

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2023/0242/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Construction of an extension to the Rabbit hotel to include a 46 bedroom hotel block, spa and leisure facilities, parking and landscaping.
SITE/LOCATION	876 and 882 Antrim Road and lands southeast of The Rabbit Hotel, Templepatrick, BT39 0AH.
APPLICANT	Pig and Chicken Inn Ltd
AGENT	David Mounstephen (Fleming Mounstephen)
LAST SITE VISIT	18 th February 2024
CASE OFFICER	Alicia Leathem 028 90340416 alicia.leathem@antrimandnewtownabbey.gov.uk

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Since the publication of the Planning Committee Report, an additional four (4) letters of representation have been received. A number of the issues raised have been previously addressed within the Committee Report, however, further additional issues have been raised. Additional car parking checks were carried out by Officers over what would generally be 'busy periods' for hotel complexes, the table below indicates the parking utilisation during the dates and times when surveys were carried out.

Date	Time	No of Vehicles
23 rd January 2024	15:20	51
27 th January 2024	10:32	46
2 nd February 2024	18:07	81
2 nd February 2024	21:22	94
9 th February 2024	17:30	57
17 th February 2024	21:00	125
18 th February 2024	20:40	102
19 th February 2024	18:50	110

It appears from the parking surveys carried out by Officers that the hotel is occasionally operating above the car parking capacity (95 spaces) for the existing hotel. In general a hotel operating above capacity on certain occasions is not unusual and it is not expected that a hotel car park should be fully utilised the majority of the time. Additionally, busy periods for hotels are normally during the weekend periods, it is notable that a park and ride facility is located within walking distance to the hotel which could be utilised whenever the hotel car park is over capacity.

One of the concerns raised in the recent objection letters indicates that the applicant has developed a landscaped island within the existing car park which has reduced the parking capacity within the existing hotel resulting in overspill parking onto the surrounding streets/roads. Officers have noted that a landscaped island has been

developed and the parking layout has been reconfigured resulting in the loss of approximately 10 spaces, a reduction from 95 spaces to 85 spaces. However, the current proposal and capacity justification is based on the car parking arrangement prior to the inclusion of the island. Therefore if planning permission is forthcoming, it is considered that a condition should be imposed requiring the car park layout to be marked out and permanently retained in accordance with the submitted plans which do not include a landscaped island and show a total capacity of 136 spaces for both the existing and proposed facilities.

A letter of objection also highlighted if planning permission is forthcoming the fundamental need for the imposition of the recommended conditions (2-6) in order to protect the amenity of neighbouring properties.

The recommendation remains to grant planning permission subject to an additional condition requiring the car park arrangement to be marked out and permanently retained in accordance with the parking layout which indicates 95 spaces within the hotel car park.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The design, layout and appearance is considered acceptable;
- There are no significant neighbour amenity concerns subject to the inclusion of conditions;
- There are no significant parking, road, or personal safety concerns with this proposal;
- There is no significant flood risk associated with this development;
- There are no archaeological, natural or built heritage concerns with the proposal;
- There are significant economic benefits associated with this proposal.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The sauna, steam room, outdoor pool and seating area as marked on Drawing Number 02/2 date received 21st December 2023 shall not be operational and guest access shall be prohibited to these areas, between the hours of 23:00 and 07:00 hours.

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

3. The cumulative noise impact from the approved development shall not exceed a noise rating level of;

- 40dB LAr, 1hr between the hours of 07:00 and 23:00, and
- 38dB LAr, 15mins between the hours of 23:00 and 07:00

when measured in line with BS4142: 2014 +A1:2019 at any nearby noise sensitive receptor, inclusive of any character corrections.

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

4. Within 4 weeks of a written request by the Council, following a noise complaint from the occupant of a nearby dwelling which lawfully exists or has planning permission at the date of this consent, the applicant/operator of the approved development shall, at his/her expense employ a suitably qualified and competent person, to assess the level of noise emissions from the development to determine compliance with Condition 3 above. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise monitoring.

Reason: To control the noise levels from the development at noise sensitive locations.

5. The applicant/operator of the development shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Condition 4, including all calculations, audio recordings and the raw data upon which that assessment and conclusions are based. Such information shall be provided within 2 months of the date of the written request of the Council unless otherwise extended in writing by the Council.

Reason: To control the noise levels from the development at noise sensitive locations.

6. If the results of the noise survey required by Condition 4, exceed the noise rating levels detailed in Condition 3, the approved development shall cease to operate until a programme of works to achieve these levels has been submitted to and approved in writing by the Council and implemented. A further noise survey shall be undertaken by an independent acoustic consultant within 4 weeks thereafter, and a report of such submitted to and agreed with the Council to demonstrate compliance with Condition 3.

Reason: To control the noise levels from the development at noise sensitive locations.

7. Prior to the development hereby approved becoming operational, 136 parking spaces shall be marked out and permanently retained in accordance with Drawing No. 01/2 date stamped 21st December 2023.

Reason: To ensure sufficient parking provision to service the existing complex and the proposed extension.

8. Once a contractor has been appointed, a final Construction Environmental Management Plan (CEMP) should be submitted to the Council, at least 4 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

9. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

Reason: To ensure adequate wastewater treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site.

10. 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.

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

11. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 9.

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

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

13. There shall be no demolition works carried out on the building with known bat roost prior to the granting of a Wildlife Licence.

Reason: To ensure that there is not an adverse impact on bats.

14. Prior to the development hereby approved becoming operational the proposed mitigation and compensation and site enhancement measures detailed in the Bat Roost Emergence Survey (Doc 08) date stamped 5th July 2023 shall be implemented in full and retained thereafter.

Reason: To ensure that there is not an adverse impact on bats.

15. Prior to works commencing on site, all existing trees shown as being retained on Drawing No. 07/1 date stamped 18th January 2024, shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

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

Reason: To protect the biodiversity value of the site, including protected species, to help protect the visual amenity of the area and to restrict overlooking into neighbouring properties.

16. The existing natural screenings of the site, including the hedgerow marked in orange as indicated on Drawing No. 07/1 date stamped 18th January 2024, shall be retained at a minimum height 3 metres for hedgerow and 6 metres for trees and shall be allowed to grow on unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council prior to their removal.

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

17. The proposed landscaping indicated on Drawing No. 08/1 date stamped 18th January 2024 shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained thereafter at a minimum height of 2 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

18. The building hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No 01/2 date published 21st December 2023 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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



Site Location Plan

Reference: LA03/2023/0242/F

Location: 876 and 882 Antrim Road and lands southeast of The Rabbit Hotel, Templepatrick, BT39 0AH.

Proposal: Construction of a 46 bedroom hotel block, spa and leisure facilities, parking and landscaping.



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2023/0643/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE FULL PLANNING PERMISSION
PROPOSAL	Retention of increase to site curtilage and infilling of land to the rear
SITE/LOCATION	25a Millbank Road, Ballyclare, BT29 0AS
APPLICANT	Mr Neal Brown
AGENT	Big Design Architecture
LAST SITE VISIT	29th November 2023
CASE OFFICER	Eleanor McCann Tel: 02890340422 Email: eleanor.mccann@antrimandnewtownabbey.gov.uk

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Members, since the publication of the Planning Committee Report, an amended plan, entitled 'Increase of Curtilage, 25a Millbank Road' (Drawing 01/1 date stamped 16/02/2024) has been received.

The drawing displays proposed planting along the common boundary with No. 25 Millbank in order to mitigate any loss of privacy by way of overlooking from the extended curtilage area to the rear of No. 25a Millbank Road. The schedule of planting does not indicate a key for each species type listed on the site layout, nor does it state the number of each species to be planted. This creates uncertainty as the schedule displays a table for new tree planting, and a separate table for hedgerow planting, however, it is not readily identifiable what is to be planted and at what location. However, even if the drawing did provide certainty of the planting schedule, the planting is set to the bottom of a slope and views upwards to No. 25a would be easily achievable. The proposed planting is also not considered to mitigate against any overlooking for the infilled sections of the application site whereby elevated views can be achieved.

A notation on the submitted plan also states 'new trees in the front garden at the locations shown are to be varied'. The concerns regarding overlooking relate solely to the rear amenity space, therefore the planting of trees to the front garden area would not reduce any overlooking.

The agent notes that the use of such planting will result in a 'planning gain' as it results in a soft planted edge along the interface with the countryside, which is more sympathetic to the rural setting. The existing development which the applicant seeks to retain has resulted in the unnecessary encroachment into the countryside, further extending the residential land use into an area of open countryside. If the development had not occurred, this area would still be countryside, and therefore no planning gain exists.

The agent also comments that a site specific Flood Risk Assessment (FRA) was not requested. As the principle of development was not established, the agent was not asked to provide a FRA so as not to put the applicant to any unnecessary expense. As the Council does not possess information to demonstrate that development will not impact the flooding risk to other properties a precautionary approach is necessary and the refusal reason remains as per the previous Committee Report.

CONCLUSION

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

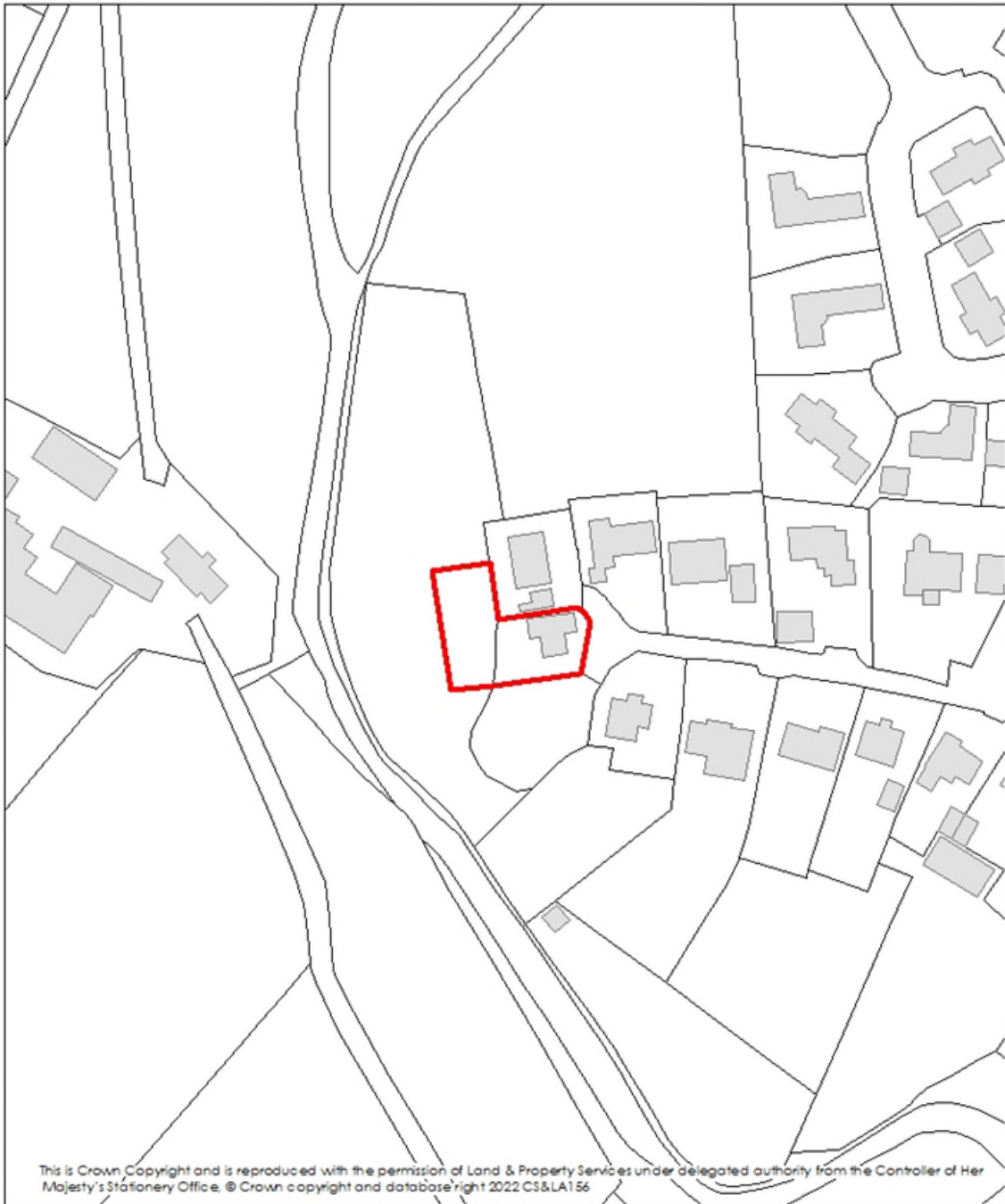
- The principle of the development is unacceptable;
- The development will unduly affect the amenity of neighbouring properties by way of overlooking;
- The development lies within the 1 in 100 year fluvial flood plain and is not deemed to be an exception to Policy FLD 1 of PPS 15 and will have a detrimental impact on flood risk;
- The development does not cause the unacceptable loss of or damage to trees or other landscape features; and
- It is considered that sufficient amenity space remains within the curtilage of the dwelling.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The development is contrary to the provisions of the Strategic Planning Policy Statement and Policy EXT 1 of the Addendum to Planning Policy Statement 7- Residential Extensions and Alterations, in that the development will have an unacceptable impact on the amenity of neighbouring residents by way of overlooking.
2. The development is contrary to the provisions of the Strategic Planning Policy Statement and Policies CTY 14 and CTY 15 in that the development will have a detrimental impact on and further erode the rural character of the area and the development will mar the distinction between a settlement and the surrounding countryside and result in urban sprawl.
3. The development is contrary to the provisions of the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15 (Revised) Planning and Flood Risk in that the development would if permitted be at risk of flooding and is likely to increase the risk of flooding elsewhere.



Planning Application Reference: LA03/2023/0643/F

Location: 25a Millbank Road, Ballyclare, BT39 0AS

Proposal: Retention of increase site curtilage and infilling of land to the rear.

Scale: 1:1250



 Site Location



COMMITTEE ITEM	3.20
APPLICATION NO	LA03/2023/0663/F
DEA	THREE MILE WATER
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Temporary Mobile Home (Retrospective)
SITE/LOCATION	25m South of 47 Knockagh Road, Newtownabbey, BT36 5BW
APPLICANT	Tracy Ferguson
AGENT	Leigh Robinson
LAST SITE VISIT	17th October 2023
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Following the publication of the Planning Committee Report further information has been received from the applicant. Details of this information has been provided below.

Description	Reference	Date Received
Rebuttal to Refusal Reasons	Document 01	13 th February 2024
Supporting Statement	Document 02	15 th February 2024
Proposed Floor Plans and Elevations	Drawing No. 03/1	15 th February 2024
Site Analysis	Drawing No. 04	15 th February 2024
Proposed Access Detail	Drawing No. 05	15 th February 2024

The additional supporting information provided within Document 01 and Document 02 attempts to demonstrate how the new mobile home is a necessary response to the applicant's particular circumstances as required by Policy CTY 6 of PPS21. The information refers to the subject home-user's needs and refers back to a letter from a medical practitioner (previously received on 15th January 2024). It is noted that this letter (or any other submitted information) does not specifically identify the applicant as the proposed home user's carer. It also states that the user would 'benefit from proximity to his carer' but does not state that this is a 'necessary response to the user's particular circumstances' as required by the wording of Policy CTY 6. No information has been provided as to how the applicant has considered the other alternatives such as an extension to the existing building, or the siting of the mobile within the established curtilage of the existing dwelling.

Overall, it is considered that the information provided is insufficient to satisfactorily demonstrate that a mobile building located outside the curtilage of the existing dwelling is a necessary response to the applicant's particular circumstances and that genuine hardship would be caused if planning permission was refused. The onus is on the applicant to fully demonstrate the policy requirements. Consequently, it is

considered that the proposal is contrary to the policy provisions of Policy CTY 6 and as such, the proposal is also contrary to Policy CTY 9 of PPS 21. It is therefore considered that proposed refusal reasons 1 and 2 are still relevant.

Document 02 argues that the proposed access is required to allow access to emergency services should they be required and that the proposed access is in keeping with the existing laneways within the area and directly adjacent to the proposed laneway.

It remains to be considered that the proposed access, which extends and abuts the Knockagh Road for a distance of 160 metres on elevated land, would be visually intrusive in the landscape when approaching the application site particularly in a northward direction and thus the proposal is considered to have a detrimental impact on rural character. As such, the proposal is contrary to Policies CTY 13 and CTY 14. It is therefore considered that the third proposed reason for refusal is still relevant.

It is acknowledged that Drawing No. 03/1 has amended existing plans to include additional development that is already evident on site and was previously absent from the original plans. The plans now include the ramp and raised decking area surrounding the subject mobile home.

Drawing No. 05 provides amended access details. A consultation has now been issued to DfI Roads (sent 19th February 2024) but they are yet to respond. Given that the drawings show visibility splays of 2.4m x 90m in both directions which appears to be achievable, it is considered that the proposed refusal reason 4 which was previously added as a precautionary approach, can now be removed.

CONCLUSION

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

- The principle of the development has not been established in accordance with the policy provisions of Policy CTY 6 and Policy CTY 9;
- The mobile home would integrate into the surrounding rural environment;
- The proposed access laneway would not integrate into the surrounding rural environment;
- There are no detrimental residential amenity impacts resulting from the proposal; and
- Amended access details have been provided which appear to satisfy DfI Roads requirements.

RECOMMENDATION : REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and fails to meet the provisions for a mobile home in accordance with Policies CTY 6 and CTY 9 Residential Caravans and Mobile

Homes in that it has not been sufficiently demonstrated that there are compelling and site specific reasons for the requirement of a mobile home at this location related to personal or domestic circumstances.

3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed access fails to blend with the landform and will not integrate into the surrounding landscape and would have a detrimental impact on rural character.



Site Location Plan

Application Reference: LA03/2023/0663/F

Location: 25m South of 47 Knockagh Road, Newtownabbey

Proposal: Temporary Mobile Home (Retrospective)

