

Following consultation with the additional information submitted, EH confirmed the addendum provided clarification that two heating, ventilation and air conditioning (HVAC) units located towards the northern end of the proposed building were included within the Noise Assessment. The addendum states that the maximum predicted noise impact from these units will be 25 dB(A) and therefore due to inaudibility no character correction is required. EH confirmed the addendum provided clarification that there will be no large HGV movements on the site only small rigid (7 tonne) HGVs, which is also confirmed within the TAF. The addendum also states that deliveries will be by small rigid lorries and vans; loading and unloading activities will only occur during daytime hours; there will be no audible sound associated with the manufacturing activity; noise levels associated with vehicle movements in the carpark will be negligible; a waste water treatment plant is already in existence on the site; and the generator will only be used in emergency circumstances and shall be within an acoustic enclosure.

Objectors raised concerns with respect to the proposed waste water treatment plant indicating it was not being contained within the red line of the application site, details

of the replacement treatment plant are not provided and potential noise and odour arising from it have not been considered. A revised Location Plan, Drawing Number 01/1 date stamped 14th July 2021, includes the treatment plant within the red line of the application site and a revised Proposed Site Plan, Drawing Number 03/1 date stamped 14th July 2021 depicts in green the position of the replacement treatment plant.

The additional information submitted provides clarification that the waste water treatment plant is already in existence and is located over 100 metres from the proposed replacement building or any third party dwellings. The agent has stated that there will be no issue in respect of odour and the waste water treatment plant will be upgraded to a modern more efficient system at the existing location. The agent also advises that potential noise associated with the proposed waste water treatment plant was not considered within the Noise Assessment since there is an existing treatment plant on the site with no audible noise sources. Overall, it is considered that a replacement waste water treatment plant is acceptable.

With respect to artificial lighting the agent has confirmed that no floodlighting is proposed as part of this planning application as floodlighting already exists throughout the application site.

The Proposed Site Plan, Drawing No. 03/1, indicates a potential Phase 2 development on lands outside the red line of the application site. EH has advised that any noise generating sources associated with Phase 2 of the development will require to be demonstrated through a suitable Noise Impact Assessment to ensure that a creeping background will not be created.

EH confirmed it considered the comments contained within the letters of objection in respect of neighbour amenity and stated it has no objection to the development proposal and considers that the proposal will not harm the amenities of nearby residents' subject to noise control conditions being imposed should planning permission be granted. It is therefore considered that the proposed use will be compatible with surrounding land uses.

Concerns were raised by objectors with respect to the proposed scheme introducing additional vehicle movements and the effect that the quantity of traffic may have on increasing noise and pollution levels in the immediate area generally. In protecting and monitoring local air quality, EH carries out a review and assessment of local air quality known as Local Air Quality Management (LAQM), which involves an examination of traffic volumes, new sources of pollution and monitoring data and compare these to national objectives for specific pollutants. If the detailed assessment shows that an area definitely exceeds an air quality objective the Council is required to declare an Air Quality Management Area (AQMA) and an Action Plan is developed to improve the air quality to meet the national objectives.

With regards to noise pollution from road traffic sound, as stated previously, the development proposal seeks to replace an existing manufacturing use on the application site, which would generate significant daily traffic movements. The Institute of Acoustics' Professional Practice Guidance (ProPG) on Planning and Noise states that Noise Assessments must be carried out from a stationary source and the issue regarding noise from traffic movement is outside the remit of EH. EH in its consultation response dated 14th June 2021 requested that DfL Roads be given an opportunity to make

comment in relation to any increase to noise levels as a result of increased traffic levels to the surrounding road network and the predicted impact on nearby receptors.

Following informal consultation with DfI Roads, it was confirmed on 24th August 2021 that DfI Roads has no concerns with the increasing traffic volumes on the surrounding road network and is content with the level of scrutiny given to noise generated by this application by both the applicant and EH. Overall, it is considered that a level of road traffic noise is inevitable and unavoidable and the projected increase in traffic generation from the scheme is not considered to make a significant impact on the noise and pollution levels in the immediate area.

EH has reviewed the Noise Assessment Report and Noise Addendum Report and has raised no concerns subject to the inclusion of a number of conditions should planning permission be granted, which includes restricting the hours of operation for loading and unloading activities within the development. It is considered that the proposal will not harm the amenities of nearby residents by reason of the siting, scale, extent, including any noise or light pollution likely to be generated and the proposed use will be compatible with surrounding land uses. Overall, it is considered that the development proposal complies with criterion (b), (e) and (f) of Policy PED 9 of PPS 4 and there is no unacceptable impact on residential amenity.

### **Flood Risk**

PPS 15 (Revised) 'Planning and Flood Risk' sets out planning policies to minimise and manage flood risk to people, property and the environment. As the development proposal comprises over 1,000sqm of floor space a Drainage Assessment (Revised), Document Number 02 date stamped 21st November 2018, was submitted. The Drainage Assessment (DA) states no additional impermeable areas will be introduced and there will be no increase in existing surface water run-off flows from the proposed site. The DA also states that the developed site may be drained via an extended drainage system connecting into the existing pipe at 30% less than current run-off at 1 in 2-year flow rates.

DfI Rivers has reviewed the DA and confirms that the Flood Map (NI) indicates that the site lies outside the 1 in 100-year fluvial flood plain. DfI Rivers also states that the applicant has provided adequate drainage drawings and calculations to support their proposals.

DfI Rivers further commented that the surface water run-off from the proposed development is being discharged into an existing drainage system that discharges to a soakaway. DfI Rivers has expressed that to comment on the efficacy of soakaways is outside DfI Rivers' area of knowledge and expertise. In relation to this, NI Water has been consulted and has commented that the applicant proposes to discharge surface water to soakaways and has raised no objection to this aspect of the proposal.

DfI Rivers has made specific reference to paragraph 5.4 of the DA which states, 'No construction details concerning the full proposed surface water drainage system is available now other than what has been supplied in the appendices. These will be provided at detailed design stage...the proposed drainage layout is at present indicative, but the finalised drainage layout should be similar.' Because the DA states that the proposals are 'at present indicative', DfI Rivers has requested that a pre-commencement condition is applied requiring a final DA containing a detailed

drainage network design compliant with Annex D of PPS 15 to be submitted to the Council for its consideration and approval in order to safeguard against flood risk to the development and elsewhere, should planning permission be granted. DfI Rivers has not objected to the development proposal from a flood risk perspective and consequently it is considered that the development proposal complies with PPS 15 and Criteria (d) of Policy PED 9 of PPS 4

### **Natural Heritage**

Concerns were raised by objectors regarding the potential pollution of Lough Neagh and a detrimental environmental impact and danger to wildlife from the proposed development.

A Northern Ireland Biodiversity Checklist, Document 06 date stamped 16th April 2021, was submitted, which concluded that no priority habitats are present at the site. The site is not close to any Protected Sites, nor is it connected to such sites and therefore no impacts on Protected Sites is predicted. Due to the two existing buildings on the site, the requirement for a Preliminary Bat Roost Potential report and possible Bat Roost Emergence Survey was established. Additionally, at least two bird species have been shown to be nesting, which requires mitigation. No other protected species were present, nor their refuges, and for species other than birds and bats, no impacts are predicted.

A Preliminary Bat Roost Assessment, Document 07 date stamped 16th April 2021, was submitted, which assessed the buildings for emerging/returning bats and determine if the building was an active bat roost. The report concluded that both buildings within the application site have moderate Bat Roost Potential. A Bat Roost Emergence Survey, Document 09 date stamped 1st June 2021, was consequently submitted which confirmed that no bats were detected, and the report concluded that neither of the buildings are a bat roost.

DAERA Natural Environment Division (NED) was consulted with respect to the development proposal and has considered the impacts of the proposal on designated sites and other natural heritage interests. Using the information submitted, NED is content that the proposed development is unlikely to impact priority habitats. NED also noted in its consultation response that no evidence of roosting bats was found during the bat emergence/re-entry surveys and is therefore content that the site does not currently support roosting bats and is unlikely to significantly impact the local bat population. NED also noted that evidence of breeding birds was found within the buildings during the site survey carried out in April 2021, however, the report states that should planning permission be granted, a condition must be imposed to ensure the buildings are not removed within the bird breeding season.

DAERA Water Management Unit (WMU) has considered the impacts of the proposal on the surface water environment. WMU notes that there is no previous record of any consent for foul sewage disposal at this site but confirms that there was a consent in place for site drainage under the former 'Redland Tile' operation, which has since been revoked. WMU also notes that a sewage treatment plant is proposed as the means of foul sewage disposal for this development and has advised that a discharge consent under the terms of the Water (Northern Ireland) Order 1999 will be required for this treatment plant.

Water Management Unit regulates waste water treatment plants by issuing a discharge consent under the terms of the Water (Northern Ireland) Order 1999. When regulating the discharge consent, WMU's interest is that the treatment plant, discharge point and any associated soakaways conform to certain standards to prevent pollution of surface or ground water.

WMU confirms on the basis of the information provided that it is content with the proposal subject to the applicant referring and adhering to DAERA Standing Advice on Commercial or Industrial Developments, which require a consent to discharge. This is dealt with under separate non-planning legislation and the applicant will be required to secure this separate consent.

A Preliminary Risk Assessment, Document 05 date stamped 16th April 2021, and a Generic Quantitative Risk Assessment (GQRA), Document 08 date stamped 25th May 2021, was submitted in support of the development proposal. The GQRA was informed by site investigations and environmental monitoring data to assess the potential risks from ground and groundwater contaminants to human health and environmental receptors for the development.

DAERA Regulation Unit Land and Groundwater Team (RU) considered the GQRA and the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water. The GQRA report was informed by site investigations comprising three shallow boreholes to obtain soil and groundwater quality data and gas monitoring and sampling. No contaminants were detected at concentrations which are likely to pose risks to environmental receptors. The site walkover survey noted the potential for Asbestos Containing Materials (ACMs) to be present in the derelict existing buildings and the presence of fuel tanks on site as well as some Intermediate Bulk Containers (IBC's). Following consideration of the report findings, RU has stated that it has no objections to the development provided conditions and informatives are imposed should planning permission be granted.

The Council's Environmental Health Section (EH) also considered the GQRA and confirmed that the results of the tests carried out indicates that the underlying shallow soils do not pose a risk to future site users via direct contact pathways or via the inhalation of vapours pathway.

Asbestos was not detected in any of the soil samples but given the potential presence of asbestos within the fabric of current buildings located on site, the GQRA recommended that an asbestos survey be completed prior to the demolition of these buildings.

Four ground gas-monitoring rounds were undertaken at borehole locations between April and May 2021 and the report concluded that no special gas protection measures are required within the proposed buildings and no remedial measures required for the development site.

EH and RU have confirmed that no unacceptable risks to environmental receptors have been identified for the development, however, should asbestos containing materials be identified these will require appropriate management and disposal. It is

recommended that conditions be imposed in relation to this matter should planning permission be granted.

Overall, it is therefore considered that the development proposal will have no detrimental impact on natural heritage interests subject to conditions and the proposal complies with PPS 2 and Criteria (c) of Policy PED 9 Of PPS4.

### **Access and Parking**

Policy AMP 1 'Creating an Accessible Environment' of PPS 3 sets out the overarching criteria for an accessible environment. Policy AMP 2 of PPS 3 'Access, Movement and Parking' states that planning permission will only be granted for development proposals involving the intensification of an existing access onto a public road only where such access will not prejudice road safety or significantly inconvenience the free flow of traffic.

A number of objections raised road safety concerns including: the proposed new egress from the site onto Gortnagallon Road; preference for the site egress to be on Largy Road; conflict between traffic turning right entering the site on Largy Road and vehicles turning left from Gortnagallon Road; and an existing bus stop located adjacent to the proposed egress onto Gortnagallon Road.

The proposal initially sought to use the existing access arrangement from the Largy Road, and the creation of a new egress onto the Gortnagallon Road to enable a dedicated one-way system. Due to this proposed access intensifying the use of the Gortnagallon Road/Largy Road junction, DfI Roads requested junction visibility improvements at this location and visibility splays of 4.5m x 70m visibility splays at the Gortnagallon Road/Largy Road junction which required third party land to provide the improved visibility splays. An amended Location Plan and Block Plan, Drawing Numbers 01/1 and 03/1 respectively, date stamped 14th July 2021, proposed an upgrade to the existing site access at Largy Road with the provision of visibility splays of 4.5 metres x 70 metres, as well as the removal of the egress onto Gortnagallon Road, which addressed the aforementioned objector concerns.

A Transport Assessment Form (TAF), Document 04 date stamped 16 April 2021 was submitted to consider the traffic and transportation impact of the new storage and manufacturing facility. Objectors raised concerns with regards to the accuracy of data within the TAF due to less traffic present on the roads due to the pandemic period, an increase in traffic using small country roads and difficulty accessing existing residential properties impacting on road safety.

It is accepted that there may have been a reduced presence of traffic on the Largy Road at the time of the traffic count due to the pandemic, however, it is considered that the Largy Road is a rural country road not usually heavily trafficked. The anticipated increase in road traffic at this location as a result of the development proposal is included in the Trip Rate Information Computer System (TRICS) modelling set out in Appendix F of the TAF. DfI Roads has considered the information raised within the TAF and objection letters and has not raised any objection in respect of the data provided or any road safety concerns with respect to the projected increase in traffic as a result of the proposed development.

The purpose of the TAF is to consider the traffic and transportation impact of a new storage and manufacturing facility for Randox Laboratories. Although the TAF makes reference to the original proposed access arrangement with a new exit only access onto Gortnagallon Road, the TAF states that the previous use on the application site by Redland Brickworks would have fallen into Class B3 General Industrial land use and this busy brickwork factory would have generated more daily traffic including higher levels of larger HGV movements than the current development proposal. The TAF also states that Redland brickworks would also have had a significantly higher number of HGV visitor trips daily and operational trips, whereas under the current proposal the trips will be self-contained with few visitor trips if any, and a number of larger vehicle trips. The TAF states that between 100-150 persons will visit the site daily and will comprise of staff and servicing and distribution trips and to robustly assess the level of trips generated by the proposed development the TRICS database was used. No persuasive evidence was submitted to contradict the evidence submitted in the TAF or to validate the suggestion that infrastructure facilities would be unable to cope with the additional vehicular traffic as a result of the proposed development.

Objectors stated that traffic generation from the Phase 2 development, parking areas within the site to serve the proposed Phase 2 development and the existing car parking area serving current operations at the adjacent Randox facility should be included within the red line of the application site. Objectors also stated that if these lands were included within the red line of the application site, it would make the site over 1 hectare in area, thereby being classified as being in the category of Major development, resulting in the requirement for formal public consultation prior to the submission of a planning application.

Car parking, HGV parking and lorry turning provision to serve the current development proposal is indicated on the proposed Site Plan, Drawing Number 03/1, which is considered to meet the current parking standards. There are 59 additional car parking spaces and four HGV parking spaces to be provided within the application site. The proposed parking schedule exceeds the published standards for this type of development use and floorspace. The former tile manufacturing plant proposed to be used for Phase 2 future redevelopment of the site also has existing car parking provision. Should a planning application be submitted as part of an additional phase of development, it would be considered on its own merits when the full details of any development proposal would be known. It is therefore not considered necessary for the red line of the planning application site to be extended for a future development site within blue land which is within the applicant's ownership, or to include existing parking that serves another existing business use.

DfI Roads has considered the aforementioned road safety concerns and has raised no objection in respect of the matters raised or to the proposed parking and access arrangements and on the basis of the evidence submitted the objections are not determining. Overall, it is considered that adequate provision has been made for parking for cars and HGVs, turning and movement within the site for vehicles that will be attracted to the development, as well as improved visibility at the site access. It is considered that the proposed development complies with Policy AMP 2 of PPS 3 and Criterion (g), (h) and (i) of Policy PED 9 of PPS4, and the proposed development will not prejudice road safety or significantly inconvenience the flow of traffic, and there will be no detrimental impact on the public access arrangements as a result of this proposal.



## **Other Matters**

### **Belfast International Airport (BIA)**

BIA has examined the proposed development from an aerodrome safeguarding aspect and has confirmed that the development proposal does not conflict with its safeguarding criteria subject to a number of conditions being imposed should planning approval be granted. BIA has suggested a condition relating to any external lighting be included. There are existing floodlights throughout the application site, however, the proposal does not include any new aspects of external lighting, so this condition is not necessary. However, given the proximity to the airport it would be considered prudent to include it as an informative on the grant of any planning permission, should it be forthcoming. BIA also requested that it be notified prior to the use and operation of any cranes at the site; this is also not seen as a necessary condition but may be included as an informative on any approval. Another condition relates to landscape proposals to ensure the proposal does not increase the risk of bird strikes. As a precautionary measure a condition could be imposed to ensure no fruit bearing or berry producing species of tree, hedge or shrub shall be planted in the interests of aviation and aerodrome safeguarding.

### **UK Crown Bodies: Defence Infrastructure Organisation Land Management Services & Disposals (DIO.LMS)**

UK Crown Bodies DIO.LMS was consulted with respect to the development proposal and has no objection.

### **The Waste Water Treatment Plant (WWTP) should be within the red line of the application site**

An objector stated that the proposed WWTP should be included within the description of development and the red line of the application site. The original P1 form included the WWTP in the description of development and it was advertised as such in May 2021. As stated above a revised location plan to include the WWTP within the red line of the site was submitted. The inclusion of the proposed WWTP is not considered to materially change the character of the development as it is contained within 'blue land' which is within the ownership of the applicant, it was included in the original description of development and advertised as such, and it is contained mainly underground and will have no discernible visual impact. It should be noted that conditions can be applied to development that is contained within blue land and within the applicant's ownership.

The objector also stated that an increase in the red line of the application site to include the WWTP and the required increase in the visibility splays at Gortnagallon Road would increase the site area beyond 1 hectare bringing the application site into the classification of major development, hence making the application invalid. The original red line of the site included the proposed access onto Gortnagallon Road and its associated visibility splays. The revised location plan, although it includes the area of land required to site the replacement WWTP, removes the access onto Gortnagallon Road and reduces the site area from 0.99 hectares to 0.95 hectares thereby retaining the application within the local development category.

### **Job creation will not benefit the local economy and Randox has not invested in local infrastructure**

Background information and details of the development proposal were submitted within the Supporting Planning, Design and Access Statement, Document 01 date

stamped 16th April 2021. The information provided states that Randox Laboratories was established in 1982 and employs approximately 1,500 people worldwide. The report states that the company reinvests 25% of their turnover in research and development. Randox is unique in the diagnostics market due to its patented Biochip Array Technology, which was the result of a £350 million investment to identify and develop the gold standard in testing.

Following engagement with Public Health England, at the time of the emergence of the COVID-19 threat, Randox tests were made directly available locally within Northern Ireland. To enhance its national testing capacity, Randox announced an investment of £30 million in a new specialised COVID-19 testing hub at the Randox Science Park in Antrim. Following its opening, Randox had a recruitment drive to employ new staff across the fields of Science, Engineering and Manufacturing in support of its role within the national testing programme; 200 new positions were committed to be involved in the testing of potential COVID-19 samples as well as the construction of 200 new state-of-the-art diagnostic analysers with the aim to significantly increase Randox's capacity for COVID-19 testing.

The current planning application has been submitted as a direct result of the ongoing support Randox provides to the UK Government's National COVID-19 testing programme. The proposed new storage and manufacturing building is required for the storage and assembly of new COVID-19 testing equipment. It is intended that the finished product will be assembled at Largy Road, Crumlin and distributed worldwide by air with the product being used in facilities such as airports, seaports, educational facilities, leisure facilities, hotels/hospitality, office blocks, hospitals, nursing homes and universities.

The development proposal represents an investment of approximately £4 million in the construction of this purpose-built facility, which will create employment of 100-150 full-time jobs. It is also anticipated that there will be 50-70 construction jobs associated with the development and additional income through non-domestic rates.

Overall, it is considered that Randox has invested heavily in the local building infrastructure and not only will the proposed development both directly and indirectly benefit local people, local businesses and the local economy, it will also have international public health benefits through distribution of COVID-19 testing equipment.

## **CONCLUSION**

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

- The principle of the development is acceptable given the present uses on the site.
- The design and appearance of the proposed buildings will not appear out of character within the context of the area and the proposal is acceptable at this location.
- The proposal will not unduly impact on the privacy or amenity of neighbouring properties and the proposed use will be compatible with surrounding land uses.
- There is no flood risk associated with the development subject to the submission and approval of a final Drainage Assessment.
- The proposal will have no detrimental impact on natural heritage interests.
- Access, road safety, parking and circulation at the site are considered acceptable and will improve existing conditions at the application site.

RECOMMENDATION	GRANT PLANNING PERMISSION
<b>PROPOSED CONDITIONS</b>	
<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to the commencement of any development on the site, a final Drainage Assessment, containing a detailed drainage network design compliant with Annex D of PPS 15 shall be submitted to and approved by the Council.</p> <p>Reason: To safeguard against flood risk to the development and elsewhere.</p> <p>3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number 03/1 date stamped 14th July 2021, 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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>4. 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.</p> <p>Reason: To ensure there is a satisfactory means of access in interests of road safety and the convenience of road user.</p> <p>5. The building hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved Drawing Number 03/1 date stamped 14th July 2021 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.</p> <p>Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.</p> <p>6. No demolition of buildings or structures shall take place between 1st March and 31st August 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, that no birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to Council within 6 weeks of works commencing.</p> <p>Reason: To protect breeding birds.</p>	

7. All fuel storage tanks (and associated infra-structure) shall be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 8 and 9 will apply.

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

8. 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/landcontamination-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.

9. After completing the remediation works under Conditions 7 and 8; and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

The verification report shall 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.

10. Prior to any site works taking place, a 'Plan of Work' for the management of site asbestos containing materials (ACM) shall be prepared by a suitably competent person and submitted to the Council for its agreement. This Plan of work shall be submitted before any site work with ACM is carried out and should include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- nature and expected duration of the work
- number of persons involved
- address and location of where work is to be carried out
- method for picking asbestos
- methods use to prevent, control and reduce exposure to asbestos
- air monitoring
- arrangement for disposal of asbestos waste
- type of equipment including personal protective equipment

Work on site with asbestos containing materials shall not take place unless a copy of this Plan of Work is readily available on site.

Reason: Protection of human health and ensure the development site is suitable for use.

11. All fork-lift trucks operating within the site of the development shall be fitted with broadband reversing beepers.

Reason: In the interests of health and safety.

12. There shall be no loading or unloading activities within the approved development on any day between 23:00hrs and 07:00hrs.

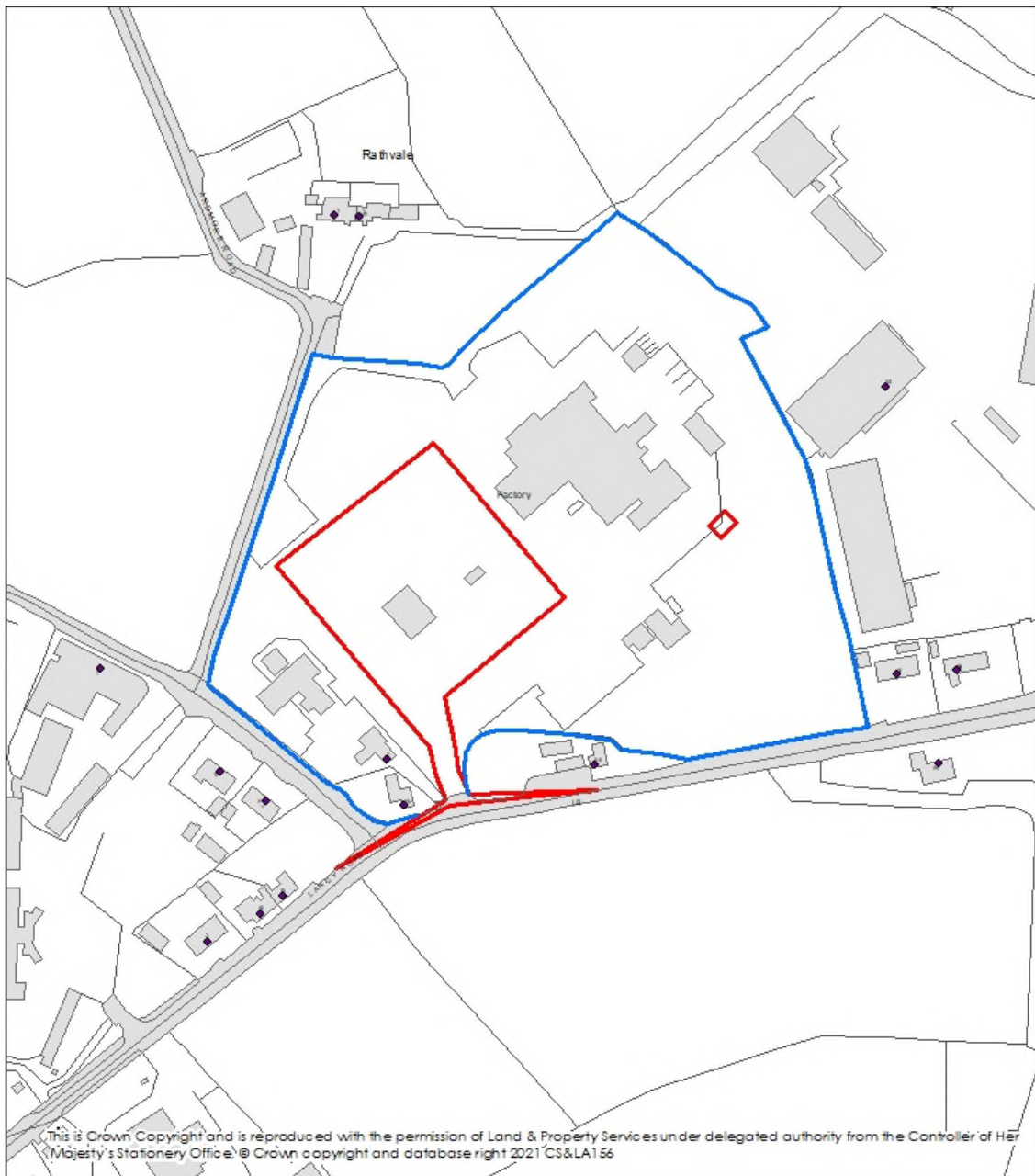
Reason: In order to protect amenity at nearby residential properties.

13. The generator shall only be operational in emergency circumstances and for maintenance or repair purposes.

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

14. Notwithstanding the landscaping details indicated on Drawing Number 03/1 date stamped 14th July 2021, no fruit bearing or berry producing species of tree, hedge or shrub shall be planted. The landscaping works shall be carried out during the first planting season after the commencement of development and shall be retained and allowed to grow on unless necessary to prevent danger to the public, in which case a full explanation shall be given to the Council in writing.

Reason: In the interests of aviation, aerodrome safeguarding and visual amenity.




Application Reference: LA03/2021/0429/F

Location: Land and buildings adjacent and approx. 45m north east of 61 Largy Road and approx. 100m north east of 59 Largy Road, Crumlin, BT29 4RR

Proposal: Demolition of existing buildings and construction of replacement 3100sqm GFA storage and manufacturing facility (Use Classes B2 & B4) producing Covid-19 testing equipment, including roof mounted solar panels, associated HGV/Car parking, landscaping, upgrade to existing access onto the Largy Road, sewage treatment plant and all other ancillary site works

Applicant: Randox Laboratories



 Site Boundary

 Lands In Ownership of Applicant

Scale: 1:2,500



<b>COMMITTEE ITEM</b>	<b>3.3</b>
<b>APPLICATION NO</b>	<b>LA03/2020/0569/F</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed change of use of existing outbuilding and yard to motoring school to include extension to curtilage, retention of extended hardstanding area and proposed extension to outbuilding, alteration of existing access onto Lylehill Road and retention of access onto Ballyutoag Road with 2m high roadside boundary gate.
<b>SITE/LOCATION</b>	Lloyds School of Motoring, 133 Ballyutoag, Belfast
<b>APPLICANT</b>	Lloyds School of Motoring
<b>AGENT</b>	McCready Architects
<b>LAST SITE VISIT</b>	4th December 2020
<b>CASE OFFICER</b>	Sairead de Brún Tel: 028 903 40406 Email: <a href="mailto:sairead.debrun@antrimandnewtownabbey.gov.uk">sairead.debrun@antrimandnewtownabbey.gov.uk</a>
<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="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b>	
<b>SITE DESCRIPTION</b>	The application site is located outside any settlement limits as designated in the Antrim Area Plan 1984 – 2001 and is within the countryside. It is a roadside site located at No 133 Ballyutoag Road which includes a detached, two storey dwelling and a number of associated outbuildings, a modular office building surrounded by wooden decking, a hardstanding parking area and a vehicular turning area. A brick wall, with pillars, defines the western boundary and part of the southern boundary, with the remaining boundary defined by a mature hedge and grassy roadside verge. A post and wire and wooden fence defines the eastern boundary. The surrounding area is rural countryside and characterised by dispersed single dwellings and farm complexes.
<b>RELEVANT PLANNING HISTORY</b>	<p>Planning Reference: LA03/2019/0521/F  Location: 133 Ballyutoag Road, Belfast, Antrim, BT14 8ST.  Proposal: Refurbishment, alterations and extensions to existing dwelling and adjacent outbuilding to provide office accommodation.  Decision: Application withdrawn by the applicant.</p> <p>Planning Reference: LA03/2018/0356/CA  Location: 133 Ballyutoag Road, Belfast, Antrim, BT14 8ST.  Proposal: Unauthorised change of use to motoring school, unauthorised extension of curtilage, unauthorised buildings and unauthorised means of enclosure.  Decision: Ongoing enforcement case.</p>

## 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, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the 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.

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

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

PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS 4: Planning and Economic Development: sets out planning policies for economic development uses.

PPS21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. This is supplemented by Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

## CONSULTATION

**Council Environmental Health Section** – No objection.

**Department for Infrastructure Roads** – Amendments required to proposed access.

**NI Water** – No objection.

**DAERA Countryside Management Branch** – No objection.

## REPRESENTATION

No neighbours were notified of the application as no occupied properties abut the site. No letters of representation have been received.



## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Other Matters

### **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 application site is located within the countryside outside any settlement limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. Supplementary guidance on PPS 21 is contained in document 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential developments. One of these is the reuse of an existing building in accordance with Policy CTY 4.

Policy CTY 4 allows for the sympathetic conversion, with adaption, if necessary, of a suitable building for a variety of alternative uses where this would secure its upkeep and retention. It is noted however, that paragraph 6.73 of the SPPS, which takes precedence over Policy CTY 4, makes reference to the conversion and re-use of existing buildings for non-residential use and has expanded the term 'suitable building' in PPS 21 to 'a suitable locally important building of special character or interest'.

The existing stone barn is suitable for conversion and extension to allow for the provision of an office with reception area, storage and kitchen, however, the applicant has failed to demonstrate that this building is one of local importance with special character or interest. Requests for this information were made to the agent on 9th February 2021, 26th March 2021, 18th May 2021 and 8th June 2021 and it has not been forthcoming. In addition, this same development type was the subject of

an earlier application (Ref: LA03/2019/0521/F) at which time the same issues were raised and not addressed.

The principle of development with regards to the conversion and reuse of the existing building therefore is therefore not acceptable in the context of the information provided to date.

Policy CTY 1 also allows for the granting of planning permission for non-residential developments if the proposal is for the development of industry and business uses in accordance with Planning Policy Statement 4: Planning and Economic Development.

Policy PED 2: Economic Development in the Countryside of the above policy document allows for the development of economic development uses in accordance with the following policies;

- The Expansion of an Established Economic Development Use – Policy PED 3
- The Redevelopment of an Established Economic Development Use – Policy PED 4
- Major Industrial Development – Policy PED 5
- Small Rural Projects – Policy PED 6

According to the applicant's supporting statement, the business operating from the application site offers a range of driver training services to both public and private sector clients, preparing new drivers for a career in the transport industry and providing advanced training for existing and experienced drivers. Desk-based training will be provided within the proposed building with occasional vehicle manoeuvring practice to take place on the proposed hardstanding area.

While a previous application on this site (reference LA03/2019/0521/F) was for retrospective planning permission for the motoring school business, it was withdrawn by the applicant following a recommendation to refuse by Officers. Therefore, the business does not currently benefit from planning permission nor has a certificate of lawfulness been sought to demonstrate that it is an established business in the countryside.

In this regard, the proposal cannot be considered as the expansion of an established economic development use, nor does it involve the redevelopment of an established economic use. It is not a major industrial development, nor does it fall within the description of a small rural project; i.e., a small community enterprise park/centre or a small rural industrial enterprise.

The applicant states that this application site offers a level of security required to carry out specialised driver training for their particular clientele. It has not been demonstrated however, that this level of security could not be provided at an alternative site within a settlement limit in the vicinity.

In the supporting statement, the applicant has indicated that the proposal can be granted permission as a farm diversification scheme. Farm maps and a farm business ID accompany the application. However, DAERA Countryside Management Branch has confirmed that the applicants farm business has not been established for more than six years and so the proposal cannot be considered under Policy CTY 11- Farm

Diversification in PPS 21 as it does not meet the policy criteria for an active and established farm.

As there is no support in policy for this business in the countryside, the principle of development is not considered acceptable.

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

The proposal is seeking full permission for the reuse of an existing barn within the curtilage of the dwelling at No. 133 Ballyutoag Road. This outbuilding is two storeys high, measuring 6.5 metres to finished floor level, and has a single storey rear extension with a lean-to type structure on the left side. It is proposed to extend the building to the rear by adding a second floor and to replace the monopitch roof with a flat roof and construct a new wall to enclose this space. The resultant development will provide two offices, a kitchen and two storage areas. Proposed finishes include render and white painted walls to the extension, with the retention of the existing stonework, natural slate roof tiles and timber door and window frames.

In terms of the conversion of the outbuilding it is considered that the size, scale, massing and use of materials in the re-use and conversion of the outbuilding element of this proposal are acceptable and allow for integration of the development in the site and surrounding area.

The development also includes an area of hardstanding, a proposed increase in curtilage, and the change of use of the yard area for the parking of large commercial vehicles. It is considered that these elements of the development will have a significant impact on the visual amenity of the surrounding area. In addition, the presence of this substantially sized business is more typical of that found in an urban area and would, if permitted have a detrimental impact on the visual amenity and character of this rural area.

In light of this, it is considered that the proposal cannot be accommodated and integrated on the application site without creating an adverse impact on the character and appearance of the site and surrounding area. In this regard, the proposal does not meet the criteria of Policy CTY 13 & CTY 14.

### **Neighbour amenity**

The application site is not bounded by any residential properties; the nearest dwelling is approximately 300 metres to the northeast. At this separation distance, the proposal will not have a detrimental impact on the amenity of any neighbouring property.

### **Other Issues**

#### *Access to a Protected Route*

Currently the application site is accessed off the Ballyutoag Road, which is a protected route. An alternative access can be achieved from the application site onto the minor Lylehill Road, to the northeast. Drawing No. 02/2 indicates that this access will be used for the motoring school business, with the existing access onto the Ballyutoag Road to be classified as private.

DfI Roads has assessed this arrangement and has requested that the existing field gate to be detailed on plan as permanently closed up and the access to the field in

the applicant's control moved to the east so that access to the field does not go through the land to access the driving school. A new field access is to be detailed on plan.

As the principle of development cannot be established, the applicant was not requested to submit these amendments and incur additional unnecessary expense.

## **CONCLUSION**

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

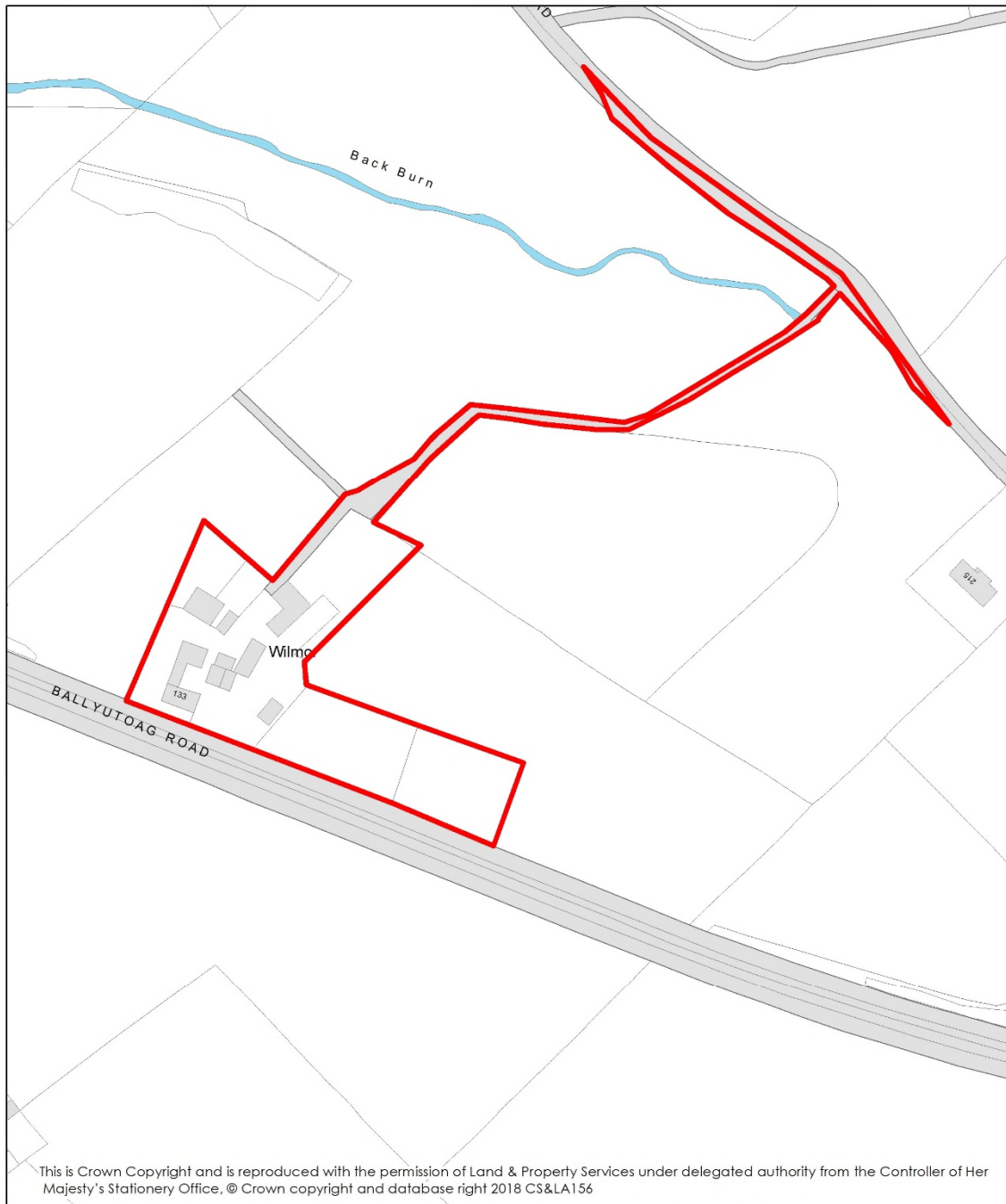
- The principle of the development is not acceptable.
- The size, scale and massing of the proposal are not suitable, and the impact on the character and appearance of the surrounding area is unacceptable.
- There will be no detrimental impact on neighbouring amenity.
- Adequate access arrangements have not been provided.

## **RECOMMENDATION**

## **REFUSE PLANNING PERMISSION**

## **PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, and Planning Policy Statement 4, Planning and Economic Development, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 4 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the development would, if permitted, result in the intensification of use of an existing access onto a protected route thereby prejudicing the free flow of traffic and conditions of general safety, in circumstances where access to a minor road can reasonably be achieved.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY13 & CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the size, scale and massing of the development will have a detrimental impact on the visual amenity and is inappropriate for the site and its locality resulting in a loss to the rural character.



### Location Map

Application Reference: LA03/2020/0569/F

133 Ballyutoag Road, Belfast

Proposed change of use from outbuilding and yard to motoring school.

 Site Boundary

For Information Only



<b>COMMITTEE ITEM</b>	<b>3.4</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0612/O</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Infill site for 1 no. dwelling and garage under CTY 8
<b>SITE/LOCATION</b>	Lands 80m South of 44 Loughbeg Road Toomebridge
<b>APPLICANT</b>	Conall O'Doibhlin
<b>AGENT</b>	Michael Herron Architects
<b>LAST SITE VISIT</b>	6 <sup>th</sup> July 2021
<b>CASE OFFICER</b>	Dani Sterling Tel: 028 903 40438 Email: <a href="mailto:dani.sterling@antrimandnewtownabbey.gov.uk">dani.sterling@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="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located between Nos. 44 and No. 50E Loughbeg Road, Toomebridge which is within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site encompasses part of an agricultural field and is a large rectangular road frontage site, extending approximately 72 metres along the frontage with a maximum depth of 56 metres. The topography of the site gently rises in an easterly direction from the public road. Access to the site is achieved from a shared private access off Loughbeg Road that is used to serve Nos. 44 and No. 50E Loughbeg Road. The western (roadside) boundary is defined by a row of dense trees and hedging that vary in heights between 3-4 metres. The remaining boundaries are undefined as the site is a section cut out of a larger agricultural field.</p> <p>The site is located within a rural area with the land use being predominantly agricultural. There are a number of detached residential properties and farm buildings located within the immediate vicinity of the site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2020/0717/F  Location: 48 Loughbeg Road Toomebridge BT41 3TN  Proposal: Proposed new entrance and laneway to serve dwelling &amp; farm yard  Decision: Permission Granted (23.03.2021)</p>	
<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>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development</p>	

Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the 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.

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

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

PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. This is supplemented by Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

## **CONSULTATION**

**Department for Infrastructure Roads**- No objections subject to condition

**Council Environmental Health Section** –No objections

**NI Water**- No objection subject to informatives

## **REPRESENTATION**

Seven (7) neighbouring properties were notified and no letters of representation have been received.

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

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

- Policy Context and Principle of Development
- Design and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access, Movement and Parking

### **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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. Supplementary guidance on PPS 21 is contained in document 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Whilst the main thrust of Policy CTY 8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- (a) The gap site is within an otherwise substantial and continuously built up frontage;
- (b) the gap site is small sufficient only to accommodate up to a maximum of two houses;
- (c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- (d) the proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. A building has frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

The application site has been subdivided into 'Site 1' and 'Site 2' as outlined within Drawing No. 01/1 date stamped 15<sup>th</sup> July 2021 for the purposes of this proposal. The application proposes a single dwelling and garage to one of the above sites only.



The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the application site comprises a gap between No. 44 Loughbeg Road to the north and No. 50E to the south. The application site is accessed off a shared private laneway that serves both Nos. 44 and 50E. The agent has stated within Document 01 date stamped 15<sup>th</sup> June 2021 that the buildings providing the substantial and continuously built up frontage include dwellings Nos 44, 50E, 46 and 48 Loughbeg Road. Whilst it is accepted that No. 44 and No. 50E Loughbeg Road have a frontage onto the shared laneway, it is not accepted that dwellings Nos. 46 and 48 Loughbeg Road also share a frontage onto this same laneway. During the site inspection it was evident that the shared laneway served No. 44 and No. 50E only. At the location where the agent has provided a visual of the laneway carrying on past No. 50E in an easterly direction within Document 01, date stamped 15<sup>th</sup> June, a post and wire fence has been erected. In addition, the laneway appears to have become part of No. 50E's domestic curtilage in that the area to the front of No. 50E is in part tarmacked used for parking and part maintained grass providing a front garden area. It may be the case that at some point in the past that this laneway could have carried on past No. 50E towards Nos. 46 and 48, however the physical barrier erected by way of a post and wire fence has discontinued the use of this laneway past the domestic curtilage of No. 50E. Subsequently, it is not considered that dwellings No. 46 and 48 have a frontage onto the same shared laneway used to access No. 44 and No. 50E.

To further support the case that No. 48 and No. 46 do not have a common frontage with No. 44 and No. 50E, an application under planning reference LA03/2020/0717/F recently granted approval for a new access to serve dwelling No. 48 Loughbeg Road. It was identified within the case officer's report during the assessment of this application that No. 48 and No. 46 Loughbeg Road utilised an access approximately 160 metres east of No. 48. The access used to serve No.44 and no. 50E is located some 270 metres west of No. 48.

In order to establish a third building for the purposes of this policy there are three other buildings/structures located along this eastern section of the shared laneway that share the same common frontage as No. 44 and 50E. A mobile home is located to the south of No.44 and is located along the roadside edge. However, this building does not constitute part of the substantial and continuously built up frontage as there are no previous planning permissions authorising the erection of a mobile home at this location. A polytunnel located to the north of No. 50E is considered to be a temporary structure and therefore does not constitute a building. The third building fronting the shared laneway is a single storey stone and metal clad outbuilding associated with No. 50E. The positioning of this outbuilding is gable fronted onto the laneway and is considered to provide the third building necessary to establish a substantial and continuously built up frontage for the purposes of criterion (a) of CTY 8.

The second element of Policy of CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Document 01 date stamped 15<sup>th</sup> June 2021 outlines that No. 44 has a plot frontage width of 37 metres and No. 50E has a plot frontage width of 35 metres. As stated above, the outbuilding associated with No. 50E established the third building for the purposes of meeting the first element of CTY 8. As a result both No. 50E and the associated building must both achieve separate frontages. Therefore, No. 50E has an approximate frontage of 24

metres and the outbuilding associated with No. 50E's has a frontage width of 6 metres.

Overall, this provides an average frontage width of 22.3 metres. The site forms an approximately 93 metre stretch of land lying between dwelling No. 44 and dwelling No. 50E. Taking into consideration the average width size, the gap is considered to be a significant gap which could accommodate more than two dwellings and as such is not considered small. The visual gap between No. 44 and No. 50E provides an important visual break in the developed appearance of this area and maintains its dispersed rural character. Consequently, it is considered the proposal fails to meet element 'b' of this policy as the 93 metres gap is considered to be a significant gap and capable of accommodating more than a maximum of two (2) dwellings as per the policy requirements of CTY8.

The justification and amplification text at paragraph 5.34 of CTY8 is clear that the gap is between dwellings or other buildings, and not the frontage of the application site. In this case the application site has been divided into two separate plots, 'Site 1' and 'Site 2', which have plot frontage widths of 36 metres and 38 metres respectively. The gap between No. 44 and No. 50E Loughbeg Road constitutes the gap for the purposes of this policy which measures approximately 93 metres. Therefore, the resulting gap could accommodate at least three dwellings based on the average plot widths that exists in the immediate area.

The third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. The agent's justification for this proposal centres on being able to create frontage similar to that existing in the area. The creation of comparable frontages does not justify the infilling of critical green gaps in the rural area particularly as the gap between buildings of 93 metres is considered significant and can accommodate more than two dwellings given the average frontage widths in the immediate area.

Overall, it is considered that the proposal does not comply with Policy CTY 8 in that the gap between buildings comprises a significant gap that could accommodate more than two dwellings and its development would result in ribbon development along this shared laneway.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

All dwellings in the countryside must integrate with their surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings, whilst Policy CTY 14 states that planning permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.

As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling, however, Document 01 dated 9<sup>th</sup> June 2021 indicates that the proposed dwelling would be a traditional one and a half storey dwelling. Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. In this case the application site lacks established boundaries along the northern, eastern and southern boundaries and therefore relies on new planting to sensitively integrate the plot within the landscape. The only natural and established boundary of the site is the western roadside boundary which is defined by a row of mature trees and hedging. The application site also gently rises in an easterly direction, it is considered that the continued gradual rise of the agricultural field in an easterly direction would provide a natural visual backdrop to any proposed development. The site further benefits from being set back from the Loughbeg Road by some 540 metres and natural screenings are provided by intervening agricultural fields and mature landscaped field boundary definitions. Therefore, critical views of the application site would not be achieved from the public road. It is therefore accepted that a dwelling within the application site, subject to a low ridge height restriction and a suitable planting scheme could be sensitively integrated into the application site.

Policy CTY 8 and Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. A dwelling on the application site will result in an additional dwelling along this stretch of a shared laneway which would be visually linked with the existing buildings and would represent a linear form of development creating a ribbon of development. Policy CTY 14 also emphasises that any proposal which causes a detrimental change to or further erodes the rural character of an area will be resisted. Therefore, this form of ribbon development is uncharacteristic of this rural area and the addition of a dwelling on this site would cumulatively lead to a suburban style of build-up.

It is considered that for the reasons outlined above that the proposal fails to meet the requirements of the SPPS and Policies CTY 8 and CTY 14 of PPS 21.

### **Neighbour Amenity**

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, it is considered that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

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

The proposal utilises a shared laneway accessed from Loughbeg Road that is used to serve No. 44 and No. 50E Loughbeg Road. Consultation was carried out with DfI Roads who raised no objections to the proposal subject to compliance with the RS1 form at reserved matters stage should planning permission be forthcoming.

## **CONCLUSION**

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

- The principle of the development cannot be established.
- A suitably designed dwelling would integrate into this rural area.
- The proposal will result in a ribbon development and in a suburban style build-up of development when viewed with existing and approved buildings.

- There are no issues with the proposed access arrangement and road safety.
- No evidence has been provided that the proposed development could not be located in a settlement

#### **RECOMMENDATION**

#### **REFUSE OUTLINE PLANNING PERMISSION**

#### **PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy 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.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings along the shared laneway.



### Site Location Plan

Application Reference: LA03/2021/0612/O

Infill site for 1 dwelling and garage under CTY8

Lands 80m South of  
44 Loughbeg Road,  
Toomebridge

0 30 60  
Metres

 Site boundary



<b>COMMITTEE ITEM</b>	<b>3.5</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0239/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>	Two single storey dwellings and associated garage
<b>SITE/LOCATION</b>	Lands to the rear of 3 Bournon Road, Antrim, BT41 1NZ
<b>APPLICANT</b>	Mr G Walker
<b>AGENT</b>	Big Design Architecture
<b>LAST SITE VISIT</b>	August 2021
<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>
<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="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on lands at Bournon Road, Antrim and lies within the development limits of Antrim Town as designated in the Antrim Area Plan 1984-2001. The application site comprises an existing semi-detached dwelling at No. 3 Bournon Road and its elongated plot to the rear. The existing dwelling is a two storey semi-detached dwelling which has been extended to the side. It is finished in a cream coloured rough render with white uPVC windows and doors and has a gravelled drive way to the front. The garden area immediately to the rear of the property is enclosed by ranch style fencing along the side and across the rear. This boundary treatment separates this property from the remainder of the plot which lies further to the east. The remaining parcel of land consists of grassed lands which rise in an easterly direction towards the rear of the application site. The main parts of the northern and southern boundaries of the application site are defined with mature hedgerows at a height of approximately 2 metres. The eastern boundary is also defined with mature vegetation at an approximate height of 3.5/5 metres. The area in which the application site is located is characterised mostly by traditional semi-detached properties set on large elongated plots.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2016/0376/F  Location: 50m to rear of 3 Bournon Road, Antrim  Proposal: Proposed single storey private dwelling and garage (Additional info received - Garage details)  Decision: Permission Granted.</p> <p>Planning Reference: LA03/2015/0413/O  Location: To the rear of No.3 Bournon Road, Antrim  Proposal: Proposed two storey private dwelling and garage  Decision: Permission Refused.</p> <p>Planning Reference: T/2014/0521/F  Location: No.1 and No.3 Bournon Road, Antrim,</p>	

Proposal: Amalgamation of two dwellings (with extensions to rear and front)  
Decision: Permission Granted.

Planning Reference: T/2014/0377/F

Location: 3 Bourn Road, Antrim. BT41 1NZ

Proposal: New shed (for use as a domestic garage and for applicant's hobby relating to vintage tractors and cars)

Decision: Permission Granted.

## **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, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the 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.

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limits of Antrim.

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.

PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS 7: Quality Residential Environments: sets out planning policies for achieving quality in new residential development. This PPS is supplemented by the Creating Places Design Guide.

Addendum to PPS 7 - Residential Extensions and Alterations: sets out planning policy and guidance for achieving quality in relation to proposals for residential extensions and alterations.

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas: sets out planning policy and guidance on the protection of local character, environmental quality and residential amenity within established residential areas,

villages and smaller settlements. It also sets out policy on the conversion of existing buildings to flats or apartments and contains policy to promote greater use of permeable paving within new residential developments.

## **CONSULTATION**

**Council Environmental Health Section** – No Objections.

**Northern Ireland Water** – No Objections.

**Department for Infrastructure Roads**- No Objections.

**Department for Communities Historic Environment Division** – No Objections.

## **REPRESENTATION**

Eight (8) neighbouring properties were notified and no letters of representation have been received.

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

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

- Policy Context and Principle of Development
- Design, Appearance and Impact on Character of the Area
- Neighbour Amenity
- Built and Natural Heritage
- Amenity Space and Parking

### **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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

The application site is located within the settlement limit of Antrim in AAP and comprises land zoned for residential development. Paragraph 5.10 of AAP states that the approach of the planning authority will be to encourage orderly growth in the residential sectors of each settlement and that particular attention will be given to environmental considerations concerning the size, siting and layout of proposed residential developments.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPS's).



In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPS's which provide the relevant regional policy context for consideration of the proposal

- PPS 7: Quality Residential Environments;
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas;
- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

This application seeks full planning permission for 2 no. single storey dwellings and garage on the existing garden/lands to the rear of the semi-detached dwelling at No. 3 Bourn Road.

It is noted that planning permission was previously granted for a single storey dwelling and garage on the application site under planning application reference LA03/2016/0376/F.

It is considered that the principle of development for residential use is acceptable on the application site, subject to the proposal complying with the Plan's provisions for residential development and the creation of a quality residential environment as well as meeting other requirements in accordance with regional policy and guidance which are addressed in detail below.

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

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (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.

Policy QD1 of Planning Policy Statement 7 (PPS 7) states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

As noted above the application is for two single storey dwellings. These are to be located within the existing rear garden of No. 3 Bourn Road. House 'A' as indicated on Drawing No. 02 is a two bedroom detached dwelling with associated car parking. It is a square shaped single storey dwelling with a hipped roof with a ridge height of 5.5 metres and will be finished in a white painted render with elements of grey timber effect cladding, grey uPVC windows and dark grey non-profiled roof tiles. The proposed dwelling is to be built into the sloping site approximately 21 metres to the east of the rear elevation of the property at No. 3. It is sited to face in a southerly direction towards the rear garden area at No. 5 Bourn Road.

House 'B' as indicated on Drawing No. 02 is a three bedroom detached dwelling with garden area to the rear, detached garage and its associated car parking. This dwelling is larger than House 'A' and takes an 'H' shape layout. It has a ridge height

of 5.5 metres and is to be finished in a white painted render with elements of grey timber effect cladding, grey uPVC windows and dark grey non-profiled roof tiles. It is located towards the rear (east) of the application site in a similar location to the dwelling previously approved under planning application reference LA03/2016/0376/F. This dwelling is sited to face in a southerly direction and is located approximately 7 metres to the south of the existing neighbouring dwelling at No. 10 and 60 metres to the east of No. 3. The detached garage is located to the west of this dwelling. It has a width of 3.3 metres, a depth of 5.7 metres, a ridge height of 3.8 metres and will be finished to match the proposed dwelling 'House B'.

Both proposed dwellings are accessed via a proposed shared laneway which will run along the southern side of the existing dwelling at No. 3, between it and the common boundary of No. 5.

The first criterion (criteria a) of Policy QD 1 requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

Policy LC1 of the addendum to PPS 7 provides further criteria to be met in an established residential area. Criterion (b) of this policy also relates to character and states that the pattern of development must be in keeping with the overall character and environmental quality of the established residential area.

The application site is located within an established residential area. The Bournal Road is located between the Belfast Road and Fountain Hill and has a unique character. The established residential area comprises the eastern and western side of the Bournal Road and is characterised mostly by two storey semi – detached dwellings with large elongated rear gardens (with depths of up to 80 metres). It is noted that the dwelling at No. 10 Braeside Gardens was built in the previous rear garden of No.1 Bournal Road and that a single dwelling has also been erected in the rear garden of No. 11 Bournal Road.

As noted above the principle of a single dwelling on the application site has already been established via the grant of planning permission under planning application reference LA03/2016/0376/F. The larger proposed dwelling referred to as 'House B' is sited towards the rear of the elongated garden at No. 1 and would lie adjacent to the existing dwelling at No. 10 Braeside Gardens. There are no real concerns that the erection of this dwelling alone would significantly alter the existing character of the area. It would broadly replicate the pattern of development to the north (No. 1 Bournal Road and No. 10 Braeside Gardens).

It is considered that the addition of a second dwelling in this rear garden plot would have a detrimental impact upon the existing spacious character of the area. 'House A' is considered to be located in a confined plot and would appear cramped on the application site when viewed with the existing dwelling at No. 3 and the proposed 'House B'. The organisational layout on the site will leave the proposed dwellings and the existing dwelling at No. 3 with a substantially smaller plot size than what is otherwise exhibited in the surrounding area. It is noted that the agent has referred to other outbuildings and ancillary accommodation in the area to argue that there is an existing pattern of build up; however it is considered that ancillary domestic

buildings would be a very typical form of development to be found in rear gardens of residential properties and would not be comparable to the introduction of two new dwellings developed in a linear form. It is considered that the proposed form of development is not compatible with the surrounding context and if permitted would set a precedent for future backland development in the vicinity which would further erode the unique character of the Bourn Road area.

Although the scale, massing, form and general appearance of the proposed dwellings are considered to be generally acceptable when viewed in isolation, it is considered that the proposed development does not respect the surrounding context and character of the area and therefore fails to comply with Policy QD1 of PP7 and Policy LC1 of APPS 7. The existing character is largely defined by dwellings fronting onto the road with long linear rear gardens. Although there are some examples of backland development, these relate to individual dwellings and not multiple dwellings on one plot as proposed under the current application.

### **Neighbour Amenity**

Criteria (h) of Planning Policy QD 1 requires that the design and layout of the proposal will not create conflict with adjacent land uses or have an unacceptable adverse affect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

As noted above the proposed dwellings are to be located in the elongated garden plot of No. 3 Bourn Road. House 'A' is located 21 metres to the east of the rear elevation of this existing property. It is sited to face in a southerly direction so the arrangement leads to a back-to-side relationship. It is noted that the lands on the application site rise in an easterly direction away from No. 3, meaning that both proposed properties are located on higher lands than the existing dwelling. The finished floor level at No. 3 is listed at 41.1 and the finished floor level at House 'A' is 43.7. This leads to concerns that there will be increased overlooking opportunities from the new dwelling, certainly over the private amenity space of No. 3. It is noted that Creating Places provides a guideline of separation distances of greater than 20 metres where the developments abuts the rear garden of an existing property. It further advises that this may need to be enhanced on sloping sites such as the application site. It is noted that there is a window serving the lounge on the side elevation facing towards the rear of No. 3. It is considered that this would have an adverse impact on the amenity experienced at this existing property in terms of overlooking and privacy.

House 'B' is sited adjacent to the existing dwelling at No. 10 Braeside Gardens. The common boundary between this neighbouring dwelling and the application site is defined with a mature hedgerow at a height of approximately 2 metres. House 'B' faces in a southerly direction away from No. 10 and has been designed to have a limited impact on this neighbour. It has limited windows on its rear elevation which face towards the boundary with No. 10 and these windows serve the utility room and an en-suite and a bathroom (which will be fitted with obscured glazing) which are not principle rooms and would not have a significant detrimental impact on amenity in terms of overlooking.

The proposed dwelling (House 'B') is located further east on the application site than the dwelling previously approved under LA03/2016/0376/F and would likely have a lesser impact on the neighbour at No. 10 than the previously approved dwelling. The neighbouring property at No. 10 received a neighbour notification letter regarding this application and has made no objections to the proposal.

It is further noted that the arrangement whereby the properties are sited to face south and towards the neighbouring dwelling at No. 5 is not usually a favoured pattern of development given its potential amenity impact. In this instance however the impact on this neighbour would be limited given the single storey nature of the proposed dwellings and owing to the positioning of the proposed dwellings away from the neighbouring dwelling at No. 5 and its immediate area of private amenity space beyond the rear elevation of the dwelling. The impact of the proposal on the neighbour at No. 1 would also be negligible given the siting of the proposed dwellings and the fenestration details.

Overall it is considered that although there are no significant concerns with House 'B', House 'A' presents a negative amenity impact on the existing dwelling at No. 3 due to overlooking and the impact on the privacy enjoyed at this property. It is therefore concluded that the proposal fails to meet the policy criteria as laid out under Criteria (h) of Policy QD1.

#### **Built and Natural Heritage**

Criteria (b) of Policy QD1 requires that any features of archaeological, built heritage and landscape features where identified be protected or integrated into the proposed development. There are no built or natural heritage features in close proximity to the application site and therefore there will be no impact resultant from the proposal in this regard.

#### **Amenity Space and Parking**

Criteria (c) of Policy QD1 requires that adequate provision is made for private open space as an integral part of the development.

As shown on Drawing No. 02 House 'A' has a designated 70m<sup>2</sup> side garden area House 'B' had 140m<sup>2</sup>. Although this does meet the guidelines provided in 'Creating Places' it is considered that the amenity spaces provided are not the most usable spaces. The private amenity space provided for House 'A' in particular would be on sloping land to the side of the dwelling. There is no direct access out onto this space and it does not appear to be enclosed or private. Although this alone is not a major determining factor for this application it is a further indicator of the overdevelopment of the application site and its ability to be able to absorb this form of development.

As shown on Drawing No. 02 both the proposed dwellings have 2 no. assigned car parking spaces adjacent and to the side of the dwellings. DfI Roads have been consulted on the application and have no objections to the proposal.

#### **CONCLUSION**

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

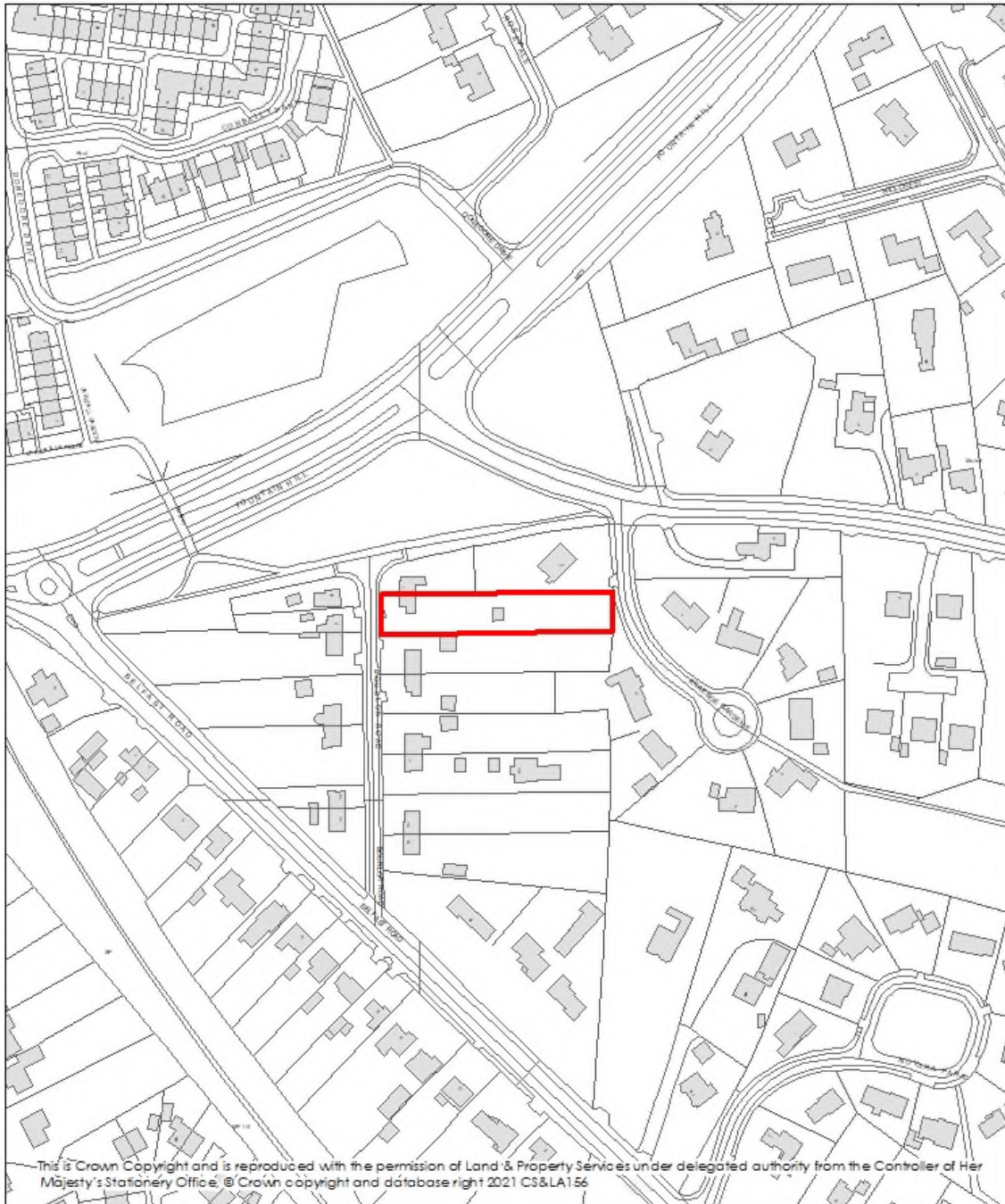
- The principle of housing is considered acceptable on the site;
- The proposal does not respect the surrounding context and character of the area;

- House 'A' would have a detrimental impact on the residents at No. 3 Bourlon Road;
- There are no built or natural heritage features impacts anticipated from the proposal;
- Sufficient space has been provided for amenity and parking.

<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
-----------------------	-----------------------------------

<b>PROPOSED REASONS OF REFUSAL</b>
------------------------------------

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the second Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, in that the proposed development does not respect the surrounding context and would result in a cramped form of development that is not in keeping with the overall character and environmental quality of this established residential area.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, in that, if approved, the proposal would have an unacceptable adverse effect on existing properties in terms of overlooking and privacy.




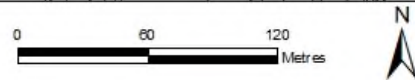
### Location Map

Reference: LA03/2021/0239/F

Location: Lands to the rear of 3 Burlon Road, Antrim

Proposal: Two single storey dwellings and associated garage

 Site Boundary



**PART TWO**

**OTHER PLANNING MATTERS**

### **ITEM 3.6**

#### **P/PLAN/1      DELEGATED PLANNING DECISIONS AND APPEALS**

A list of planning decisions issued by Officers during August 2021 under delegated powers together with information relating to planning appeals is **enclosed** for Members information.

One appeal was dismissed by the Planning Appeals Commission (PAC) in relation to the erection of a dwelling on a farm 85m east of no 40 Ballylagan Road Ballyclare (reference: LA03/2019/1033/0) and a copy of this decision is also **enclosed**.

**RECOMMENDATION: that the report be noted.**

Prepared by:      Sharon Mossman, Deputy Director of Planning (Interim)

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



### ITEM 3.7

#### P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during August 2021 the details of which are set out below.

<b>PAN Reference:</b>	LA03/2021/0757/PAN
<b>Proposal:</b>	Development of vehicle test centre, including test centre, single direction perimeter site road, lay-by parking, holding bay parking, HGV pre-test lay-up, exist forecourt area, staff parking facilities and landscaping
<b>Location:</b>	Craigarogan Business Park, 660 Antrim Road, Mallusk Newtownabbey
<b>Applicant:</b>	Driver & Vehicle Agency (DVA) NI
<b>Date Received:</b>	6 August 2021
<b>12 week expiry:</b>	29 October 2021

Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation during 2020 to temporarily remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended on 1 October 2020 and more recently the Infrastructure Minister, Nichola Mallon, announced on 9 March that the temporary suspension of the PACC requirement was being further extended in light of continuing restrictions associated with coronavirus.

The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2021 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will now apply until 30 September 2021. As with the previous Regulations applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

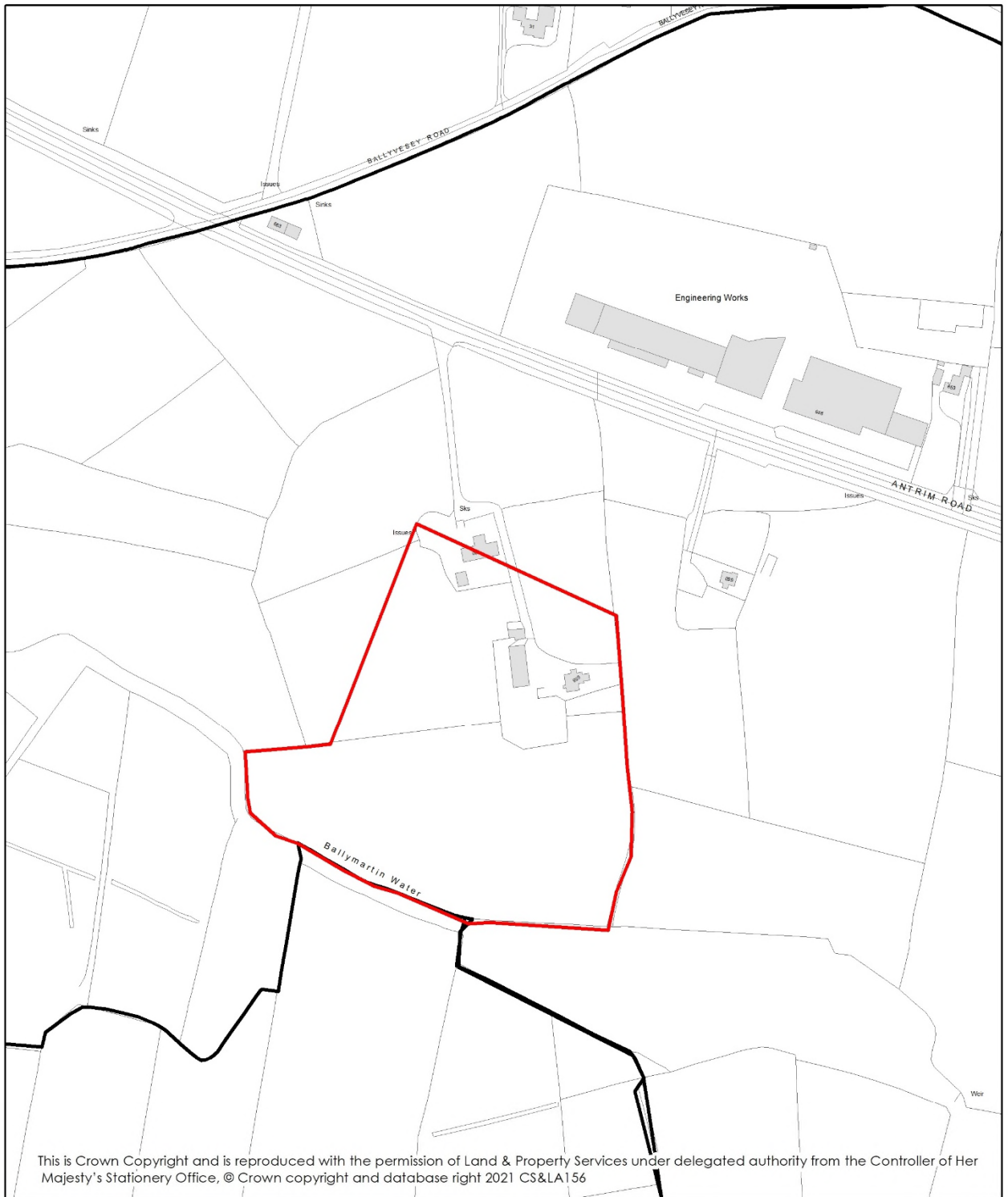
Guidance issued by the Department indicates that specific detail should be included in the PAN application indicating what consultation methods the prospective applicant is proposing to ensure that the local community is able to

access, and comment on, information about a proposed development, despite the absence of a PACC public event.

**RECOMMENDATION: that the report be noted.**

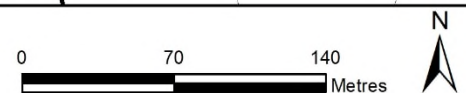
Prepared by: Sharon Mossman, Deputy Director of Planning (Interim)

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



## Location Map

PAN Reference: LA03/2021/0757/PAN  
 Location: Craigarogan Business Park,  
 Antrim Road, Mallusk.  
 Proposal: Development of vehicle test centre.



 Site Boundary



### **ITEM 3.8**

**P/FP/LDP/115**

#### **BELFAST METROPOLITAN AREA SPATIAL WORKING GROUP**

The most recent meeting of the Metropolitan Area Spatial Working Group took place virtually on 26 August 2021 hosted by Belfast City Council. Items for discussion included an update from each Council regarding individual Draft Plan Strategy preparation.

A presentation was given to the group by a representative from the Department for Infrastructure (DfI), Transport Planning Modelling Unit (TPMU) regarding the progress of the Belfast Metropolitan Transport Study (BMTS). DfI advised that the Department is soon to appoint consultants to progress the Sub Regional Transport Plan and that engagement with individual Councils will commence in the Autumn.

An update was given to the group by a representative from the Northern Ireland Housing Executive regarding their position on various studies, work streams and engagement with Councils as each progress housing policies within relevant Local Development Plan publications.

A copy of the agreed minutes from the previous meeting which took place on 26 May 2021 are **enclosed** for information. The next meeting of the Working Group is due to take place on 26 November 2021 hosted by Lisburn and Castlereagh City Council, the theme of which will be climate change.

**RECOMMENDATION: that the report be noted.**

Prepared by: Sharon Mossman, Deputy Director of Planning (Interim)

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

### ITEM 3.9

#### **P/PLAN/16 MID ULSTER DISTRICT COUNCIL – REPLACEMENT PLANNING PORTAL**

As Members will be aware Mid Ulster District Council decided not to take part in a joint contract with the Department for Infrastructure NI and Local Councils in the replacement of the current NI Planning Portal system. Instead opting to go with its own new planning portal system. Dr Chris Boomer, Planning Manager, Mid Ulster District Council has written to the Council to advise that they have now awarded a contract to IDOX, who is the supplier of the current system and to assure adjacent Councils that they will continue share planning information if and when required.

Further updates will be provided as their IT Project progresses. A copy of the letter is **enclosed** for information.

**RECOMMENDATION: that the report be noted.**

Prepared by: Carol Houston, Deputy Principal, Planning

Agreed by: Sharon Mossman, Deputy Director of Planning (Interim)

Approved by: Majella McAllister, Director of Economic Development & Planning