



13 October 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 remote meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 18 October 2021 at 6.00pm.**

You are requested to attend.

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

AGENDA FOR PLANNING COMMITTEE – October 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: LA03/2020/0900/F

Proposed demolition of existing rear sub-standard attached outhouses and replacement with two storey rear extension. Demolition of existing non compliant detached gable garage to create access to rear amenities at 33 Whitehouse Park, Newtownabbey.

3.2 Planning Application No: LA03/2021/0431/0

Proposed dwelling and garage on a farm 40m North of No.4 Cranfield Road, Randalstown

3.3 Planning Application No: LA03/2021/0224/F

Replacement Garage at 37 Abbeyview, Muckamore, Antrim, BT41 4QA

3.4 Planning Application No: LA03/2021/0646/O

Proposed farm dwelling 50m North West of 20 Ballygowan Road, Doagh

3.5 Planning Application No: LA03/2021/0566/F

Detached garage/store at 37 Ballylurgan Road, Randalstown, Antrim

3.6 Planning Application No: LA03/2020/0752/0

Site for detached dwelling with associated site works at lands approx. 4m West of 20 Belfast Road, Antrim

3.7 Planning Application No: LA03/2021/0805/F

Dwelling and Garage at 120m East of 44 Rickamore Road Upper, Templepatrick

3.8 Planning Application No: LA03/2021/0753/F

Change of use to restaurant/cafe with outdoor area and bin storage at the Gateway, Antrim Lough Shore Park, Lough Road, Antrim

PART TWO – Other Planning Matters

3.9 Delegated Planning Decisions and Appeals September 2021

3.10 Proposal of Application Notification September 2021

3.11 Department for Infrastructure - The Planning (Notification of Applications – Petroleum) Direction 2021'

3.12 Local Development Plan Quarterly Update

3.13 NI Planning Statistics 2021-22 First Quarter Bulletin April-June 2021

3.14 Department for Infrastructure Planning Advice Note Implementation of Strategic Planning Policy on Development in the Countryside

4. Any Other Business

PART TWO – Other Planning Matters – In Confidence

3.15 Scheme of Delegation Workshop

3.16 Planning Enforcement Report 2020-21 - Quarter 1

PART ONE – Decisions on Enforcement Cases – In Confidence

3.17 Enforcement Case: LA03/2021/0085/CA

PART ONE

DECISIONS ON PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2020/0900/F
DEA	MACEDON
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed demolition of existing rear sub-standard attached outhouses and replacement with two storey rear extension. Demolition of existing non complaint detached gable garage to create access to rear amenities.
SITE/LOCATION	33 Whitehouse Park, Newtownabbey, BT37 9SQ
APPLICANT	Linda Brown
AGENT	Chris Wilson Architecture
LAST SITE VISIT	25th March 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 33 Whitehouse Park, Newtownabbey, within the development limits of Metropolitan Newtownabbey as defined in the Belfast Urban Area Plan (BUAP) and within the draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site comprises a two storey detached dwelling, the existing dwelling has two front window bay projections with a pitched roof and three peaks along the eaves. The existing dwelling also has a single storey rear return accommodating outhouses. Finishes to the dwelling include red facing brick, grey roof slates and white wooded framed windows. A small, enclosed garden area is located to the front of the dwelling with a larger enclosed garden to the rear. An area of gravel for parking is located to the side and rear of the dwelling.</p> <p>Boundaries to the site are defined by a mix of mature hedging, the existing gable wall of the neighbouring property at No. 35 Whitehouse Park and a low level wall with close barded timber fencing along the northeastern boundary. The northwestern boundary (front) is partially undefined with the remainder defined by existing gates, pillars and hedgerow whilst the southwestern boundary is defined by a mix of 1 metre close boarded timber fence and hedgerow with the southeastern (rear) boundary defined by mature trees and hedgerow.</p> <p>The application site is located within a predominantly residential area comprising of a mix of house types. A Grade 2 listed building (HB21 07 003) known as Old Bawn is located at 32-34 Whitehouse Park in close proximity to the application site.</p>	

RELEVANT PLANNING HISTORY

Planning Reference: U/2004/0293/F

Location: 33 Whitehouse Park, White House, Newtownabbey, Northern Ireland, BT37 9SQ

Proposal: Erection of replacement single storey garage

Decision: Permission Granted (06.11.2004)

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 remains at 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.

Belfast Urban Area Plan: The application site is located within the settlement limit of Metropolitan Newtownabbey as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

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

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

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

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.

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

CONSULTATION

DfI Rivers – No objection

DfC Historic Environment Division - Listed Buildings – No objection

DfC Historic Environment Division - Historic Monuments – No objection

REPRESENTATION

Eleven (11) neighbouring properties were notified, and twelve (12) letters of objection have been received from nine (9) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

A summary of the key points of objection raised, which relate to the proposed shed element of the development proposal, is provided below:

- Scale and massing
- Overlooking, loss of privacy
- Overshadowing, loss of light
- Dominance
- Out of character for the area
- Size, scale and use of garage
- Boundary concerns
- Inaccurate plans
- Devaluation of property
- Reference to other planning decisions

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Scale, Massing, Design, Appearance and Character
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Other Matters

Preliminary Matters

During the processing of the application a number of amendments were received by the Council's Planning Section. The most recent amendment received on 23rd September 2021 includes a change to the description of the proposal following the removal of the proposed garage. The assessment and report is therefore based on the most recent submission with the removal of the garage. Neighbour notification has been carried out in accordance with the statutory regulations with respect to the amended scheme.

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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site lies within the settlement limit of Metropolitan Newtownabbey as defined with the Belfast Urban Area Plan. There are no specific operational policies or other provisions relevant to the determination of the application contained in this Plan or the draft BMAP.

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.

No conflict arises between the provisions of the Strategic Planning Policy Statement for Northern Ireland - Planning for Sustainable Development - September 2015 (SPPS) and those of retained policies regarding issues relevant to this proposal.

Consequently, the relevant policy context is provided by the Addendum to Planning Policy Statement 7 – Residential Extensions and Alterations (APPS 7). Policy EXT 1 of APPS 7 indicates that planning permission will be granted for a proposal to extend or alter a residential property where four specific criteria are met.

Scale, Massing, Design, Appearance and Character

The application seeks full planning permission for the proposed demolition of existing rear substandard attached outhouses and replacement with a two storey rear extension, as well as the demolition of the existing garage to create access to the property's rear amenities. It is worth noting that the planning permission is not required for the demolition of the existing outhouses or garage and following the case officer's site visit it is apparent that the existing garage has been demolished. The main assessment therefore relates to the proposed extension.

The proposed two-storey extension is set to the rear of the property. As indicated above the proposal includes the demolition of existing outhouses which take the form of a rear return to the existing dwelling. These buildings currently extend out 6 metres from the rear wall of the existing dwelling. The proposed extension reflects the footprint of the existing outbuildings extending 6 metres from the rear wall of the existing dwelling with a width of 8 metres and a ridge height of 8.1 metres from ground level. The proposed extension provides an open plan living and kitchen area on the ground floor and two additional bedrooms, a bathroom and ensuite on the first floor.

The topography of the site falls from the northwest to the southeast with a level difference of approximately 1.5 metres. As a result of the difference in land levels the proposed extension has a significant under-build ranging from 0.7 metres to 1.4 metres. Additionally, as a result of the level difference a platform is proposed to the immediate rear of the dwelling with steps to allow for access to the rear garden area. The proposal includes additional fenestration to the rear extension with an additional first floor window on the southeastern gable, two additional windows on the ground floor northeastern gable, and bi fold doors and an additional window and back door on the rear southeastern elevation. The glazing on the southwestern gable serving the hallway has also to be changed to stain glass. The proposed extension has a pitched roof with two peaks; whilst the finishes are to match the existing dwelling, that being a natural slate roof, facing brick to match existing and rainwater goods to be cast aluminium.

The proposed extension is located entirely to the rear of the dwelling with the ridge height set down from the existing ridge line and as such limited views are experienced. Letters of objection raised concerns in relation to the size and scale of the overall extension and the impact on the character and appearance of the area. Taking into consideration the built form of the existing dwelling and outbuildings it is considered that although the proposed extension is raising the ridge height of the existing rear return, the scale and massing of the two-storey extension remain subordinate to the existing dwelling. Although the proposal is located entirely to the rear of the existing dwelling, due to the staggered building line when travelling through Whitehouse Park from a southern direction, views of the southeastern elevation and the rear return are experienced. From this perspective the proposal reads as a subordinate rear extension to the existing dwelling and does not disrupt the existing streetscape and will not detract from the overall character or appearance of the area.

For the reasons outlined above it is considered that the overall proposal in terms of the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

Policy EXT 1 of the addendum to PPS 7 – Alterations and Extensions also requires that the proposal does not unduly affect the privacy or amenity of neighbouring residents. Neighbouring residential properties are located to the front and either side of the existing property. Letters of objection raised concerns in relation to overlooking and loss of privacy, dominance, overshadowing and loss of light.

As indicated above the proposal includes a two storey rear extension which extends 6 metres from the rear wall of the existing dwelling a width of 8 metres and a ridge height of 8.1 metres. Although the proposal extends the built form into the rear of the site there are no existing neighbours to the rear of the property.

There are two existing dwellings located on either gable of the subject dwelling, the dwelling to the southeast known as No. 31 Whitehouse Park is orientated to front onto the southern gable of the subject dwelling therefore having a front to gable relationship. Concerns were raised in relation to the scale, form and massing of the overall proposal and the impact on the neighbouring property in terms of loss of light,

overshadowing, dominance and loss of privacy. A separation distance of 6.4 metres exists between the front northeastern wall of the neighbouring property and the southwestern gable wall of the proposed dwelling. There are no additional windows proposed on the southwestern gable with the exception of a first floor window serving a non-habitable room with opaque glazing and a change of glazing on the existing hall window to stain glass. As such there will be no increase in overlooking on the neighbouring property from this perspective. As indicated above the proposal includes a raised platform to the rear of the property to allow for level access. Amended plans dated 23rd September 2021 reduces the size of the platform and the raised platform is set in 4.4 metres from the common boundary and 8.8 metres from the front elevation of the neighbouring property. The southern section of the raised platform is defined by a 1.8 metres high obscure glazed screen; therefore, any potential overlooking will be mitigated. Furthermore, the neighbouring garage at No. 31 Whitehouse Park is located along this boundary which prevents any significant overlooking into the rear amenity space of this neighbouring property.

Concerns were raised in relation to the southwestern boundary treatment along the common boundary with No. 31 Whitehouse Park. Drawing Number 12/3 date stamped 23rd September 2021 indicates the proposed boundary treatment; the existing fence is to be retained along the front section of the common boundary with the central section abutting the rear extension to be defined by a wall which extends to a maximum height of 1 metre with 0.8 metre railing on top giving a maximum height of 1.8 metres. This defined boundary is inset with planting. The remainder of the boundary is to be defined by a 1.8 metre high close boarded timber fence, which will replace an existing 1.2 metre high fence. The proposed boundary treatment is considered acceptable and is considered a betterment from what currently exists on site. Any concerns raised in relation to the ownership of the common boundary is a civil matter; if planning permission is forthcoming, an informative will be imposed on the grant of any planning permission advising that the approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings should the development affect any shared party boundary.

In relation to concerns relating to dominance, it is accepted that the proposal increases the height of the built form along the southwestern boundary from a single storey to two storeys. However, due to the design of the roof profile, the pitched roof slopes away from the neighbouring property and results in the existing gable wall increasing in height from 2.5 metres to 5.5 metres. Additionally, the built form of the proposal does not extend out further than the footprint of the existing outbuildings and is line with the rear wall of the neighbouring property at No. 31 Whitehouse Park. Concerns were also raised in relation to overshadowing and loss of light. It is acknowledged that the relationship between the subject dwelling and No. 31 Whitehouse Park is an unusual configuration that being a front to gable relationship. The front elevation of the existing property at No. 31 Whitehouse Park includes an entrance doorway serving a hall, and two windows one with opaque glazing which has been indicated by the neighbour to serve a kitchen, while the other window serves a habitable room; however, both rooms have additional windows and as such, the windows affected are not the sole source of light. Furthermore, due to the orientation of the dwellings and the natural path of the sun, the potential for any overshadowing is limited and will not unduly affect the amenity of the neighbouring property.

The subject dwelling and the dwelling adjacent to the northeast known as No. 29 Whitehouse Park have a gable-to-gable relationship with a separation distance of 7 metres. A number of existing outbuildings associated with No. 29 Whitehouse Park run parallel to the common boundary and as such prevent any overlooking from the proposed ground floor windows along the northern gable. Additionally, no first floor windows are proposed on the northeastern elevation and as such the proposal will not create any additional overlooking. The existing neighbours opposite the site will not be negatively impacted by the proposal given that the proposal is for a rear extension.

Impact on Trees and Environmental Quality of this Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality as there are no trees in the direct vicinity of the extension and there has been no indication that any existing trees will need to be removed.

Amenity Space, Parking and Manoeuvring

The proposal results in a loss of amenity space however a sufficient space remains within the curtilage of the dwelling for recreational and domestic purposes, including the parking and manoeuvring of vehicles.

Other Matters

Flood Risk

According to the Flood Maps (NI) part of the application site is located within the 1 in 200 year coastal flood plain which has a level of 3.17 mOD at this location. DfI Rivers initial response indicated that the proposal is contrary to Policy FLD 1 of PPS 15 in that development will not be permitted within the 1 in 100 year fluvial floodplain or the 1 in 200 year coastal floodplain unless the applicant can demonstrate it is an exception to the policy. It is considered that this proposal is consistent with the definition of minor development as indicated within PPS 15 as such a Flood Risk Assessment (FRA) was submitted to the Council.

Consultation was carried out with DfI Rivers who raised no concerns in relation to the detail of the FRA, however, following discussions with neighbouring occupants and the detail of their concerns, an engineer of DfI Rivers attended a site meeting with the neighbouring occupants. Following this site meeting further consultation was carried out with DfI Rivers who raised no objections to the proposal.

Notwithstanding the above information and there being no objections from DfI Rivers, the development which was located within the 1 in 200 year coastal floodplain was the proposed garage included under the initial submission. The proposed garage has been removed from the scheme and no longer forms part of the proposal. As such no development lies within the 1 in 200 year coastal floodplain. However, it is considered reasonable that should planning permission be forthcoming a condition should be imposed removing permitted development rights to the rear section of the site which is located within the 1 in 200 year coastal floodplain.

Historic Environment

The dwelling is located in close proximity to a Grade 2 Listed building (HB21 07 003) known as Old Bawn located at 32-34 Whitehouse Park. Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage (PPS 6) is therefore applicable and

includes Policy BH 11 - Development Affecting the Setting of a Listed Building. As such consultation was carried out with Historic Environment Division (HED), Listed Buildings Section who raised no objections to the proposal subject to a condition requiring the finishes to be as noted; that being a natural slate roof, facing brick to match the existing dwelling and rainwater goods to be cast aluminium.

The application site is located within the consultation zone for an historic monument and consequently consultation was carried out with HED Historic Monuments section who raised no objections to the proposal.

Other Concerns

Concerns were raised in relation to devaluation of property, however, the perceived impact of a development upon neighbouring property values is not generally viewed as a material consideration to be taken into account in the determination of a planning application. In any case no specific or verifiable evidence has been submitted to indicate what effect this proposal is likely to have on property values. As a result, there is no certainty that this would occur as a direct consequence of the proposed development, nor would there be any indication that such an effect in any case would be long lasting or disproportionate. Accordingly, it is considered that this issue should not be afforded determining weight in the determination of this application.

Reference was made in relation to other decisions made by the Council, however, the reference number cited is not comparable to the current proposal; additionally, all planning applications are considered on the basis on their own merits.

CONCLUSION

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

- The scale, massing, design and appearance of the proposal is considered acceptable;
- The proposal will not unduly affect the privacy or amenity of neighbouring residents;
- The proposal will not have a detrimental impact on trees or the environmental quality of the area;
- The proposal will not result in a negative impact on the setting of an adjacent listed building;
- The proposal will not increase the flood risk to the site or adjacent properties;
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles; and;
- The other matters raised within the representations received have been duly considered and do not warrant a refusal of planning permission in this instance.

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. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no buildings shall be erected within the curtilage of the dwelling house without the grant of express planning permission from the Council.

Reason: The erection structures on this part of the site requires detailed consideration to safeguard against flooding and the amenities of the neighbouring properties.

3. The two windows on the first floor northeastern and southwestern elevations coloured orange on Drawing Number 12/3 date stamped 23rd September 2021 shall be finished in opaque glass and shall thereafter be permanently retained.

Reason: In the interests of residential amenity.

4. The window on the southwestern elevation serving the hallway, coloured blue on Drawing Number 12/3 date stamped 23rd September 2021 shall be finished in stain glass and shall thereafter be permanently retained.

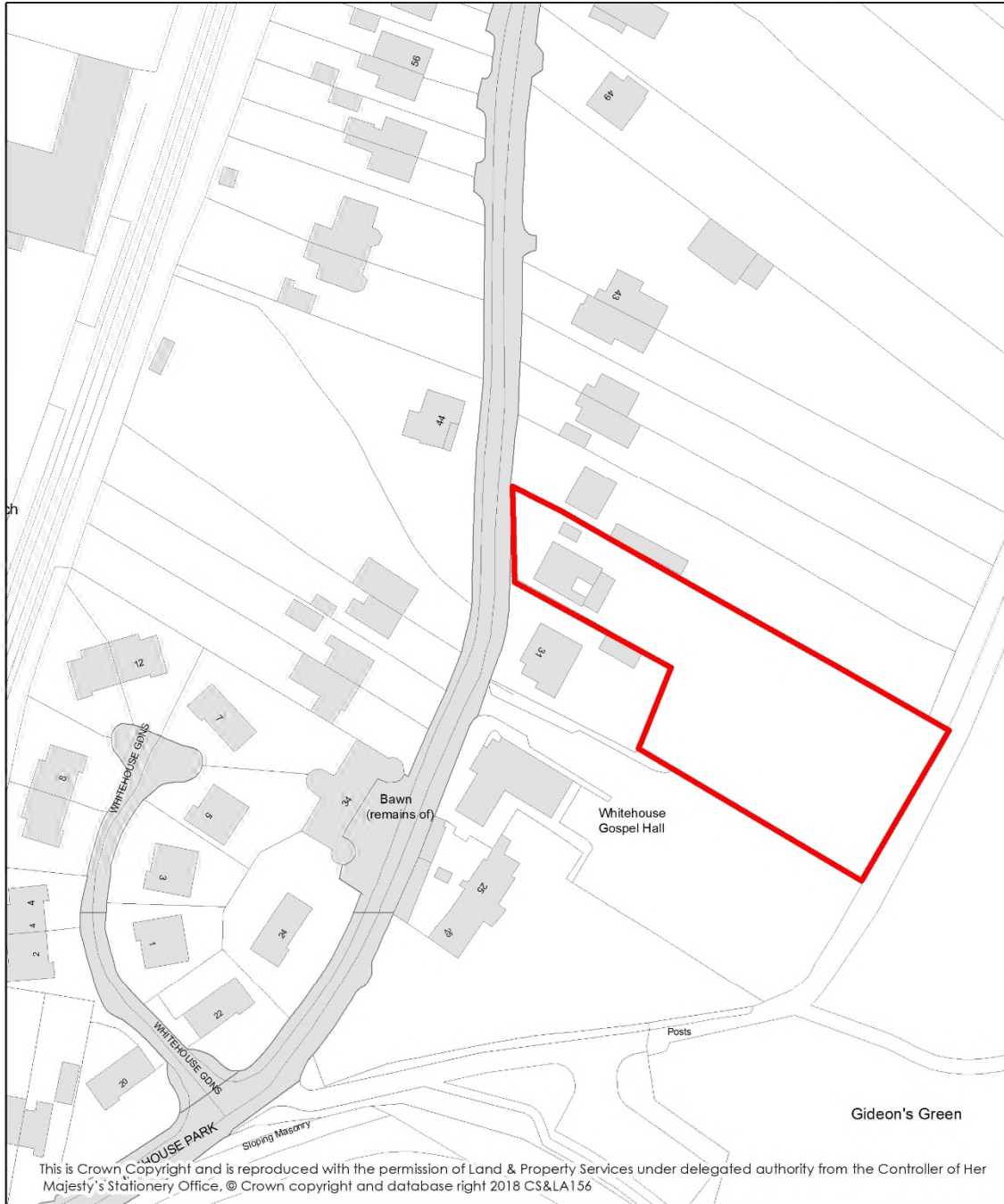
Reason: In the interests of residential amenity.

5. Prior to occupation, a 1.8 metre high close boarded timber fence shall be erected along the southeastern boundary as indicated in green on Drawing Number 08/3 date stamped 23rd September 2021 and shall thereafter be permanently retained.

Reason: In the interests of residential amenity.

6. Notwithstanding the details on the approved plans, all materials and finishes shall be a natural slate roof, facing brick to match existing walls and profiled cast aluminium / metal rainwater goods and shall be permanently retained thereafter.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.




Site Location Plan

Application Reference: LA03/2020/0900/F

33 Whitehouse Park
Newtownabbey

Proposed demolition of existing rear
sub standard attached outhouses and
replacement with two storey rear extension.
Demolition of existing non complaint detached
gable garage to create access to rear amenities.



 Site boundary



COMMITTEE ITEM	ITEM 3.2
APPLICATION NO	LA03/2021/0431/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed dwelling & garage on a farm
SITE/LOCATION	40m North of No.4 Cranfield Road, Randalstown
APPLICANT	Mrs Donna Hodge
AGENT	CMI Planners Ltd
LAST SITE VISIT	2 nd June 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 40 metres north of No. 4 Cranfield Road, Randalstown and 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 set back off the road by 22 metres. The eastern (rear) boundary is defined by a row of dense mature hedging approximately 2 metres in height and the southern boundary of the site shared with No. 4 is defined by a number of mature trees approximately 6-7 metres in height towards the western section and a mature hedge and decorative planting approximately 2 metres in height defines the remainder. The remaining northern and western boundaries are undefined as the site is a portion of land cut out of a larger agricultural field.</p> <p>The site is located to the eastern section of Cranfield Road which is predominantly rural. This sits in contrast with the area approximately 150 metres to the north of the application site towards the junction with the Staffordstown Road, which is subject to a build-up of development and ribbon development, consisting of detached and semi-detached dwellings.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0352/O Location: 20m South of No. 9 Cranfield Road Randalstown Proposal: Proposed 2 storey dwelling & garage on a farm Decision: Application Withdrawn (07.12.2020)</p> <p>Planning Reference: LA03/2020/0866/F Location: 158 Staffordstown Road, Randalstown Proposal: Replacement dwelling and garage Decision: Permission Granted (24.06.2021)</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.

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 objection subject to conditions

Council Environmental Health Section – No objections

NI Water- No objections

DAERA Countryside Management Inspectorate Branch - Advise that the farm business identified on the P1C form has been in existence since 17.12.2013 and is Category 1. The business has not claimed payments through the Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years.

DAERA further advised that the proposed application site is located on land that is associated with another farm business.

REPRESENTATION

One (1) neighbouring property was notified and one (1) letter of objection has been received from one (1) property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Ownership concerns over visibility splays.

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 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.

The policy head noted of Policy CTY10 states that planning permission will be granted for a dwelling house on a farm where all of the three listed criteria can be met.

The first criterion, criterion (a) requires that the farm business is currently active and has been established for at least 6 years.

The Department for Agriculture Environment and Rural Affairs (DAERA) were consulted on the proposal with regards to the Farm Business ID submitted as part of the application. DAERA responded stating that the Farm Business ID identified on the P1C form had been in existence for more than 6 years. DAERA also advises that the applicant has not claimed payments through the Basic Payment scheme or Agri Environment scheme. The application site however, is located on land associated with another farm business and therefore is likely let out in conacre to another farmer under a different farm business number.

Footnote 26 of the SPPS states that for its purposes 'agricultural activity' is as defined by Article 4 of the European Council Regulations (EC) No. 1037/2013. At Article 4 (c) (i) agricultural activity means production, rearing or growing agricultural products, including harvesting, milking, breeding animals, and keeping animals for agricultural purposes whilst paragraph 5.39 of PPS 21 adds 'or maintaining the land in good agricultural and environmental condition' to that definition.

The agent has submitted documentation in an attempt to demonstrate that the applicant has maintained the land in a good agricultural and environmental condition, a requirement to demonstrate active farming. The documentation provided comprises a 'Sheep & Goats Movement Book' supplied by the DAERA, outlining the purchasing and movement of sheep carried out by the applicant. The documentation provided outlines that the applicant purchased 6 sheep and the departure date for the sheep was the 27th March 2021. The second piece of documentation provided outlines that the applicant bought a further 6 sheep, with a departure date of the 17th April 2021. In summary it appears that from the evidence provided that the applicant is in ownership of 12 sheep.

The agent has stated within the supporting statement outlined under Document 01 date stamped 2nd September 2021, that the DAERA Farm Business ID has been established since 2013 and the accompanying documentation outlined above was sufficient to demonstrate that the farm business is active and established as required by policy. Document 01 further outlines that the applicant's father has passed and the farm holding has been passed onto his daughter (applicant). The address associated with the farm holding has been identified within the supporting statement as 4 Cedar Grove Randalstown which is the address of the applicant.

The documents submitted in support of the application represent a timeframe of 5 weeks and 4 days before the application was validated by the Council on the 5th May 2021. It is noted here that simply having an established DAERA Farm Business ID that has been recognised for longer than 6 years is not adequate in also establishing if the land has been actively farmed for at least 6 years. As noted above the first test of CTY 10, criterion (a) outlines that the farm business is to be currently active and has been established for at least 6 years, the key word in this case is 'and' and therefore it is not acceptable to just demonstrate one part of the test.

No other information demonstrating six years active farming was supplied with the application therefore, given that the entirety of the information provided by the applicant has been assessed, it is considered that it has not been demonstrated that

the farm holding has been actively farmed by the applicant for at least 6 years in accordance with the requirements of criterion (a) of Policy CTY10 of PPS21.

Criterion (b) of Policy CTY10 of PPS21 requires that no dwellings or development opportunities outwith settlement limits have been sold off from the farm holding within 10 years from the date of the application. The planning application was made valid on the 5th May 2021 and the 10 year timeframe dates back to 5th May 2011. The farm business map submitted with the planning application as outlined under Drawing 02 date stamped 5th May 2021 is dated year 2020 and relates to 4 fields. It was apparent after undertaking a planning history search of the above sites outlined within the farm holding that two recent planning applications had been submitted under the following reference numbers;

- LA03/2020/0352/O
- LA03/2020/0866/F

The first of these historical applications relates to a dwelling on a farm under planning ref: LA03/2020/0352/O, located within the agricultural field directly opposite the application site, adjacent to No. 9 Cranfield Road. This application was subsequently withdrawn on the 7th December 2021. However, it is noted that this 2020 application was under a different applicant name and farm address, 155A Staffordstown Road. The farm maps submitted as part of this historical application are from 2012 and match the fields outlined within the 2020 farm maps submitted with the current application.

The second historical application relates to a replacement dwelling that was approved under planning reference LA03/2020/0866/F. The application was granted approval for the replacement of dwelling No. 158 Staffordstown Road, Randalstown. However, it is noted that despite the red line of the current planning application including a section of a field outlined as part of the farm holding to the northern side of Staffordstown Road, the replacement dwelling approved was sited over the footprint of the existing dwelling which is located to the southern side of Staffordstown Road, outwith the field identified as being part of the agricultural holding.

Therefore, whilst it is evident that development opportunities have presented themselves within the associated farm map, given that one application was withdrawn and another was approved on a site outwith the farm holding, it is apparent that no development has been sold off from the agricultural holding and therefore it is appropriate to conclude that no development opportunities have either been secured or disposed of within any of the fields outlined under Drawing 02 date stamped 5th May 2021. It is considered that the applicant has met with criterion (b) of Policy CTY 10 of PPS21 can be met.

The third criterion, criterion (c) of Policy CTY10 of PPS21 requires that the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing farm lane.

Policy CTY10 however, does allow for the exceptional consideration of an alternative site away from existing farm or forestry buildings, provided there are no other sites available at another group of buildings on the holding, and where:

- it is essential for the efficient functioning of the business; or
- there are demonstrable health and safety reasons.

Document 01 date stamped 2nd September 2021 outlines that the applicants farm business is located at 4 Cedar Grove, Randalstown. The agent has stated that the dwelling is within the settlement limits of Randalstown and there is no room around the property for another building. The agent has further stated that a dwelling is required at this location to enable the applicant to further expand her business as they have continued to maintain the land and increase their sheep numbers since the passing of the applicant's father.

The application site is located adjacent to No. 4 Cranfield Road, this property is not owned by the applicant or part of the farm holding and is therefore outside the ownership of the farm business owner. There are no other buildings outlined as being part of the agricultural holding and no other evidence has been provided that demonstrates that the application site would be sited to a cluster with existing farm buildings.

The applicant/agent has not provided evidence as to why the proposed location is essential for the efficient functioning of the business. The only justification for the location chosen relates to the applicant being able to carry out further farming activities within the agricultural holding. The applicants dwelling is at 4 Cedar Grove which is only located approximately 3.6 miles from the application site. Given the size of the holding and the limited flock numbers it is considered that it is not essential to have a dwelling at this location. As there are no buildings on the holding it is considered that the proposal fails criteria (c) of Policy CTY 10.

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

All dwellings in the countryside must integrate with its 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.

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 and western boundaries and therefore relies on new planting to sensitively integrate the plot within the landscape. The eastern and southern boundaries of the application site are defined by a row of mature hedgerow. The western boundary of the Cranfield Road is defined by a 1.5-2 metre high hedgerow. However, in order to provide visibility splays the existing roadside vegetation will require removal which in turn will result in critical views of the site being achieved when travelling along the Cranfield Road. At this vantage point the site would only benefit from one existing boundary and would fail to achieve and adequate sense of enclosure to successfully integrate a dwelling.

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area. The proposal would be sited adjacent to No. 4 Cranfield Road which appears as a stand-alone single dwelling. It is noted that there is a substantial line of ribbon development when travelling northwards along Cranfield Road towards the junction with Staffordstown Road and along Staffordstown Road itself, ribbon development characterises the southern side of this road. The construction of a dwelling and garage within the application site would display a road frontage development in the countryside which is in keeping with the pattern of development exhibited in the area given that the application site is only adjacent to one other singular dwelling it is not considered that this would cause a ribbon of built up development to the section of the Cranfield Road.

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

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.

Adjacent to the site, No. 4 submitted a representation stating that the visibility splays crossed over their land and they had not been notified of the planning application by the applicant. Subsequently, Certificate C of the P1 Form has been completed outlining that some of the lands within the application site are under the ownership of those occupying No. 4 Cranfield Road. In addition, it is a requirement for the applicant when completing Certificate C to serve notice on all other relevant landowners. Any ongoing ownership concerns outside of the above process is considered to be a civil matter and cannot be resolved within the processing of the planning application.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 and CTY 10 of PPS 21 in that the principle of an active and established farm has not been demonstrated.
- The application site is not visually linked or clustered to existing farm buildings.
- A dwelling on the site would not be integrated into the countryside.
- An appropriately designed dwelling on site would not have a detrimental impact on neighbour amenity.
- There are no issues with the proposed access arrangement and road safety.

RECOMMENDATION

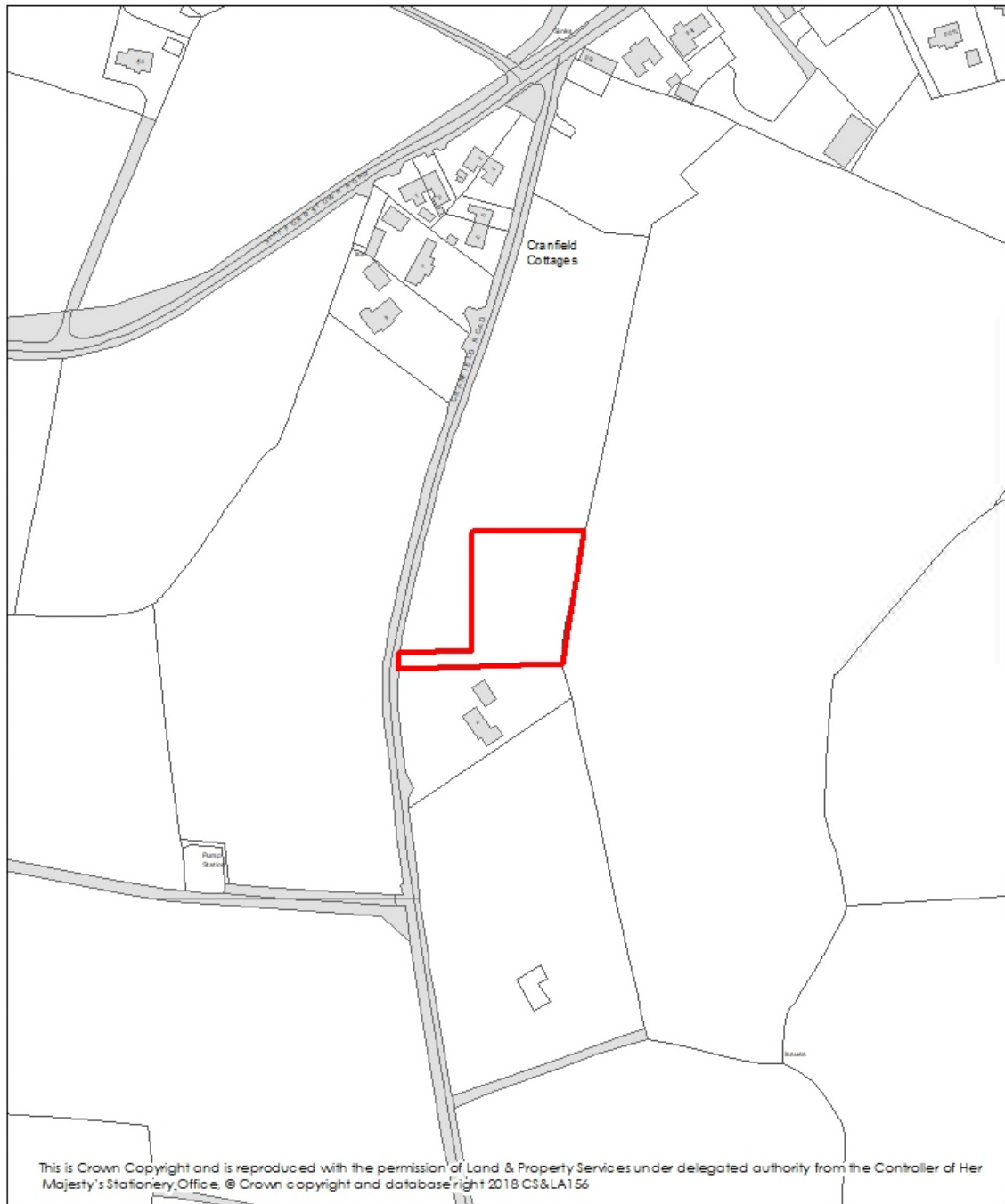
REFUSE OUTLINE PLANNING PERMISSION

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 provisions contained in the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the principle of an active and established farm has not been demonstrated and that the proposed dwelling is not sited to cluster or visually link with a group of buildings on the farm.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building if permitted, would fail to achieve an adequate sense of enclosure and would not be integrated into the countryside.



Site Location Plan

Application Reference: LA03/2021/0431/O

Proposed dwelling & garage on a farm

40m North of no.4 Cranfield Road
Randalstown



 Site boundary



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2021/0224/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Replacement Garage
SITE/LOCATION	37 Abbeyview, Muckamore, Antrim, BT41 4QA
APPLICANT	Mr Damian Heffron
AGENT	CMI Planners Ltd.
LAST SITE VISIT	06 May 2021
CASE OFFICER	Tierna McVeigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located at 37 Abbeyview, Antrim, which is within the development limits of Antrim Town as designated in the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site comprises of a two-storey dwelling associated with a terrace of previous mill properties. The dwelling occupies the northwestern end of the terrace and is northwest facing. The remaining dwellings along the terrace face southwest onto the Abbeyview Road. Some 5 metres to the northwest is a detached garage, with a car port spanning from the existing dwelling to the garage. The dwelling is finished in red facing brick with white sash style windows. The topography of the site is relatively flat, however, moving north-eastwards into the side garden the land falls steeply by approximately 1 metre. The Six Mile Water River lies to the northeast of the site and access is taken from the southeast of the Abbeyview Road.</p> <p>All boundaries encompassing the site comprise mature hedging and trees ranging in height from 2 – 10 metres. Along the northeastern boundary is a 2 metre high decorative stone wall and the southeastern boundary divides the neighbouring property No. 38 Abbeyview and comprises of a 1.8 metre high wooden fence.</p>	
RELEVANT PLANNING HISTORY	
There is no relevant planning history relating to the site.	
PLANNING POLICY AND GUIDANCE	
<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, 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</p>	

Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which remains at 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 (AAP): The application site is located inside the development limit of Antrim Town as designated by the Plan, which offers no specific policy or guidance on this proposal.

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

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.

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

CONSULTATION

Department for Infrastructure Rivers – Additional Information required

Department for Infrastructure Roads – No objection

Department for Communities Historic Environment Division (HED) – No objection

REPRESENTATION

One (1) neighbouring property was notified of the application and no representations have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Flooding
- Other Matters

Policy Context

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is located within the development limit of Antrim Town as defined in the AAP. There are no specific operational policies relevant to the determination of the application 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. Amongst these is the Addendum to Planning Policy 7: Residential Extensions and Alterations (APPS 7). Considering the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

Policy EXT 1 of APPS7 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- (b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- (c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- (d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

APPS7 also advises that the guidance set out in Annex A of the document will be taken into account when assessing proposals against the above criteria.

Scale, Massing, Design and Appearance

The application seeks planning permission for a replacement garage measuring 45.5 sqm to provide a ground floor garage with WC, a first floor gym and a work from home office. The existing garage is to be demolished and removed from the application site.

The proposal does not replicate the existing footings of the existing garage and is positioned some 2 metres to the southwest and some 1.5 metres to the northwest. The garage measures 7 metres in length, 6.5 metres in width and has a ridge height of 6.6 metres. A separation distance of 5 metres remains between the proposal and the front porch of the dwelling.

On the front elevation of the proposal facing south-westwards a roller shutter entrance is present and two roof lights. On the rear elevation of the proposal facing north-eastwards two (2) windows are proposed, one obscure facilitating the WC and the other facilitating the garage space. A single ground floor door is present facing southeastwards and facing north-westwards on the first floor are two (2) vertical windows. Three (3) roof lights are also proposed.

The proposed garage is to be finished in smooth render with a red facing brick plinth, the roof is to comprise of blue/black or dark grey slates, rainwater goods are to be black aluminium, windows finished in white uPVC and the door is to be solid timber painted.

It is considered that the scale, massing, design and appearance of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

No adjoining neighbours will be affected as the proposal is located to the front of the existing dwelling to the northwest, with neighbouring properties located to the southeast. The proposal is also adequately screened by the existing boundaries. It is therefore considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents and the existing boundary treatments associated with the site will mitigate any potential for overlooking or loss of privacy.

Impact on Trees and Environmental Quality of the Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality because the proposal will not involve the loss of any vegetation.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes. On-street parking is provided and the garage seeks to introduce an additional car parking space. There was some initial concern regarding vehicles accessing the garage from the public road and DfI Roads was consulted. DfI Roads has stated that the application site is located on a private road and have no objections to the proposal.

Flooding

DfI Rivers was consulted and has stated that according to the Flood Maps (NI) the development lies within the 1 in 100 year fluvial flood plain which has a level of 29.75 mOD at this location. DfI Rivers further states that the proposal is contrary to Policy FLD 1 of PPS 15 in that development will not be permitted within the 1 in 100 year fluvial floodplain or the 1 in 200 year coastal floodplain unless the applicant can demonstrate that the proposal constitutes an exception to the policy.

The proposal is replacing an existing garage and measures 45.5sqm. In accordance with Policy FLD 1 of PPS 15 it is considered that this proposal is consistent with the definition of minor development (a footprint less than 150sqm) and given the scale of the proposal and the presence of the existing garage including the presence of hardstanding, the Council considers the proposal to be an exception under Policy

FLD 1. In line with PPS 15 it is therefore necessary to seek the submission of a Flood Risk Assessment (FRA) to ensure the identification of all sources of flooding, the resulting flood extents and the means by which flooding is to be controlled and mitigated.

Requests were made on 22nd June 2021, 28th July 2021 and 11th August 2021 for the agent to submit the required FRA. On 31st August 2021 the agent advised verbally that he would not be submitting the FRA, however, on 17th September 2021, the agent was given a final opportunity to submit the FRA and a deadline of 27th September 2021 was given. Submission of the FRA has not been forthcoming and without this information the proposed development cannot be assessed from a drainage or flood risk perspective.

Consequently, the proposal is contrary to Policy FLD 1 of PPS 15 in that, all sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the proposed development.

Other Matters

The proposed development is located in close proximity to several archaeological monuments bearing references ANT050:075, ANT050:076 and ANT 050:078. There is also a B1 listed building located at No. 60 Abbeyview bearing reference HB20/13/009. HED was consulted regarding the impact of the proposal on the setting of the listed building and has raised no objections, stating that the proposal will have a negligible impact.

CONCLUSION

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

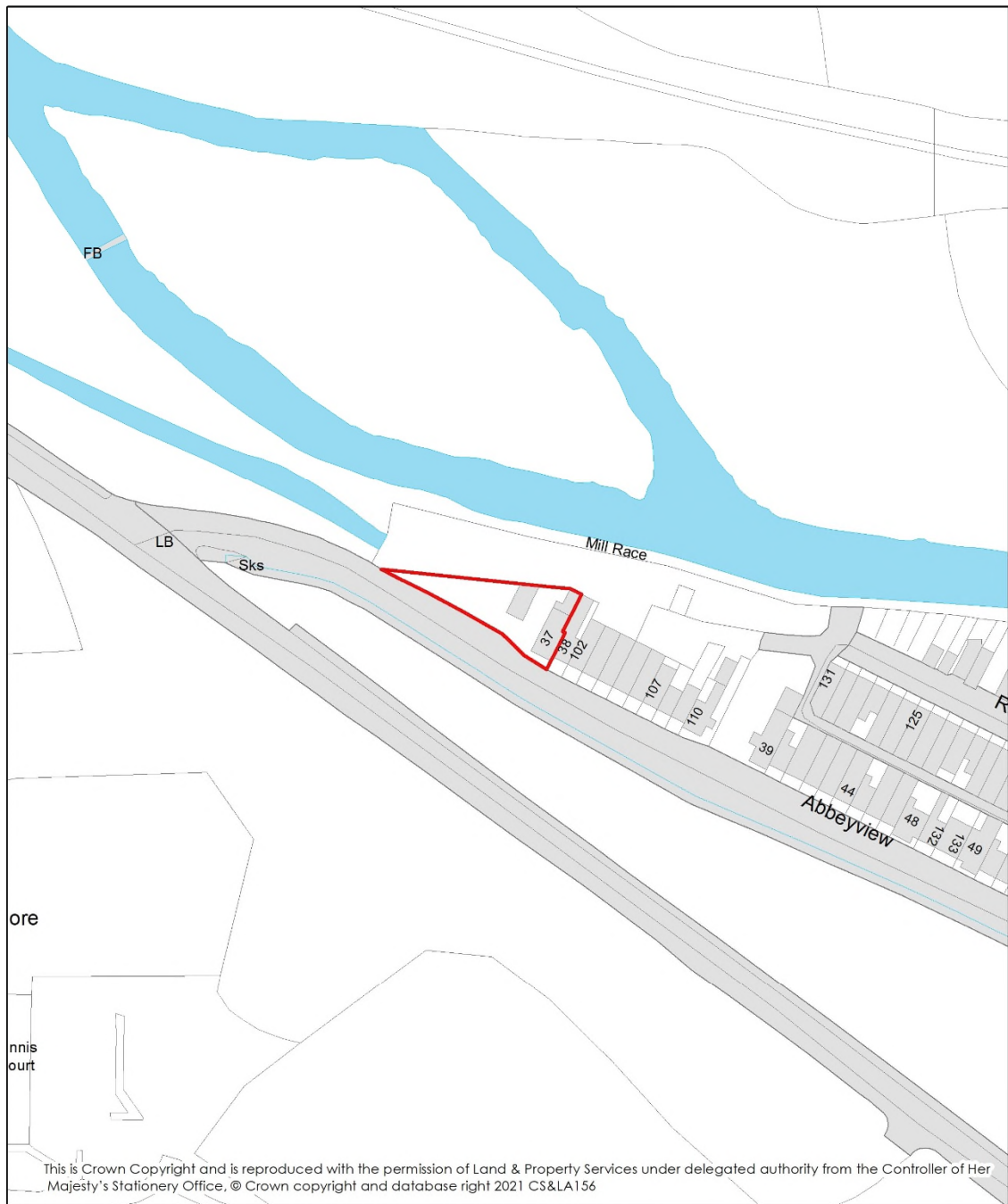
- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the proposal is considered acceptable;
- The proposal will not unduly affect the privacy or amenity of neighbouring residents;
- The proposal will not have a detrimental impact on trees or the environmental quality of the area;
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.
- The proposal will not have a detrimental impact on the setting of the archaeological sites and monuments including the B1 Listed building; and
- All sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15 in that all sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.



Site Location Plan

Planning Reference: LA03/2021/0224/F

Location: 37 Abbeyview, Antrim

Proposal: Replacement Garage



Site Boundary



Scale: 1:1,250



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2021/0646/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed farm dwelling
SITE/LOCATION	50m North West of 20 Ballygowan Road, Doagh, BT39 0TR
APPLICANT	Mr Robert Hamill
AGENT	MAW Architects
LAST SITE VISIT	30 th July 2021
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands 50 metres northwest of the dwelling at No. 20 Ballygowan Road, Doagh. It lies outside of any development limit as defined in the Antrim Area Plan 1984-2001. The application site is a large agricultural field which is defined along the northwestern and northeastern site boundaries by an existing hedgerow, while the southeastern and southwestern boundaries are defined by a post and wire fence. The land falls away in a southwesterly direction towards 2 no. two storey dwellings at No. 21 and No. 23 Ballygowan Road which lie immediately adjacent to the sites southwestern boundary. No. 20 Ballygowan Road lies adjacent to the sites southeastern boundary beyond an existing access laneway. There is an existing agricultural access for the site located in the most northeasterly portion of the application site.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	
PLANNING POLICY AND GUIDANCE	
<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, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough.</p> <p>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.</p>	

Antrim Area Plan 1984 – 2001: The application site is located outside of any settlement development limit designated in the Antrim Area Plan.

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

Council Environmental Health Section – No objection.

Department for Infrastructure Roads - Amendments required.

Department of Agriculture, Environment and Rural Affairs – No objection

Northern Ireland Water – No objection.

REPRESENTATION

Four (4) 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 Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Flood Risk
- 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 Antrim Area Plan 1984-2001 (AAP) operates as the local development plan for the area where the application site is located. The AAP places the application site

within the rural area and outside any settlement development limit designated in the Plan. It provides no site specific guidance on 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 a dwelling on a farm in accordance with Policy CTY 10 of PPS 21. This policy states that planning permission will be granted for a dwelling house on a farm where a number of criteria can be met. Criteria (a) states that the farm business should be currently active and has been established for at least 6 years. DAERA's Countryside Management Branch have been consulted on the application and have responded to confirm that the Farm Business has been in existence for more than six years and that the Business ID provided has made claims for Single Farm Payment or the Basic Payment Scheme in each of the last six years. On the basis of the above, it can be considered that the criteria (a) of Policy CTY 10 can be met.

Criteria (b) of this policy states that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. The applicant has advised on the P1C Form that no dwellings or development opportunities have been sold off the farm since 25th November 2008. The Council has checked the records associated with the Farm Business ID provided and can find no records of any other planning approvals associated with the Business ID or applicants name provided. The applicant has provided farm maps dating to 2009-2011 and as a consequence a full check of the applicant's farm lands could not be undertaken as the applicant has not provided a full and up-to-date set of farm maps. The Council has not insisted that new farm maps be provided given the recommendation provided within this report, however, as a precautionary measure it has been included within the recommended refusal reasons that it has not been fully demonstrated that no dwelling or opportunities have been sold off from the farm holding.

The third criteria laid out in Policy CTY 10 states that a new building should be visually linked or sited to cluster with an established group of buildings on the farm. The policy goes on to say that in exceptional circumstances consideration may be given to an alternative site provided that there are no other sites available at another group of buildings on the farm or out-farm and where there are either; demonstrable health

and safety reasons; or verifiable plans to expand the farm business at the existing building group.

The application site for the proposed farm dwelling is located approximately 150 meters to the south of the applicant's current home address and the existing farm buildings which lie directly adjacent to their existing dwelling. It is accepted that the proposed dwelling on the application site would not be visually linked or sited to cluster with the any established group of buildings on the farm. In this case, the policy allows for a building to be sited away from an established group of buildings on the farm provided that that there are exceptional reasons for doing so.

The agent has submitted supporting information to advise that the applicant wishes to have a dwelling at this location as it offers a practical position linked to both the farmyard and the existing farm buildings. He has advised that a site closer to the farm group could not be used due to future plans for farm expansion to include a slurry store (which is to be built to the northwest of the existing farm buildings). He has further advised that there would be health and safety risks associated with this slurry store and that it would also result in unwanted smells and an increase of insects and small animals; that would mean that a dwelling could not be located in close proximity.

It has also been argued by the agent that a new dwelling that would have to share the existing farm access/lanes which would result in a serious health and safety concern for occupants and visitors due to the movements of farm machinery and vehicles. Furthermore, the agent has advised that there are also difficulties in obtaining mortgages for a dwelling accessed via the existing farm lane or close to farmyards due to health and safety issues along with a decrease in land value.

No evidence has been submitted from a competent and independent authority such as the Health and Safety Executive to verify the claims, nor has there been any verifiable expansion plans either provided or granted planning permission; it is considered that insufficient evidence has been provided to warrant the dismissal of other more suitable sites for health and safety or farm expansion reasons. The points raised in relation to the mortgage application also would not justify the discounting of a policy compliant siting opportunity.

It is considered that the proposal is not visually linked with existing buildings on the farm and exceptional reasons have not been demonstrated for an alternative site located away from the buildings on the farm.

Impact on Character and Appearance of the Area

Policy CTY 10 states that the proposed site must also meet the requirements of Policies CTY 13 and CTY 14 in relation to integration and rural character.

Policy CTY 13 states that in order for a dwelling on a farm to be integrated into the surrounding landscape it should be visually linked or sited to cluster with an established group of buildings on a farm. As noted above the application site is located some 150 meters from the existing farm group and lies on the opposite side of the Ballygowan Road. As previously discussed, the proposal is not considered to be an 'exceptional case' to allow for an alternative site and therefore it is also deemed that the proposal is contrary to CTY 13 in this regard. Furthermore, the application site

proposed is extremely large, however, the agent has indicated on Drawing No. 01 that the dwelling is to be sited within the most southeasterly corner of the application site and adjacent to the road. A dwelling at this location or actually at any other location within the application site would rely on new landscaping to provide a degree of enclosure to the site. The site in general is very open and lacks long established natural boundaries or any significant backdrop and therefore would not be able to provide a suitable degree of enclosure for a new dwelling as required by CTY 13.

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area. As noted above the application site encloses a significant area although the agent has provided an indicative position for the dwelling in the most southeasterly portion of the application site. It is considered that a dwelling located anywhere within the red line of the application site would lead to a degree of build up when viewed with the existing development surrounding the site. The application site at present provides for a visual break from the roadside development at No. 20 and No. 22 and the two dwellings to the rear of the site at No. 21 and No. 23. A dwelling at the indicative position shown on Drawing No. 01 would be seen as a suburban style buildup of development when viewed with the roadside development at No. 20 and No. 22 and if positioned further back in the site the proposed dwelling would result in a degree of build up when viewed with the two existing dwellings at No. 21 and No. 23.

Overall, it is considered that a dwelling on this site would, if permitted, create a suburban style build-up of development when viewed with existing buildings in this area that will result in a detrimental change to, and erode, the rural character of the countryside. Furthermore, a new dwelling on the site would fail to integrate into the countryside due to the lack of enclosure and suitable backdrop.

Neighbour Amenity

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout for the dwelling house. Given the distant proximity of neighbouring residential properties it is considered that a dwelling at this site would not compromise the amenity experienced at any nearby property

Other matters

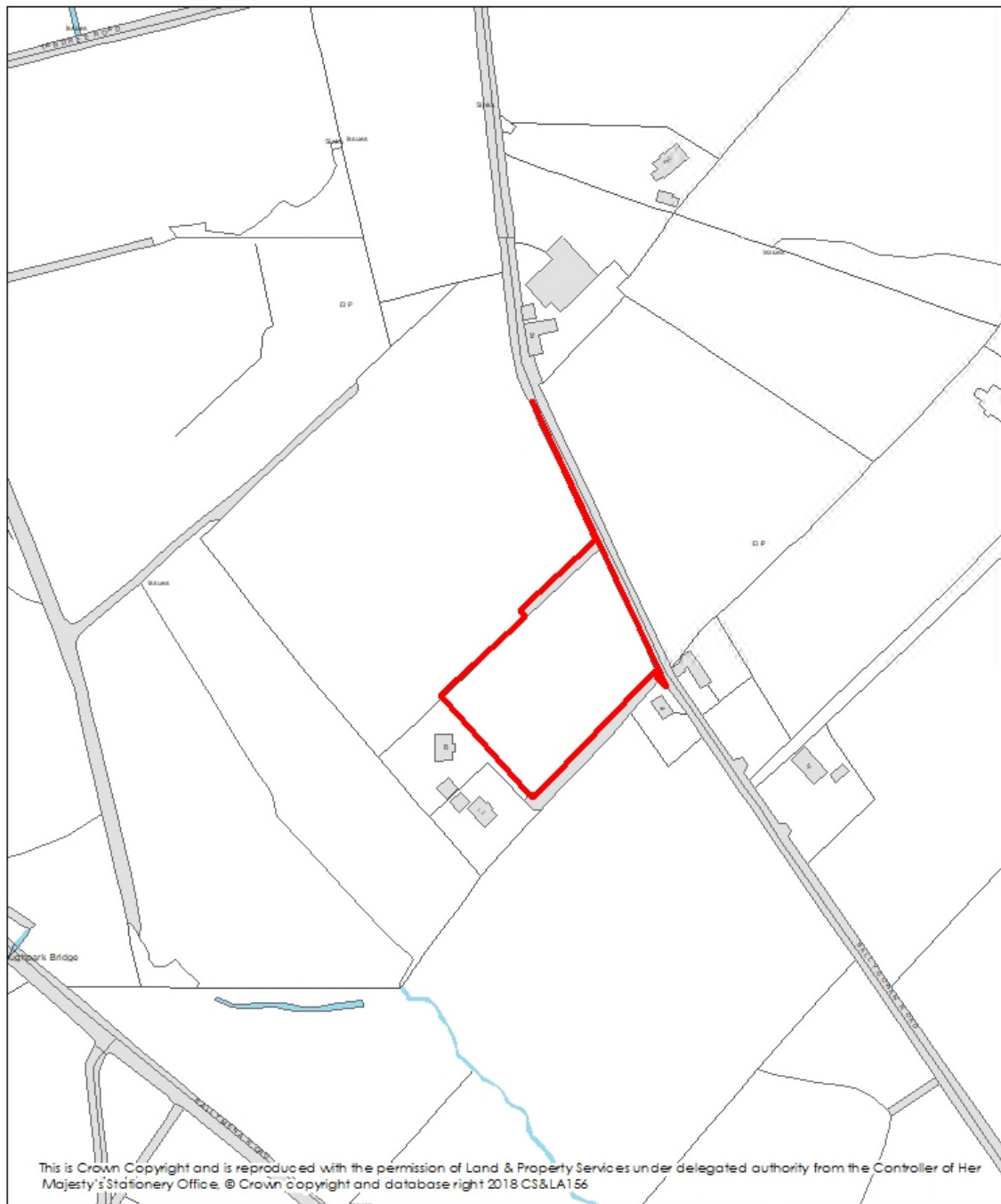
It is noted that DfI Roads have sought amendments to the plans in relation to the proposed access arrangements. These amendments have not been requested from the applicant given the Council's recommendation to refuse planning permission on the basis of principle.

CONCLUSION

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

- The principle of the development is considered unacceptable as it does not comply with Policy CTY 10.
- A dwelling on the application site will not integrate into the surrounding landscape.
- The proposal would not likely have a significant detrimental impact on neighbour amenity if designed appropriately.
- The proposal will result in the erosion of rural character by way of build-up.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 10 and CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: <ul style="list-style-type: none"> • It has not been fully demonstrated that no dwelling or development opportunities have been sold off from the farm holding. • The building if permitted, would not be visually linked or sited to cluster with an established group of buildings on the farm holding. • This site is not considered an exceptional case as it has not been demonstrated that there are demonstrable health and safety reasons or verifiable plans to expand the farm business at the existing building group. 2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building, if permitted, would fail to integrate into the countryside due to the lack of enclosure and suitable backdrop. 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a suburban build-up of development when viewed with existing buildings in this area that will result in a detrimental change to, and erode, the rural character of the countryside. 	



Site Location Plan

Application Reference: LA03/2021/0646/O

50m North West of 20 Ballygowan Road, Doagh, BT39 0TR

Proposed farm dwelling



 Site boundary



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2021/0566/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Detached garage/store
SITE/LOCATION	37 Ballylurgan Road, Randalstown, Antrim
APPLICANT	Jonny Moody
AGENT	Park Design Associates
LAST SITE VISIT	7 th July 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 37 Ballylurgan Road, Randalstown and within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP). The application site encompasses two distinct parcels of land, the section to the northwest comprises an orchard area with maintained lawn and trees scattered throughout this part. The northeastern section of the site comprises a detached single storey residential property set back 30 metres from the public road. Two timber garden sheds are located along the northeastern boundary the site.</p> <p>The topography of the site rises in an easterly direction from the Ballylurgan Road and therefore No. 37 is sited higher than the public road. The site is accessed via an existing vehicular access from the Ballylurgan Road which is used to serve No. 37.</p> <p>The southwestern (roadside) boundary is defined by a row of dense trees and hedging that vary in heights between 3-4 metres and a 1 metre high timber fence also defines the southern part of the boundary. The northeastern boundary is defined by a 2 metre high mature hedge row and some large mature trees approximately 7 metres in height. The northwestern boundary that runs parallel with No. 39's driveway is defined by mature trees and mature hedging along its length and the southeastern boundary is defined by maintained hedging approximately 2 metres in height.</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>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1974/0214 Location: 39 Ballylurgan Road, Randalstown Proposal: Bungalow Decision Notice: Permission Granted</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.

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.

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

No consultations were carried out on this application.

REPRESENTATION

One (1) neighbouring properties was 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
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring

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 regional planning policy is also material to determination of the proposal.

The application site is outside any settlement limit defined in AAP and located within the. There are no specific operational policies relevant to the determination of the application 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. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

Policy EXT 1 of APPS7 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- (b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- (c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- (d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

APPS7 also advises that the guidance set out in Annex A of the document will be taken into account when assessing proposals against the above criteria.

In order to assess the application against policy APPS7, the established domestic curtilage of No. 37 Ballylurgan Road requires determination. No. 37 was approved in 1974 under planning reference T/1974/0214. The site plan granted approval under this 1974 application is not available and therefore it is difficult to establish the extent of the plot at this time.

Using desk based research such as the PRONI online historical mapping tool, it is apparent within the OSNI Historical Fourth Edition (1905-1957) that the application site comprised part of the domestic curtilage of adjacent neighbour No. 39 Ballylurgan Road. A later historical map OSNI Irish GRID (1952-1967) demonstrates a defined

curtilage between No. 39 and the application site as a standalone plot. While on site it was apparent that a defined curtilage of mature trees and hedging defined the southeastern boundary between the application site and No. 37. Observing the application site and No. 37 from the public road it is further apparent that both plots appear as two distinctive sites with frontages onto the Ballylurgan Road.

The agent provided detail within email correspondence received on the 26th July 2021 when queried about the established domestic curtilage of No. 37 and stated that, 'The owner of the bungalow has always cut the grass in the area at the LHS as a lawn and his children play in this area as part of the garden. Mr Moody inherited the bungalow from his late uncle who had cut the grass in this area as a lawn for 30 years. The "Google Earth Pro" image from 2010 shows the area cut as a lawn. There is a gate at the back of the bungalow between the 2 areas of garden where you can walk through. There is a timber shed at the back of this left hand area with garden equipment in it, including the ride-on-lawnmower, leaf blower, strimmer etc. I contend that as this area has been cut as a lawn and been part of the garden for decades, it is part of a long established domestic curtilage of the bungalow.'

It was evident while carrying out the site visit that a timber shed storing garden equipment was located within the northern part of the 'orchard' and there was also a pedestrian gate providing access between the two parts of the site between the internal vegetated boundary. On the balance of probabilities, it is considered that the application site has been maintained as lawn for a number of years and is considered to comprise part of the domestic curtilage of No. 37. Therefore, it is accepted that the proposal would be acceptable in principle under APPS7 subject to other design and neighbour amenity considerations outlined below.

As the application is situated within the countryside, the proposal is also required to comply with PPS 21 Sustainable Development in the Countryside. Policy CTY 1 of PPS21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development.

Policy CTY 8 of PPS21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. The proposed garage is located adjacent to the northwestern gable elevation of No. 37 and will also sit flush with the principle elevation of No. 37. Due to the extensive scale of the garage/store and the location, the proposed garage would be considered to provide a substantial building with a frontage onto the Ballylurgan Road. The agent stated within email correspondence received on the 18th August 2021 when queried about the concerns with ribbon development that the garage could be centred into the application site reducing the space to the northwest for any potential infill dwelling application. The agent also stated within email correspondence received on the 17th August 2021 that that there was no other viable location to locate the garage.

It is considered that the moving the proposed garage/store further into the centre of the site will not alleviate the concerns of ribbon development as the proposal would still represent a substantial building and allow a substantial gap for an infill opportunity. The Ballylurgan Road is currently characterised by dispersed pattern of development along this section of the public road. The proposal if developed is considered would lead to a ribbon of development along the Ballylurgan Road by

creating an infill opportunity, with a row of buildings which have a common frontage onto a road and would be visually linked.

As the proposed garage is substantial in scale, the agent was asked to provide a justification for the proposal in order to establish if there was an exceptional case for the development at the proposed location. The agent stated within email correspondence received on the 28th July 2021 that the proposed garage would accommodate, 2 cars, a van, a trailer and garden equipment. The agent further noted that the current parking arrangements for the above cars, van and trailer was within the current driveway and garden equipment stored in the two existing timber garden sheds.

It is not considered that the justification put forward by the agent represents an exceptional circumstance for the detached garage/store of the proposed scale and mass at the proposed location. Overall, it is considered that the proposal does not comply with Policy CTY 8 in that the detached garage would create a form of ribbon development along Ballylurgan Road and does not represent an exceptional circumstance in order to comply with Policy CTY 1.

Scale, Massing, Design, Appearance and Impact on Character of the Area

The proposed domestic garage/store would be sited 8 metres from the northwestern gable of No. 37 and have a footprint of 7 metres x 14 metres and have a maximum ridge height of 4.5 metres. Whilst the proposed dwelling would be subordinate to the height and scale of the host dwelling, the proposed finishes of plastisol cladding which is a zinc coated corrugated steel sheet would be at odds with that of the dwelling. However, it is accepted that the proposed finishes are a common feature in the countryside due to its resemblance to agricultural outbuildings. Although substantial in scale, a garage of the proposed scale, massing and design would not be a significant concern if the principle of the proposal within the application site was acceptable.

In addition, as noted above, the application site is both heavily landscaped along site boundaries and features trees scattered throughout the northern portion of the site. It is considered that the existing landscaping treatments would help to aid integration of the proposal within the site, reducing the potential views of the proposal from the public road.

Overall, it is considered that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents at No. 39 Ballylurgan Road. The proposed garage would be located approximately 28 metres south of No. 39, this is considered to be a sufficient separation distance from this adjacent neighbouring to ensure that that the proposal would not create any dominance or have an overbearing impact on this neighbour. In addition, there is not considered to any overlooking or loss of privacy to No. 39 as there are no windows proposed to the northwestern elevation of the proposed garage/store.

Impact on Trees and Environmental Quality of this Area

All buildings 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 building 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.

The proposal would require the removal of some mature trees and vegetation within the application site to accommodate both the area of hardstanding to access the proposed garage and the proposed location of the garage. However, it is noted that the trees within the application site are not protected by a TPO and given that the majority of trees within the application site and remaining boundaries would not be impacted by the proposal, it is considered that the application would satisfy the requirements of Policy CTY 13.

Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. A building on the application site will result in a third building that would create a substantial and continuously built up frontage for the purposes of CTY 8 and create an infill opportunity for additional development at this location. The proposed garage given its substantial scale, mass and proposed roadside location would be visually linked with existing buildings and would represent a linear form of development creating a ribbon of development. The addition of development at this location of the application site would cumulatively lead to a suburban style of build up within this rural area. Therefore, the proposal fails to comply with Policy CTY 14 of PPS21.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 and CTY 8 of PPS 21.
- The proposal will create ribbon development resulting in a substantial and continuously built up frontage when viewed with existing development contrary to CTY 8 and CTY 14 of PPS 21.
- There are no neighbour amenity concerns with the proposal
- The application site is able to provide a suitable degree of enclosure for the proposed development.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement as the proposal if developed would create ribbon development contrary to Policy CTY 8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site would

form ribbon development and create an infill opportunity by creating a substantial and continuously built up frontage.




Site Location Plan

Application Reference: LA03/2021/0566/F

Detached garage/store

37 Ballylurgan Road, Randalstown, Antrim



 Site boundary



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2020/0752/O
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for detached dwelling with associated site works
SITE/LOCATION	Lands approx. 4m West of 20 Belfast Road, Antrim
APPLICANT	Mr & Mrs Agnew
AGENT	NI Planning Permission
LAST SITE VISIT	June 2021
CASE OFFICER	Michael O'Reilly Tel: 028 90340424 Email: michael.oreilly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 4m west of 20 Belfast Road, Antrim which is within the development limits of Antrim Town as identified in the adopted Antrim Area Plan 1984 – 2001 and there are no designations or zonings applicable to this site.</p> <p>The site has been formed by the subdivision of the garden area associated with No.20 Belfast Road. The southern (Belfast Road) and western (Bourlon Road) boundaries of the application site are defined by vertical board wooden fencing that is approximately 1 metre in height and the eastern site boundary is physically undefined. A linear copse of mature conifer trees that are approximately 12 metres in height are set to the rear of the fence at the southern and western boundaries. The northern boundary of the application site is shared with No.15 Bourlon Road and is defined by a privet hedge that is approximately 1.5 – 2 metres in height.</p> <p>The dwelling occupying the plot of No.20 Belfast Road is a single storey bungalow with a narrow and elongated floor plan set back some 20 metres from the Belfast Road and is sited on a slightly elevated position. No.20 Belfast Road is approximately 5 metres in height with a pitched roof and darkly coloured interlocking concrete roof tiles. The walls are grey rendered with a darkly coloured plinth and the windows are set within white frames. The vehicular access to the property is located to the eastern corner of the Belfast Road boundary. In addition to the linear copse of mature conifers that are located within the application site there is an additional linear copse of deciduous trees positioned to the rear of the Belfast Road boundary of No.20 Belfast Road.</p> <p>No.20 Belfast Road is one of a row of three dwellings that are set back equidistant from the Belfast Road which form a set building line along this part of the frontage of the road. No's 22 and 24 Belfast Road are two storey red brick dwellings.</p> <p>No.15 Bourlon Road is a two storey semi-detached dwelling located adjacent to and north of the application site. It has a pitched roof, darkly coloured interlocking roof</p>	

tiles and is finished with a grey rough dash render. The vehicular access to this dwelling is located at the southern side of the property and in relatively close proximity to the junction of Bournon Road and the Belfast Road. No.15 Bournon Road is one half of a pair of semi-detached dwellings that are repeated on either side of Bournon Road and have a rigid building line. A new build dwelling is located in the side garden of No.2 Bournon Road, which is located to the most northerly point of the street and in close proximity to Fountain Hill.

RELEVANT PLANNING HISTORY

No relevant planning history

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. Paragraph 16.6 of the Plan is entitled 'Unzoned Land' and states that within the development limit there are areas of undeveloped land which have not been zoned for a particular use and that the planning authority will consider proposals for development provided the uses are satisfactory for the locations proposed and that no physical or other problems exist.

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

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.

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads – Approval subject to conditions.

Department for Communities Historic Environment Division – No objection.

Department for Agriculture, the Environment and Rural Affairs – No objection.

REPRESENTATION

Six (6) 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
- Development Quality and Impact to Area Character
- Neighbour Amenity
- Access, Movement and Parking
- Archaeology, Built Heritage and Landscape Features
- Public and Private Open Space
- Neighbourhood Facilities
- Movement Pattern
- Dwelling Design
- Crime and Personal Safety
- 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 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.

Within the Plan the application site is located within the settlement limits of Antrim. Paragraph 16.6 of the Plan is entitled 'Unzoned Land' and states that within the development limit there are areas of undeveloped land which have not been zoned for a particular use and that the planning authority will consider proposals for development provided the uses are satisfactory for the locations proposed and that no physical or other problems exist.

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).

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 PPSs 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 3: Parking and Movement; and
- PPS 6: Planning, Archaeology and the Built Heritage.

Within this policy context, it is considered the principle of a dwelling on the application site would be acceptable subject to the development 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.

Development Quality and Impact to Area Character

This development proposal seeks outline planning permission for a single dwelling. In accordance with Policy QD2 of PPS7 the agent has submitted a Design Concept Statement (DCS), an indicative layout and an image of an indicative two storey dwelling considered to be suitable for the application site, with access taken from Bournon Road.

Policy QD1 of PPS7 is entitled 'Quality in New Residential Development'. The policy headnote 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. The policy headnote continues by stating that in established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. The policy headnote also states that the design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area. All proposals are expected to conform with a series of nine criterion. Relevant supplementary planning guidance is found at Development Control Advice Note 8: Housing in Existing Urban Areas.

Policy LC1 of the Addendum to PPS7 is entitled 'Protecting Local Character, Environmental Quality and Residential Amenity.' The policy headnote states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD1 of PPS7, and all of three stated additional criteria set out within the Addendum, are met with. With reference to the section of Annex E of the Addendum to PPS7 entitled 'Exceptions' it is noted that Policy LC1 does not apply to situations along key and link transport corridors within cities and larger towns. Given the application sites location along the Belfast Road in Antrim, it is considered that the provisions of Policy LC1 of the Addendum to PPS7, are not applicable to the assessment of this development proposal.

It is considered that a key test to be applied in the assessment of this development proposal is that found in Policy QD1 of PPS7 which states that in established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. As noted above, the policy requires that all proposals are expected to conform to a series of nine criterion and relevant supplementary planning guidance is found at Development Control Advice Note 8: Housing in Existing Urban Areas.

Criterion (a) of Policy QD1 of PPS 7 requires that the 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.

With reference to the indicative layout of the proposed development it is noted that the proposed dwelling is sited and orientated to present the public face of the building to Bourlon Road. While the proposed dwelling is sited to respect the building line created by dwellings on Bourlon Road it is evident that the proposed dwelling significantly departs from the building line created by dwellings on its Belfast Road axis. When considered in the Belfast Road context the proposed dwelling will read as being significantly out of step with this part of the Belfast Road and would be detrimental to the character of the area. The retention of the building line is an important way of maintaining the character of the area and it is considered that a new dwelling on this visually prominent corner site would read as being unsympathetic to the established building pattern and would be conspicuous in the street scene when travelling in either direction along the Belfast Road when in proximity to the application site.

It is noted that the application site has been formed via the subdivision of an existing residential plot of land associated with No.20 Belfast Road. The effect of the subdivision of the larger plot to create the application site results in the layout and general arrangement of the proposed development being particularly uncharacteristic when compared to the established residential context of the immediate area. The existing dwellings at No's 20, 22 and 24 Belfast Road occupy plots of land that are significantly larger than the application site irrespective of the varying shapes of these plots with the dwellings on the Bourlon Road being sited on significantly larger plots which are relatively elongated and narrow. The indicative layout and general arrangement of the proposed development identifies that the

development proposal can only provide a shallow and awkwardly shaped private amenity space area to the rear of the proposed dwelling given the restricted plot size of the application site. The indicative layout clearly indicates that the proposal is relying on the garden area to the south of the proposed dwelling running towards the Belfast Road to assist with the provision of private amenity space. It is considered that this area is a semi-public space that would be open to view from people passing the application site and would not perform the function of a private amenity area. It is considered that the ratio of built form to garden areas is uncharacteristic and unsympathetic to the context of the immediate area in which the application site is located.

In summary, for the reasons set out above it is considered that the development proposal fails to respect the surrounding context and is not appropriate to the character of the site with respect to its layout and general arrangement.

Residential Amenity

This development proposal seeks outline planning permission for a single dwelling. In accordance with Policy QD2 of PPS7 the agent has submitted a Design Concept Statement (DCS), an indicative layout and an image of an indicative layout and an image of an indicative two storey dwelling considered to be suitable for the application site with access taken from Bournal Road. Within the DCS the agent comments that there will be no issue with the relationship between the existing dwellings and the proposed dwelling in that the separation distances between the dwellings should be adequate.

With reference to the indicative layout it is noted that the proposed dwelling will be separated out from No.15 Bournal Road to the north by approximately 13 metres and separated out from No.20 Belfast Road to the east by approximately 10 metres. Although the indicative house type diagram only depicts a possible roadside elevation and is therefore incomplete, it is considered that a dwelling on the application site in the siting position as identified in the indicative layout could be designed in such a way that it would not create issues of overlooking, privacy intrusion, dominance, over-shadowing or loss of light with respect to its immediate neighbours.

In summary, it is considered that a dwelling could be designed for the site to ensure that the privacy and amenity of neighbouring properties is retained and the proposal would likely be able to comply with criterion 'H' of Policy QD1 of PPS 7 and the relevant associated provisions of the SPPS. Detailed consideration of the number of, positioning and relationships created between first floor windows in the northern gable of the proposed dwelling with No.15 Bournal Road would be required at Reserved Matters stage.

Access, Movement and Parking

The site plan submitted with this development proposal indicate that the vehicular and pedestrian access point is to be located at the northwestern corner of the application site adjacent to No.15 Bournal Road with a 2 x 33m visibility splay to the north and 2m x junction distance to the south. The conceptual layout indicates that two incutillage car parking spaces can be provided. In its consultation response DfI Roads has offered no objections to the proposal subject to a draft planning condition relevant to the provision of the appropriate visibility splays. Given this set of

circumstances it is considered that the proposal is able to comply with the relevant policy provisions of the SPPS, PPS 3 and PPS 7 and is therefore acceptable with respect to these matters.

Archaeology, Built Heritage and Landscape Features

The proposal will not impact upon features of the archaeological and built heritage and existing landscape features can be controlled by planning condition to be retained for the lifetime of the development should planning permission be granted and such that criterion (b) of Policy QD1 of PPS 7 can be complied with. DfC Historic Environment Division were consulted and raised no objections to the proposed development.

Public and Private Open Space

The development proposal currently being considered is not required to provide public open space and this aspect of criterion (c) is not therefore determining in this instance. While a suitable quantum of amenity space is provided to serve the development proposal which meets with the requirements of this criterion of the policy it has been noted above that the configuration of this amenity space is uncharacteristic of the well-defined spatial structure of the area in which the application site is located. The proposal does though meet with criterion (c) of Policy QD1 of PPS 7.

Neighbourhood Facilities

The development proposal currently being considered is not required to provide neighbourhood facilities and for this reason criterion (d) of Policy QD1 of PPS 7 is not determining in this instance.

Movement Pattern

It is considered that given the location of the application site adjacent to a main transport corridor into and out of the town of Antrim that the development proposal supports walking and cycling and such that criterion (e) of Policy QD1 of PPS 7 has been complied with.

Dwelling Design

It is considered that the indicative house type submitted with the planning application is only one possible design solution that may be appropriate for the application site. Should planning permission be forthcoming a suitably worded planning condition can require that the design appearance of the dwelling can be reserved for detailed consideration at Reserved Matters stage. For this reason, no weight in the decision making process is being attributed to the indicative house type that was submitted and it is considered that criterion (g) of Policy QD1 of PPS 7 can be complied with at a later stage of the planning process.

Crime and Personal Safety

Given the application sites prominent location on a double fronted corner plot that informal supervision of the plot would occur from the large number of vehicles and pedestrians using the public road network when passing the application site. Additionally, as the proposed dwelling is indicated as fronting onto the Boulton Road and with the garden area running southwards to the Belfast Road, that supervision of the public and private faces of the development will be accommodated. It is considered that criterion (i) of Policy QD1 of PPS 7 can be complied with.

Other Matters

In its consultation response NI Water has indicated that although there is a 300mm public foul sewer located along the Bournon Road, which is adjacent to and next to the boundary of the application site, the sewer network is at capacity within the Antrim catchment area. NI Water goes on to recommend that no further connections should be made to this network or a condition should be incorporated which requires an alternative drainage/treatment solution for the proposed site. Additionally, NI Water indicates that a hard standing area should be provided that is at least 3.5m wide and that is within 30m of the septic tank to allow for servicing.

The agent has sought to address this matter through the introduction of a Tricell Vento Septic Tank which is to be connected to a proposed soakaway. It is noted that the septic tank would be less than 30m from the vehicular access point as proposed. The septic tank would likely be capable of being serviced from this point without any significant issues.

In its final consultation response NI Water offers no objections to the development proposal. The Department for Agriculture, the Environment and Rural Affairs: Water Management Unit state in their consultation response that it offers no objections to the proposal, however, there should be no development prior to the method of effluent disposal being agreed with NI Water or a Consent to Discharge being granted.

In summary, it is considered that a suitable method for dealing with foul sewerage could reasonably be accommodated on the application site subject to the method of foul sewerage disposal being agreed with NI Water. Should the proposed arrangement not be accepted by NI Water the agent would be required to revisit the scheme.

CONCLUSION

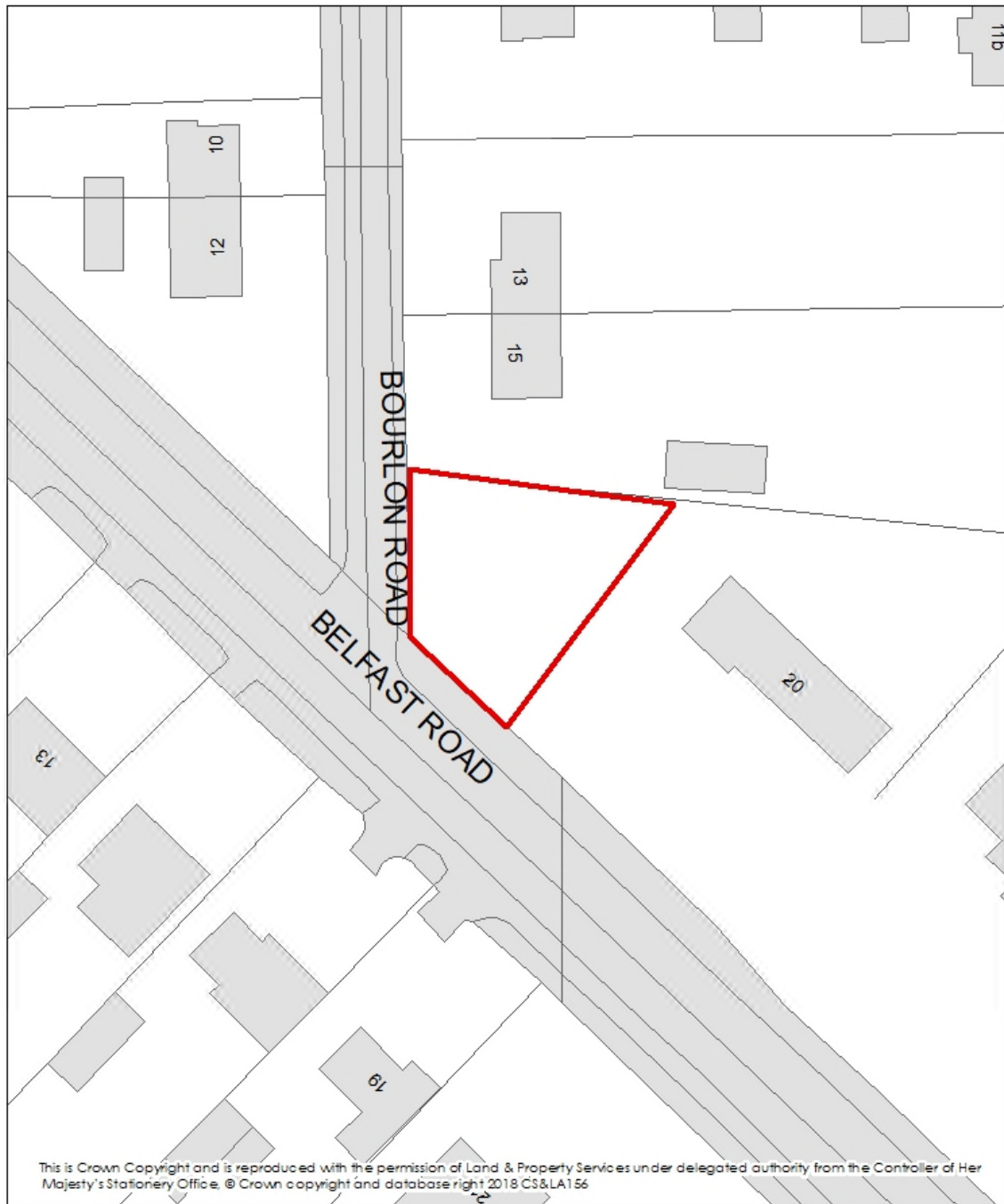
The following is a summary of the main reasons for the recommendation:

- The principle of the development is acceptable.
- The proposal is unacceptable in terms of the layout and arrangement of the proposed development and it is considered that the proposal will cause unacceptable damage to the local character and environmental quality of the area.
- It is considered that an appropriately designed dwelling could eliminate any potential issues of overlooking of No.15 Bournon Road and No.20 Belfast Road.
- The means of vehicular access and incurtilage car parking provision are considered to be acceptable.
- The method of sewage disposal is considered to be acceptable.
- There are no objections from consultees or other interested third parties.

RECOMMENDATION**REFUSE OUTLINE PLANNING PERMISSION****PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement, Policy QD1 of PPS 7 'Quality Residential Environments' and paragraph 16.6 of the Antrim Area Plan 1984 – 2001 in that the proposed development:

- (a) does not respect the surrounding context and is considered to be inappropriate to the character of the site in terms of its layout and general arrangement; and
- (b) the proposed development would result in a pattern of development that is not in keeping with the overall character and environmental quality of this established residential area.



Site Location Plan

Application Reference: LA03/2020/0752/O

Lands approximately 4 metres
west of No.20 Belfast Road,
Antrim

Site for detached dwelling
with associated site works.

0 10 20 Metres

 Site boundary



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2021/0805/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and Garage
SITE/LOCATION	120m East of 44 Rickamore Road Upper, Templepatrick, BT39 0JE
APPLICANT	Mr Hunter Kirk
AGENT	Big Design Architecture
LAST SITE VISIT	20th September 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 120 metres east of No. 44 Rickamore Road Upper, Templepatrick and within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is set back approximately 110 metres from the Rickamore Road Upper and is a portion of land cut out of a larger agricultural field. The site measures 36 metres in width with a depth of 34 metres. The boundaries to the site are defined by a mature hedgerow along the eastern and southern boundaries, whilst the northern and western boundaries remain undefined. The topography of the land of the application site is flat. Access to the site is proposed from the Rickamore Road Upper via a laneway running parallel to the hedgerow defining the eastern boundary.</p> <p>The application site is located within the rural area with a large number of detached dwellings in the immediate vicinity. The existing farm buildings are located approximately 55 metres to the east of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>There is no relevant planning history on the application site, however, the following indicates the relevant planning history on the farm holding:</p> <p>Planning Reference: T/1991/0625/F Location: The Haven Christian Centre, 44 Rickamore Road Upper, Templepatrick Proposal: Change of use of agricultural buildings to Church Hall and coffee bar. Decision: Permission Refused (31.05.1992)</p> <p>Planning Reference: T/2004/1027/F Location: The Haven Christian Centre, 44 Rickamore Road Upper, Templepatrick Proposal: Temporary mobile for use as room for church meetings (religious and social use)</p>	

Decision: Permission Granted (01.01.2005)

Planning Reference: T/1991/0025/F

Location: The Haven Christian Centre, 44 Rickamore Road Upper, Templepatrick

Proposal: Change of use from agricultural buildings to hostel and provision of Church, Coffee Bar and associated car parking

Decision: Application Withdrawn (15.04.1991)

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: 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 and Planning Advice Note 'Implementation of Strategic Planning Policy for Development in the Countryside'.

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- Additional information requested.

Department for Agriculture, Environment and Rural Affairs – Statutory response.

Belfast International Airport – No objection.

REPRESENTATION

Three (3) 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
- 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 determination of the proposal. 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 AAP identifies the application site as being within the countryside outside any settlement limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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 dwelling on a farm in accordance with Policy CTY 10. 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.

Policy CTY 10 of PPS 21 sets out three criteria which proposals for farm dwellings must satisfy. Criterion (a) requires the farm business to be currently active and established for at least 6 years. In this case DAERA Countryside Management Branch has confirmed that the applicant has an active farm business and the Business ID identified was allocated on 19th November 1991; therefore, the business has been established for more than six years. DAERA also advises that the Business ID identified currently claims Single Farm Payments (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agricultural Environmental schemes. Given the information provided and the response from DAERA it is accepted that the farm business is both established and currently active and the development proposal satisfies the requirements of this criterion.

Criterion (b) requires that no dwellings or development opportunities out-with the settlement limits should have been sold off from the farm holding within 10 years from the date of the application and this provision applies from 25 November 2008. The policy goes on to say that planning permission granted under this policy will only be forthcoming once every 10 years. For the purposes of this policy 'sold-off' means any development opportunity disposed of from the farm holding to any other person including a member of the family.

The applicant has confirmed in Question No. 05 on the P1C form accompanying the application that no dwellings or development opportunities have been sold-off from the farm holding since 25 November 2008. A search of the Farm Business ID and a history search on the applicant's name and farm holding has found no previous planning permissions. As such it is accepted that no development opportunities have been sold off the farm since 25th November 2018 and it is therefore considered that the application meets the relevant policy requirements identified under criterion (b).

Criteria (c) states that any farm dwelling should be visually linked or sited to cluster with an established group of buildings on a farm. Drawing No. 01 dated 16th August 2021 indicates a cluster of buildings located to the east of the application site set back approximately 80 metres from the public road. This cluster includes buildings associated with 'The Haven' Christian Centre and farm buildings set to the rear of the Christian Centre. The application site is located approximately 55 metres to the west of the aforementioned buildings and a parcel of land is located between the existing buildings and the proposed site. Drawing No. 01 indicates that a yard area, an existing gas tank and septic tank with an existing mound is located to the rear section of this parcel of land. A well-established mature hedgerow separates the application site from the existing farm yard and buildings. It is considered that a dwelling on the proposed site would neither visually link nor be sited to cluster with the existing farm buildings and would read as a separate residential unit within this rural area and not as an integral part of the wider farm complex.

Criterion (c) of Policy CTY 10 also indicates that where practicable access to the dwelling should be obtained from an existing laneway. In this case the proposal indicates a separate access to the application site, running parallel to the existing mature hedgerow along the eastern boundary of the application site. Supporting information submitted to the Council with the proposal indicates that the existing laneway serves the existing farmyard and dwelling and 'The Haven' Christian Centre and 'Book Aid'. Traffic using the existing laneway includes articulated vehicles, vans and members of the public delivering and collecting books and furniture from the charity organisations, and traffic hosting and organising the Prison Fellowships Christmas Appeal. Supporting documentation has been received from Book Aid, Prison Fellowship and The Harvey Group in support of the application and the level of activity at the site. It should be noted that 'The Haven Christian Centre' does not benefit from planning approval, albeit it would appear to be presently operating as a religious use.

It is not disputed that the existing laneway is utilised by a high level of vehicular activity, however, it is evident that there are currently two existing accesses serving this cluster of development. The proposed access arrangement would be the third laneway within 90 metres serving the one cluster of development within the applicant's control. It is considered that the evidence provided does not warrant the need for a third access serving this wider development and therefore fails this element of criterion (c) of Policy CTY 10. Additionally, the proposed access arrangement further emphasises the lack of visual linkage with the existing farm buildings and exacerbates the visual separation from the farm holding.

Criterion (c) of Policy CTY 10 goes on to expand that exceptionally consideration may be given to an alternative site elsewhere on the farm provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either, demonstrable health and safety reasons or verifiable plans to expand the farm business at the existing building groups. No information was provided to indicate why other more suitable land within the farm holding that would allow for a dwelling to cluster with the existing farm buildings or visually link cannot be utilised. For the reasons outlined, it is considered that the proposal fails to fulfil the criteria set out under criterion (c) of Policy CTY 10. It is considered that the principle of development has therefore not been established.

Impact on Character and Appearance of the Area

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. The application site is a cut out of a larger agricultural field, set back approximately 110 metres from the public road. Drawing Number 01 indicates the footprint and layout of the proposed dwelling and garage located centrally within the site. The design of the proposed dwelling is a one and a half storey dwelling with a ridge height of 7.4 metres from finished floor level, a pitched roof with two peaks along the eaves and a storm porch to the front elevation. A garage is proposed to be located to the southeast of the dwelling, which is subordinate to the dwelling with finishes to match. Overall, the design and appearance of the proposed dwelling is considered acceptable.

Critical views of the site are evident when travelling along the Rickamore Road Upper in both directions. 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. As the application site is a portion of land cut out of a larger agricultural field the site is undefined along both the northern and western site boundaries. Furthermore, Drawing No. 01 indicates that approximately 60 metres of mature hedgerow will be required to be removed along the roadside. Consequently, the lack of landscaping defining the site results in the application site appearing open and exposed. Additionally, the site is unable to provide a suitable degree of enclosure and would rely on the use of new landscaping for integration which is contrary to the provisions of Policy CTY 13. As established above, the dwelling on the application site is not visually linked or sited to cluster with an established group of farm buildings which is also a requirement of Policy CTY 13.

Policy CTY 13 and Policy CTY 14 also require that any ancillary works integrate with their surroundings. The proposed access arrangement, although running parallel to the existing hedgerow results in a third access within a stretch of only 90 metres all serving the one cluster of buildings and within the applicant's control. The cumulative impact of these three laneways in such close proximity does not integrate satisfactorily within the surroundings and is considered to be detrimental to the character of this rural area. Additionally, the proposed access arrangement further emphasises the lack of visual linkage with the existing farm buildings and further exacerbates the visual separation from the farm holding.

Furthermore, Policy CTY 14 emphasises that any proposal which causes a detrimental change to or further erodes the rural character of the area will be resisted. This stretch of the Rickamore Road Upper appears sub-urbanised in context of the rural environment, which is a result of the surrounding development. Taking into consideration the existing development along this stretch of the Rickamore Road Upper, the application site provides an important visual break in this rural landscape. The addition of another dwelling on this site would cumulatively lead to a suburban style of build-up further eroding the character of this rural area.

Neighbour Amenity

It is considered that given the orientation of the proposed dwelling and the separation distance from neighbouring properties that the proposal will not create any significant negative impacts on neighbouring properties.

Access, Movement and Parking

The proposal includes a separate access arrangement from the existing access serving the existing farm buildings. DfI Roads was consulted on the proposal, and requested additional information, however, this has not been requested from the applicant as the principle of development has not been established and to prevent unnecessary expense to the applicant. However, as DfI Roads has indicated that the required sight lines are achievable, no reason of refusal has been included with respect to this matter.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policy CTY 1 and CTY 10 of PPS 21;
- The proposal is not visually linked or sited to cluster with an established group buildings on a farm;

- The proposal will infill a gap which provides an import visual break in this rural area and result in a suburban style build-up of development when viewed with existing and approved buildings;
- The application site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure and would rely on the use of new landscaping for integration;
- The cumulative impact of ancillary works relating to the proposed and existing access arrangements does not integrate with the rural surroundings;
- It has not been demonstrated that an acceptable access arrangement can be achieved.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, in that the site lacks long established natural boundaries and relies on the use of new landscaping for integration and the ancillary works do not integrate with their surroundings and the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site results in a suburban style of build-up when viewed with existing and approved buildings and the impact of ancillary works would damage rural character.




Site Location Plan

Application Reference: LA03/2021/0805/F

120m East of Rickamore Road Upper
Templepatrick, BT39 0JE

Erection of dwelling & garage



 Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2021/0753/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Change of use to restaurant/cafe with outdoor area and bin storage
SITE/LOCATION	The Gateway, Antrim Lough Shore Park, Lough Road, Antrim
APPLICANT	Loughshore Restaurant Ltd
AGENT	Dickson FitzGerald Architects
LAST SITE VISIT	25 th August 2021
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The site is located at The Gateway Building, Lough Shore Park, Antrim which is within the development limits of Antrim as defined by the Antrim Area Plan (1984-2001). The application site is located directly adjacent to a designated RAMSAR site, SPA and ASSI given the close proximity to Lough Neagh and the Six Mile Water River.</p> <p>The application site comprises part of a larger recently constructed community building known as the 'The Gateway'. This building was approved in 2015 under planning application reference T/2014/0323/F. The Gateway is a large 'L' shaped building, comprising a mixture of two storey and single storey elements. It is modern in its design typology and is finished in a mixture of white painted render with elements of dark coloured stone cladding. This application relates specifically to an existing vacant unit on the buildings north eastern elevation.</p> <p>The surrounding land uses include the Massereene Golf Club to the southeast, the Six Mile Water Caravan, Antrim Boat Club and the Antrim Loughshore Play Park.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2014/0323/F Location: The Lough Shore Park, Lough Shore, Antrim, Proposal: Replacement Gateway Visitor Centre, including cafe, restaurant, kitchen, multi-purpose room, public toilets and showers, equipment store, biomass boiler/store and public rescue service boat store Decision: Permission Granted – 11th March 2015</p> <p>Planning Reference: LA03/2016/0914/NMC Location: Loughshore Park, Lough Road, Antrim, BT41 4DG Proposal: Non material change to planning permission T/2014/0323/F (replacement gateway visitor centre including cafe, restaurant, kitchen, multi-purpose room, public toilets and showers, equipment store, biomass boiler/store and public rescue service</p>	

boat store) to incorporate a reduction in extent of external stone cladding to be replaced with render and the provision of a flat roof in lieu of clerestorey glazing and metal deck roof together with minor elevational changes
Decision: Non-Material Change Granted – 1st December 2016

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 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 16: Tourism: sets out planning policy for tourism development and also for the safeguarding of tourism assets.

DCAN 4: Restaurant, Cafes and Fast Food Outlets: guidance agents in relation to proposals for restaurants, cafés and fast food outlets.

CONSULTATION

Council Environmental Health Section – No Objection

Department for Infrastructure Roads- No Objection

REPRESENTATION

Three (3) neighbouring properties were notified of the application 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 Appearance
- Neighbour Amenity
- Access and Parking
- 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 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 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).

The proposed development is for the change of use from an existing vacant unit to a new restaurant/cafe with outdoor area and bin storage. 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 PPSs which provide the relevant regional policy context for consideration of the proposal. DCAN 4 also provides supplementary guidance in relation to proposals for restaurants, cafés and fast food outlets.

The application site is part of a larger building comprising a recently constructed Visitor Centre, 'The Gateway', which was approved under planning application reference T/2014/0323/F, that includes a café/restaurant, multi-purpose room, public toilet and showers, equipment store, biomass boiler and public rescue service boat store. The Gateway Centre itself was approved for the identified purpose of providing a facility to serve the tourist and local population utilising Lough Neagh, whether it be for water sports or those using the walkways along the Lough and Six Mile Water River.

The application site is located within the settlement limits of Antrim, however it lies outside the defined boundaries of Antrim's Town Centre. There is already a café/restaurant permitted as part of the Visitor Centre. This current application seeks

planning permission for a different unit located on the buildings northeastern elevation, adjacent to the slipway. The subject unit was originally granted permission as a space for an 'activity franchise'. This was permitted with the intention that any 'activity franchise' use would be ancillary to the development and was controlled as such by condition 8 of the original approval.

It is considered that the addition of a new café/restaurant at this location would not have a detrimental impact on the town centre. The proposed café/restaurant would rather offer a local service facility to meet the increasing demands of the tourist and visitors attracted to the Lough Shore area of Antrim.

Within this planning policy and supplementary guidance context, it is considered that the principle of a change of use of part of the existing building from an 'ancillary franchise unit' to a café/restaurant on the application site would be acceptable in principle subject to the proposed development meeting other requirements such as design and amenity, which will be addressed below.

Design and Appearance

The application proposes the change of use from an existing vacant unit (originally approved for use as an 'ancillary franchise unit') to a café/restaurant with outdoor area and associated bin storage. The front elevation of the application site currently encompasses two large roller shutter doors. The application proposes external alterations including the removal of the two roller shutters which are to be replaced by two large windows units incorporating a main entrance door and a service hatch.

The existing bin storage area projecting from the northeastern (front) elevation will be replaced by a new covered storage area between the building and the existing free standing wall. The structure will be timber cladded and feature a felt covered sloping roof with a maximum height of 2.5 metres, as the storage area will be positioned beneath the existing air conditioning units.

The proposed alterations represent an acceptable addition to the host building and when viewed from public vantage points would provide an appropriate frontage for a café/restaurant and would not adversely impact the character and appearance of the surrounding area. It is considered that the scale, nature and design of the proposal will not have a detrimental impact on the character of appearance of the area.

Neighbour Amenity

Development Control Advice Note 4- Restaurants, Cafes and Fast Food Outlets (DCAN4) provides general guidance relevant to the assessment of the development proposal. Paragraph 5.1 outlines that when assessing the impacts for such a proposal, that a number of factors are taken into account, including noise disturbance, smells, fumes and litter.

The application site is not located within the close proximity to any residential properties. As noted above a café/restaurant already exists within 'The Gateway' building under the business name 'Boathouse Café'. Other surrounding land uses include Antrim Lough Shore Play Park to the northeast, Massereene Golf Club directly to the east and Antrim Boat Club which is located approximately 80 metres west of the application site on the opposite side of the Six Mile Water River. A café/restaurant

at this location would not have a detrimental impact on any of these surrounding uses. The application site is set within an area that is already prone to a high level of footfall given the surrounding land uses and its proximity to Lough Neagh, it is therefore considered that the addition of a café/restaurant at this location would complement the existing facilities in the area and would help meet the increased visitor demand.

The Environmental Health Section of the Council has been consulted in relation to the application and have offered no objection to the proposal. Overall, it is concluded that the proposal will not result in any detrimental impact to amenity.

Access and Parking

The application site is to be accessed using the existing vehicular access off the Lough Road. It is stated that there has been an expected increase in vehicles and person attending the site, which includes, employees, customers and goods. The agent has illustrated in the accompanying P1 application form that there is an expected increase of 50 customer vehicles, 4 staff vehicles and 1 goods vehicle attending the site each day. The application does not introduce further car parking, however, it is noted that the area in direct vicinity to the application site comprises a large area of vehicular parking that is used to serve the Visitor Centre, the play park and visitors accessing Lough Neagh and the Six Mile Water. DfI Roads has been consulted and have responded with no objections to the proposal.

It is considered that there is sufficient existing parking provision and access arrangements to serve the proposed use as a café/restaurant.

Other Matters

The application site is located adjacent to adjacent to Lough Neagh which is subject to a number of Environmental Designations (RAMSAR site, ASSI and SPA). The proposal for a change of use to provide a restaurant/café seeks minimal external changes and does not increase the size or alter the location of the building. It is considered that the proposal will have no significant impact upon natural heritage than the previously approved use.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The design and appearance of the proposal is considered acceptable;
- There will be no detrimental impact on amenity resultant from the proposal;
- There is sufficient access and parking arrangements in place to serve the proposal; and
- There will be no significant impact on natural heritage features resultant from the proposal.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITION

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.




Site Location Plan

Application Reference: LA03/2021 /0753/F

The Gateway, Antrim Lough Shore Park, Lough Road, Antrim

Change of use to restaurant/cafe with outdoor area and bin storage



 Site boundary



PART TWO

OTHER PLANNING MATTERS

ITEM 3.9

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

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

No appeals were heard by the Planning Appeals Commission (PAC) for the Council area during the month of September.

RECOMMENDATION: that the report be noted.

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

Approved by: Jacqui Dixon, Chief Executive

ITEM 3.10

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 September 2021 the details of which are set out below.

PAN Reference:	LA03/2021/0870/PAN
Proposal:	South westerly extension to the existing quarry at Mallusk with phased extraction and full restoration
Location:	Lands at 140 Mallusk Road, Mallusk, Newtownabbey Newtownabbey
Applicant:	James Boyd & Sons (Carnmoney) Ltd
Date Received:	9 September 2021
12 week expiry:	2 December 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.

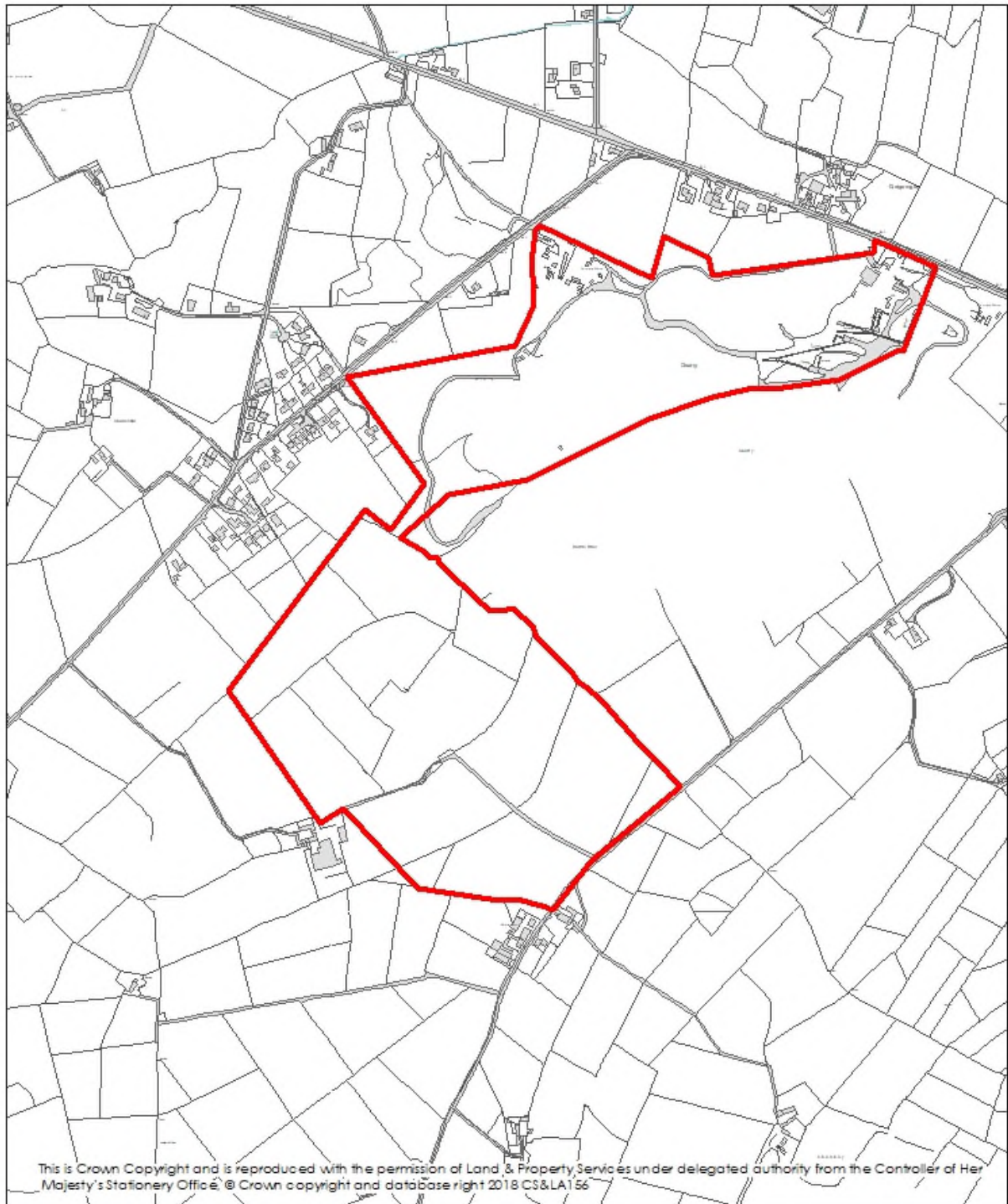
As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation to temporarily remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended and given the ongoing pandemic The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment No.2) Regulations (Northern Ireland) 2021 which came into effect on 1 October 2021, have temporarily amended The Planning (Development Management) Regulations (Northern Ireland) 2015 and therefore the temporary relaxation of pre-application community consultation requirements during Coronavirus emergency period now apply until 31 March 2022. 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: Jacqui Dixon, Chief Executive




Site Location Plan

Application Reference: LA03/2021/0870/PAN

South westerly extension to the existing quarry at Mallusk with phased extraction and full restoration

Lands at 140 Mallusk Road
Mallusk, Newtownabbey



 Site boundary



ITEM 3.11

P/PLAN/081 Department for Infrastructure, Review of Strategic Planning Policy on Hydrocarbons Development / New Direction 'The Planning (Notification of applications – Petroleum) Direction 2021' (to include Fracking)

Members are advised that the Planning Section received an email from Mr. Angus Kerr, the Department for Infrastructure's (DfI) Chief Planner and Director of Regional Development on 27 September 2021 to inform the Council of the Minister for Infrastructure's decision to commence work on a review of strategic planning policy on oil and gas development, including development involving fracking.

In addition, Mr Kerr advised that the Minister has also issued a Direction titled 'The Planning (Notification of applications – Petroleum) Direction 2021'. This new planning direction requires that a council planning authority must notify DfI when it proposes to grant planning permission for all types of petroleum development and that DfI will consider if they wish to call the application in under Section 29 of the Planning Act (Northern Ireland) 2011. If they do not call the application in, the Council may determine the application.

The 'Direction; can be accessed using the following link: www.infrastructure-ni.gov.uk/publications/planning-legislation-directions

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Principal Planning Officer (Interim)

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

Approved by: Jacqui Dixon, Chief Executive

ITEM 3.12

P/FP/LDP/1 LOCAL DEVELOPMENT PLAN, QUARTERLY UPDATE (Q2) JULY TO SEPTEMBER 2021

The Council's Local Development Plan (LDP) advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the second quarter (Q2) of the 2021-2022 business year (July to September 2021).

Submission of the Draft Plan Strategy to The Planning Appeals Commission to Cause an Independent Examination

Members are reminded that the Council received notification from The Planning Appeals Commission (PAC) on 03 June 2021 advising the Department for Infrastructure (DfI) has now provided the PAC with formal notification that the Department are causing an Independent Examination (IE) of the Council's Draft Plan Strategy (DPS). Notification was also received from the PAC on 16 September 2021 to advise the Council that a Commissioner has now been appointed to lead on the forthcoming Independent Examination (IE) of the Council's DPS – enclosed for Members information. The PAC are now undertaking pre hearing regulatory checks in advance of the IE. Whilst the PAC has not yet indicated any hearing dates for IE, it is anticipated these will be confirmed in due course.

To ensure the Council's preparedness for IE, Officers from the Forward Planning Team continue to engage with the Council's legal services and relevant statutory stakeholders. Should conformation of IE hearing sessions be received from the PAC, Members will be updated accordingly.

Local Development Plan, Working Group Updates

(a) 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 DPS preparation, and policy approach to Affordable Housing. A presentation was given to the group by a representative from the Northern Ireland Housing Executive regarding their Housing Market Analysis and other research and proposed changes to the definition of Affordable Housing. A copy of the agreed previous minutes which took place on 26 May 2021 are enclosed for information. The next meeting of the Working Group is due to take place in autumn 2021, hosted by Lisburn and Castlereagh City Council (date tbc).

(b) SOLACE DfI Transport Plans Workshop

The most recent meeting of the DfI Transport Plans Workshop took place virtually on 22 September 2021, hosted by DfI Transport and Planning Modelling Unit. A verbal progress update was provided on both the Regional Strategic Transport Network Transport Plan (RSTN TP) and Local Transport Plans (LTS). Officers will continue to engage with DfI to ensure Transport Plans coming forward align closely with the Council's LDP.

(c) Coastal Forum Meeting

The most recent meeting of the Department for Agriculture and Rural Affairs (DAERA)/DFI Coastal Forum meeting took place virtually on 24 June 2021, hosted by Ms. Fiona McCandless (DAERA) and Ms. Katrina Godfrey (DfI). Items for discussion included the groups draft Terms of Reference (TOR), agreed Work Programme, and draft Position Paper to inform Councils' consideration of coastal change when preparing LDPs. A copy of this meetings minutes are **enclosed** for information. The next meeting of the Working Group is due to take place in autumn 2021, hosted again by DAERA/DfI (date tbc).

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Principal Planning Officer (Interim)

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

Approved by: Jacqui Dixon, Chief Executive

ITEM 3.13

P/PLAN/1 NISRA PLANNING STATISTICS 2021/2022 – FIRST QUARTERLY BULLETIN FOR THE PERIOD APRIL – JUNE 2021

The first quarterly provisional planning statistics for 2021/22 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which is **enclosed**, were released on 30 September 2021.

The Quarterly Bulletin advises that both planning activity and processing performance were impacted during Quarter 1 of 2020/21 by the restrictions put in place due to the coronavirus pandemic. It indicates that this should be borne in mind and caution taken when interpreting these figures and when making comparisons with other time periods and performance across Councils.

The figures show that during the period from April to June 2021, the total number of planning applications received in Northern Ireland was 3,983, an increase of 8 % on the previous quarter (January – March 2021), and up by nearly three quarters on the same period in 2021/22. The total number of decisions issued during this period was 3,455 up by six percent over the quarter and up over nine-tenths from the same period a year earlier.

During this first quarter period a total of 267 new applications were received by Antrim and Newtownabbey Borough Council. Over the year all 11 Councils reported an increase in the number of applications received with the highest percentage increase in Antrim and Newtownabbey (90.7%). Seven Councils reported an increase in the number of applications decided in Q1 2021/22 compared with the previous quarter, with the increase greatest in Antrim and Newtownabbey (105.1%).

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council took on average 20.7 weeks to process and decide **Major** planning applications during the first quarter against the target of 30 weeks. This performance maintains last year's Major performance approval rate and ranks amongst the top three of the 11 Councils and also reflects well against the average processing time of 54 weeks across all Councils.

The DfI figures show that the Council took on average 14 weeks to process and decide **Local** planning applications during the first quarter against the target of 15 weeks. This performance maintains the progress achieved in last year's Local performance and ranks amongst the top three of the 11 Councils. It also reflects well against the average processing time of 15.8 weeks across all Councils.

In relation to enforcement, the DfI figures highlight that the Council's planning enforcement team took an average of 28.4 weeks to process 70% of enforcement cases against a target of 70% within 39 weeks. This compares favourably with the average processing time of 36.8 weeks and in absolute terms there was a significant drop in the number of cases dealt with during the Quarter.

RECOMMENDATION: that the report be noted.

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

Approved by: Jacqui Dixon, Chief Executive

ITEM 3.14

P/PLAN/080 Local Development Plan, Planning Policy: Department for Infrastructure, Planning Advice Note 'Implementation of Strategic Planning Policy on Development in the Countryside'

Members are reminded that in August 2021, the Department for Infrastructure (DfI) published Planning Advice Note (PAN) 'Implementation of Strategic Planning Policy on Development in the Countryside' to provide clarification on the implementation of current planning policy. A summary of the PAN is **enclosed** in Annex A.

It was agreed at Planning Committee that officials from DfI were to be invited to present the document to Planning Committee Members at a forthcoming workshop. A copy of DfI's response to the invitation is **enclosed** for information. The Chief Planner has advised that he cannot facilitate this specific request.

The Council has also received a letter from Mr David Brown, President of the Ulster Farmers' Union (UFU) regarding UFU's concerns on the potential effects of the PAN on rural dwellers and communities. A copy of the letter is **enclosed** for information.

In addition, Mr Johnathan Buckley MLA, Chairperson, Committee for Infrastructure, has also written seeking views on the new PAN. A copy of the letter and response is **enclosed** for information.

On the basis of the above, Officers are seeking the Committees view on the new PAN as to how to proceed. A set of options is set out below for Members' consideration.

Option1: Take account of and implement the PAN in relation to the 'Implementation of Strategic Planning Policy on Development in the Countryside' with immediate effect.

Under this option, Officers would process any current/forthcoming planning applications taking into account the new guidance along with any other material considerations.

Option 2: Write to Minister Mallon seeking clarification on the status of the PAN given the concerns raised by interested parties, the outcome of Departmental engagement with the NI Assembly Infrastructure Committee and whether the PAN will be subject to public consultation and screening (including Section 75 and Rural Needs).

Under this option, Officers would hold any relevant or forthcoming planning applications significantly impacted on by the new guidance until clarification has been received from the Minister.

Option 3: Write to Minister Mallon to ask for the withdrawal of the PAN.

Officers understand that some Councils are considering legal action in relation to the PAN and in the meantime have written to the Minister to request that the PAN

be withdrawn. Under this option, again relevant applications would be held until clarification has been received from the Minister.

The Committee's instructions are requested.

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

Approved by: Jacqui Dixon, Chief Executive