



15 September 2022

Committee Chair: Alderman F Agnew
Committee Vice-Chair: Councillor J Archibald-Brown

Committee Members: Aldermen – T Campbell, J Smyth
Councillors – A Bennington, H Cushinan, S Flanagan,
R Kinnear, R Lynch, M Magill, R Swann, B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Wednesday 21 September at 6.30 pm.**

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

PLEASE NOTE: a fork buffet will be available in the Members Room from 5.20 pm

For any queries please contact Member Services:

Tel: 028 9034 0048/028 9448 1301 memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – SEPTEMBER

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: LA03/2021/0414/F

Proposed storage and distribution warehousing, internal roads, parking, landscaping and associated site works at Lands 25m to the south of 663 Antrim Road, 50m to the west of 650 Antrim Road, and east of Roughfort Road, Mallusk, Newtownabbey, BT36 4RG.

3.2 Planning Application No: LA03/2022/0177/F

Proposed research and development facility comprising a mix of workshops, offices, meeting areas, staff facilities, ancillary facilities, including an additional access point, car parking, landscaping and all associated site works at lands 150m East of RLC Global Point Avenue, Global Point Business Park, Newtownabbey, BT36 5TB.

3.3 Planning Application No: LA03/2021/0809/F

Extension to existing commercial yard/depot, containing precast concrete material storage bunkers, a storage shed, HGV and car parking and floodlighting at Lands 85m North of 386A Ballyclare Road, Newtownabbey BT36 4TQ.

3.4 Planning Application No: LA03/2020/0506/F

Part-demolition of existing buildings to rear of 19-21 Market Square & Proposed residential development comprising 15no. apartments at Lands to the rear of 19 20, 21 & 21 A-F Market Square, Antrim.

3.5 Planning Application No: LA03/2022/0189/F

Conversion of No.7 Main Street, Ballyclare to 3No. apartments with 3No.new-build townhouses to rear and accessed off Millburn Mews at 7 Main Street Ballyclare and site to rear accessed off Millburn Mews, Ballyclare.

3.6 Planning Application No: LA03/2022/0466/F

Retention of existing storage building for transport and distribution business (Variation of Condition 2 from approval LA03/2016/0540/F)at 17 Carnanee Road, Templepatrick BT39 0BZ.

3.7 Planning Application No: LA03/2022/0349/F

Agricultural building at 250m NE of 60 Crosskennan Road, Antrim BT41 2RE

3.8 Planning Application No: LA03/2021/0555/F

Construction of new Wastewater Pumping Station for passing forward domestic foul sewage. Two underground chambers and associated underground pipelines. Erection of a control kiosk and washwater facility (to be enclosed within fencing), a 6m high telemetry pole (to include a floodlight) and a 2.1m high closed timber security gate at approx. 10m East of 20 & 22 Drumsough Road, Randalstown, Antrim BT41 2NW.

3.9 Planning Application No: LA03/2022/0598/O

Site for dwelling (replace existing school building) at Former St James Primary School Site 1 The Diamond Road, Aldergrove, Crumlin BT29 4DB.

3.10 Planning Application No: LA03/2022/0616/O

Site for dwelling and garage at Lands 60m SE of 37 Ballylurgan Road, Randalstown

3.11 Planning Application No: LA03/2022/0671/O

Proposed 1 and a half storey domestic dwelling at lands 30m South of 15 Ballymather Road, Nutts Corner, Crumlin, BT29 4UL

PART TWO – Other Planning Matters

3.12 Delegated Planning Decisions and Appeals August 2022

3.13 Proposal of Application Notices for Major Development August 2022

3.14 Proposed Listing of Building at 20m East of 360 Ballyclare Road, Newtownabbey – Service of a Building Preservation Notice

PART TWO – Other Planning Matters – IN CONFIDENCE

3.15 Northern Ireland Planning Portal Update

4. Any Other Business

**REPORT ON BUSINESS TO BE CONSIDERED AT THE
PLANNING COMMITTEE MEETING ON WEDNESDAY 21 SEPTEMBER
2022**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2021/0414/F
DEA	AIRPORT
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed storage and distribution warehousing, internal roads, parking, landscaping and associated site works.
SITE/LOCATION	Lands 25m to the south of 663 Antrim Road, 50m to the west of 650 Antrim Road and east of Roughfort Road, Mallusk.
APPLICANT	Brett Martin Ltd & Ballinamallard Developments Ltd
AGENT	Turley
LAST SITE VISIT	08/10/2021
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@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 to the south of No. 663 Antrim Road, Newtownabbey and 60m southwest of Ballycraig Business Park which contains a variety of uses. The northern boundary of the application site abuts the Antrim Road and is largely defined by 2.5m high construction fencing which secures the site from the public road. There is also a line of linear trees along part of the roadside boundary. An access and internal estate road are already in place serving this site. The northwestern boundary of the site runs parallel to the Roughfort Road and is defined by a mature hedgerow of 2m in height. The western boundary of the application site and the southernmost boundary are undefined and form part of a larger agricultural field. Beyond the southern and western boundaries of the application site is the Ballymartin River along with large linear deciduous trees separating the site from the Brett Martin storage and manufacturing site. The eastern boundary of the site is defined by mature trees (8-10m) and hedgerows. No. 650 Antrim Road is located 60m east of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2019/0567/PAN Location: Lands to the south of 663 Antrim Road, Newtownabbey, BT36 4RG Proposal: Storage and distribution warehousing, internal roads, parking, landscaping and associated site works Decision: PAN Acceptable (04.07.2019)</p> <p>Planning Reference: U/2013/0232/RM Location: Lands to the South of 663 Antrim Road, Newtownabbey, BT36 4RG Proposal: Proposed Industrial/Business Park (Implementation of right hand turning lane access on to Antrim Road and associated service road as approved under planning approval (U/2009/0024/O)</p>	

Decision: Permission Granted (02.12.2014)

Planning Reference: U/2009/0024/O

Location: Lands to the south of 663 Antrim Road, Newtownabbey, Co Antrim.

Proposal: Site for proposed industrial/business park.

Decision: Permission Granted (25.03.2013)

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 Draft Belfast Metropolitan Area Plan 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 (BUAP): The application site is located outside the Belfast Urban Area settlement limit. The Plan offers no specific guidance on 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 (MNY 01) and is within an area zoned as Industry and Employment (MNY 09 Employment Lands extending south of Antrim Road, Mallusk). The Plan identifies a number of key site requirements.

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.

Supplementary Planning Guidance to Planning Policy Statement 4: Policy PED 8: 'Development Incompatible with Economic Development Uses'

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 11: Planning & Waste Management (and the November 2013 update on Best Practicable Environmental Option): sets out planning policies for the development of waste management facilities.

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

CONSULTATION

Council Environmental Health Section

No objection subject to conditions.

Northern Ireland Water

No objection subject to condition.

Department for Infrastructure Roads

No objection subject to conditions.

Department for Infrastructure Rivers

No objection.

NIEA Water Management Unit

No objection subject to conditions.

NIEA Natural Environment Division

No objection subject to conditions.

Shared Environmental Services

No objection subject to conditions.

REPRESENTATION

Six (6) neighbouring properties were notified and one (1) letters 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:

- The use of the landscaping is not sufficient to screen the development from the dwelling at No.663 Antrim Road;
- Cumulative traffic implications that includes this and other approved development in the locality;
- Overbearing impact on No. 663 Antrim Road;

- Noise impact on No. 663 Antrim Road;
- Lighting impact on No 663 – no assessment provided;
- Levels – finished floor levels of plot 5 nPACC states 2.7m lower but the block plan does not indicate this detail.

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, Layout and Appearance
- Compatibility with Adjacent Land uses
- Neighbour Amenity
- Natural and Built Heritage
- Flood Risk
- Road Safety, Traffic parking & Transport Issues.
- 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) was declared unlawful by the Court of Appeal on 18th May 2017. As a result of this, the Belfast Urban Area Plan 2001 (BUAP) operates as the statutory development plan for the area. Draft BMAP, published in 2004 as opposed to that published in 2014, and draft Newtownabbey Plan 2005 (NAP) remain material considerations in the determination of the application.

Within BUAP the site is located outside of any settlement limit and as such falls within the countryside north of Mallusk. The NAP identifies the application site as being within the settlement limit of Metropolitan Newtownabbey, while draft BMAP defines the application site as being identified within the settlement limit of Metropolitan Newtownabbey (MNY 01) and is within an area zoned as Industry and Employment (MNY 09). Other material considerations relevant to this application are examined below.

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 SPPS, provides the regional policy for retailing, under which consideration must be given.

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 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 4 Planning and Economic Development
- PPS 15: Planning and Flood Risk.

Whilst it cannot be known at this stage what any future adopted BMAP or local development plan will contain in relation to industry and employment uses in areas such as this, it does give an indication as to the acceptability of such uses in this area, to the extent that the site was also zoned for Industry and Employment uses (MNY 07 'Employment Lands extending south of Antrim Road, Mallusk') within the quashed BMAP 2014 following a public inquiry.

In addition to the indicative policy direction of any future area plan, there is a very significant planning history to this site which is a significant material consideration in this case. U/2013/0232/RM granted planning permission for a proposed Industrial/Business Park (Implementation of right hand turning lane access on to Antrim Road and associated service road as approved under planning approval U/2009/0024/O. While the applicant does not have a lawful fall-back position with regards to a certificate of lawful development, observations from the site inspection indicate that the access point and internal estate road have been put in place in general conformity with the Reserved Matters approval. Given the vintage of the BUAP, it is recommended that determining weight should be attributed to the planning history of the site which essentially has committed the site and also to draft BMAP in this instance.

Policy PED1 of PPS4 is entitled 'Economic Development in Settlements', in respect of storage or distribution uses states that they will be permitted in an area specifically allocated for such purposes in a development plan or in an existing or proposed industrial/employment area subject to certain provisions. As already stated, the application site is located on land zoned or allocated for employment/industrial use in the draft BMAP. In addition, one of the Key Site Requirements for this zoning allows for storage and distribution uses. The policy also goes on to say that elsewhere in cities and towns, such proposals will be determined on their individual merits.

It is therefore considered that the principle of development is supported by the planning history subject to the development complying the general criteria to be applied to economic development proposals set out in Policy PED9 of PPS4.

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

Criterion (j) of Policy PED 9 requires the applicant to ensure the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity.

Plot 1 Units 1-5, adjacent back onto the internal estate road. The rear elevation measures 6.2m in height while the front elevation measures 7.6m in height and faces into an internal court yard. Units 13-17 located on the eastern side of the site boundary and are designed to the same specification as units 1-5.

Units 6-12, follow the same design specification as units 1-5 and 13-17 also have Kingspan quartz grey feature panels. Each of the units are to be finished in goosewing grey Kingspan roof cladding, the walls are to be finished with Kingspan grey cladding, the windows are to be dark grey while the walls are to be finished in a light grey facing brick.

Plot 5 proposed storage and distribution unit-measures 10.5m-12m in height x 60.78m x 52.16m giving a total floor space of 3170.28sqm. This building is finished with goosewing grey Kingspan cladding to the roof, light grey cladding to the walls, dark grey powder coated windows and light grey facing brick with dark grey feature panels.

It is considered that the design of the buildings is acceptable and generally reflects what would be seen in other industrial and employment areas within the Borough. While the buildings are large in nature, it is considered that the visual impact is not a significant issue, given the location of the site in an area earmarked for industrial/employment uses immediately adjacent to the expansive Brett Martin site on the southern and eastern sides of the application site and Ballycraig Business Park on the northern side.

The main views into the site are from the road frontage, Policy PED 9 criterion (k) requires appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view while criterion (m) in the case of proposals in the countryside, seeks to ensure that there are satisfactory measures in place to assist integration into the landscape. It is noted that that the objector feels the use of landscaping is not sufficient to screen the development from their premises. The applicant has provided a landscaping plan (drawing No. 06/1 date stamped 21/10/2021). This drawing indicates expansive planting along the roadside boundary and the retention of existing trees along the roadside. Additional landscaping is provided along the internal estate roads which will assist in softening the proposed impact. It is recommended that a condition is placed on any grant of planning permission, should it be forthcoming requiring that trees be retained at a minimum height of 8m to assist in integrating the development into the landscaping and softening the visual impact of this development from the Antrim Road. This will also assist in reducing the impact on No.663 Antrim Road, however, it is accepted that given the location of the development site to the objector's property there will be some awareness of the proposed development, however, this is not considered to be to an unreasonable extent.

Concern has been raised regarding ground levels and accuracy of plans by the third party. Amended plans have been submitted correcting a minor drafting error, the amended site plan 03/2 indicates the finished floor level of the proposed storage and distribution unit on plot 5 is to be 109.80 while the finished ground levels on the Antrim Road as being between 111.00 -112.04 which makes the building on Plot 5 sit below the road level by 1.2-2.24m which should assist in reducing the impact in terms of scale and massing on No.663 Antrim Road to some extent.

Compatibility with Surrounding Land Uses

Criterion (a) of Policy PED 8 of PPS 4 seeks to safeguard existing or approved economic development uses from incompatible development that would prejudice future operations

Policy PED 8 provides additional protection for existing 'sensitive industrial enterprises' through the land use planning system. The policy requires 3 tests to be met, as follows:

1. The proposal is in the vicinity of an existing or approved economic development use,
2. The proposal is incompatible with the existing or approved use,
3. The proposal would prejudice the future operation of the existing or approved use.

The proposed storage and distribution warehousing is adjacent to existing Brett Martin complex which is the applicant in this instance, the application site is also adjacent to the Ballycraigy Business Park. There would appear to be no sensitive industrial enterprises in this area that would be significantly impacted upon as a result of this development, nor would the proposed development have a significant impact on the future operation of any existing or proposed uses within this immediate area. Having regard to the storage and distribution nature of the proposal there is unlikely to be any significant emissions from this development that would have a significant impact on existing or approved uses within this area.

Overall it is considered that the proposed development is compatible with existing and approved uses in this area.

Neighbour Amenity

Criterion b of Policy PED 9 of PPS 4 requires development proposals not to harm the amenity of nearby residents. While criterion (e) states that proposals should not create a noise nuisance. These matters are discussed further below along with the concerns of the adjacent residents.

No.663 Antrim Road has raised a series of concerns relation to the impact on their amenity. These include:

- Overbearing impact on No. 663 Antrim Road due to the scale of the proposed building. A previous PAD indicated concerns with the impact of the building on plot 5 which would create a detrimental overbearing impact on the dwelling at No.663 Antrim Road. The changes since the PAD have not gone far enough to properly protect amenity.
- Potential noise disturbance during the construction and operation of the development including cumulative impact with other developments in this area.
- Lighting impact on No. 663 Antrim – no assessment provided.

Overbearing

In terms of potential overbearing, overshadowing and loss of light to No. 663 Antrim Road, the building proposed on No. Plot 5 as indicated on the proposed site layout plan, (drawing No. 03/2) is set back 24.5m from the edge of the Antrim Road and 42m back from No.663 Antrim Road. In addition, the finished floor level (109.8) of the proposed unit on plot 5 sits approximately 1.2-2.24m lower than the existing road level (111.00 -112.04) with No.663 Antrim Road sits slightly lower again at a FFL level 110.9.

Drawing No. 10/1 (proposed elevations) indicates that this building is 10.5m in height x 52m in length while a 6-8m landscape buffer (Drawing No.06/1) is provided between the proposed carparking location and the Antrim Road with a variety of trees ranging from 1.2m-4m in height trees.

Having regard to the setback of the proposal, the lower ground levels, the north facing aspect, the proposed landscaping and the mature leylandi hedgerow (3-4m) that encompasses the roadside boundary of No.663 Antrim Road, it is considered that the scale and massing of the proposed building will on balance not have a significant overbearing impact on No.663 Antrim Road.

Noise

The applicant has provided a series of Noise Assessments, Document Nos. 06/1 & 09 for consideration. The Council's Environmental Health Section (EHS) has been consulted on this application and has indicated no significant noise related concerns with this proposal subject to conditions restricting hours of operation, no external plant on the building within plot 5, and a restriction on HGV deliveries to the 17 units within plot 1. In addition, EHS has stipulated an overall total noise level from all activities associated with the development (including external plant) shall not exceed a rating level of 52dB LAr, 1hr between 07:00-23:00 hours and a rating level of 46.5 dB LAr, 15min between 23:00-07:00 hours when measured within the external amenity area of any nearby noise sensitive receptor and assessed in accordance with British Standard 4142:2014. This condition is considered necessary to protect the amenity of nearby dwellings. On the basis of the information provided it is likely that the residential amenity of the property at No.663 Antrim Road can be adequately protected while the proposed site is operational. During the construction phase there may be some disturbance to the residential amenity, however, this should be short lasting and not to an unreasonable extent.

Artificial Light

The applicant has provided an Artificial Light Assessment is stamped (DOC 10). This assessment has determined that the site falls within Environmental Zone E3 as outlined within Table 2 of the Institution of Lighting Professionals (ILP) Guidance Note 01/21. The maximum vertical light intrusion from the development into windows at nearby sensitive properties falling within Environmental Zone E3 is 10 lux pre-curfew and 2 lux post-curfew as outlined within Table 3 of the Guidance Note. EHS has advised that the assessment has demonstrated that artificial light intrusion from the development into windows at nearby sensitive properties which will not exceed these levels and is therefore considered acceptable subject to condition 11 below.

Natural and Built Heritage

PED 9 criterion (c) it does not adversely affect features of the natural or built heritage. There are no built heritage features within the vicinity of the application site that will be impacted upon as a result of this proposal.

With regard to natural heritage matters the applicant has provided an Ecological Appraisal & Assessment (2019) and Addendum (2021) prepared by Ayre Environmental Consulting Ltd (DOC 08 date stamped 22/04/2021). A Construction and Environmental Monitoring Report (CEMP), prepared by McCloy Consulting (Doc 04 dated April 2021) has also been submitted for consideration.

NIEA Natural Environment Division (NED) acknowledges these documents and has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, content that the development of the site associated with this application (as per Drawing No. 01) is unlikely to have any significant impact on local natural heritage features provided mitigation measures outlined in the CEMP are adhered to in full.

This planning application was also considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Antrim and Newtownabbey Borough Council which is the competent authority responsible for authorising the project. The assessment is available for members to view on the planning portal.

Shared Environmental Services (SES) has reviewed this application and following an 'Appropriate Assessment' in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to mitigation measures being conditioned in relation to the submission of a final Construction Method Statement Construction Environmental Management Plan (CEMP) and no development taking place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to Discharge has been granted under the terms of the Water (NI) Order 1999. Conditions to this effect are proposed at conditions 12 & 13 below.

Flood Risk

PED 9 (d) of PPS 4 requires that development it is not located in an area at flood risk and will not cause or exacerbate flooding. PPS15 reinforces this position with a series of policies for the applicant to adhere to. DfI Rivers advise that a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as the 'Ballymartin River' flows in proximity to the southern boundary of the site. An undesignated watercourse traverses centrally throughout the site.

Policy FLD1 of PPS 15 deals with 'Development in Fluvial and Coastal Flood Plains' The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal floodplain.

Policy FLD2 of PPS 15 deals with Protection of Flood Defence and Drainage Infrastructure. DfI Rivers advise that a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as the 'Ballymartin River' flows in proximity to the southern boundary of the site. An undesignated watercourse also traverses centrally throughout the site. Under 6.32 of Policy PPS 15 FLD 2, an adjacent working strip along a watercourse must be retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5m, but up to 10m where considered necessary, and be provided with clear access and egress at all times. The Ballymartin Rivers is located in excess of 15m from the redline boundary

of the application site and is therefore considered to comply with Dfl Rivers requirements.

Dfl Rivers note the proposals to culvert the undesignated watercourse. Under 6.33 of the Policy there is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations. A suitable maintenance strip of minimum 5m must also be in place. Dfl Rivers advises that it has no reason to sustain an objection under policy FLD 2 in this instance and it is therefore considered acceptable.

Policy FLD3 of PPS15 (Development and Surface Water), Dfl Rivers has reviewed the Drainage Assessment by McCloy Consulting, dated April 2021 and also Dfl Rivers acknowledge that Schedule 6 Consent to Discharge 40 l/s into the Ballymartin River has been approved by the Dfl Rivers Area office in a correspondence dated 6th July 2021. Dfl Rivers advise that while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.

Regarding Policy FLD4 of PPS15 (Artificial Modification of Watercourses) Dfl Rivers note the proposals to culvert the undesignated watercourse located on site. Artificial modification of a watercourse is normally not permitted unless it is necessary to provide access to a development site or for engineering reasons. In this case the proposed culverting is considered necessary for the development of this site.

Dfl Rivers reservoir inundation maps indicate that part of the sites southern boundary is marginally within a potential area of inundation emanating from HydePark Dam and Boghill Dam. Dfl Rivers is in possession of information confirming that HydePark Dam has 'Condition Assurance', consequently Dfl Rivers has no reason to object to the proposal, at this time, from a reservoir flood risk perspective regarding HydePark Dam.

In addition, Dfl Rivers is in possession of information confirming that Boghill Dam has 'Condition Assurance', consequently Dfl Rivers has no reason to object to the proposal, at this time, from a reservoir flood risk perspective regarding Boghill Dam. Overall it is considered that there is no significant flood risk from the proposed development.

Road Safety, Traffic, Parking and Transport Issues

Planning Policy Statement 3 Access, Movement and Parking seeks to ensure that prejudice to road safety does not occur as a result of development. Policy AMP2 - 'Access to Public Roads' states that "planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic.

Policy PED 9 of PPS 4(g) also requires that the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified. While Criterion (h) requires that adequate access arrangements, parking and manoeuvring areas are provided.

The applicant has provided a Transport Assessment (DOC 07) concludes that the proposal represents a small increase of traffic on the local highway network, i.e. Antrim Road, and is unlikely to have any significant impact in terms of highway capacity or the possible increase of accidents.

The Transport Assessment further outlines a number of measures to mitigate impacts/influence travel to the. The main measures include:

- Vehicular access into the development is off the Antrim Road, Mallusk, via a right hand turning lane.
- The internal road network has been designed in accordance with the standards set out in Design Manual for Roads and Bridges, Development Control Advice Note 15 (DCAN 15), Planning Policy Statement 3 and Creating Places.
- A 2 metre footpath is proposed across the site frontage and entrance from the Antrim Road. The proposals also include the provision of internal footways consisting of dropped kerbs and tactile paving being provided, where appropriate, to facilitate those who are mobility impaired. This will be well lit with street lighting and thereby provide safe pedestrian movements.
- The parking provision and turning for the development has been determined according to the specific characteristics of the development and its location with regard to the Departments published standards.

DfI Roads has reviewed the application and subsequent supporting information and has offered no objections to this proposal subject to the conditions below. Overall it is considered that there is no significant road safety, traffic, parking or transport issues with this proposal.

Crime and Personal Safety

Criterion (L) of Policy PED 9 of PPS 4 requires that the site is designed to deter crime and promote personal safety. In this case the applicant is providing security fence along the roadside perimeter with internal lighting along with a footpath adjacent to the Antrim Road and the internal estate road. These measures ensure that the proposed development has been designed to prevent crime and ensure personal safety.

Movement Pattern

Criterion (i) of Policy PED 9 of PPS 4 requires a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport.

The Transport Assessment (DOC 07) states that the applicant will provide a two (2) metre footpath across the site frontage and entrance from the Antrim Road. The proposals also include the provision of internal footways consisting of dropped kerbs and tactile paving being provided, where appropriate, to facilitate those who are mobility impaired. This will be well lit with street lighting and thereby provide safe pedestrian movements. The applicant also indicates that the Antrim Road, Mallusk is on the main route from Belfast to Ballymena serviced regularly by Ulsterbus and as such the applicant intends to provide a new footway from the site entrance of the development to the nearby bus stop. Based on the information provided it is considered that the Criterion (i) of Policy PED 9 has been complied with.

Emissions and Effluent

A further criteria (f) of Policy PED 9 requires that the proposed development is capable of dealing satisfactorily with any emission or effluent. Given the storage and distribution nature of the proposal it is unlikely that there will be any significant emissions or effluents from the operation of the proposed facility.

With regard to discharges to the sewage network, NI Water initially indicated concerns with the proposal pointing out that there is no foul sewer within 20m of the proposal with the nearest public foul sewer located close to the Chimney Corner Hotel at a distance of approximately 800m. They further indicated that connection to existing public foul sewer from this proposal cannot be approved at present as the development site is located upstream of an Unsatisfactory Intermittent Discharge. The applicant subsequently undertook a Waste Water Impact Assessment which is at an advanced stage with NI Water which has indicated that they have carried out modelling of this area which gives them confidence that there is a solution to the problem. NI Water further indicated in email correspondence (03/08/2022) that a negative condition is acceptable in this instance.

In such circumstances it is typical to offer the following condition:

'No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development'.

The applicant has indicated concerns with this condition due to contractual arrangements to deliver the proposed scheme and potentially the DVANI application (LA03/2021/1133/F). The applicant's rationale for the proposed variation of the Council's standard NI Water condition is to allow the construction of the internal road prior to any sewerage connection being agreed. Ballinamallard Developments Ltd (BDL) (landowner) are in contract with DVANI and Brett Martin Ltd. A condition of the contracts is that (subject to planning) BDL will deliver the internal roads to the DVANI and Brett Martin Ltd plots within 18 months of the submission of the planning application. The applicant has indicated that it would be very challenging to discharge the standard NI Water negative condition and also meet this contractual timescale.

The applicant states that the proposed wording of the planning condition (above) would impede the ability to commence construction of any buildings and any risk associated with the construction of the internal road in advance of the discharge of the negative condition would rest with BDL. The applicant further states that the grant of the subject application will assist in unlocking substantial investment on the subject plots as well as the delivery of the new vehicle test centre (subject to planning). BDL's obligation to building the internal road provides some commitment to seeing the wider economic investment in this land realised.

With foregoing in mind, it is considered reasonable to amend the wording of the condition in this instance to facilitate the development of the internal estate road in advance of any works commencing on individual buildings as part of this permission. This will ensure that the works within this site can commence without detriment to both NI Water infrastructure and also facilitate the development of the wider site. The following condition is therefore proposed:

'No works in the erection of any of the proposed buildings shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from that part of the development'.

Economic Impact

The construction of the proposed development on plots 1 & plot 5 (current application) and all infrastructure works associated with these plots and the wider site represents an estimated £5.8 million investment within the borough and will also help facilitate the development of the wider site.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The design layout and appearance of the development is considered acceptable;
- The proposed development is considered compatible with adjacent land uses;
- There are no significant neighbour amenity concerns with this proposal relating noise, artificial light, size and scale of the development;
- There are no natural or built heritage concerns with this proposal;
- There is no significant flood risk associated with this development;
- There is no road safety, parking or transport issues with this development; and
- There are no significant emissions or effluent generated from this proposal.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 15/2 bearing the date stamp 28th January 2022.

Reason: To ensure there is a safe and convenient road system within the development.

3. The buildings hereby permitted shall not become operational until the hard surfaced areas associated with the relevant building have been constructed and permanently marked in accordance with the approved drawing No. 15/2 bearing date stamp 28th January 2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

4. The development shall not become operational until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

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

5. The proposed storage and distribution unit on Plot 5 outlined on Drawing No. 03/2 and date stamped 27th April 2022 shall not be operational at any time between 23:00hrs and 07:00hrs.

Reason: To protect amenity at nearby sensitive dwellings

6. There shall be no deliveries to the proposed storage and distribution unit on Plot 5 outlined on Drawing No. 03/2 and date stamped 27th April 2022 at any time between 23:00hrs and 07:00hrs.

Reason: To protect amenity at nearby sensitive dwellings.

7. There shall be no external plant to the proposed industrial unit outlined on 03/2 and date stamped 27th April 2022.

Reason: To protect amenity at nearby sensitive dwellings.

8. There shall be no HGV deliveries to the x17 units outlined within plot 1 on Drawing 03/2 and date stamped 27th April 2022.

Reason: To protect amenity at nearby sensitive dwellings.

9. The total noise level from all activities associated with the development (including external plant) shall not exceed a rating level of 52dB $L_{Ar,1hr}$ between 07:00-23:00 hours and a rating level of 46.5 dB $L_{Ar,15min}$ between 23:00-07:00 hours when measured within the external amenity area of any nearby noise sensitive receptor and assessed in accordance with British Standard 4142:2014.

Reason: To protect amenity at nearby sensitive dwellings.

10. Light intrusion from the development into windows at nearby sensitive properties shall not exceed 10 Ev (lux) on anytime between 07:00hrs and 23:00hrs and 2 Ev (lux) on anytime between 23:00hrs and 07:00hrs.

Reason: To protect amenity at nearby sensitive dwellings.

11. A final Construction Method Statement Construction Environmental Management Plan (CEMP) agreed with the appointed contractor, shall be submitted to the Council at least eight weeks prior to any construction works commencing. The CEMP shall identify all potential risks to the adjacent watercourses and must incorporate all of the pollution prevention measures as detailed in McCloy Consulting's Outline Construction Environmental Management Plan (CEMP), dated April 2021. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing by the Council.

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

12. No works in the erection of any of the proposed buildings shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from that part of the development'.

Reason: To ensure adequate waste water treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment prior to works beginning on site.

13. The existing hedgerow and vegetation as indicated on drawing No. 06/1 date stamped 21st October 2021 shall be retained at a minimum height of 3 metres and trees within the hedgerow shall be retained at a minimum height of 6m and shall be allowed to grow on or as agreed in writing with the Council.

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

14. The proposed landscaping indicated on drawing No. 06/1 date stamped 21st October 2021 shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained in thereafter at a minimum height of 3 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

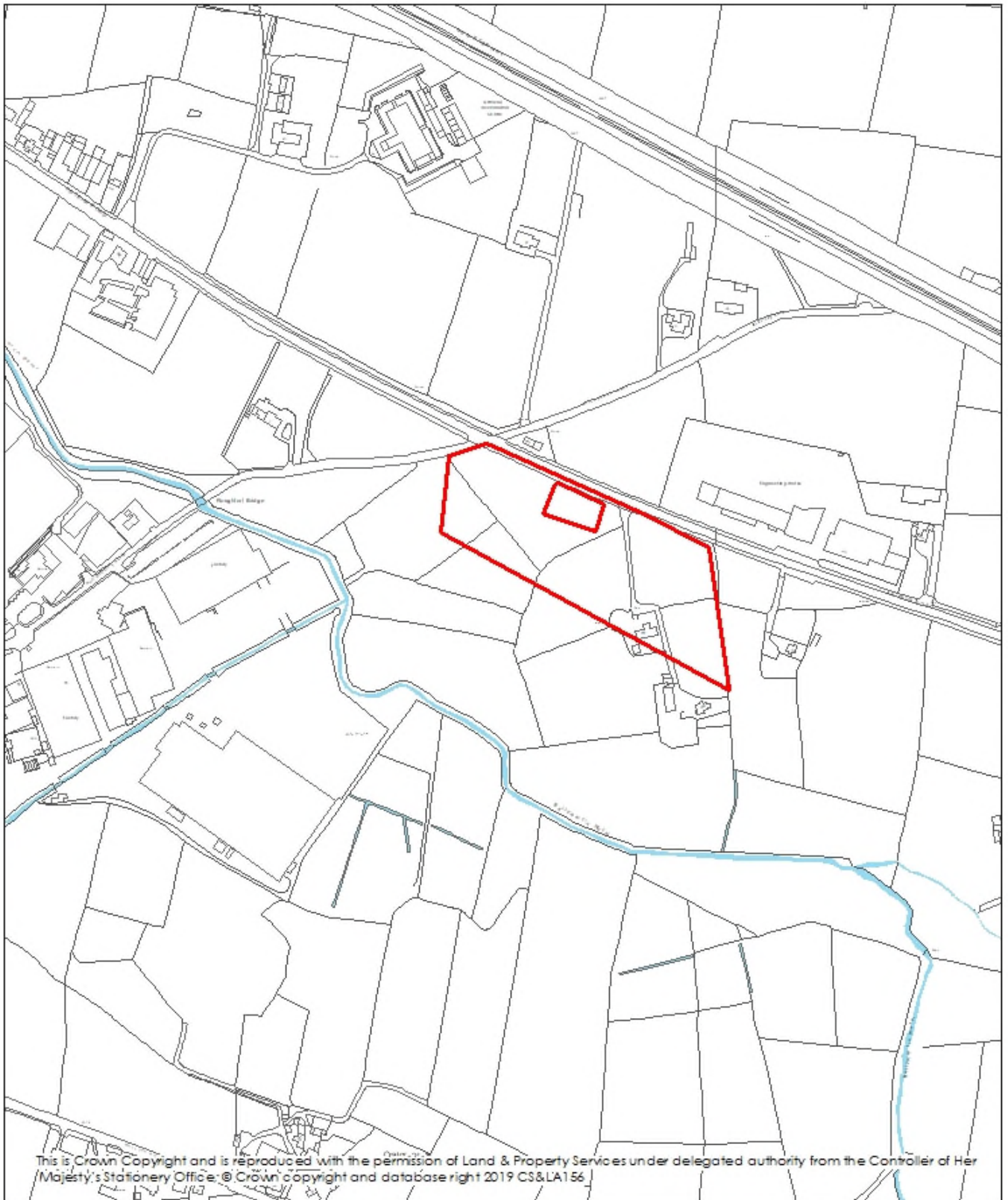
Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

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

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

16. The premises(s) hereby approved shall be used only for Class B4 storage and/or distribution purposes and for no other purpose in Use Class B of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015

Reason: To prohibit a change to an unacceptable use within this Use Class.




Location Map

Reference: LA03/2021/0414/F

Location: Lands 25m to the south of 663 Antrim Road,
50m to the west of 650 Antrim Road
and east of Roughfort Road, Mallusk

Proposal: Storage and distribution warehousing, internal roads,
parking, landscaping and associated site works

 Site Boundary



For Information Only



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2022/0177/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed research and development facility comprising a mix of workshops, offices, meeting areas, staff facilities, ancillary facilities, including an additional access point, car parking, landscaping and all associated site works.
SITE/LOCATION	Lands 150m east of RLC, Global Point Avenue, Global Point Business Park, Newtownabbey, BT36 5TB
APPLICANT	Schrader Electronics Ltd, Sensata Technologies Co. And JH Tu
AGENT	TSA Planning
LAST SITE VISIT	19/05/2022
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@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 land south/east of Global Point Avenue Global Point Business Park, Newtownabbey. Currently, only one business is operational at Global Point, RLC (UK) Ltd. Aerospace Engineering, with the remaining lands undeveloped.</p> <p>The application sites comprise greenfield lands, respectively measuring approximately 2.45 ha (Building 1) and 0.98ha (Building 2), located to the southeast of Global Point Avenue within Global Point Business Park, Newtownabbey. The entirety of the Business Park lands extends to 90.7Ha, including those to the north at Doagh Road, which are zoned for Employment Use through the Local Area Plan.</p> <p>The immediate surrounding area is characterised by the undeveloped lands within the Business Park. Views to the site are limited from all directions, with the closest residential dwellings located approximately 100m to the south at Glen Corr/Milewater. These are separated from the southern site boundaries of Building 1 & 2 by a dense vegetated buffer of mature woodland and an undesignated watercourse. The application site is set at a lower ground level than the adjacent A8 Dual-Carriageway, with visibility obscured by intervening vegetation and existing development.</p> <p>The sites for Building 1 and Building 2 are broadly rectangular in shape with ground levels generally flat at between +97-98m OD, and no features of note. The site falls away from a high point at the access road along the north boundary towards low points on the south and west edges of the site. Along these edges there is a relatively steep banking up towards the existing Global Point Avenue on the western side and</p>	

the pedestrian pathway that meanders along the southern boundary. Both embankments are characterised by relatively dense vegetation and treelines.

The existing vehicular access to Global Point Business Park is via Corr's Corner roundabout, with the unadopted Global Point Avenue Estate Road providing access into the Business Park. The internal estate road bounds the subject lands for Building 1 to the northern and western boundaries, and Building 2 to the northern boundary.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2022/0176/F

Location: Land south/east of Global Point Avenue, Global Point Business Park Newtownabbey, BT36 5TB

Proposal: Proposed research and development facility comprising of a mix of design labs, workshops, car bays, vehicle demo garage, HGV garage, technical plant, salt room, staff facilities, ancillary facilities, including access point, car parking, landscaping and all associated site works.

Decision: Current Application

Planning Reference: LA03/2022/0290/F

Location: Lands at Global Point Business Park, Global Point, Newtownabbey

Proposal: Proposed metal beverage can manufacturing facility comprising production space (Class B3 General Industrial); warehousing (Class B4 Storage & Distribution); associated office space (Class B1 Business Unit); and staff welfare accommodation. External sprinkler pump house and associated tank; plant equipment and structures; creation of service yards and loading/unloading areas; HGV parking area and main car park; extension of Global Point Avenue (eastern portion) and creation of new entrances; associated landscaping and all associated site works

Decision: Permission Granted

Planning Reference: U/2014/0385/RM

Location: Global Point Business Park, Ballyclare Road, Newtownabbey, Co. Antrim.

Proposal: 27No. Buildings and associated infrastructure for Invest NI Industrial Park comprising Class B1 Business, Class B2 Light Industrial and Class B3 General Industrial

Decision: Permission Granted (11/11/2016)

Planning Reference: LA03/2016/0547/DC

Location: Ballyhenry Industrial Park, Ballyhenry, Newtownabbey. BT36.

Proposal: Site for Invest NI Industrial Park comprising Class B1 Business, Class B2 Light Industrial and Class B3 General Industrial. Discharge of Conditions 7 & 8 (Road works) of Planning Approval U/2007/0267/O for Invest NI industrial park

Decision: Condition 7 & 8 discharged (23.09.2016)

Planning Reference: U/2007/0267/O

Location: Ballyhenry Industrial Park, Ballyhenry.

Proposal: Site for Invest NI Industrial Park comprising Class B1 Business, Class B2 Light Industrial and Class B3 General Industrial.

Decision: Permission Granted (05/01/2008).

Planning Reference: U/2014/0388/RM

Location: Site 3 Global Point Business Park, Ballyclare, Newtownabbey

Proposal: industrial portal framed building containing production areas with ancillary office and plant space for precision engineering manufacturing, along with a service yard, car parking and landscaping at Site 3, Global Point Business Park.

Decision: Permission Granted (16/03/2015)

Planning reference: LA03/2018/0176/F

Location: Site approximately 35m to the NW of RLC Global Point (Northern Ireland) Global Point Business Park, Corrs Corner, Ballyclare Road, Newtownabbey Co Antrim BT36 5PY

Proposal: Construction of new 2 storey office building with car parking and site works

Decision: Permission Granted (22.10.2018)

Planning Reference: U/2009/0096/F

Location: Global Point International Business Park, Ballyhenry, Newtownabbey.

Proposal: industrial estate access roads, footways, bridge and other infrastructure at Global Point International Business Park.

Decision: Permission Granted (11/01/2010)

Planning Reference: U/2004/0104/F

Location: Global Point Business Park, Ballyhenry, Newtownabbey, BT36

Proposal: Construction of access/bus roads with associated services including 1 No bus shelter.

Decision: Permission Granted (10/06/2004)

Planning Reference: U/2001/0119/O

Location: Global Point International Business Park, Ballyhenry, Newtownabbey.

Proposal: Business and industrial park incorporating Class 4 (light industrial), and class 11 (storage or distribution) and an ancillary support service centre to include retail (max 5000sq.ft), crèche and fitness facilities.

Decision: Withdrawn (29/03/2007)

Planning Reference: U/2001/0096/F

Location: Global Point International Business Park, Ballyhenry, Newtownabbey

Proposal: Erection of a Contact Centre/Class 4 Light Industrial Unit totalling 104,000 sq.ft. (incorporating 24,000 sq.ft. mezzanines) and including associated access and landscaping.

Decision: Permission Granted (15.01.2003)

Planning Reference: U/1999/0211/F

Location: Land north east of Corrs Corner and bounded by Belfast Road, railway line and Uppertown Drive.

Proposal: Bulk earthworks to construct development platforms for industrial use, diversion of Three Mile Water, landscaping and construction of new river corridor and landscaping of peripheral earth bunds. Land north east of Corrs Corner and bounded by Belfast Road, Railway Line, Uppertown Drive and New Mossley, Newtownabbey.

Decision: Permission Granted (29/11/2000).

Planning Reference: U/1998/0560/F

Location: land to the north east of Corrs Corner bounded by disused railway line ,New Mossley and Old Mossley.

Proposal: Perimeter works to industrial park, including earth mounding, planting and first phase of cycleway/path.

Decision: Permission Granted (04/03/1999).

Planning Reference: U/1997/0553/F

Location: Land to the North East of Corrs Corner, Newtownabbey.

Proposal: Preparation of industrial estate including site development works, access roads and associated landscaping.

Decision: Permission Granted (16/07/1998).

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 Draft Belfast Metropolitan Area Plan 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 (BUAP): The application site is located within the settlement limit of the Belfast urban area. The plan designates the application site as being within an area for Industry and Commerce. The Plan offers no specific guidance on 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 zones the site as part of the larger Global Point zoning for employment and industry policy ref. MNY 07 (Map 2a). The plan also identifies the site as being a Major Employment Location (MEL) (Map 2b). The plan outlines a number of key site requirements for this zoning including:

- Development shall only include the following uses within the Planning (Use Classes) Order (Northern Ireland) 2015:
 - Light industry,

- General industry
- Storage or Distributions Uses,
- Special industrial uses
- Business use.
- The total amount of floor space for business use shall not exceed 3,000sqm (gross).
- Development of the site shall only be permitted in accordance with an overall comprehensive masterplan for the site to be agreed with the Department. This shall outline the design concept, objectives and priorities for the site. The zones A and B identified on Map No. 2b – Global Point/Ballyhenry MEL shall be incorporated into the masterplan to include the following elements: -
 - Zones A and B shall be developed as a Business Park within a generous landscape setting. Buildings shall be a maximum height of 2 storeys;
 - Access to Zone B of the site shall be from the Doagh Road to be agreed with Roads Service DRD. Access to Zone A of the site shall be from the existing access point on the Ballynure Road only;
 - A Transport Assessment (TA), agreed with Roads Service DRD, shall be required to identify any necessary improvements to the road network/public transport/transportation facilities in the area. In addition to the need for a TA, and the requirements identified therein, an initial assessment of this specific development site indicates that as a minimum the following improvements shall be required: -
 - improvements to the Doagh Road, along the site frontage, will be dependent on the access location for the northern portion of the site;
 - the provision of a new access for the northern portion shall be in accordance with the Department's visibility requirements;
 - new and improved pedestrian and cycling links from the site to existing nearby public transport facilities shall be required in order to maximise the use of these facilities;
- A Flood Risk Assessment of the watercourses within and adjacent to the site shall be carried out and submitted to the Department to inform proposals for the development of the site as part of the site may lie within the 100-year floodplain of the Three Mile Water;
- Buildings shall exhibit variety in their elevational treatment and heights and particular consideration shall be given to views into the site;
- The two upstanding raths in the site shall be retained in situ with provision of landscaping around them to safeguard their setting;
- A comprehensive landscaping scheme for the proposed development shall be submitted with any planning application for development and agreed with the Department, and shall include the following: -
 - The northern, eastern, southern and western boundaries of the site shall be retained and landscaped with a 5-10 metre belt of trees and planting of native species to provide screening for the development;
 - The results of a comprehensive survey identifying trees, hedgerows, and other vegetation to be retained and incorporated into the proposed development;
 - A detailed planting plan and programme of works shall be provided for all new planting in relation to boundary definition and provision of high quality landscaping proposals within the site; and

- o Positive long term landscape management proposals shall be required to protect and maintain the landscaping and features of natural heritage. An Article 40 Agreement may be required to ensure delivery of this in accordance with the Department's requirements.

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 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.

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

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

CONSULTATION

Council Environmental Health Section (EHS)

No objection subject to conditions.

Council Shared Environmental Services (SES)

No objection subject to condition.

Northern Ireland Water

No objection

DfI Roads

No objections subject to conditions

DfI Rivers

No objection subject to conditions.

DfC Historic Environment Division Historic Monuments (HED:HM)

No archaeological objections.

NIEA Natural Environment Division (NED)

No objections subject to conditions.

NIEA Land Resource Management (LRM)

No objection subject to conditions.

NIEA Water Management Unit (WMU)

No objection subject to the applicant referring to standing advice.

REPRESENTATION

One (1) neighbouring property 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
- Design, Layout and Appearance
- Neighbour Amenity
- Compatibility with Adjacent Land Uses
- Flood Risk
- Natural and built Heritage
- Access, Movement and Parking
- Crime and Personal Safety
- Effluent

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 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.

A number of decisions taken by the Planning Appeals Commission indicate that whilst the emerging policy provisions of BMAP remain material considerations in the determination of planning applications, reliance cannot be placed on specific policies of the draft Plan to refuse development proposals.

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. BUAP also indicates that the site is zoned for industry and commerce while dBMAP zones the site as part of the larger Global Point zoning for employment and industry policy ref. MNY 07 (Map 2a). The plan also identifies the site as being a Major Employment Location (MEL) therefore having regard to the location of the

application site including its planning history, the proposed development is considered to accord with the various plan zonings.

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 PPS's, which provide the relevant regional policy context for consideration of the proposal

- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 4 Planning and Economic Development
- PPS 15: Planning and Flood Risk.

Policy PED1 of PPS4 is entitled 'Economic Development in Settlements'. In respect of business uses, it states that they will be permitted in an area specifically allocated for such purposes in a development plan or in an existing or proposed industrial/employment area subject to certain provisions. As already stated, the application site is located on land zoned or allocated for employment/industrial use in the draft BMAP. In addition, one of the Key Site Requirements for this zoning allows for B1 business uses. The Planning (Use Classes) Order (Northern Ireland) 2015 defines business uses and at B1(c) includes Research & Development proposals under the umbrella of business uses.

It is therefore considered that the principle of development is supported by the planning history and is acceptable subject to the development complying with the general criteria to be applied to economic development proposals set out in Policy PED9 of PPS4.

Design, Layout and Appearance

Criterion (j) of Policy PED 9 requires the applicant to ensure the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity.

Sensata Technologies is a worldwide industrial technology company developing sensors, controllers and other products. Its Northern Ireland facility is currently located in Antrim Technology Park (ATP) in Antrim and includes a factory and several non-operations related staff buildings. The proposed development is for a Research and Development Centre (under Class B1 (c)) at Global Point Business Park for Sensata Technologies comprising Building 1 (LA03/2022/0177/F) and Building 2 (LA03/2022/0176/F). The facility will act as a regional hub for Sensata's European business and consolidate staff currently working across existing sites in one site. The layouts have been designed to promote agile working, flexibility and communication creating a pleasant and efficiently organised working environment for employees. Building 1 is the larger of the two application buildings and extends to c. 6,285sq.m (GEA) which will include workshop areas, meeting rooms, offices and all other

ancillary staff facilities. A small portion of plant extending to c. 80sqm associated with the building is also located at roof level. The external rooftop plant is hidden behind a continuous screen to provide visual continuity. The screen is set back from the building edge to reduce its visual impact and the overall mass of the building.

The existing vehicular entrance is to be utilised as the primary entrance to the site, with a secondary service access point to be constructed from a new section of Global Point Avenue. Split across two floors, the building is designed as a right-angled block orientated so that the primary elevation addresses the Global Point Avenue.

The access arrangements for Building 1 will be secure and gated, set back from the carriageway with supplementary planting along the proposed 2.4m paladin boundary fence. A total of c.300 no. parking spaces is included, with provision for disabled/accessible, electric vehicle and cycle spaces in close proximity to the main entrance.

The finished floor level of Building 1 is set at +98.30m OD, with the ridge height rising 9.21m. The plant is confined behind a louvered screen at roof level, with the overall building finished in a combination of pre-finished metal cladding and curtain walling.

The applicant indicates that the proposed buildings have been designed having particular consideration to the site boundaries, nearby sensitive receptors, and the approved masterplan. The proposals for Buildings 1 & 2 comprise maximum building heights of 2-storeys, in line with the Key Site Requirements for the zoning. Both buildings are designed to integrate into their surrounding context and, although separated by Global Point Avenue, sit comfortably alongside the RLC (UK) Ltd. building situated to the west.

The proposed units have been carefully designed with respect to materials and proportions, with careful consideration of standard design elements for this format. The scale, colour and palette of materials remain in keeping with the surrounding context, in particular that of RLC (UK) Ltd. With regards to internal layouts, these have been designed to promote an agile, flexible and efficient working environment for employees. Further design rationale and analysis has been included within the Design and Access Statement, prepared by Ostick & Williams and submitted as part of the evidence base for each planning application.

Neighbour Amenity

Criterion (b) of Policy PED 9 of PPS 4 requires development proposals not to harm the amenity of nearby residents. While criterion (e) states that proposals should not create a noise nuisance. These matters are discussed further below.

The proposal is for a research and development facility comprising a mix of workshops, offices, meeting areas, staff facilities and ancillary activities at Global Point Business Park. It is noted that the nearest dwelling is approximately 72m south of the site boundary at Milewater Close. The potential impacts on amenity in this case are likely to be with regard to noise and artificial lighting.

Noise

The applicant has submitted a Noise Impact Assessment, Global Point Building 1, prepared by RPS, Document Number 06. The noise report indicates that the proposed opening hours for the development are stated within the report to be, Monday to Friday, 9am to 6pm while the closest receptor is identified as being 162m from the proposed building facade. The report considers plant noise, service area noise from 2x HGV's idling, and breakout noise through the building structure and presents a worst case scenario. The Council's Environmental Health Section (EHS) has reviewed the noise assessment and has concluded that the proposed development can operate without adverse impact on nearby residential amenity subject to conditions.

Artificial Lighting

EHS has indicated that no information has been received on whether or not floodlighting/security lighting is to be installed at the proposed development. EHS indicate that artificial lighting associated with security of premises can cause artificial light intrusion and has the potential to adversely impact upon amenity at nearby sensitive receptors. No artificial lighting is indicated on the proposed plans, should lighting be proposed it is likely to be facing toward the proposed buildings and not the existing residential properties. The applicant has confirmed that there is no artificial lighting associated with this proposal.

EHS notes that dwellings are located approximately 72 metres away from the site boundary and refers the applicant to the Institution of Lighting Professionals Guidance Note 01/21, The Reduction of Obtrusive Light, in the fitting and operation of any external lighting, to ensure amenity is not adversely impacted at neighbouring dwellings by artificial light. This will be included as an informative as part of any future decision notice should planning permission be granted.

As EHS has no objections to the proposal in this regard it is considered that the proposed development is unlikely to have any significant amenity impacts on nearby residential properties.

Contaminated Land

The applicant has also submitted a Preliminary Risk Assessment (Desk Study), prepared by RPS Group, Document Number 07, stamped 'Planning Section Received 18 Feb 2022'.

The report concludes that no significant pollutant linkages are considered to be present within the study area and that in accordance with Land Contamination: Risk Management (LCRM) guidance, no further investigation or assessment is required for the proposed end use. The report recommends that if unexpected contamination is encountered during construction works, that samples should be obtained and sent for chemical analysis and that an updated risk assessment should be completed. The report states that should unacceptable risks be identified, then appropriate remedial works should be conducted and agreed with the relevant regulatory bodies.

Both the Council's Environmental Health Section (EHS) and NIEA Regulation Unit (RU) have reviewed the applicant's Preliminary Risk Assessment and agree with its conclusions. Both EHS and NIEA (RU) provide standard conditions should an unknown source of contamination be found during the development of the site. These

conditions are considered necessary and reasonable. It is concluded that there are no significant contamination risks to nearby sensitive receptors as a result of this proposal.

Compatibility with Adjacent Land Uses

Policy PED 8 of PPS 4 seeks to safeguard existing or approved economic development uses from incompatible development that would prejudice future operations.

Policy PED 8 provides additional protection for existing 'sensitive industrial enterprises' through the land use planning system. The policy requires 3 tests to be met, as follows:

- The proposal is in the vicinity of an existing or approved economic development use,
- The proposal is incompatible with the existing or approved use,
- The proposal would prejudice the future operation of the existing or approved use.

The proposed research and development facility comprising a mix of workshops, offices, meeting areas, staff facilities, ancillary facilities, including an additional access point, car parking, landscaping and all associated site works

RLC Ltd is the only industry within the Global Point site at present and has been notified of this proposal. There would appear to be no sensitive industrial enterprises in this area that would be significantly impacted upon as a result of this development, nor would the proposed development have a significant impact on the future operation of any existing or proposed uses within this immediate area. Having regard to the nature of the proposal there is unlikely to be any significant emissions from this development that would result in a significant impact on any existing or approved uses within this site.

Overall it is considered that the proposed development is compatible with existing and approved uses in this area.

Flood Risk

PED 9 (d) of PPS 4 requires that development is not located in an area at flood risk and will not cause or exacerbate flooding. PPS15 reinforces this position with a series of Policies for the applicant to adhere to. DfI Rivers Planning Advisory Modelling Unit (PAMU) has considered the proposal in line with the current Revised Planning Policy Statement 15 "Planning and Flood Risk" dated September 2014.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. An undesignated watercourse flows generally east along the southern boundary of the site. The site may be affected by undesignated watercourses of which we have no record.

Policy FLD1 - Development in Fluvial and Coastal Flood Plains

DfI Rivers has reviewed the Flood Risk Assessment and advise that while not being responsible for the preparation of the Assessment accepts its logic and has no reason to disagree with its conclusions.

Policy FLD2 - Protection of Flood Defence and Drainage Infrastructure

An undesignated watercourse flows generally east along the southern boundary of the site. Under 6.32 of the Revised Policy PPS 15 FLD 2, it is essential that an adjacent working strip is retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners.

Drawing Number 11A, Storm and Foul Drainage Strategy Building 1, shows a 5 metre working strip adjacent to the undesignated watercourse, therefore, Revised PPS 15 Policy FLD 2 is satisfied.

Policy FLD3 - Development and Surface Water – DfI Rivers Flood Maps (NI) indicates that portions of the site are affected by predicted pluvial flooding, with depths up to 1.0m. For this application DfI Rivers advises that in accordance with the Revised PPS 15, Planning and Flood Risk, FLD 3, Development and Surface Water (Pluvial) Flood Risk outside Flood Plains, a Drainage Assessment is required as the following threshold has been exceeded:

- A development site in excess of 1 hectare.
- A change of use involving new buildings and / or hard surfacing exceeding 1000sqm in area.

DfI Rivers has reviewed the Drainage Assessment (Doc 09). DfI Rivers advise that they have no reason to disagree with the information provided. They indicate that the Drainage Assessment is a preliminary drainage design and requests that the Council includes a condition as part of the grant of any planning permission for a final Drainage Assessment and drainage design be submitted to the Council, in order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere. This condition is not considered necessary by officers, however, an alternative condition is suggested (Condition 13) requiring the development to be carried out in accordance with the Drainage Assessment provided as this provides certainty regarding flood risks. Should the drainage require a future amendment then the applicant has the opportunity to apply for a variation of condition to address any post planning consents that may have an impact on the approved scheme.

Policy FLD4 - Artificial Modification of watercourses
Not applicable based on information provided.

Policy FLD5 - Development in Proximity to Reservoirs
Not applicable to this site.

Natural and Built Heritage

PED 9 criterion (c) requires development proposals to not adversely affect features of the natural or built heritage.

In terms of impact on listed buildings, it is considered that the application site is sufficiently far removed from historic buildings within the wider area not to have any impact on them, while it is unlikely that there will be any significant impact on subsurface archaeology, this position is supported by HED (Historic Monuments) who have assessed the application and concluded that on the basis of the previous archaeological excavations, HED (Historic Monuments) is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

PPS 2 sets out the Executive's commitment to sustainable development, conserving, and where possible, enhancing and restoring natural heritage. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states proposals which are likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.

NIEA, Natural Environment Division (NED) has considered the impacts of the proposal on natural heritage interests (habitats, bats, otters, badgers, and birds) and, on the basis of the information provided, has no concerns subject to conditions requiring vegetation removal to be completed outside of the bird breeding season (1st March – 31st August inclusive), or a competent ecologist may undertake a check for active bird nests prior to clearance and provide mitigation where necessary.

Shared Environmental Services (SES) has also been consulted with regard to the impact on Designated Sites. SES advise that 'This planning application was considered in light of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Antrim and Newtownabbey Borough Council which is the competent authority responsible for authorising the project. SES advise that having considered the nature, scale, timing, duration and location of the project that it could not have an adverse effect on the integrity of any European site as there is no viable environmental pathway links from the proposal as detailed to any European Site either alone or in combination with other projects or plans.

It is therefore considered that the Council in its role as the competent authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 29/04/2022.

Overall it is considered that the proposal accords with the provisions of PPS 2, PPS 4 and PPS 6.

Road Safety, Traffic, Parking and Transport Issues

Policy PED 9 (g) of PPS 4 requires that the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified. While Criterion (h) requires that adequate access arrangements, parking and manoeuvring areas are provided. Planning Policy Statement 3 Access, Movement and Parking also seeks to ensure that prejudice to road safety does not occur as a result of development.

PPS 3 further seeks to promote a more accessible environment for all, including the specific needs of people with disabilities and others whose mobility is impaired.

Applicable policies include: -

- Policy AMP 1 Creating an Accessible Environment;

- Policy AMP 2 Access to Public Roads – Permission will be granted for a development involving access to a public road where it will not prejudice road safety or significantly inconvenience the flow of traffic; and
- Policy AMP 7 Car Parking and Servicing Arrangements – requires proposals to provide adequate provision for car parking and appropriate service arrangements.
- Policy AMP 8 - Cycle Provision – requires proposals to have regard to the needs of cyclists.
- Policy AMP 9 - Design of Car Parking requires a high standard of design, layout and landscaping to accompany all proposals for car parking.

Building 1 & 2 will be accessed via Global Point Avenue, leading from Corrs Corner Roundabout. The combined proposal (Buildings 1 & 2) will include 3 no. separate access points. The proposal includes an access off the existing Global Point Avenue, as approved through the previous permissions (U/2007/0267/0 & U/2014/0385/RM). The additional 2 no. northeastern access points will be taken from an extended section of the internal estate road.

The site layout for Building 1 includes a total of 300 no. parking spaces, inclusive of a number of disabled spaces and electric vehicle charging points. A further 36 no. parking spaces, inclusive of 2 no. spaces for persons with disabilities, will be provided for within the layout for Building 2.

The design and layout of the development will facilitate ease of access to public transport (bus and train stops located in the vicinity), support walking and cycling, and met the needs of people with disabilities. The linear park to south of the site provides connection with Mossley West Railway Halt which ensures that the Global Point Business Park is well served by both bus and rail.

With regards to building access, Building 1 includes 3 no. entry points including main entrance for visitors, entry point at northern elevation for workshop staff, and office staff entry to the south. Buildings 1 & 2 are designed to be easily accessible in line with Disability Discrimination Act (DDA).

In terms of transport impacts, the applicant has provided a Transport Statement (DOC 05), this statement concludes by stating that the impact of the proposed development has been assessed in three ways, firstly on the basis of a redline assessment against the development plot from the extant approval which is being replaced, secondly against the overall quantum of trips associated with the extant approval and thirdly using the TRICS database to generate trips for the new proposal.

The statement concludes that the proposed development generates less trips than those associated with the approved development plot. The generated trips for the proposal falls within the currently approved trips associated with the overall Global Point Business Park outline approval for both Building 1 and Building 2 as standalone assessments. This assessment has also considered the cumulative impact of Building 1 and Building 2 and the cumulative impacts still fall within the overall quantum of trips currently approved at Global Point Business Park.

The Transport Statement further states that the impact of the proposed development upon the surrounding highway network falls within the overall number of approved trips associated with the extant planning approval on Global Point Business Park and therefore no further assessment is required in support of this proposal.

DfI Roads have been consulted on this application and advised that there are no significant concerns with the proposed development. It is therefore considered that there are no significant concerns with regard to access, parking and road safety as a result of this proposal.

Crime and Personal Safety

Criterion (L) of Policy PED 9 of PPS 4 requires that the site is designed to deter crime and promote personal safety. The site is bounded by an existing road, Global Point Avenue, to the west and by a proposed extension of Global Point Avenue to the north, from which the site is accessed. The south edge of the site is bounded by an existing pedestrian / cycle way which connects back to the Mossley West Railway Halt. The eastern edge of the site is directly adjacent to the site of a proposed new building. It is proposed to create a continuous boundary fence around the plot to provide site security, which will be a continuous 2.4m high paladin fence following the existing site topography, with pedestrian and vehicle access gates at the north boundary along Global Point Avenue. The design of the proposed development seeks to prevent crime and ensure personal safety.

Movement Pattern

Criterion (i) of Policy PED 9 of PPS 4 requires a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport.

The Transport Statement (DOC 05) indicates that Global Point is well serviced by internal footpaths with the main pedestrian access to Global point via Corrs Corner. There is also a pedestrian route around the edge of the site which forms part of a linear park (owned by the Council). This route provides connectivity from Mossley rail halt to Global Point Avenue as well as connections to the surrounding residential areas and Carnmoney Road North. As part of this proposal the pedestrian facilities will be extended along the additional section of the proposed internal service road.

In terms of cycling facilities, the Sustrans cycle map indicates that the linear park around the perimeter of Global Point also forms part of the National Cycle Network (NCN) Route 93 which provides connectivity from Global Point Avenue to Belfast with a significant portion of the route being 'Traffic Free'.

There are 32no. Sheffield stand style cycle parking spaces proposed for Building 1 and 6no. Sheffield stands as part of Building 2. Given the dedicated cycling facilities currently located within this area the applicant is of the view that the site is well served by cycling infrastructure and that cycling could be a viable alternative mode of travel to private car travel.

While Global Point is not currently served directly by bus, there are a number of bus stops within walking distance of Global Point. These include:

- Metro Service 1c;
- Metro Service 1d;

- Metro Service 1g;
- Ulsterbus Service 153;
- Ulsterbus Service 653b;
- Ulsterbus Service 253b; and
- Ulsterbus Service 367

The site is also served by the Mossley West Railway Halt which is served by the Belfast – Antrim – Ballymena – Coleraine – Portrush – Londonderry line.

In terms of meeting the needs of people whose mobility is impaired the applicant indicates that the building has been designed in accordance with the principles laid out in Part R of the Northern Ireland Building Regulations and the guidance provided by Northern Ireland Technical Booklet R (TBR).

Access to the building is by means of a level approach provided in accordance with NI TBR guidance. All gradients forming means of access are less than 1 in 20 and therefore ramps or steps are not proposed. Unobstructed widths of not less than 1500mm are provided throughout the site and dedicated crossing points to roads are provided at the primary pedestrian routes across the site.

The principal entrance on the north and staff entrance on the south are readily identifiable, accessible entrances with level access. The applicant indicates that the entrance doors will be of appropriate width with canopy protection and either power operation or appropriately specified manual opening devices. Internally the building will have an accessible lift of appropriate size and door width providing vertical access to the upper floor. The lift is located centrally within the building and directly accessible from both the principal public entrance at the north and from the dedicated staff entrance to the south.

Corridors, lobbies and doors within the building have been designed in accordance with NI Technical Booklet R guidance to provide full access to all areas of the building maintaining appropriate clearances throughout. All access routes have a minimum width of 1200mm with no internal ramping or steps proposed.

The fixed reception counter at the main reception is readily apparent from the main entrance and will be provided with a lowered section of appropriate height in accordance with the relevant guidance. Shared refreshment facilities at the first floor will have counter heights accessible to wheelchair users, and the serving counter of the staff canteen will include a section at 850mm in accordance with Technical Booklet R guidance.

Sanitary accommodation is provided at both ground and first floor and a unisex wheelchair accessible WC at the same location. Where distance to the primary toilet block exceeds 40m, the applicant proposes supplementary accessible WC accommodation to ensure that travel distance for wheelchair users does not exceed the maximum recommended in Technical Booklet R.

Based on the information provided it is considered that the Criterion (i) of Policy PED 9 has been complied with.

Emissions and Effluent

A further criteria (f) of Policy PED 9 requires that the proposed development is capable of dealing satisfactorily with any emission or effluent. Given the research and development nature of and distribution nature of the proposal it is unlikely that there will be any significant emissions or effluents from the operation of the proposed facility.

NI Water Infrastructure

NI Water has no objection to this proposal and advises that although Whitehouse catchment is operating at capacity, this proposal can be approved on the basis of extant planning for Global Point Business Park reference U/2014/0385/RM. They also note that the existing sewerage network within Global Point Business Park is the responsibility of Invest NI.

Economic Impacts

The applicant has indicated that proposals (LA03/2022/0177/F and LA03/2022/0176/F) represent an investment of in excess of £16.5 million from the private sector, with capacity for c. 450-550 no. full time jobs once operational following a construction period creating in the region of 150 no. associated jobs.

The applicant indicates that this development proposal may act as an economic stimulus to Global Point Business Park, which may help to attract other companies to the area.

CONCLUSION

The following is a summary of the main reason(s) for the recommendation:

- The principle of the development is considered acceptable;
- The design, layout and appearance of the proposal is acceptable;
- There are no significant neighbour amenity concerns, contaminated land or natural and built heritage concerns;
- There are no significant concerns regarding compatibility with adjacent land uses;
- There are no significant concerns with flood risk or access, movement and parking associated with this development;
- There is no significant concern with regard to NI Water infrastructure; and
- There are significant economic benefits associated with this proposal.

RECOMMENDATION**GRANT PLANNING PERMISSION****PROPOSED CONDITIONS**

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

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

2. The premises shall not remain open for business outside the following hours:
Monday to Friday 07:00 to 23:00 hours
Saturday/Sunday 07:00 to 19:00 hours

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

3. The roller shutter door positioned on the eastern façade, as marked on Drawing Number 09, stamped 'Planning Section Received 18 Feb 2022', shall remain in the closed position, except when used for access or egress.

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

4. The Rating Level of plant noise emitted from the development shall not exceed;
36dB L_{Ar} between 07:00 and 23:00 hours; and
30dB L_{Ar} between 23:00 and 07:00 hours, when measured at any sensitive receptor location in accordance with BS4142:2014 +A1:2019.

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

5. If during the development works, a new source of contamination and risks are found, which had not been previously identified, works shall cease and the Council shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

Reason: To control any risk to human health arising from land contamination and Protection of environmental receptors to ensure the site is suitable for use.

6. After completing all remediation works under Condition 4 and prior to the building becoming operational, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: To control any risk to human health arising from land contamination and Protection of environmental receptors to ensure the site is suitable for use.

7. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 12 bearing the date stamp 18/02/2022 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

8. The gradient(s) of the access road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

9. The building hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No.12 bearing the date stamp 18/02/2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

10. No development activity, including vegetation clearance, infilling, disturbance by machinery, dumping or storage of materials/machinery, refuelling, storage of oil/fuel, concrete mixing and washing areas, shall take place within 10 metres of the watercourse to the south-east of the application site.

Reason: To minimise the impact of the development on the biodiversity value of the watercourse and to ensure that there is no adverse effect on the integrity of any European site.

11. The existing natural screenings of the site as indicated, on Drawing No. 13 date stamped received 26/08/2022 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council.

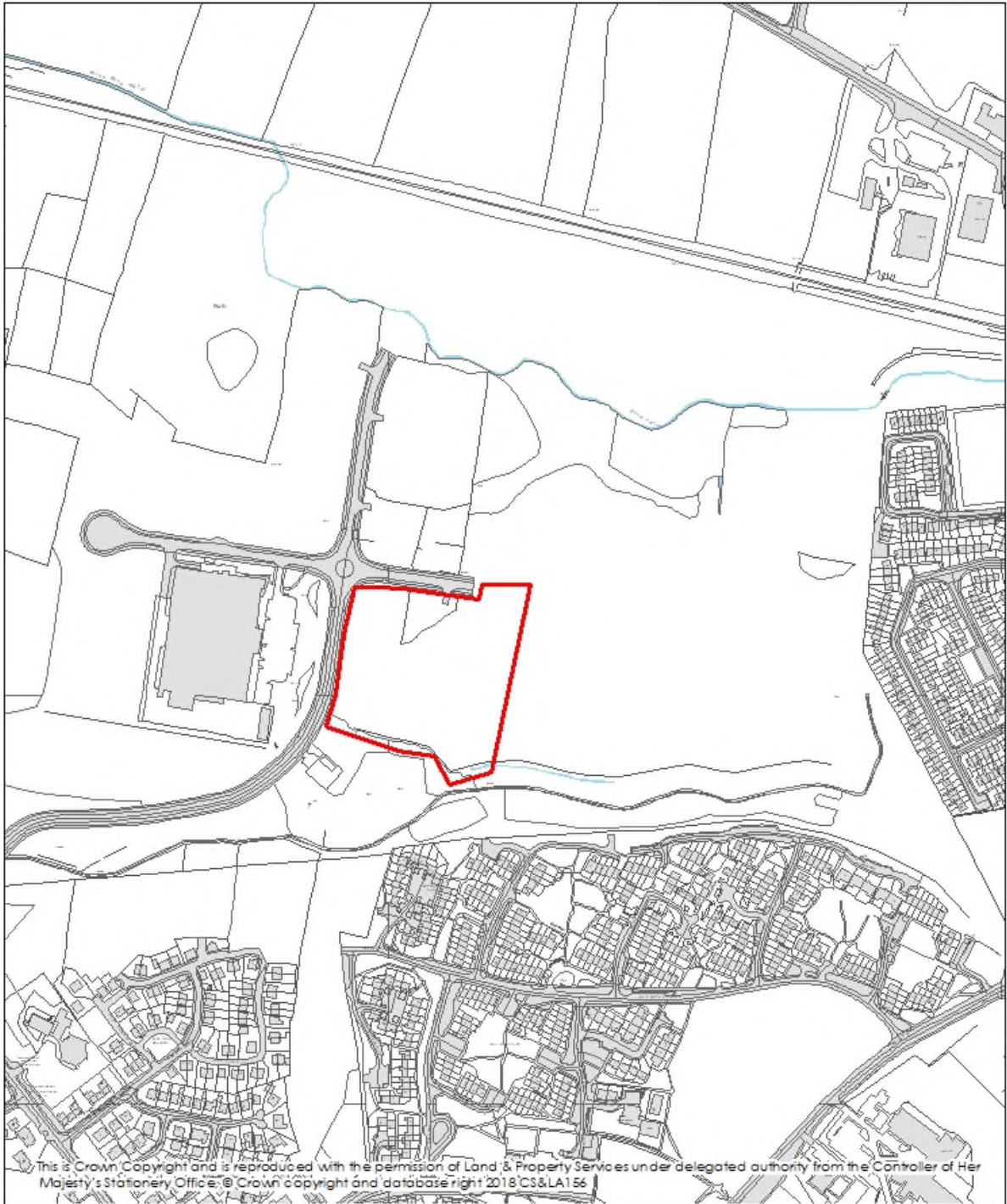
Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

12. The proposed landscaping indicated on Drawing No. 13 date stamped 26/08/2022 shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained thereafter at a minimum height of 2 metres for hedging and 4 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

13. The drainage for the proposed development shall be carried out in accordance with DOC 09 Drainage Assessment date stamped 09/05/2022 and in accordance with drawing No.11/A date stamped 26/08/2022 entitled storm and foul drainage strategy Building 1.

Reason: To safeguard against flood risk to the development and elsewhere.

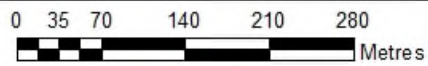



Site Location Plan

Application Reference: LA03/2022/0177/F

Proposal: Research and Development facility.

Location: Land south/east of Global Point Avenue
 Global Point Business Park
 Newtownabbey



 Site boundary



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2021/0809/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Extension to existing commercial yard/depot, containing precast concrete material storage bunkers, a storage shed, HGV and car parking
SITE/LOCATION	Lands 85m North of 386A Ballyclare Road, Newtownabbey, BT36 4TQ
APPLICANT	EJC Contracts Ltd
AGENT	G Patrick
LAST SITE VISIT	23 rd March 2022
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@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 within the countryside as designated in the Belfast Urban Area Plan 2001 and the draft Belfast Metropolitan Area Plan (published 2004).</p> <p>The site is located on the southern side of the Ballyclare Road, and accessed via an existing concrete laneway which is lined with hedgerows on both sides. The land rises in a southerly direction from the public road towards the application site. The entire site area is grassed, with existing buildings and a storage area associated with the existing facility beyond the southern boundary. The boundaries of the site are defined by mature hedging.</p> <p>The area is rural in character with a number of residential dwellings within close proximity to the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0109/LDE Location: 386a/388 Ballyclare Road, Newtownabbey, BT36 4TQ Proposal: Utilities and road surfacing contractors' storage depot Decision: Permitted Development (26.02.2020)</p> <p>Planning Reference: LA03/2019/0395/F Location: 386 Ballyclare Road, Newtownabbey, BT36 4TQ Proposal: A single storey (with attic) office building Decision: Permission Granted (04.07.2019)</p> <p>Planning Reference: LA03/2019/0058/CA Location: 384a Ballyclare Road, Newtownabbey</p>	

Proposal: Alleged unauthorised change of use of land and buildings for utilities and road surfacing contractors

Decision: Enforcement case closed (17.04.2019) immune from further enforcement action.

Planning Reference: LA03/2019/0416/F

Lands 85m NE of 386 Ballyclare Road, Newtownabbey, BT36 4TQ

Widening of lane/entrance serving existing commercial yard (retrospective)

Permission Granted (02.07.2019)

Planning Reference: LA03/2021/1152/F

386A Ballyclare Road, Newtownabbey

Retention of existing retaining wall

Permission Granted (28.01.2022)

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.

Belfast Urban Area Plan (BUAP): The application site is located within the countryside. The Plan offers no specific guidance on this proposal.

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the countryside. 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.

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

PPS 21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. This is supplemented by Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

CONSULTATION

Council Environmental Health Section – No objection, subject to condition

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection, subject to conditions

Department for Infrastructure Rivers – No objection, subject to condition

Department for Communities Historic Environment Division – No objection

Northern Ireland Environment Agency: Water Management Unit – No objection, subject to condition

Northern Ireland Environment Agency: Natural Environment Division – No objection, subject to condition

Shared Environmental Services – HRA not required.

REPRESENTATION

Six (6) neighbouring properties were notified and twenty-one (21) letters of objection have been received from (6) 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 is provided below:

- The application description is incorrect – it is described as an extension to a yard when it should be described as a change of use;
- Out of keeping with the area;
- Road safety;

- Additional traffic;
- The three metre palisade fence is not in keeping with the character of the area;
- Impact of lights;
- Noise pollution will increase;
- The field is used for grazing cows and should not be changed into a yard;
- No need for the facility as there are 3 existing industrial areas within close proximity;
- There will be a detrimental impact on the rural area;
- Environmental impact;
- Increased flood risk from small stones blocking drains;
- Impact from noise and movement on horses being ridden regularly in the area
- The business recently closed additional premises within Mallusk and the proposal will therefore bring no additional benefit to the area;
- Impact on human right, protocol 1, protecting our right to enjoy our property peacefully;
- Impact on health and personal wellbeing;
- Safety for pedestrians;
- Hazardous materials;
- Impacts on sewerage/water/air facilities;
- Impact on climate change.

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 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 outside the settlement limit of Metropolitan Newtownabbey in both Plans. In both the Belfast Urban Area Plan and the draft Newtownabbey Area Plan the application site is located in the countryside.

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. Policy CTY 1 allows for industry and business uses in accordance with Planning Policy Statement 4 (PPS 4).

PPS 4 allows for the expansion of an established economic development use in the countryside in accordance with Policy PED 3. PED 3 allows for the expansion of an economic development use in the countryside where the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise.

A Certificate of Lawfulness was granted on the site for a utilities and road surfacing contractors storage depot under planning reference LA03/2020/0109/LDE. The proposal seeks full planning permission for an extension to the existing commercial yard/depot, containing precast concrete material storage bunkers, a storage shed, HGV and car parking.

Need for the proposal and economic considerations

It has been raised through letters of objection that there is no need for this facility as there are existing facilities within close proximity rather than having to use existing prime agricultural land. In addition, objectors raise the point that the business recently closed additional premises within Mallusk and the proposal will therefore bring no additional benefit to the area. There is a current and lawful business at this premises and planning policy allows for the extension of an established economic development site within the countryside in accordance with PED 3 of PPS4.

A submission has been made regarding the need for the facility and the economic investment for the proposal. Document 13, date stamped 21st July 2022 outlines the need for the proposed development. The statement highlights that the current contracts are demanding an increase in storage areas as the company can't hold the stock to meet the demand. In addition, the company has recently been awarded a multi-million pound, five-year contract with Virgin Media O2. This will require stocking ahead of the time and stock will increase by approximately 6%. The components include fibre and microduct which are more sensitive to weather conditions (rain and sunlight) and need to be housed appropriately. They are also expensive and require a more secure facility. The new storage area will create security system/maintenance company, two (2) new storage staff and an apprentice scheme for at least one apprentice. The company employ circa 150 staff between this and their Mallusk facility.

Planning applications are determined on their individual merits in accordance with the development plan, planning policies and material considerations, which may include the economic benefit of the development. The SPPS states that Planning authorities should take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Large scale investment proposals with job creation potential should be given particular priority. Planning authorities should also recognise and encourage proposals that could make an important contribution to sustainable economic growth when drawing up new plans and taking decisions. The economic considerations and the operational need for the proposal are material considerations in assessing this scheme. The proposal is needed to facilitate the growth of the company, and this has been considered in the overall assessment of the proposal.

As previously stated, there is a current and lawful business at this premises and planning policy allows for the extension of an established economic development site within the countryside in accordance with PED 3 which states that proposals for expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on site. However, the current adjoining buildings are in use, therefore, the proposal for the addition of storage bays, storage areas and the proposed stores are necessary for the expansion of the existing facility at this location.

Throughout the processing of the application concerns were raised with the size of the proposed expansion. The applicant subsequently reduced the size of the site to a level that is considered acceptable in principle subject to a consideration of the issues set out below.

Design, Appearance and Impact on Character of Area

Policy PED 3 of PPS 4 requires that the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise. The original proposal indicated a major extension to the enterprise which extended to the main road. The proposal was subsequently reduced and is now set back some 35 metres from the public road. The proposal involves a large extension to the site area at 63 metres in length at the longest point and 47 square metres in length in comparison to the existing yard at approximately 95 metres in length.

The proposal involves a concrete yard and closest to the existing yard is a proposed store measuring approximately 33 metres x 16.5 metres. An access is proposed along the western boundary to access the new yard. A lorry turning area is proposed in front of the store with proposed storage bays and car parking.

The building is approximately eight (8) metres in height. The scale and material finishes of the proposed store of rough dash white walls, goosewing grey kingspan roof and galvanised steel doors are considered acceptable in the context of the existing facility. Given the current topography of the site on a slope, careful consideration was given to the siting of the building so as to ensure it would not be prominent. The proposal includes the site extensively being cut into to allow for the building to be set down into the site. The cutting will require retaining structures of approximately 4.4metres.

The SPPS para. 6.70 states that all development in the countryside must integrate into its setting and respect the rural character of the area. Policy CTY 13 - Integration and Design of Buildings in the Countryside states that a new building(s) will be unacceptable where the site lacks long established natural boundaries; is unable to provide a suitable degree of enclosure for the building to integrate into the landscape or relies primarily on the use of new landscaping for integration. Proposed buildings should blend sympathetically with their surroundings and should not appear incongruous in the landscape. The siting and design of new buildings are important to ensure they integrate harmoniously with their surroundings in order to protect the amenity and character of the countryside.

The determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site will blend in unobtrusively with its immediate and wider surroundings when judged from critical views along stretches of the public road network.

Views of the proposed buildings are limited when approaching the site in a northwesterly direction due to the existing vegetation along the roadside and cutting into the site proposed. However, critical views will be evident when in front of the site and when travelling in a southeasterly direction when approaching the site. The existing hedging along the roadside within the visibility splay is proposed to be removed, however, proposed new fencing and a new native species hedge is proposed to be planted behind the splays.

While a significant amount of cutting is proposed into the site to set the building down into the landform, this will reduce the prominence of the building therefore reducing the visual impact of the building from the road. In this case, the existing side boundaries of the application site will help to provide integration and while views will be apparent in front of the site, a landscape bund is proposed between the roadside and the application site which involves regraded grass and a shrubbery area. The application site is set back 33 metres from the road. New native trees are proposed to be planted within the landscape bund, at a minimum height of 4.5 metres. Overall, it is considered that while the proposal will result in a change in the landscape, on balance the visual impact is not likely to be so significant as to warrant a refusal of the application.

Policy PED 9 requires that the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity. Policy PED 9 also requires that the proposal is compatible with surrounding land uses and appropriate boundary treatment and means of enclosure are provided and any areas of outside storage are adequately screened from public view.

The boundaries of the site are indicated on the plan with the roadside boundary to be defined by a new native species hedge planted behind the visibility splay. A landscape bund is then proposed behind the hedging and grading the land towards the application site. Beyond this, within the site, native trees are proposed to be planted between the Ballyclare Road and the proposed development within the landscape bund which will soften the visual impact of the proposal. New hedgerow boundaries are indicated on either side of the application site and a paladin fence

of three (3) metres in height is proposed between the site and the roadside at the edge of the landscape bund.

Due to the extensive cutting required to accommodate the development, retaining walls at a maximum height of approximately 4.6 metres are required. It is considered that the proposal will inevitably result in some change to the rural character of this area, however, given the mitigation proposed by way of landscaping and the cutting into the site to reduce the overall height and prominence of the development, the visual impacts will be reduced to an acceptable level so as not to significantly erode the rural character of this area. On balance, it is considered that the proposal is acceptable in this regard. It is considered that the proposal is compatible with surrounding land uses and appropriate boundary treatments and means of enclosure are provided.

Neighbour Amenity

Objection has been received with regards to the potential noise impact from the development and it is stated within a further objection that horses are ridden in the area and that the noise impact from the proposal is likely to spook the horses.

Policy PED 9 states that the proposal shall not harm the amenities of nearby residents. The proposed extension to the facility will bring yard activities to within 70 metres of a residential property at No. 10 Gravelhill Road. The applicant was requested to undertake a Noise Impact Assessment to demonstrate the noise impact likely to be experienced at nearby residential dwellings and recommend any mitigation measures necessary to ensure amenity at residential properties will not be adversely impacted upon.

A Noise Impact Assessment (Document 09), date stamped 29th April 2022 was submitted. The report states that the proposed storage shed will be primarily used for the storage of electrical ducting. The report also indicates that the proposed development is likely to have a low noise impact. The Environmental Health Section has not raised any concerns with regards to impact from noise. Therefore, it is considered that any noise impact from the proposal is not likely to be significant.

Floodlighting associated with the security of the premises can cause artificial light intrusion and has the potential to adversely impact upon amenity. A Light Impact Assessment (Document 10, date stamped 29th April 2022) and associated lighting drawing (Drawing No. 07, date stamped 29th April 2022) has been submitted. Elevations of the lighting columns indicate that they will be at a height of approximately eight (8) metres. It is proposed to fit 4 no. wall mounted external lights at 6m in height to the proposed storage shed and 4 no. columns with lighting at 8m in height along the site boundary. Drawing Number 07 shows Isolux contours plotted for 1 lux and 2.5 lux. The report concludes that the anticipated levels of illumination within the site itself will be minimal and the levels of light spillage around the site will be acceptable and there will be zero light spillage onto the nearby Ballyclare Road. The Council's Environmental Health Section was consulted and has stated that a Light Impact Assessment in line with ILP Guidance Note 01/21, The Reduction of Obtrusive Light, is not required on this occasion. The Environmental Health Section has not raised any concerns with regards to impact on air quality.

The Environmental Health Section has raised no objection, subject to conditions. These conditions have been recommended to be included in any future grant of planning permission and include restricting operating hours to between 07:00 – 23:00 hours; doors remaining closed other than when being used for access and egress; handling vehicles being fitted with broadband reversing alarms and the 'Proposed Store' being restricted to use for storage purposes only. In addition, any light fixtures are to be positioned/directed to ensure amenity is not adversely impacted at neighbouring dwellings by artificial light (Condition 10).

The proposed buildings are considered to have sufficient separation distance from neighbouring properties so as to ensure there is no loss of light or impact on neighbouring amenity as a result of the structures to be erected on site.

It is therefore considered that any impact on residential amenity can be suitably mitigated against through the use of conditions.

Natural Heritage

A Biodiversity checklist (Document 12, date stamped 19th May 2022 and an Ecology Statement (Document 11, date stamped 19th May 2022) has been submitted. The proposal involves the loss of hedgerows within the site. Hedgerows, especially those that are native, are Northern Ireland Priority Habitat due to their ecological functionality and therefore a condition is recommended to be attached to any future grant of planning permission that any vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season as recommended by NIEA Natural Environment Division (NED).

The proposal also involves the use of artificial lighting which can have a significant adverse effect on the natural behaviour of bats such as foraging or commuting, causing disturbance and/or displacement and affecting their ability to survive. Drawing No. 07, External Lighting Map, date stamped 29th April 2022 notes that there is 1 lux on boundary vegetation. NED has been consulted and has advised that the proposal is unlikely to have a significant adverse impact on the local bat population.

The proposed site plan indicates that additional planting is proposed on the site with native species. NED has been consulted and welcomes this additional planting and considers it is sufficient compensation for the loss of existing hedgerows on the site. NED has raised no objection to the proposal subject to conditions and informatives.

NIEA has been consulted and has advised that the proposal is unlikely to have significant effects on any designated sites due to its distance from the sites and the scale and nature of the development. Having considered the project, it is concluded that it is eliminated from the need for a Habitats Regulations Assessment because it could not have any conceivable effect on a European/International designated site. This is concluded because no viable pathways have been identified whereby the proposal could have a negative impact on a European/International designated site.

It is therefore considered that the proposal will not have a significant impact on features of natural heritage and the proposal complies with PPS 2 in this regard.

Flood Risk and Drainage

Objectors raised concerns with regards to the potential impact of the development on sewage and water and a further point of objection raised concerns regarding the increased flood risk from small stones blocking drains in the area.

The applicant has submitted adequate drainage drawings and calculations to support their proposals. DfI Rivers responded advising that they require Schedule 6 approval response from DfI Rivers consenting to the discharge of the attenuated 18.34 l/s of storm water to the undesignated watercourse 80m to the southeastern boundary of the site as indicated in the Drainage Assessment. However, it is considered that this matter can be addressed through the imposition of a condition that the development shall take place in accordance with the Drainage Assessment.

Water Management Unit notes on the site layout drainage plan that the applicant proposes to install an interceptor on the new storm drain which discharges to the watercourse. This discharge will require consent to discharge from NIEA which has been consulted and has recommended a condition with regards to the need for a Discharge Consent being granted prior to development, however, it is considered more appropriate to add this as an informative as this will be required under the terms of the Water (NI) Order 1999.

The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100-year fluvial floodplain and neither within a predicted flooded area as indicated on the Surface Water Flood Map. DfI Rivers has been consulted and has raised no objection from a flood risk perspective.

Access, Movement and Parking

Concern has been raised through letters of objection to the proposal regarding the additional traffic the proposal will generate, road safety and the safety for pedestrians on the narrow footpath. The P1 application form indicates an expected increase of nine (9) additional goods vehicles, one (1) visitor vehicle and five (5) staff vehicles to the site daily. DfI Roads has been consulted and has raised no objection to the proposal subject to conditions. It is considered the proposal is acceptable in this regard and complies with Planning Policy Statement 3.

Other Matters

Archaeological Interests

The proposal is located within close proximity to features of historical importance and therefore PPS 6 applies. The proposal has been assessed against the SPPS and PPS 6 in this regard and Historic Environment Division has been consulted and has no objection. It is considered the proposal will not have a significant impact on features of archaeological importance.

Impact on Health and Personal Wellbeing from Hazardous Materials

In relation to possible impact on human health, no evidence has been presented to suggest human health will be adversely impacted by this proposal. Objection was received with regards to the health impact from diesel fumes and man-made particulars. It was also queried whether other hazardous substances would be stored on the site. The applicant's P1 form confirms that the proposal does not involve the storage of any hazardous waste and the agent has confirmed via email that the items to be stored are limited to fibre optic cabling and associated construction

material for the utilities contract. The Environmental Health Section of the Council was consulted on the proposal and has indicated no objection on health grounds. It is considered that the proposal will not have a significant impact on health and wellbeing.

Impact on Human Rights

Concern was raised through letters of objection regarding the potential impact on human right, protocol 1, protecting the right to enjoy a person's property peacefully. Planning applications often encounter competing and conflicting private interests, in this case the various conflicting interests have both had rights to make representations to the Council, through the processing of the planning application and ultimately through the consideration of the application by the Planning Committee. It is considered that the recommendation to approve development is in compliance with planning policy, all parties to the application have been given a fair hearing, the points raised by them have been given proper consideration and the Councils obligations under the Human Rights Act have been fulfilled.

Climate Change

It is considered that this proposal for storage of fibre cabling and associated construction material for a utilities contract would not have a significant impact on climate change.

Environmental Impact

Concern has been raised through letters of objection regarding the environmental impact of the proposal. An Environmental Impact Assessment determination was carried out and it was considered the environmental impacts were not so significant to warrant the need for the application to be accompanied by an environmental statement. Furthermore, reports on noise, lighting, biodiversity/ecology and drainage have been submitted in support of the application. It is considered the environmental impacts of the proposal are not likely to be significant.

CONCLUSION

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

- The principle of the development accords with the local development plan provisions of BUAP, draft BMAP, SPPS and PPS 4;
- The scale and design of the proposal is considered acceptable on balance;
- It is considered the proposal will not have a detrimental impact on neighbouring properties;
- The proposal is not likely to increase the risk of flooding; and
- Adequate parking has been provided

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 05/1 bearing the date stamp

4th April 2022, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. The building hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 05/1 bearing date stamp 04th April 2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

5. The permitted development shall not operate at any time outside 07:00 – 23:00 hours.

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

6. All doors, including roller shutter doors to the permitted development shall remain in the closed position except when used for access and egress.

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

7. All forklift trucks and materials handling vehicles used on site shall be fitted with broadband reversing alarms during the lifetime of the permission.

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

8. The 'proposed store' as indicated on Drawing Number 05/1, date stamped 4th April 2022, shall be used for storage purposes only.

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

9. The drainage for the proposed development shall be carried out in accordance with DOC 01 Drainage Assessment date stamped 9th August 2021 and in accordance with Drawing No. 03 date stamped 9th August 2021.

Reason: To safeguard against flood risk to the development and elsewhere and to ensure protection to the aquatic environment.

10. Light fixtures are to be positioned/directed to ensure amenity is not adversely impacted at neighbouring dwellings by artificial light.

Reason: In order to protect amenity at nearby sensitive receptors from artificial light intrusion.

11. No vegetation clearance shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance/demolition and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

12. The existing hedgerows as indicated on Drawing No. 05/1 date stamped 4th April 2022 shall be retained at a minimum height of two metres and trees within the hedgerow shall be allowed to grow on.

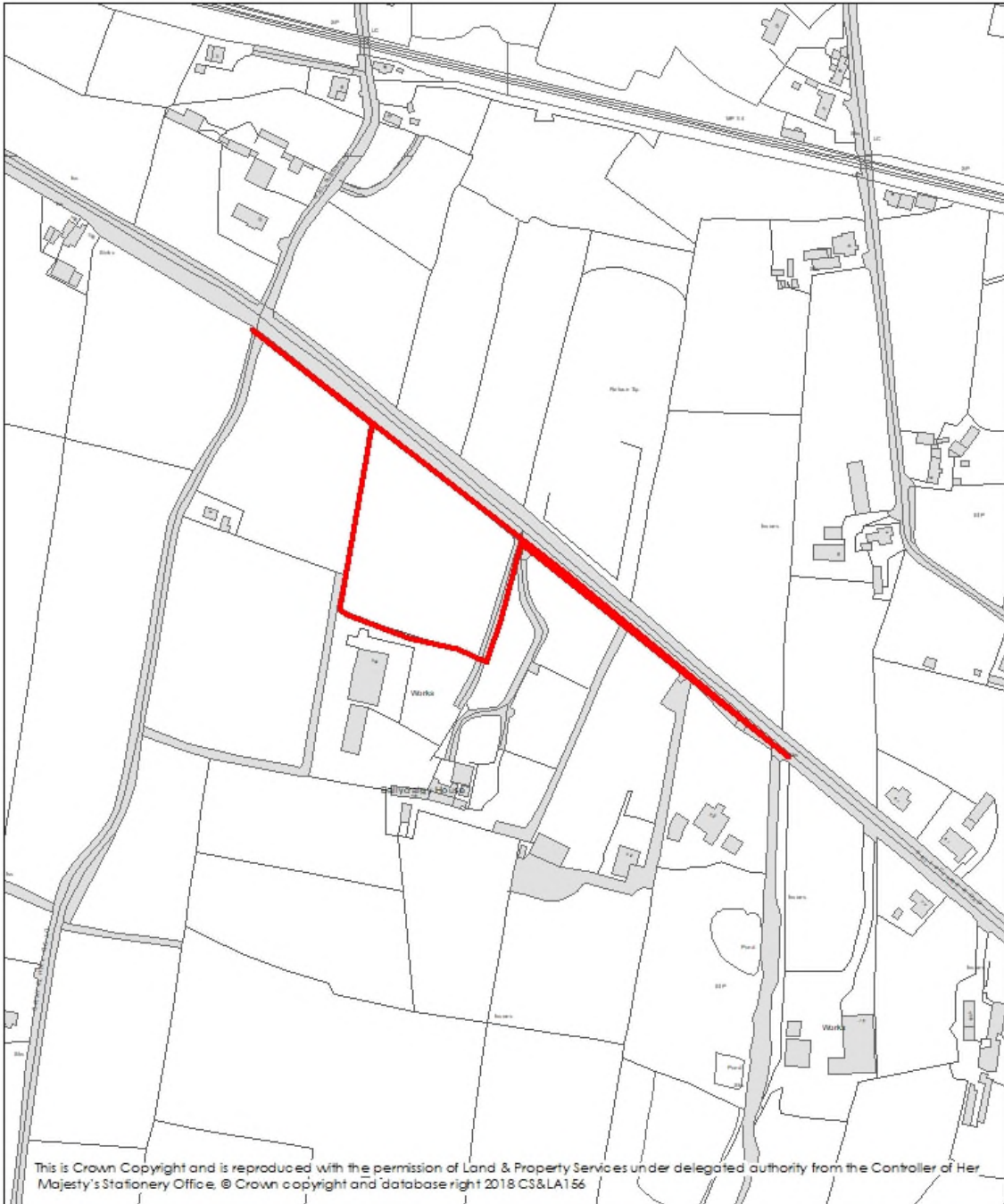
Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. The proposed planting shall be carried out in accordance with approved Drawing Number 05/1 date stamped 4th April 2022. Planting shall be carried out in the first available season after occupation of the building hereby approved.

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

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

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

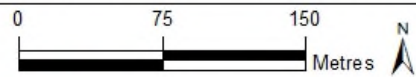



Site Location Plan

Application Reference: LA03/2021/0809/F

Extension to existing commercial yard/depot, containing precast concrete material storage bunkers, a storage shed, HGV and car parking and floodlighting

Lands 85m North of 386A Ballyclare Road, Newtownabbey, BT36 4TQ



 Site boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2020/0506/F
DEA	ANTRIM
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Part-demolition of existing buildings to rear of 19-21 Market Square & Proposed residential development comprising 15no. apartments
SITE/LOCATION	Lands to the rear of 19, 20, 21 & 21 A-F Market Square, Antrim
APPLICANT	Mr B Heffron
AGENT	CMI Planners Ltd
LAST SITE VISIT	December 2021
CASE OFFICER	Michael O'Reilly Tel: 028 903 40424 Email: Michael.oreilly@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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

This planning application was presented to the Council's Planning Committee on 21st February 2022 with seven (7) draft reasons for refusal. The Council's Planning Committee refused planning permission for the development proposal.

At the February Planning Committee Meeting, Members were advised that additional information has been submitted by the agent on 15th February 2022 following the circulation of the Committee Report. The information submitted included an Acoustic Report (Document 05), a Preliminary Risk Assessment (Document 06) and amended drawings.

DAERA Environment, Marine and Fisheries Group (EMFG), DAERA Natural Environment Division (NED), DFC Historic Environment Division (HED) and the Council's Environmental Health Section (EHS) were consulted with respect to the submitted documents and revised plans on 17th February 2022. Both DAERA and EHS offered no objections to the details with Acoustic Report (Document 05) and the Preliminary Risk Assessment (Document 06) relevant to its specific interest subject to the imposition of planning conditions. For this reason, refusal reason 7 is no longer relevant and has been removed.

In its consultation response dated 11th March 2022, HED objected to the development proposal and the agent consequently submitted amended elevation and section plans. Following re-consultation, HED advised on 13th May 2022 that it continued to have concerns with the proposed design. Additional amended plans were submitted on 6th June 2022, which included revised elevation plans, a roof plan and a 3D artist impression. HED offered no objection to the development proposal on the 29th June 2022 following reconsideration of the amended plans and advised that the revised proposal now complies with the policy provisions of Policy BH 11 off PPS 6

and paragraph 6.12 of the SPPS. Consequently, refusal reason 1 as presented to the Council's Planning Committee in February 2022 is no longer relevant and has been removed, and refusal reasons 2, 3 and 4 have been amended to reflect the latest position of HED. Although HED has no objection to the scale, form, massing, design and architectural appearance of the building as proposed, it is considered that the general arrangement and layout of the proposed development will fail to maintain or enhance the characteristics of the Conservation Area and therefore fails to comply with Policy BH 12 of PPS 6.

Additionally, in its consultation response, NI Water indicated to the Council that there are network capacity issues in Antrim and that it is recommending that no further connections should be made. This matter has not been addressed by the agent and an additional refusal reason to address this matter has been included, as per refusal reason 6 of this report.

CONCLUSION

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

- The principle of the development cannot be established;
- The proposal will neither preserve nor enhance the character of the Conservation Area;
- The proposal has not demonstrated that it will provide a high quality sustainable residential environment;
- It has not been demonstrated that the proposal will provide an appropriate level of parking to serve the development;
- Sewage network capacity issues have not been resolved; and
- The planning application is not accompanied by applications for Listed Building Consent or Conservation Area Consent.

RECOMMENDATION

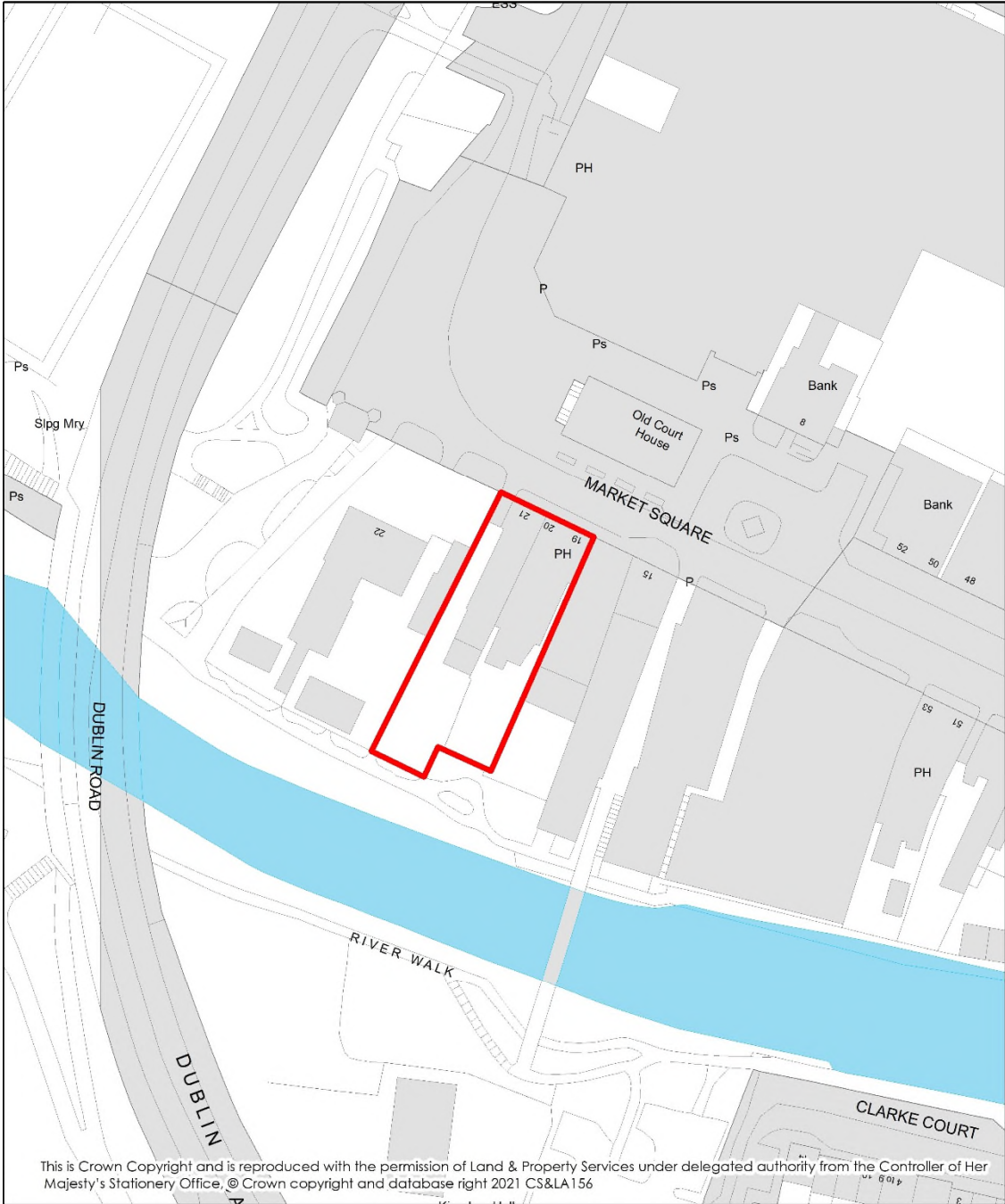
REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of paragraph 6.18 of the Strategic Planning Policy Statement, Policy BH 12 of PPS 6 'Planning Archaeology and the Built Heritage' and Section 104 (11) of the Planning Act (NI) 2011 in that, if permitted, the proposal would neither preserve nor enhance the character, appearance and setting of the Conservation Area given the layout and arrangement of the development as well as the loss of trees in the Conservation Area.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, in that the proposed development does not maintain or enhance the distinctive character and appearance of the Conservation Area, does not respect the surrounding context and is inappropriate to the character and topography of the site in terms of the layout and landscaped and hard surfaced areas and would result in a cramped form of development on a restricted site.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, in that the proposed development does not respect

features of the built heritage and landscape features have not been protected or integrated into the overall design and layout of the development.

4. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, in that the proposed development does not make adequate provision for private open space and landscaped areas as an integral part of the development.
5. The proposal is contrary to paragraph 6.304 of the Strategic Planning Policy Statement, Policy AMP 7 of Planning Policy Statement 3 'Access, Movement and Parking' and criterion (f) of Policy QD 1 of PPS 7 'Quality Residential Environments' in that it has not been demonstrated that the proposal warrants a reduced level of car parking provision to serve the development.
6. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would cause harm to an interest of acknowledged importance, namely sewage disposal, as it has not been demonstrated that there is a satisfactory means of dealing with sewage associated with the development.





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Planning Application Reference: LA03/2020/0506/F

Location: Lands to the rear of 19, 20, 21 & 21 A-F Market Square Antrim

Proposal: Part-demolition of existing buildings to rear of 19-21 Market Square & Proposed residential development comprising 15no. apartments

Scale: 1:1000 

 Site Location



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2022/0189/F
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Conversion of No.7 Main Street, Ballyclare to 3No. apartments with 3No.new-build townhouses to rear and accessed off Millburn Mews.
SITE/LOCATION	7 Main Street Ballyclare and site to rear accessed off Millburn Mews, Ballyclare
APPLICANT	Tony Burdett
AGENT	Crockard Building Design
LAST SITE VISIT	5th August 2022
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: Michael.tomlinson@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. 7 Main Street Ballyclare and additional lands to the southwest. The site is within the development limits of Ballyclare as identified in the draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>No. 7 Main Street, Ballyclare is a mid-terrace two storey property with a prominent roadside frontage and consists of a former hairdresser's salon on the groundfloor with living accommodation on the first floor of the building.</p> <p>The rear of the property is accessible through an arched gateway on the northeastern elevation of the property No. 7 Main Street and is defined by three (3) distinct sections; the first section to the immediate rear of No. 7 Main Street contains three (3) two storey outbuildings that define the southeastern boundary of this section of the rear yard. A 2.5-metre-high wall extends along the northeastern boundary, along with a 2.5-metre-high gate. A 1.5-metre-high gate divides this rear yard with a second area to the southeast, which consists of an overgrown area of vacant land to the rear. Mixed species landscaping with a maximum height of six (6) metres extends along the northwestern and southeastern boundaries. The southwestern boundary is defined by a 2-metre-high wall. The third southeastern section of the application site abuts Millburn Mews and is overgrown with trees and gorse. The topography of the application site is generally flat.</p> <p>The surrounding area is a mix of residential uses including apartment development at Millburn Mews as well as commercial uses in close proximity to the application site.</p>	
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, 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.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the development limit and town centre boundary of Ballyclare. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit and town centre boundary of Ballyclare. The application site is within an Area of Townscape Character according to the Plan, which requires a sensitive approach to new replacement buildings and, and to reuse and alteration of the existing buildings is required to avoid further fragmentation of the Towns unique historical and architectural character.

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.

SPPS: Town Centres and Retailing: sets out planning policies for town centres and retail developments and incorporates a town centre first approach for retail and main town centre uses.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection, however, it recommends that additional information is provided to show that the issue of potential land contamination has been adequately considered

Northern Ireland Water – No objection

Department for Infrastructure Roads – No comments received

Department for Infrastructure Rivers – No objection

REPRESENTATION

Twenty (20) 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
- Layout and Impact on Character and Appearance of the Area
- Residential Amenity
- Other Matters

Policy Context and Principle of Development

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

The 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. Up until the publication of draft BMAP (dBMAP) in 2004, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided

the core development plan document that guided development decisions in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process.

Both of the relevant development plans identify the application site as being within the development limit of Ballyclare. dBMAP identifies the application site within an Area of Townscape Character, which requires a sensitive approach to new replacement buildings and the reuse and alteration of the existing buildings to avoid further fragmentation of the town's unique historical and architectural character.

The application site is located within the town centre boundary for Ballyclare as identified in dBMAP and dNAP. The proposal seeks full planning permission for the erection of three (3) townhouses and the conversion of No. 7 Main Street to provide 3no. apartments. Given the site abuts an established residential area and there is already a character in the area for apartments along this section of Main Street, the principle of housing on this site is considered to be acceptable subject to the development complying with the all other policy and environmental considerations.

The Strategic Planning Policy Statement (SPPS) indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming. Planning Policy Statement 7: Quality Residential Environments and PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas are retained policies under the SPPS and provide the appropriate policy context.

Layout and Impact on Character and Appearance of the Area

The planning application consists of two (2) elements; firstly, it seeks to convert the existing property at No. 7 Main Street into three (3) apartments and secondly, within the area to the rear of the property to the southwest of the application site, three (3) townhouses, with access taken directly off the internal estate road at Millburn Mews, are proposed.

The conversion of No. 7 Main Street will have a limited visual impact on the subject building when viewed from along Main Street. Changes to the northeastern (front) elevation of the existing property include the infilling of the arched gateway to provide additional groundfloor living accommodation, the removal of the shop frontage hoarding, a separate front entrance to one of the proposed apartments and a reduction in the size of the windows, resulting in a residential appearance to the street frontage. Changes to the southwestern (rear) elevation include two (2) groundfloor doors to allow rear access to the respective apartments and to an area of rear amenity space and area of car parking access.

The scale and design of the proposed apartments share similar characteristics with the abutting apartments at Nos. 9-21 Millburn Mews. It is considered that the layout

and impact on the character and appearance of the area will not significantly change or have a significant impact on Ballyclare Area of Townscape Character as a result of the conversion of No. 7 Main Street to the three (3) proposed apartments.

Three (3) townhouses and an area of car parking are proposed to the rear and southwest of No. 7 Main Street. The proposed townhouses are orientated towards the Millburn Mews internal estate road. The proposed townhouses are three storeys in height, with House Type A and B being of similar design and layout while House Type C has no living accommodation on its groundfloor rather it has an area of car parking and storage as well as an entrance doorway to the first floor. The proposed finishes of these dwellings will include white render and red brick which will be sympathetic to the finishes of the adjacent development at Millburn Mews.

With regards to the design and appearance of the proposed townhouses, it is considered that the proposal is not at odds with the existing pattern of development and are of a similar arrangement to the existing properties to the south within the Millburn Mews development. However, the proposed development is out of character in terms of a lack of front garden areas and the high level of hardstanding required to accommodate the required parking provision, which emphasises the constricted and cramped nature of the site. Additionally, due to the three (3) proposed townhouses being orientated towards Millburn Mews and taking access directly off it, they will comprise a significant visual entity within this existing housing development. The proposed townhouses are three storey buildings, whilst the surrounding dwellings are either single storey or two storey properties. As a result, they will have a domineering visual impact over the surrounding existing residential properties within Millburn Mews.

Furthermore, the level of private open space provision within Creating Places should be around 70sqm average per household, but not less than around 40sqm for any individual house. The area of rear private amenity associated with House Type A is 54sqm, House Type B is 33sqm and House Type C is 35sqm. Given that this is below the minimum threshold and the developer has not provided any justification as to why the minimum threshold should not be met. The proposed amenity space for the townhouses is not considered acceptable.

Overall, it is considered that the proposal constitutes overdevelopment of a restricted site. In addition, it is considered that the proposal is out of keeping with the wider residential development in terms of amenity space, landscaping and parking provision. The proposal is therefore considered contrary to the provisions of the SPPS, Policy QD 1 of PPS 7 Quality Residential Environments and Policy LC 1 of the Addendum to PPS 7 Safeguarding the Character of Established Residential Areas.

Neighbour Amenity

The proposed siting of the three (3) townhouses results in a maximum separation distance of 2.3 metres between the gable wall of House Type A and the common boundary with the abutting existing dwelling at No. 3 Millburn Mews with a total separation distance of 6.1 metres. It is noted that whilst this will be a gable to rear relationship, No. 3 Millburn Road is a single storey dwelling set within close proximity to a proposed 3 storey townhouse with an 8.9-metre-high gable wall. The boundary treatment along the common boundary is absent of any existing landscaping to

provide a more suitable backdrop or screening and as such it is considered that the relationship between these two properties is unacceptable.

Furthermore, the depth of the back gardens proposed for Houses Types A, B and C are 6 metres, 5.5 metres and 5 metres respectively. House A abuts the rear garden area of the 2 storey dwelling at No. 5 Millburn Mews in the northwest. Despite a gable to rear relationship, the rear garden area associated with No. 5 Millburn Mews is open to view from the upper floor windows of House Type A. It is noted that some degree of landscaping exists within the western corner which provides some seasonal screening, however due to the somewhat staggered relationship between this existing dwelling and the proposed House Type A townhouse, there will be level of overlooking between the first floor windows of the proposed dwelling onto the existing residential properties. It is considered that due to the insufficient separation distances between the proposed and existing dwellings and the level of overlooking. The proposed townhouses will have a significant impact of the amenity of the existing neighbouring dwellings.

The existing apartments located to the northwest of the application site have a separation distance of 9 metres from the proposed rear elevation of House Type C. The rear elevation of House Type C runs parallel to the front elevation of the apartment building, however it is noted that the first floor windows of House Type C will provide an opportunity to look into the first floor windows of the existing apartment building. The opportunity for overlooking is greatly increased as a result of the close relationship and short separation distance between the existing and proposed buildings.

As per the aforementioned reasons it is considered that the proposal fails to meet criterion (h) of Policy QD 1 of PPS 7 in that the layout and design will have a detrimental impact on residential amenity by way of overlooking, overshadowing and dominance, and insufficient amenity space is proposed for the three (3) townhouses.

Other Matters

DfI Roads was consulted in respect of the proposed development and requested additional information by way of an amended location and block plan showing visibility splays of 2 metres by 33 metres. However, this revision to the submitted plans has not been requested as it would give rise to nugatory work and unnecessary expenses, given the recommendation to refuse planning permission.

The consultation response received from the Council's Environmental Health Section requested information relating to the possibility of land contamination within the application site. Again, due to the unnecessary expense that this would put the applicant to, this information was not requested.

NI Water has offered no objection to the proposal.

CONCLUSION

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

- The principle of the development is acceptable;
- The proposal represents overdevelopment of the site and results in a cramped and unacceptable layout;

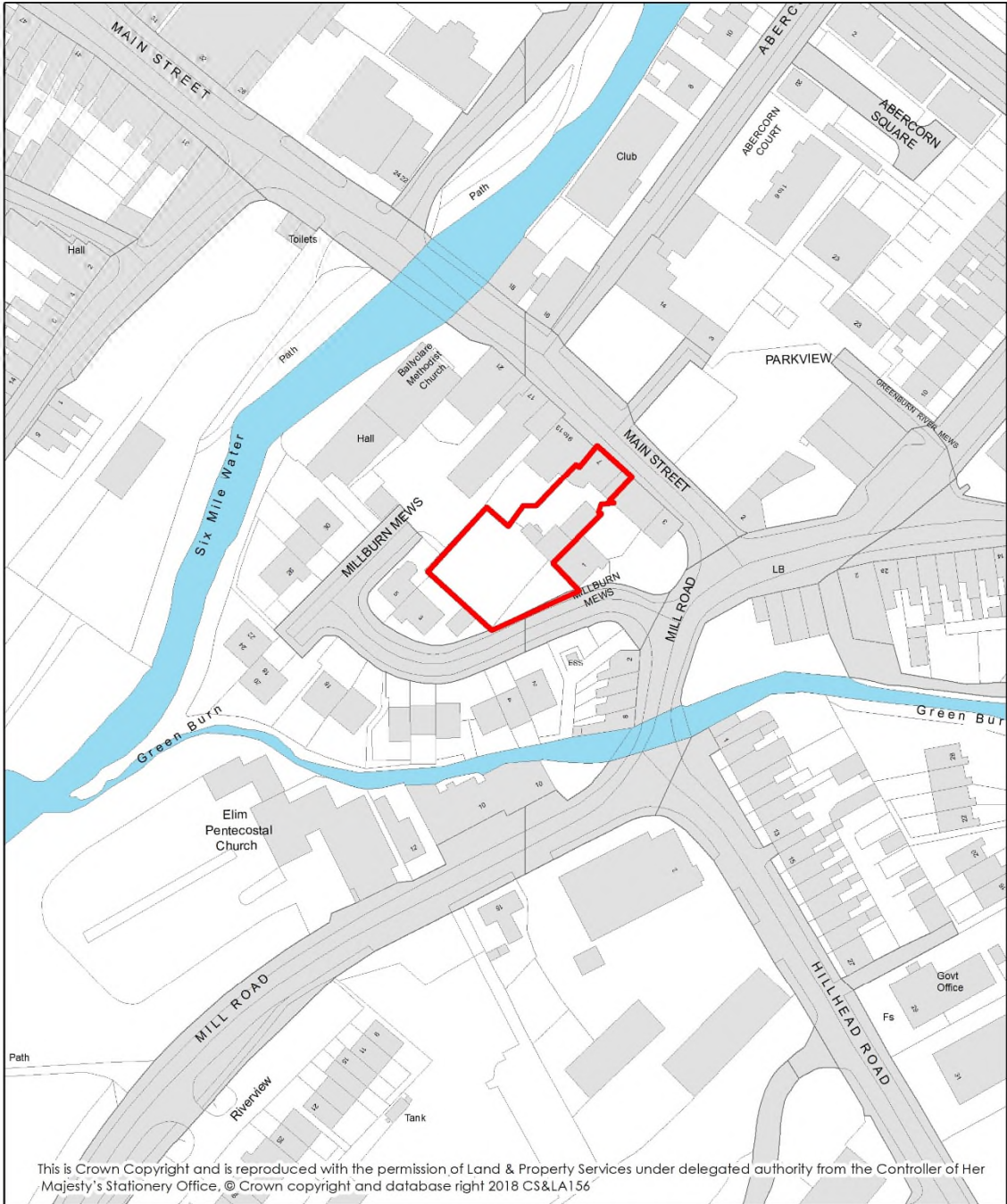
- The design and appearance of the proposal is out of keeping with the character of the area;
- The proposed will have a detrimental impact on the residential amenity of existing and proposed properties due to overlooking, overshadowing, dominance resulting in an overbearing impact on neighbouring dwellings;
- It has not been demonstrated that issue of potential contamination on the site has been adequately considered; and
- It has not been demonstrated that adequate access arrangements can be provided.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' and Policy LC1 of Addendum to PPS 7 'Safeguarding the Character of Established Residential Areas' in that, it would result in overdevelopment of the site and it has not been demonstrated that the proposed development can achieve a quality and sustainable residential environment in keeping with the character of development in the locality.
2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' in that, if permitted would result in overdevelopment of the site resulting in an unacceptable adverse effect on both existing and proposed properties in terms of overlooking and existing properties in terms of overshadowing, dominance and insufficient private amenity space.
3. The proposal is contrary to the SPPS and PPS 3 in that it has not been demonstrated that adequate visibility splays can be provided where the proposed access joins Millburn Mews and that the development would not prejudice the safety and convenience of road users.
4. The proposal is contrary to the SPPS as it has not been demonstrated that there are no risks to human health as the result of any contamination present on the application site.



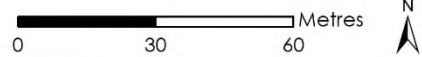
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Site Location Plan

Application Reference: LA03/2022/0189/F

Location: 7 Main Street Ballyclare and site to rear accessed off Millburn Mews, Ballyclare

Porposal: Conversion of No.7 Main Street, Ballyclare to 3No. apartments with 3No.new-build townhouses to rear and accessed off Millburn Mews.



 Site boundary



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2022/0466/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of storage building for transport and distribution business (Variation of Condition 2 from approval LA03/2016/0540/F)
SITE/LOCATION	17 Carnanee Road, Templepatrick, BT39 0BZ
APPLICANT	Mr Andrew Taylor
AGENT	Big Design Architecture
LAST SITE VISIT	01/08/2022
CASE OFFICER	Tierna Mc Veigh Tel: 028 90340401 Email: tierna.mcveigh@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 within the countryside outside of any settlement limit as defined by the Belfast Urban Area Plan (BUAP) and draft Metropolitan Area Plan (dBMAP). The site is located approximately 700 metres to the northwest of the small settlement of Millbank and approximately 2.5 kilometres east of Templepatrick.</p> <p>The site consists of an existing storage building with hardstanding encompassing the building. The existing building has the appearance of an industrial style building with the lower section finished in blockwork with the upper section finished in corrugated tin cladding.</p> <p>The application site forms part of a wider economic development site known as Taylor Transport. The wider site consists of a large area of hard standing, additional buildings associated with Taylor Transport to the immediate west and a residential property to the north. The site is accessed utilising an existing approved access (U/2013/0139/F) from the Carnanee Road, approximately 40 metres northwest of the existing farm dwelling; the access follows a one-way system, to exit the site onto the Carnanee Road, approximately 130 metres to the east of the site entrance.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0778/F Location: 17 Carnanee Road, Templepatrick, BT39 0BZ Proposal: Extension to existing storage unit Decision: Permission refused 24/06/2021</p> <p>Planning Reference: LA03/2016/0540/F Location: 17 Carnanee Road, Templepatrick, BT39 0BZ</p>	

Proposal: Retention of existing storage building for transport and distribution business

Decision: Permission granted 16/09/2022

Planning Reference: U/2014/0377/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Retrospective application for an agricultural shed (on farmland under the ownership of the applicant)

Decision: Permission granted 27/05/2015

Planning Reference: U/2013/0139/F

Location: Taylor Haulage Yard, 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Alterations and improvements to existing access to the public road, including a new exit

Decision: Permission granted 27/05/2015

Planning Reference: U/2012/0071/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Retrospective application for area of yard associated with existing transport business (to be used as articulated trailer park)

Decision: Permission granted 25/02/2013

Planning Reference: U/2001/0337/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Change of use of storage and vehicle garage to premises for grading peat moss and garden bark, including area for external storage.

Decision: Permission refused 07/03/2002

Planning Reference: U/2001/0337/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Change of use of storage and vehicle garage to premises for grading peat moss and garden bark, including area for external storage.

Decision: Permission refused 07/03/2002

Planning Reference: U/2001/0337/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Change of use of storage and vehicle garage to premises for grading peat moss and garden bark, including area for external storage.

Decision: Permission refused 07/03/2002

Planning Reference: U/1998/0268/F

Location: 17 Carnanee Road, Templepatrick

Proposal: Change of use from storage and distribution depot to milling and refining of wood bark and peat for retailing purposes

Decision: Application withdrawn

Planning Reference: U/1992/0221/F

Location: 17 Carnanee Road, Templepatrick

Proposal: Erection of frontage wall

Decision: Permission granted 03/08/1992

Planning Reference: U/1984/0345/F
Location: 17 Carnanee Road, Templepatrick
Proposal: Erection of garage/store
Decision: Permission granted 12/11/1984

Planning Reference: U/1982/0149/F
Location: 17 Carnanee Road, Templepatrick
Proposal: Change of use from agricultural building to storage and vehicle garage
Decision: Permission granted 21/01/1983

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.

Draft Newtownabbey Area Plan and Draft Metropolitan Area Plan: The application site is located outside any settlement limit and lies in the countryside as designated by these Plans 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.

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 21: 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

- **Antrim and Newtownabbey Environmental Health** – No objection
- **DfI Roads** – No objection

REPRESENTATION

One (1) neighbouring property was notified of the application and no letters of representations 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

Policy Context and Principle of Development

Section 54 of the 2011 Act applies to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. On receipt of such an application, the Council may only consider the question of the conditions subject to which planning permission should be granted and it cannot revisit the principle of the development granted previously. The Council can grant such permission unconditionally or subject to different conditions, or it can refuse the application if it decides the original condition(s) should continue to be imposed. The original planning permission will continue to exist whatever the outcome of the current application.

In this case the principle of development has been established by the planning permission granted on the 14th September 2016 under planning reference LA03/2016/0540/F. This permission approved the retention of the application building for storage and distribution purposes. A condition was attached to the decision notice, restricting the use of the building to be used only for storage and distribution associated with the operation of Taylor Transport and to be run solely in conjunction with that business and for no other purpose without the express written consent of the Council. The purpose of the condition was to prevent multiple businesses operating out of the building as storage and distribution.

This application seeks to vary Condition 02 of the previous grant of planning permission to allow for the continued use of the building (for storage and distribution) by parties other than Taylor Transport.

The supportive statement submitted by the agent, Document 01 date stamped 19th May 2022, indicates that the subject building has been in use by a third party company called Everun Ltd for the storage and distribution of wind turbine parts since late August 2017 and as such does not comply with Condition 02. The agent further stresses that the use of the building remains as storage and distribution and contends that the use of the building by Everun Ltd has not resulted in an intensification of use; has not generated any additional traffic and has not adversely affected the overall operation of the premises or the locality in which the premises is located.

Policy CTY 1- Development in the Countryside of PPS 21, sets out the range of types of development which in principle are considered to be acceptable in the countryside. The policy advises that planning permission will be granted for non-

residential development in the countryside in a number of cases; industry and business uses in accordance with PPS 4.

Policy PED 2 of PPS 4 states that proposals for economic development uses in the countryside will be permitted in accordance with the provisions of certain stated policies. One of these policies is PED 3 'The Expansion of an Established Economic Development Use in the Countryside', which advises on the assessment of the expansion of an established economic development use in the countryside. As indicated above an established storage and distribution use known as Taylor Transport currently exists on the site. A site visit inspection on 1st August 2022, confirmed that a number of separate uses and businesses are operating on the site within the other existing buildings.

The application site has been subject to a proliferation of planning applications; therefore, the planning history of the application site in this instance is considered an important material consideration. Under the original approval LA03/2016/0540/F the retention of the building was deemed acceptable under Policy PED 3. During the processing of the application, the Council noted that there were three (3) additional buildings on the site being used by Taylor Transport. The applicant at that time advised the Council that those buildings could not accommodate his expanding business due to its significant growth and fleet of some 18 cabs and 40 trailers. The applicant asserted that the building was required due to the growth and expansion of the business and that it would be used solely by Taylor Transport. Adhering to the policy direction of PED 3 the Council accepted this evidence and thus considered it necessary to attach Condition 2 to the grant of planning permission restricting the use of the building to operations relating to Taylor Transport only.

If the proposed building had been for the use of another business other than Taylor Transport the proposal would have been refused planning permission. The reason being is that the proposal if approved, would have allowed another party to operate from the application site and thus essentially lead to the creation of a business enterprise/park use in the countryside which is considered inappropriate and not in keeping with the spirit of policy PED 3.

The most recent planning application reference LA03/2020/0778/F refused full planning permission for an extension to an existing storage building for purposes of storage for Taylor Transport on 22nd June 2021. Under this application, the applicant argued that due to the Covid-19 pandemic and the importing and exporting difficulties as a result of Brexit that new and unforeseen economic pressures had been placed on the business and that the need for additional storage had become paramount for the survival of the business. At the time of the site visit it was noted by the Case Officer that a number of separate uses and businesses are operating on the site within the other existing buildings. Consequently, a request was made to the applicant for additional information as to why the other buildings on the site associated with Taylor Transport could not be utilised, which would negate the need for the proposal. The supporting information submitted failed to address this matter. Consequently, the proposal was refused on the grounds of PED 3 of PPS 4 in that insufficient evidence was provided to demonstrate the need for this proposal.

Taking the above matters into account, it is recommended that the proposal to vary Condition 2 would create a business enterprise/park use in the countryside which is considered inappropriate and not in keeping with the provisions of PPS4.

CONCLUSION

- The principle of the development is considered unacceptable and as such the proposal to vary condition 2 should be refused.

RECOMMENDATION

REFUSE PLANNING PERMISSION

REASON FOR REFUSAL

1. The proposal is contrary to the SPPS and PPS 4 in that Condition 2 of planning approval reference LA03/2016/0540/F was applied to permit a sole trader only operating on the application site in compliance with Policy PED 3 of PPS 4 and there are no overriding reasons to justify a variation of the condition to permit a relaxation of planning controls exercised in this countryside location.



Reference: LA03/2022/0466/F

Location: 17 Carnanee Road, Templepatrick, BT39 0BZ

Proposal: Retention of existing storage building for transport and distribution business (Variation of Condition 2 from approval LA03/2016/0540/F)

Scale: 1:2500 

 Site Location



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2022/0349/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of an agricultural shed
SITE/LOCATION	250m NE of 60 Crosskennan Road, Antrim, BT41 2RE
APPLICANT	Marion Simmons
AGENT	Richard Burnside Architecture
LAST SITE VISIT	09/06/2022
CASE OFFICER	Tierna Mc Veigh 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 250 metres northeast of 60 Crosskennan Road, within the countryside and outside any settlement limit as designated by the Antrim Area Plan 1984 -2001. The site is set back some 160 metres from the Crosskennan Road and occupies the southern corner of a large agricultural field. An existing agricultural building (cattle crush), is located within the application site and is some 50 metres southwest of the development proposal. Access to the site is via an existing laneway which also provides access to an existing wind turbine some 180 metres east of the proposal.</p> <p>The topography of the land is undulating with the land adjacent to the Crosskennan Road sloping significantly in a northeasterly direction before the topography falls. Consequently, the application site is hidden from public view. Some 70 metres to the southwest is a Scheduled Monument (MOTTE) bearing reference ANT 044:044 which is open to public views when travelling in a southwesterly direction along the Crosskennan Road.</p> <p>The western and southern boundaries of the site are defined by mature field boundary hedging some 1.2 metres in height with sporadic mature trees. The eastern and northern boundaries are open and undefined. The area in which the site is located is rural in nature and is characterised by dispersed rural dwellings and farm holdings.</p>	
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, most 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 in the countryside and the Plan 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.

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 21: 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 Northern Ireland Countryside.

CONSULTATION

- **Antrim and Newtownabbey Environmental Health** – No objection
- **DfI Roads** – Content subject to conditions.
- **Historic Environment Division (HED)** – Content subject to relocation and conditions.
- **DAERA** – The applicant has a registered farm business number and the farm business has been in existence for a period of at least six years.
- **Belfast International Airport (BIA)** – No objection

REPRESENTATION

Two (2) neighbouring properties were notified of the proposal 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 and Principle of Development
- Design, Integration and Impact on Rural Character
- Neighbour Amenity
- Archaeological Monument
- 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 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 within this 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 are Planning Policy 3 and Planning Policy 21. Considering the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for consideration of the proposal.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development. One of these is agricultural development in accordance with Policy CTY 12.

Policy CTY 12 states that planning permission will be granted for development on an active and established agricultural or forestry holding where it is demonstrated that;

- a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;
- b) in terms of character and scale it is appropriate to its location;
- c) it visually integrates into the local landscape and additional landscaping is provided as necessary;
- d) provided as necessary;
- e) it will not have an adverse impact on the natural or built heritage; and
- f) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

DAERA has confirmed that this is an active and established farm holding. In cases where a new building is proposed applicants will also need to provide sufficient information to confirm all of the following:

- a) there are no suitable existing buildings on the holding or enterprise that can be used;
- b) the design and materials to be used are sympathetic to the locality and adjacent buildings; and
- c) the proposal is sited beside existing farm or forestry buildings.

In this case, the proposal is for the erection of a new agricultural building which is located on the other side of the Crosskennan Road some 460 metres away from the applicant's existing farm complex, located at 62 Crosskennan Road. The proposal is to be used for the storage of farm machinery, implements, fodder and feed stuffs and is to be sited some 50 metres northeast from an existing cattle crush building.

The agent has stated within Document 02 date stamped 8th April 2022 that the applicant who suffers from arthritis and other health conditions has to regularly cross the busy Crosskennan Road with food, fodder, machinery, equipment, fertilizer and hay storage as well as ensuring the safe movement of cattle and tending to sheep and lambs. In terms of Policy CTY 12 the agent has stated that no buildings exist on the eastern side of the Crosskennan Road within the farm holding that can be utilised for means of storage and that the building is essential to ensure compliance with DAERA regulations and best practice, provide for the welfare of farm animals and offer security for farm vehicles and machinery.

Concerns were raised by Officers regarding the need for the proposed agricultural shed at this location, due to the proximity of the applicant's farm dwelling and associated farm buildings. Within the submitted Planning Statement, Document 02 date stamped 8th April 2022, the agent has specified that although the building is not close to the main farm holding it is sited alongside an existing cattle crush and that the selected site offers a high degree of enclosure. Policy CTY 12 does allow alternative sites away from existing farm 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.

Insufficient evidence has been submitted by the applicant's agent to demonstrate that a new agricultural building at this location is necessary for the efficient use of the applicant's holdings, nor has sufficient information been submitted by the agent to demonstrate the proposal as being an exception to the policy. Furthermore, the direction of policy indicates that new development proposals are to be sited beside a group of farm buildings and not beside a single building.

Having taken the above into account it is considered that there are no exceptional reasons why the proposed building is located away from existing farm buildings nor has it been demonstrated that the proposal is necessary for the efficient use of the agricultural holding.

On the evidence provided the principle of the agricultural building is not acceptable at this site as it does not fulfil the policy criteria as set out under Policy CTY 12 - Agricultural and Forestry Development.

Design, Integration, and Impact on Rural Character

The proposed agricultural shed, which hosts a mezzanine floor, measures 12.1 metres in length, 9.2 metres in width and has a ridge height of 6 metres. The shed benefits from two (2) timber sliding barn doors and a horizontal window positioned on the rear elevation. The finishing materials comprise grey corrugated cladding to the roof and walls.

Criteria (b) and (c) of Policy CTY12 requires that the building integrates into the local landscape and that it is appropriate in terms of character and scale for its location. The application site is set back some 160 metres from the Crosskennan Road and is screened from public view by the topography of the lands. Existing roadside vegetation restricts views on approach from both directions and the existing hedging along the southern and western boundaries provides sufficient screening. Landscaping is also proposed for the northern and eastern boundaries of the site.

The proposal is within a rural setting where it is common to view agricultural buildings and it is considered that views of this building will be minimal. Given the current landform and existing landscaping, it is considered that the proposal visually integrates into the local landscape and will not have an unacceptable impact on the character or appearance of the rural area.

Overall, it is considered the scale, design and siting is appropriate for the rural area and the proposed building would integrate harmoniously with surrounding landscape and would not cause a detrimental change to the character of the rural area in accordance with Policies CTY 12, 13 and 14 of PPS 21.

Neighbour Amenity

The nearest residential property to this proposed site is approximately 230 metres to the south of the application site, this dwelling is outside the applicants farm holding. Given the considerable separation distance between the existing dwelling and the proposed farm shed, it is considered that residential amenity will not be detrimentally affected by noise, odour, pests etc.

The Council's Environmental Health Section has been consulted in relation to the proposal and has offered no objection. Two (2) neighbouring properties have also been notified of the application and no representations have been received. It is therefore considered that the development will not result in an unacceptable impact on the amenity of any neighbouring properties.

Archaeological Monument

The application site is in close proximity to a Scheduled Motte bearing reference ANT 044:044, indicative of possible further Anglo-Norman//medieval settlement in its immediate vicinity. Historic Environment Division (Historic Monuments) was consulted on the proposal and in its response dated 28th July 2022 stated that it is content that the proposal satisfies PPS 6 subject to:

- a) Relocation of the proposal within the redline; and

- b) Conditions being attached to any grant of planning permission for the agreement and implementation of a developer funded programme of archaeological works.

In this case, as the principle of development has not been established, amendments concerning the relocation of the proposal were not sought from the agent.

Other Matters

DfI Roads has been consulted on the proposal and has stated no objection to the proposal subject to conditions being attached to any forthcoming decision notice. Belfast International Airport (BIA) has been consulted and has no objections to the proposal.

CONCLUSION

- The principle of development test has not been met as it has not been demonstrated that the proposed building is necessary for the efficient use of the agricultural holding or why the proposed building is located away from existing farm buildings;
- The design and appearance of the proposal is considered acceptable;
- The proposal is seen as meeting the requirements of Policies CTY 13 and CTY 14 of PPS 21; and
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding, in addition it has not been demonstrated that there are no alternative sites available at another group of buildings on the farm holding.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would not be sited beside existing farm buildings.



Planning Application Reference: LA03/2022/0349/F

Location: 250m NE of 60 Crosskennan Road, Antrim, BT41 2RE

Proposal: Agricultural Building

Scale: 1:2500



Site Location



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2021/0555/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Construction of new Wastewater Pumping Station for passing forward domestic foul sewage. Two underground chambers and associated underground pipelines. Erection of a control kiosk and washwater facility (to be enclosed within fencing), a 6m high telemetry pole (to include a floodlight) and a 2.1m high closed timber security gate.
SITE/LOCATION	Approx. 10m East of 20 & 22 Drumsough Road, Randalstown, Antrim BT41 2NW
APPLICANT	Northern Ireland Water (Paul Hamilton)
AGENT	AECOM
LAST SITE VISIT	30 th July 2021
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk	
SITE DESCRIPTION	
The application site is located approximately 10 metres east of the dwellings at No. 20 and No. 22 Drumsough Road, Randalstown. The application site lies outside of any settlement limit defined in the Antrim Area Plan 1984-2001. It presently consists of an overgrown grassed strip of land which lies between the Drumsough Road and the watercourse and railway line which lie to the east of the site beyond a line of mature vegetation. The area in which the site is located is rural in character but has a cluster of roadside dwellings to the west and south.	
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 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 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 11: Planning & Waste Management (and the November 2013 update on Best Practicable Environmental Option): sets out planning policies for the development of waste management facilities.

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

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

CONSULTATION

Northern Ireland Water – No objection

Department for Infrastructure Rivers – Further information required

Department for Communities Historic Environment Division – No objection

Northern Ireland Environment Agency: No objection subject to conditions

Environmental Health Section: Further information required

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
- Flood Risk
- Neighbour Amenity
- Environmental Impact

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).

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 2: Natural Heritage;
- PPS 11: Planning & Waste Management (and the November 2013 update on Best Practicable Environmental Option): sets out planning policies for the development of waste management facilities;
- PPS 15: Planning and Flood Risk;
- PPS 21: Sustainable Development in the Countryside

PPS 21 states that a range of types of non-residential development to include certain utilities may be acceptable in the countryside but that such proposals will be considered in accordance with the existing relevant planning policies.

Policy WM 2 – Waste Collection and Treatment Facilities provides the applicable policy criteria for the proposed development which consists of the 'construction of new Wastewater Pumping Station for passing forward domestic foul sewage, including two underground chambers and associated underground pipelines. The erection of a control kiosk and washwater facility (to be enclosed within fencing), a 6m high telemetry pole (to include a floodlight) and a 2.1m high closed timber security gate'. Policy WM 2 states that proposals for the development of a waste collection or treatment facility will be permitted where a number of criteria can be complied with. Upon request, the agent has supplied additional information in attempt to demonstrate how the proposal meets this policy criteria.

Criteria (a) of the policy requires that there must be a need for the facility. The agent has advised that this new facility is needed as the existing septic tank is subject to reverse flows and egress from manhole covers when the existing discharge pipe becomes submerged during storm conditions. It has been stated that the new facility will also facilitate the connection of sewage flow from five additional properties.

Criteria (b) of Policy WM 2 requires that the proposal is the Best Practical Environmental Option (BPEO). However, as per para. 6.323 of the SPPS, following publication of the revised Waste Management Strategy 'Delivering Resource Efficiency' Best Practicable Environmental Option (BPEO) is no longer necessary as a material consideration in the planning process. Nonetheless, the agent has highlighted the benefits of the proposal and advises that the construction of a new WWPS will allow the decommissioning of the existing septic tank which in addition to the issues noted above also has issues in relation to access for maintenance given its location on private lands. Additionally, it is advised that as a new WWPS will have the provision of emergency overflow storage and screening of any potential discharges to the nearby watercourse in the event of an emergency and thus improve the current sewage collection and transfer arrangement within the catchment.

Criteria (c) makes specific reference to location. It states that in the countryside where it is demonstrated that new buildings are needed that these must have an acceptable visual and environmental impact. Given the nature of the proposal, the sites roadside location and the heavily vegetated landscape immediately to the rear, it is considered that the design and appearance of the proposed development would be acceptable at this site.

DAERA – Environment, Marine and Fisheries Group & NIEA have reviewed the proposal and have advised that they would be content given that any adverse environmental impacts could be successfully mitigated by way of planning conditions. No trees or any other significant vegetation would need to be removed in order to facilitate the proposed development. Nor would it be considered that the development, once it became operational, would have any significant impact on natural heritage features.

Overall, it is considered that the proposal with relevant mitigation measures in place would not be likely to have any significant negative impacts on the natural environment.

The principle of a new Wastewater Pumping Station for domestic foul sewage at this location is considered generally acceptable in accordance with the policy provisions of Policy WM 2 subject to the proposal complying with all other policy considerations discussed below.

Design and Appearance

As noted above the proposal is for a new Wastewater Pumping Station for domestic foul sewage, two underground chambers and associated underground pipelines, the erection of a control kiosk and washwater facility (to be enclosed within fencing), a 6m high telemetry pole (to include a floodlight) and a 2.1m high closed timber security gate.

Above ground level the development would appear as dark green metal cabinet (containing the control kiosk) measuring 1.7 metres in height with a width of 2 metres together with a second cabinet (containing a high washwater facility) measuring 1 metre in height with a width of 1 metre. A 6-metre-high telemetry pole with flood lights will also be erected adjacent to the proposed cabinets as well as 2 no. small vents. The development would be enclosed with 2.1-metre-high closed boarded wooden fence.

Given the nature of the proposal, the sites roadside location with the heavily vegetated landscape immediately to the rear of the site, it is considered that the design and appearance of the proposed development would be acceptable at this location.

Flood Risk

The application site consists of a strip of grassed land which lies immediately adjacent to the Drumsough Road between it and the river and an existing railway track (Antrim – Ballymena line). A number of dwellings also lie opposite to the application site on the other side of the Drumsough Road. Given the sites location adjacent to an existing watercourse it lies within the strategic 1 in 100year fluvial floodplain of the designated stream known as Mill Burn.

Policy FLD 1 – Development in the Fluvial Floodplain, states that development will not be permitted within the 1 in 100-year floodplain unless the applicant can demonstrate that the proposal constitutes an exception to policy. One of the exceptions is for (d) Development for agricultural use, transport and utilities infrastructure, which for operational reasons has to be located within the floodplain. Following a request for additional information the agent has submitted reasons as to why this proposal would fall to be considered as an exception.

The agent has advised that the reasons for the proposed development at this location are due to the land being available for purchase by Northern Ireland Water and that the proposed WWPS is suitably located in order to minimise pipe length required to transfer flow to and from the applicable sewer network, reduce the possibility of septicity occurring within the pipelines as well as minimising the depth of construction required for the underground chambers. NIW have also directly advised that given the location of the watercourse and the ground levels it is not possible to extend the existing sewer. The existing sewerage network is within the back gardens of No. 18-24 and falls to the septic tank in the rear garden of No. 18. They advise that the pumping station is required to be at this specific location so that the sewerage network can be diverted to the proposed pumping station wet well while also facilitating access to operate and maintain this station.

It is noted that the existing sewerage facilities (within the gardens of Nos. 18-24) are also within the 1 in 100-year floodplain and for this reason together with the operational reason provided above, the location of the facility within the floodplain is acceptable in accordance with the exceptions provided within Policy FLD 1 of PPS 15.

Policy FLD 1 advises that where the principle of development is acceptable in accordance with the 'exceptions test' the applicant is required to provide a Flood Risk Assessment (FRA). This FRA was initially requested by the Council at the beginning

of March 2022 and is still outstanding. On the basis that no FRA has been provided the proposal is considered to be contrary to Policy FLD 1 of PPS 15 in that it has not been satisfactorily demonstrated that all sources of flood risk to and from the development have been identified. In addition, it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

Neighbour Amenity

The closest neighbouring dwellings to the proposed development are at No. 20 and No. 22, which are two semi-detached dwellings that lie on the opposite side of the Drumsough Road. These dwellings have been notified of the application and have offered no objections to the application.

The Council's Environmental Health Section has been consulted on the application and has responded to advise that additional information would be required in order to make an informed decision. This information would relate more specifically to noise and odour that may potentially be generated from the proposal given the sites close proximity to a number of residential dwellings. Environmental Health have indicated that concerns in relation to the impact resultant from lighting could be controlled by an appropriate condition.

The necessary additional information was initially requested at the start of March 2022 with definitive confirmation regarding the specific requirements of each report provided by Environmental Health on the 6th June 2022. The Noise Impact Assessment and Odour Assessment as requested have still not been received and thus the proposal is considered to be contrary to the provisions of the Strategic Planning Policy Statement in that it has not been demonstrated that close by neighbouring dwellings will not experience a detrimental impact on amenity, by way of noise from the proposed development.

Environmental Impact

Criteria (c) of Policy WM 2 makes specific reference to the location of waste treatment facilities. It states that in the countryside where it is demonstrated that new buildings are needed that these must have an acceptable visual and environmental impact. As discussed above the visual impact of the proposal is considered to be generally acceptable given the character of the surrounding area and the substantial backdrop provided to the rear of the site.

DAERA's Water Management Unit (WMU) has considered the impacts of the proposal on the water environment and would advise that the proposal may have the potential to adversely impact on the surface water environment. WMU would therefore require that a condition would be attached to the grant of any planning permission, should it be forthcoming requiring that a Method of Works Statement be provided prior to any works being undertaken at the site. They would also require that all other relevant standing advice and guidance be adhered to.

DAERA's Drinking Water Inspectorate (DWI) has reviewed the proposal and is content subject to standing advice being adhered to. DAERA's Regulation Unit (RU) considered that the proposed development would be low risk to the water environment subject to conditions and informatives being attached to any approval.

The application site is located adjacent to a watercourse (Mill Burn) which is hydrologically linked to Lough Neagh. Considering the nature, scale and location of the project it is considered that provided that the applicant would undertake the mitigation measures (i.e. MWS- requested by NIEA), the proposal would not be likely to have an adverse effect on site integrity of any European site. No trees or any other significant vegetation would need to be removed in order to facilitate the proposed development. Nor would it be considered that the development once operational would have any significant impact on natural heritage features.

Overall, it is considered that the proposal with relevant mitigation measures in place would not be likely to have a significant negative impact on the natural environment.

CONCLUSION

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

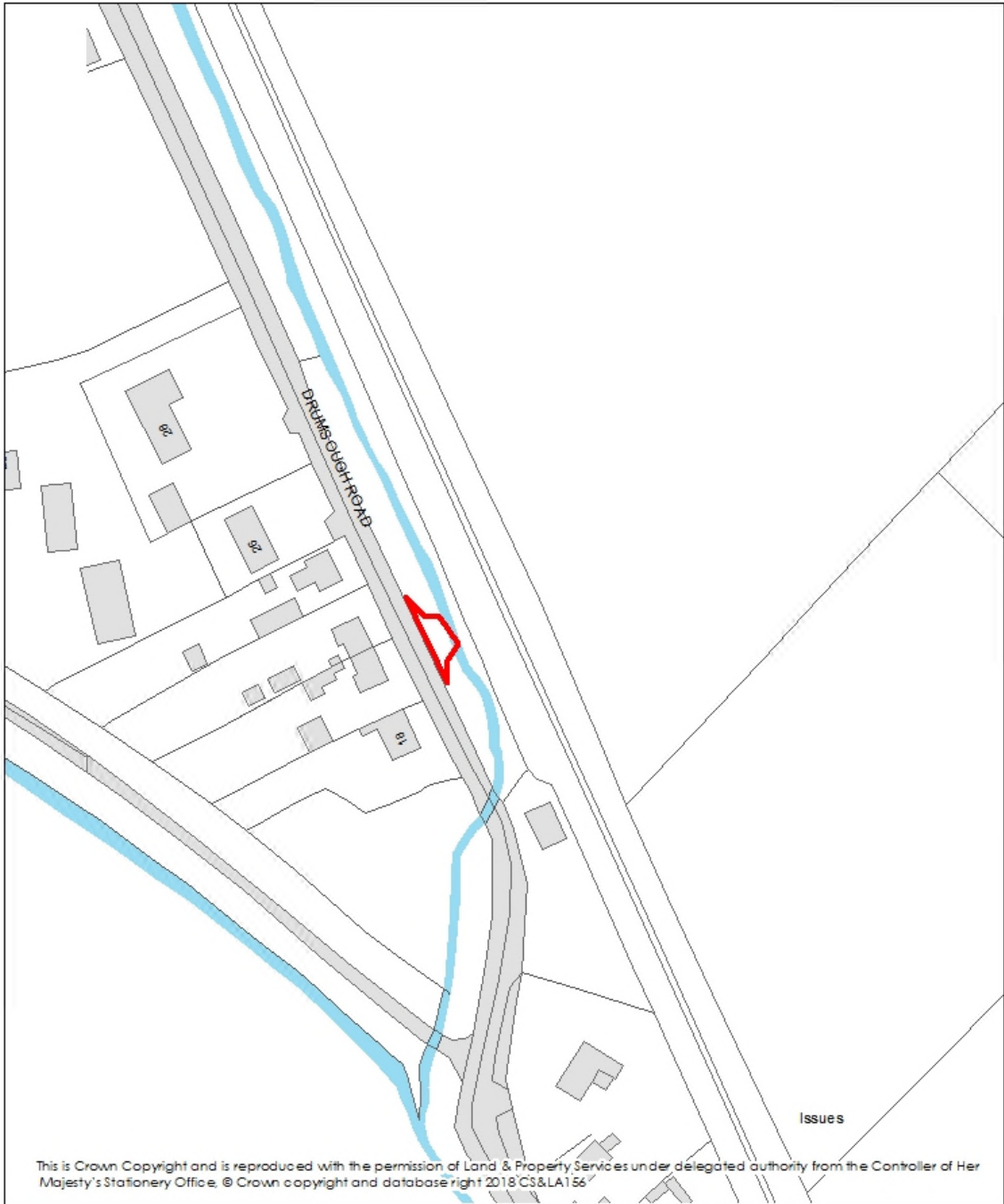
- The principle of the development is acceptable;
- The design and appearance of the proposal is considered acceptable;
- Further information in relation to noise and odour is required in order to assess the impact on neighbour amenity;
- The proposal is considered as an exception in accordance with Policy FLD 1 but a FRA is required;
- With proposed mitigation measures in place the proposal is not likely to have a significant impact upon the natural environment.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 1 of PPS 15 in that it has not been satisfactorily demonstrated that all sources of flood risk to and from the development have been identified and that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.
2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement in that it has not been demonstrated that close by neighbouring dwellings will not experience a detrimental impact on amenity, by way of noise and odour resultant from the proposed development.



Site Location Plan

Application Reference: LA03/2021/0555/F

Construction of new Wastewater Pumping Station

Approx 10m East of 20 & 22 Drumsough Road, Randalstown

0 30 60 Metres

Site boundary

COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2022/0598/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling (replace existing school building)
SITE/LOCATION	Former St James Primary School Site, 1 The Diamond Road, Aldergrove, Crumlin, BT29 4DB
APPLICANT	Louise Mallon and Gary Moore
AGENT	Victoria Crozier
LAST SITE VISIT	19 TH July 2022
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@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 the former St James Primary School at No. 1 The Diamond Road, Aldergrove. This is a countryside location beyond any development limits as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site consists of a single storey red brick building set within an elongated rectangular plot. The subject building is set back from the roadside and has a reduced visible presence from the public road due to the mature southern boundary defined by trees between 3 and 5 metres tall. The southwestern and northwestern boundaries are defined by a tree lined hedgerow between 3-5 metres in height. The northeastern boundary is defined by a 1.5-metre-tall post and wire fence. The topography of the application site is flat.</p> <p>The surrounding location is countryside, with agricultural fields abutting the application site along three boundaries. There are a number of detached dwellings within the wider area of differing architectural design.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2021/0308/F Location: Former St James' School The Diamond Road, Ballyquillan, Aldergrove, Crumlin, BT29 4DB Proposal: Proposed conversion and adaptation of a former school to a single dwelling in accordance with CTY4 of PPS21 and the SPPS Decision: Permission Granted (19.07.2021)</p>	
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>	

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 development 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

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- Refusal recommended due to potential for prejudicing the safety and convenience of road users.

Defence Infrastructure Organisation – 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
- Design, Appearance and Integration
- Neighbour Amenity
- Other Matters

Policy Context and Principle of Development

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

The 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 development limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

The building subject to this planning application is a single storey, red brick school building. It is noted that full planning permission is extant on the application site under planning reference LA03/2021/0308/F for the conversion and adaptation of the building school to a single dwelling in accordance with CTY4 of PPS21. It was considered under LA03/2021/0308/F that this building is locally important and its conversion would secure its upkeep and retention. This planning application seeks to replace this building with a single dwelling.

The subject building is substantially intact, with roof, windows and walls all complete. An asbestos report that was issued on 1st November 2005 was submitted by the agent to demonstrate the environmental benefits redevelopment of the site would bring about. The conclusions within this report do not indicate that the building has a significantly negative environmental impact on the locality. While Policy CTY3 does allow for the replacement of a building with a dwelling where it would bring significant environmental benefit it is considered that in this case that there are no significant environmental benefits that would be realised through the demolition and replacement of this building. It is considered that the application fails to meet with the requirements of Policy CTY 3 of PPS 21 and therefore the principle of development has not been established.

Design, Appearance and Integration

This is an outline planning application and no proposed site layout nor elevations have been submitted at this stage. The application site benefits from mature landscaped boundaries along three sides and subject to the retention of these

boundaries, it is considered a suitably designed dwelling should integrate into the site and wider location.

Neighbour Amenity

There are 3no. abutting neighbouring dwellings located to the south of the application site and across the public road from it. It is considered that an appropriately designed dwelling should not significantly impact upon the amenity of any of these neighbours.

Other Matters

DfI Roads were consulted on this application and have provided an objection on the basis that the access is substandard and would prejudice the safety and convenience of road users. This is a duplicate response to that received for extant planning permission LA03/2021/0308/F. Due to the site already having planning permission with the existing access location being used, it is considered that it would be unnecessary to include this reason for refusal.

CONCLUSION

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

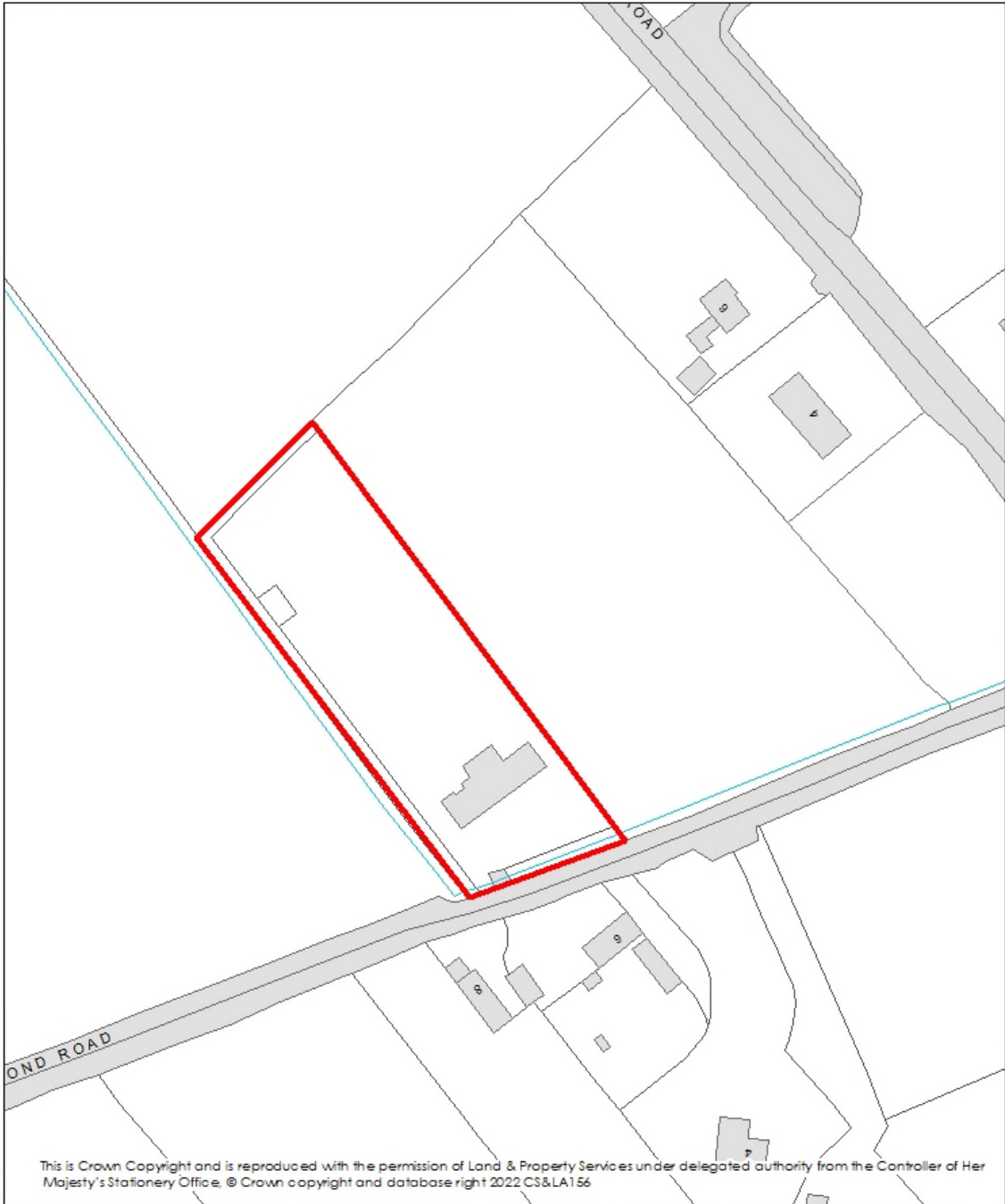
- The principle of development for a replacement dwelling cannot be established;
- The application site has sufficient landscaping to integrate a dwelling at this location;
- There would not be a significant impact on any neighbouring properties from an appropriately designed dwelling; and
- The proposal would not have a negative impact on the character and appearance of the area.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASON 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.



Reference: LA03/2022/0598/O

Location: Former St James Primary School Site,
1 The Diamond Road, Aldergrove, Crumlin

Proposal: Site for dwelling (replace existing school building)

Scale: 1:1250 

 Site Location



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2022/0616/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling and garage
SITE/LOCATION	Lands 60m SE of 37 Ballylurgan Road, Randalstown
APPLICANT	P J Butler
AGENT	CMI Planners
LAST SITE VISIT	15 th July 2022
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@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 60m southeast of 37 Ballylurgan Road, Randalstown which is located within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is located off the Ballylurgan Road and forms a rectangular shape. The topography of the land rises northeast away from the roadside boundary. The southwestern (roadside) boundary is well defined by hedgerows and mature trees. The remaining boundaries of the site are defined by a mix of trees and hedgerows. The site abuts No.35a to the northeast and No.37 to the northwest. At the time of site inspection, the site appeared to be in agricultural use.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0549/O Location: (site 1) 35m SE of 37 Ballylurgan Road, Randalstown, Proposal: Site for dwelling and garage (infill) Decision: Permission Refused (18.11.2020)</p> <p>Planning Reference: LA03/2020/0550/O Location: (site 2) 35m SE of 37 Ballylurgan Road, Randalstown, Proposal: Site for dwelling and garage (infill) Decision: Permission Refused (18.11.2020)</p>	
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>	

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

Council Environmental Health Section – No objection

Northern Ireland Water – Approved, with response specific conditions.

Department for Infrastructure Roads- No objection, subject to condition

Department for Agriculture, Environment and Rural Affairs- The Farm Business ID was allocated in November 2017. The business has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last six years. The response also states that the proposed site is located on land associated with another farm business.

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, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenities
- Movement and Access
- 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). 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 Policy CTY 10 which 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 Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response dated 9th August 2022 that the associated farm has been in existence for more than 4 years, the farm ID having been allocated in November 2017.

Their response also confirms that the farm business has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last 6 years. Their response also states that the proposed site is located on land associated with another farm business.

In order to establish if the farm business is active and established, the agent submitted evidence consisting of invoices relating to a range of activities. The policy stipulates that the farm business is active for at least the last six years, therefore the assessment period is 2017-2022.

For the purposes of the SPPS 'agricultural activity' is as defined by Article 4 of the European Council Regulations (EC) No. 1307/2013 which states 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.

Land Rental Invoices

Eight land rental invoices dating 2013-2021 were submitted to the Council. The invoices are provided by 'PJ Butler' (applicant) to 'Column Gilbert' for land rental at Ballylurgan Road. This evidence suggests the applicant has let the lands in conacre for a period of nine years. As in most situations which involve conacre arrangements, it will generally be the case that it is the conacre tenant who carries out the main agricultural activity on the conacre land and enjoys the decision-making power, benefits and financial risks in relation to this agricultural activity. The agent has submitted the following evidence to display that the applicant retains the decision-making power of the lands.

Invoices from Dobbin Stonework

Five invoices relating to the construction and repair of a number of walls were submitted by the agent. Four of these invoices are dated pre-2017, therefore not falling within the 6-year time period (2017-2022) and thus no significant weight is attached to them in the assessment of this criterion.

The remaining invoice dated 18th June 2018 states 'Fixing stonewall and back field- 2 days'. The invoice is addressed to the applicant, however, no address as to where the works were carried out has been provided, therefore this information is not recorded as being specific to the applicants holding.

Invoices from R.W. Fulton and Convery

Two invoices were submitted from R.W. Fulton, with only one falling within the six-year assessment period, dated May 2017 for 'Drawing topsoil to Ballylurgan Road, level topsoil'. The invoice is addressed to the applicant.

One invoice from Convery Sportstore and Landscape Contractors dated July 2021 for spraying, ploughing, harrowing, levelling and sowing around pond. This invoice is addressed to Butlers Mobile Systems, a company registered at 14-16 Shanes Street, Randalstown, Co. Antrim, United Kingdom, BT41 2AD. Furthermore, the invoice does not specify an address for where the work was carried out, therefore this information is not recorded as being specific to the applicants holding.

Invoices from Martin McCann

Four invoices from 'Martin McCann' were submitted dated September 2017, July 2018, September 2020 and April 2021 for a range of activities, including: topping grass, spraying, ploughing and rotavating, hedge cutting, mowing and bailing. Each invoice is addressed to the applicant, however, no address has been provided, therefore this information is not recorded as being specific to the applicants holding.

Additionally, there is no business name or VAT details on the invoice. An internet search of the name 'Martin McCann' does not provide any identifiable source and no other corroborating evidence with respect to this business has been provided.

All evidence is available in hard copies in the casefile.

In summary, the submitted information provided alongside the application has not demonstrated that the applicant has been actively farming for the requisite period. The evidence fails to display the applicant carrying out any forms of agricultural activity or enjoying the decision-making power, benefits and financial risks in relation to the land let in conacre.

Furthermore, upon completing a land history search on the application site, it was noted that two previous applications have been submitted on the lands in question. LA03/2020/0449/O for an infill dwelling (Site 1) and LA03/2020/0550/O for an infill dwelling (Site 2). The applicant on the P1 form for both applications was Ryan Butler, with Certificate A completed which confirms the applicant owned the lands at that time. The applicant for the current application is PJ Butler, with Certificate A completed to confirm that he is in ownership of the lands.

This information confirms that the current applicant (P J Butler) was not in ownership or in control of the lands during 2020 and therefore cannot be considered to enjoy the decision making power, benefits and financial risks in relation to the lands in question for the subsequent six-year period.

The Council, having assessed the submitted invoices, considers that the application fails criterion (a) of CTY 10.

A site history check has been carried out on the lands submitted and shown on the farm maps and there does not appear to have been any development opportunities sold off from the farm holding. This is further confirmed by the answer to Q5 of form P1C which states that there have been no dwellings or development opportunities sold off from the farm holding within the last 10 years. The proposal complies with CTY 10 (b)

The application site is located approximately 100m from the existing grouping of farm buildings (measured to centre of application site). The topography of the application site means that the group of buildings is not visible from the roadside. A field separates the application site from the grouping, and 5.41 Justification and Amplification of CTY10 states 'Where a site adjacent to the building group is well landscaped planning permission can be granted for a new dwelling even though the degree of visual linkage between the two is either very limited, or virtually non-existent due to the amount of screening vegetation. It is accepted that the site is well screened along the roadside boundary and that the policy does not require a visual linkage to the grouping in this case, however, the site does not lie adjacent to the building group. The proposal is therefore considered to fail the policy requirements of CTY 10 (c).

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

The proposed site must also meet the requirements of CTY 13 and CTY 14 which require all development to visually integrate into the surrounding landscape, and that any building is of an appropriate design and will not erode the rural character of the area.

This application is for outline permission only, the design elements of the dwelling would normally be considered under a subsequent reserved matters application, however, it is considered that a suitably designed dwelling would be acceptable on the site without appearing as a prominent feature within the landscape. The site benefits from mature hedgerows and tree coverage to all aspects, with minimal additional planting required to further aid integration.

There is nothing to suggest that ancillary works would not integrate into the surroundings. A siting and curtilage condition would ensure the proposal integrates appropriately, respecting the surrounding character. Overall, it is considered the site is suitably enclosed from critical views and therefore meets the requirements of CTY 13 and CTY 14.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposal, however, it is considered that a dwelling could be sited appropriately so not to have a detrimental impact on the amenity of any existing properties due to separation distances, changes in ground levels, and existing mature boundary treatments. No.35a and No. 37 are both located approximately 50m from the application site (measured to the centre of the site).

Access and Parking

Access to the application site is to be gained from the Ballylurgan Road. DfI Roads were consulted regarding the application and responded with no objections to the proposed means of access, subject to compliance with the attached RS1 Form.

Other Matters

Environmental Health were consulted regarding the impacts of the proposal in relation to noise and odour, they have responded with no objections in principle to the proposal.

CONCLUSION

The following is a summary of the main reason 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;
- It is considered a dwelling could be accommodated within the site and integrate appropriately within the landscape, respecting the rural character of the area;
- An appropriately sited dwelling would not have a detrimental impact on neighbouring amenity;
- There are no road safety concerns with the proposal.

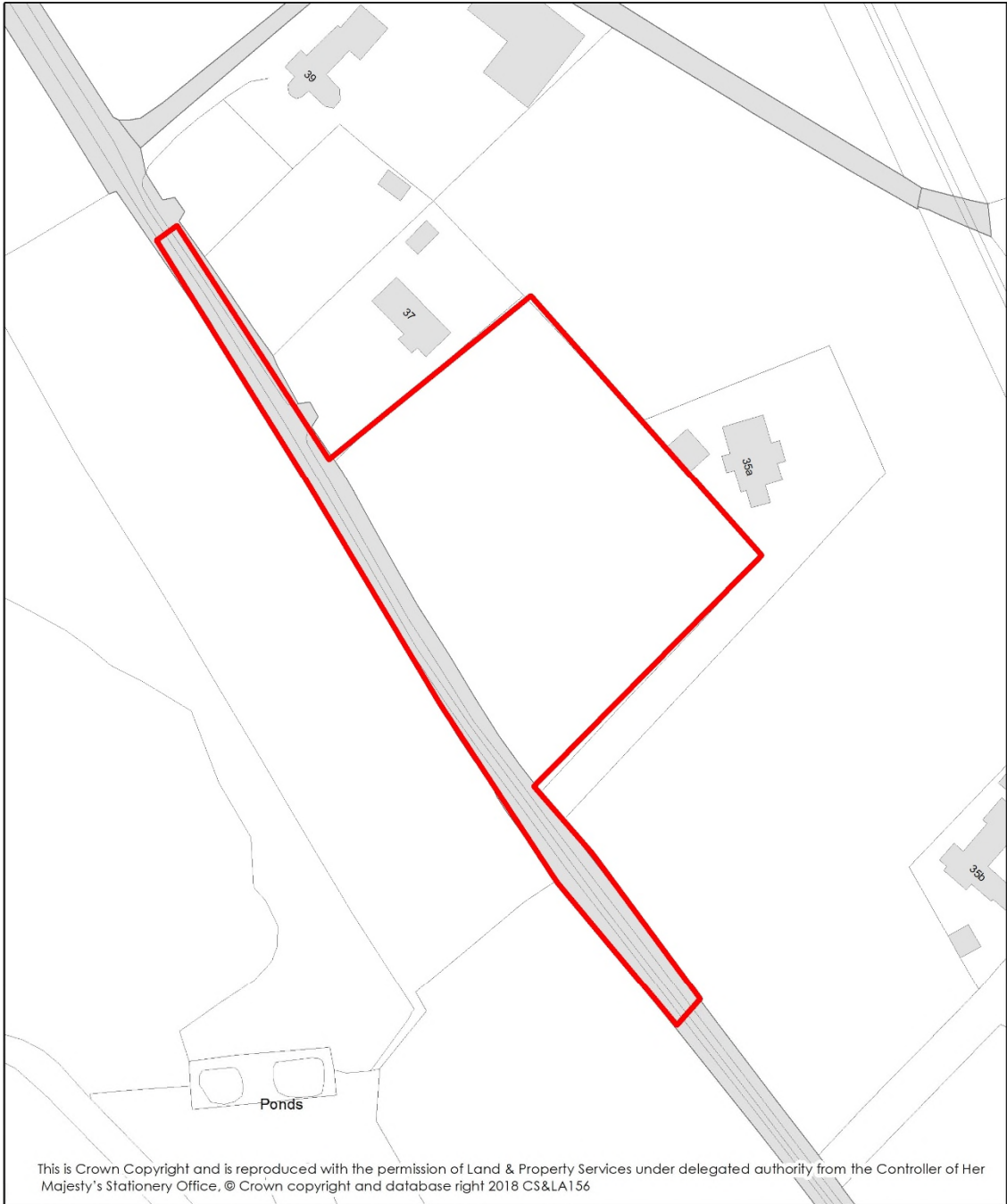
RECOMMENDATION

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 a) the farm business has not been active for at least 6 years, and c) the new building is not sited adjacent to an existing group of farm buildings.

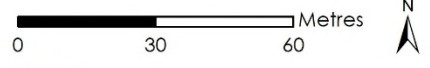



Site Location Plan

Application Reference: LA03/2022/0616/O

Location: Lands 60m SE of 37 Ballylurgan Road
Randalstown

Porposal: Site for dwelling and garage



 Site boundary



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2022/0671/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed 1 and a half storey domestic dwelling
SITE/LOCATION	30m South of 15 Ballymather Road, Nutts Corner, Crumlin, BT29 4UL
APPLICANT	S J Moore Building
AGENT	
LAST SITE VISIT	22 nd August 2022
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 6 metres south of No. 15 Ballymather Road, Crumlin and is within the countryside as defined within the Antrim Area Plan (1984-2001).</p> <p>The application site is situated between neighbouring dwelling No. 15 to the north and a privately shared laneway belonging to another dwelling expressed along the southern boundary. The site comprises a small area of agricultural grassland and is confined by the existing laneway to the south and west and the adjacent dwelling (No. 15) to the north. The topography of the site is relatively flat.</p> <p>The eastern boundary which abuts the public road and the northern common boundary is defined by approximately 4-5-metre-high landscaping. The remaining southern and western boundaries are defined by a post and wire fence which runs adjacent to the private laneway serving dwellings No. 15A and 15B sited 140 metres east of the application site. Mature landscaping of approximately 5-6 metres in height defines the western part 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, 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</p>	

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

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection subject to conditions.

Belfast International Airport – No objection.

REPRESENTATION

Five (5) 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, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Movement, 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). 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 and another is new dwellings in existing clusters in accordance with Policy CTY 2a. 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.

In this case the applicant has advised that the application is for a proposed in-fill site for a domestic dwelling. Policy CTY 8 states that planning permission will be refused for a dwelling which creates or adds to a ribbon of development, of which an exception to this is for the development of a small gap site within an otherwise substantial and continuously built up frontage; sufficient only to accommodate up to a maximum of two houses; whilst also respecting the existing development pattern along the frontage in terms of size, scale, siting and plot size; and meeting all other planning and environmental requirements.

It is noted that the core of policy CTY 8 relies on the need for a gap between buildings to allow the principle of a dwelling within an already existing ribbon of development. This is emphasised by the Amplification and Justification section of the CTY 8 which highlights specifically that in some cases frontages in the countryside have gaps between houses and other buildings that provide a visual break in the developed appearance of the locality. In this case, the application site is at the southern end of an existing ribbon of development comprising dwelling Nos. 11, 13 and 15 Ballymather Road, which as required by Policy CTY 8 is considered to comprise a continuous and substantially built up frontage.

The application site is situated between No. 15 and an existing private laneway that runs along the southern boundary used to access dwellings No. 15A and 15B Ballymather Road. The next closest dwelling beyond the southern boundary of the application site is No. 17 which is set approximately 140 metres away. This is a substantial visual gap in the built form along Ballymather Road and is considered to encompass a crucial visual break in the existing pattern of development.

The application site has a road frontage width of approximately 23 metres. Whilst it is noted that the existing laneway running along the southern boundary forms a line of development, the policy is clear that the gap in a frontage is between houses or other buildings and a laneway is not considered to comprise a building and therefore no infill opportunity exists.

It is acknowledged that CTY 8 states that for the purpose of this policy a road frontage also includes a footpath or private lane. Given that the southern and western boundaries of the application site run adjacent to an existing private laneway it is acknowledged that the application site can also be considered against the frontage of this laneway. The private laneway runs as a singular laneway to the most western point of the application site before it splits into a fork which then provides two separate driveways serving Nos. 15A and 15B. Similarly, the application site is situated at the bottom of this laneway directly adjacent to the roadside edge and as a result it does not comprise a gap within an otherwise substantially and continuously built up frontage as there is no other building providing a gap. Furthermore, the policy requires three buildings to be expressed along the same frontage to fulfil the requirements for a substantial and continuously built up frontage. In this case the application site does not fulfil this element of the policy as three buildings do not exist along the private laneway to provide a substantial and continuously built up frontage.

There are no historical or extant approvals on the adjacent field to the south beyond the private laneway that could provide a gap and subsequently enable an infill opportunity to be achieved at this location. Therefore, it is not considered that an infill opportunity exists at the site and therefore a dwelling within the site would add to an existing form of ribbon development which is contrary to policy provisions of Policy CTY 8 of PPS 21.

It is considered appropriate to also consider the application in respect of a dwelling within an existing cluster under CTY 2A of PPS21. Paragraph 6.73 of the SPPS and CTY2a of PPS 21 refers to 'new dwellings in existing clusters' and states that provision should be made for a dwelling at an existing cluster of development which lies outside of a farm provided it appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside.

The application site is situated within a section of the Ballymather Road that comprises dwelling No's 11, 13, 13A and 15. It is accepted that the application site lies outside of a farm and there are at least four buildings, of which at least three are dwellings. Although it is accepted that there is a perception of built development along this section of the Ballymather Road it is not considered that the development

reads as a visual entity in the landscape given that the built form is only evident over a very short distance and is largely screened by roadside vegetation.

The remaining policy criteria requires that the cluster be associated with a focal point and be absorbed and enclosed within the existing cluster. Neither the application site or the adjacent development is considered to be associated with any focal point as the application site is not sited close to a road junction or any building of local importance that would provide a focal point for the existing development.

In addition, it is accepted that the application site is bound by the laneway serving dwellings No's 15 A and 15B to both the southern and western boundaries and dwelling No. 15 to the north. However, the application site does not qualify as an opportunity for development in a cluster, given that it is not considered that a cluster exists at the application site and the policy makes direct reference to proposals being bounded by development within a cluster.

Lastly, it has already been considered that the application site does not propose a cluster opportunity and therefore a dwelling at this location would not round off or consolidate an existing cluster. In contrast to this, the proposal would visually expand the built form into the open countryside by extending and adding to the existing ribbon of development evident along this section of Ballymather Road.

It is considered overall, that the application site fails to also comply with Policy CTY2A of PPS21.

No other evidence, has been submitted by the applicant to suggest that the proposal falls to be considered under any other category of development that is noted as being acceptable in principle in the countryside in accordance with Policy CTY 1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

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

An indicative block plan Drawing 02 date stamped 22nd July 2022 has been provided which demonstrates a detached dwelling centrally located within the application site. As the application seeks outline permission, no details have been provided regarding the proposed design of the dwelling, however it is noted that with the exception of neighbour No. 11, the remaining dwellings expressed along this section of Ballymather Road are noted as being single storey.

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 southern and western boundaries which run adjacent to the

existing shared laneway. The northern boundary which runs adjacent to No. 15 is defined by mature vegetation approximately 4-5 metres in height. The remaining eastern roadside boundary is also defined by 4-5-metre-high hedging although it is noted that this boundary would require removal in order to provide visibility splays.

Notwithstanding, the removal of the eastern roadside boundary, it is acknowledged that the southern boundary of the existing laneway which lies outside of the red line of the application site but under the ownership of the applicant is defined by mature landscaping approximately 6-7 metres in height. This existing landscaping defining the laneway to the southern side would obstruct views of a dwelling within the site on approach from a southern direction along the Ballymather Road. Critical views of a dwelling within the application site would be achieved in proximity to the access point and along the frontage of the application site. Similarly, the existing landscaping to the northern boundary and the location of the existing dwellings (Nos. 11, 13 and 15) would obscure critical views of the site on approach from the northern direction. Views of a dwelling within the application site would be limited when passing directly in front of the application site. Additionally, the existing vegetation approximately 5-6 metres in height to the rear of the application site also provides a suitable backdrop to absorb the built form of a proposed dwelling.

Given the level of existing landscaping defining and surrounding the application site it is considered that a dwelling within the application site, subject to a low ridge height restriction and a suitable planting scheme could be sensitively integrated and absorbed into the application site in accordance with the policy criteria laid out in Policy CTY 13.

Policy CTY 8 and Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. The proposed development would result in the addition of a single dwelling along this stretch of Ballymather Road, which would represent a linear form of development creating an unnecessary suburban style build-up of development, adding to an existing ribbon of development in this rural area.

The characteristics of Ballymather Road mostly comprises a dispersed pattern of development with isolated dwellings served by long laneways and small groups of dwellings at roadside locations. There are limited examples of ribbon development being expressed along Ballymather Road and it is therefore considered important to resist ribbon development and to protect the integrity of the countryside by ensuring that further built form does not continue to intrude inappropriately into the open rural area.

Therefore, due to the failure to comply with Policy CTY 8 and CTY 2A which have been discussed above; and the subsequent addition to ribbon development, resulting in a suburban style build-up of development, the proposal fails to comply with Policy CTY 14 of PPS21.

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 within the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

Movement, Access and Parking

As outlined in Drawing 01 date stamped 22nd July 2022 the application site is to be served using a new vehicular access point directly off the Ballymather Road.

Consultation was carried out with DfI Roads and it is considered that the applicant is able to achieve the requisite visibility splays required by DfI Roads, with further details to be submitted at Reserved Matters stage. It is deemed that the proposed access will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

- The principle of the development cannot be established as the proposal is contrary to the policy requirements of CTY 8 and CTY 2A of PPS 21.
- The application site is able to provide a suitable degree of enclosure for the proposed development, in compliance with CTY 13 of PPS 21.
- The proposal will result in a suburban style build-up of development that would not respect the existing pattern of development and would add to a ribbon of development contrary to CTY 8 and CTY 14 of PPS 21.
- There are no road safety concerns with the proposal

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

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 1, CTY 2a and CTY 8 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 and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 or a dwelling in an existing cluster in accordance with Policy CTY 2a of PPS21.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, would result in a suburban style build-up of development and would add to an existing ribbon of development.




Site Location Plan

Application Reference: LA03/2022/0671/O

Proposed 1 and a half storey domestic dwelling

30m South of 15 Ballymather Road
 Nutts Corner, Crumlin, BT29 4UL



 Site boundary



PART TWO
OTHER PLANNING MATTERS

ITEM 3.12

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during August 2022 under delegated powers together with information relating to planning appeals is **enclosed** for Members' information.

One (1) appeal was dismissed during August by the Planning Appeals Commission (PAC) in relation to LA03/2020/0229/F a proposed 2 storey dwelling with attached garage to the rear with associated works at 21a Belfast Road, Nutts Corner, Crumlin (PAC Ref 2021/A0030) and a copy of this decision is also **enclosed**.

RECOMMENDATION: that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.13

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). Two (2) PANs were registered during August 2022 the details of which are set out below.

PAN Reference:	LA03/2022/0703/PAN
Proposal:	Public realm improvements including resurfacing of footpaths and public spaces; new lighting, street furniture, soft landscape and realignment of pedestrian crossings and parking
Location:	Lands adjacent to 242-382 Antrim Road, 1-29 & 2-36 Ballyclare Road the Lilian Bland Community Park, 2-6 Hightown Road, 2-4 & 1-17 Farmley Road, 1-3 Carnmoney Road, 170-178 & 167 Church Road, Farrier Court 1 Glenwell Road 1-3 Church Way, Farmley Road Car Park and the Tramways Centre Glengormley
Applicant:	Antrim and Newtownabbey Borough Council
Date Received:	18 August 2022
12 week expiry:	10 November 2022

PAN Reference:	LA03/2022/0718/PAN
Proposal:	Two storey extension (circa 2,840 gross sqm) to the existing High Performance Sports Centre to include a gym, fitness suites, physio room, student sports clubhouse, teaching/event space, extended reception area, changing rooms, equipment stores and ancillary multipurpose rooms. Associated site development works include soft and hard landscaping, all services, plus part realignment of internal access road.
Location:	Lands approx. 190m NW of 44 Langley Hall Newtownabbey BT37 0FB and 275m NE of 46 Jordanstown Road Newtownabbey BT37 0QG adjacent to existing High Performance Sports Centre, Ulster University, Jordanstown Campus, Shore Road, Newtownabbey, BT37 0QB
Applicant:	Ulster University Belfast Campus, York Street, Belfast, BT15 1ED
Date Received:	24 August 2022
12 week expiry:	16 November 2022

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

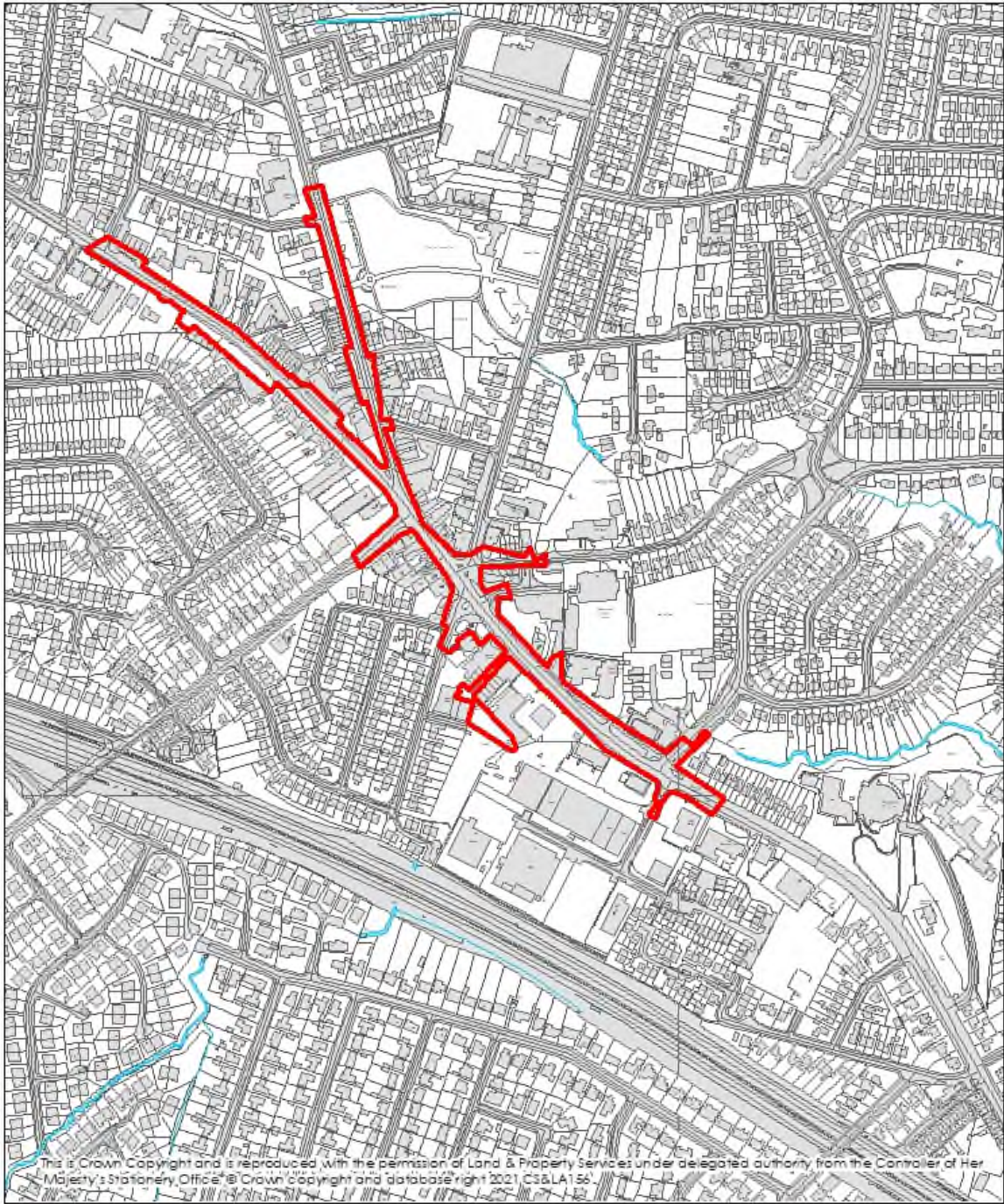
application is submitted this must be accompanied by a Pre-Application Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

RECOMMENDATION: that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

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



Planning Application Reference: LA03/2022/0703/PAN

Location: Lands near Antrim Road, Ballyclare Road, Lilian Bland Community Park, Hightown Road, Farmley Road, Cammoney Road, Church Road, Farrier Court, Glenwell Road, Church Way, Farmley Road Car Park and the Tramways Centre, Glengormely

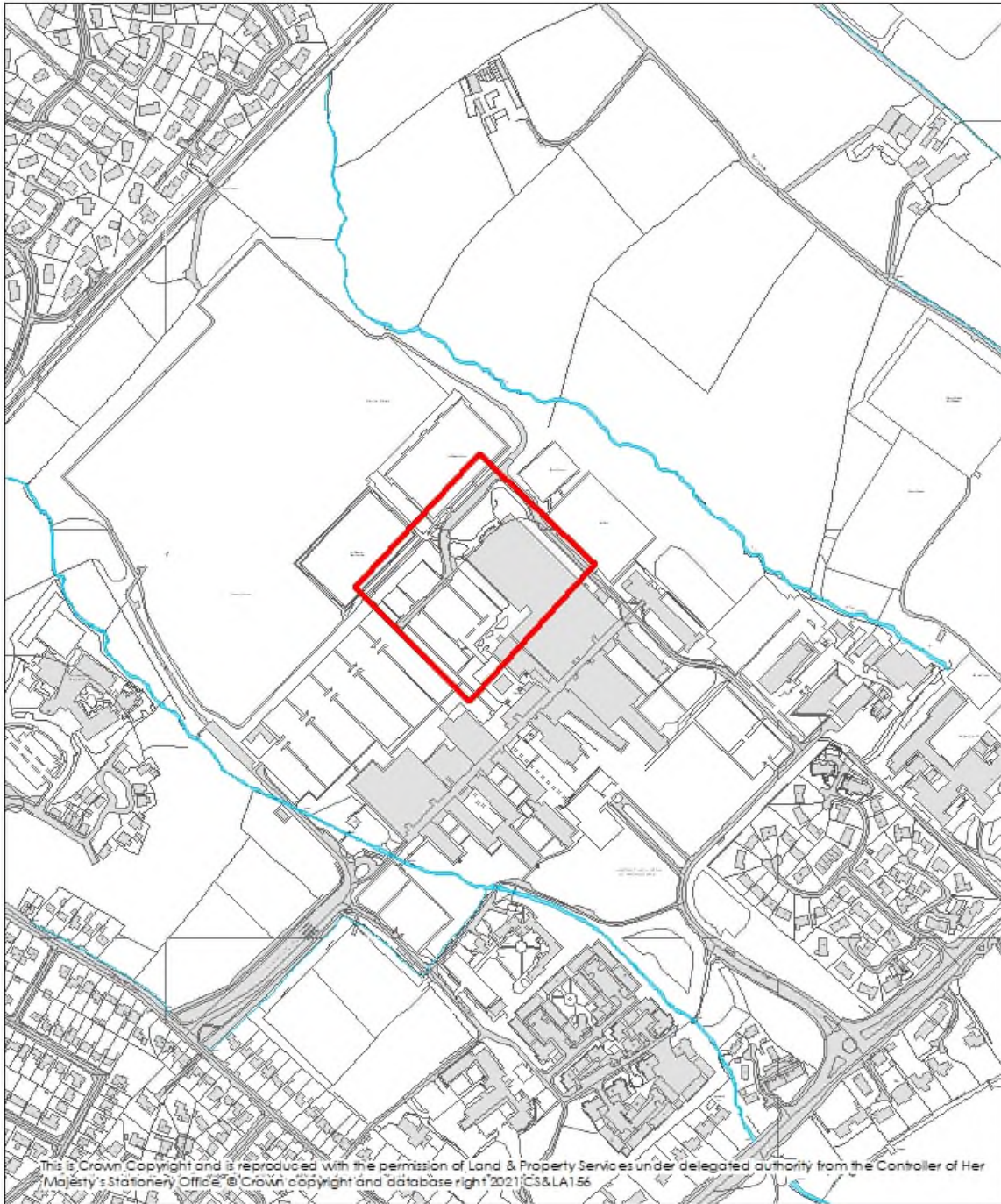
Proposal: Public Realm Works

Scale: 1:5000



Site Location





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Planning Application Reference: LA03/2022/0718/PAN

Location: Adjacent to existing High Performance Sports Centre, Ulster University, Jordanstown Campus

Proposal: Two storey extension to the existing High Performance Sports Centre and associated site development

Scale: 1:5000



Site Location



ITEM 3.14

P/FP/LDP/103 PROPOSED LISTING OF BUILDING AT 20 METRES EAST OF 360 BALLYCLARE ROAD, NEWTOWNABBEY – SERVICE OF A BUILDING PRESERVATION NOTICE

Correspondence was received from the Historic Environment Division of the Department for Communities (DfC) on 15 August 2022, advising of their intention of list a building at 20 metres east of 360 Ballyclare Road Newtownabbey as a building of special architectural or historic interest – copy **enclosed** for Members' information.

As the building is vacant, DfC considered there was a greater risk of inappropriate change or demolition and asked the Council to consider issuing a Building Preservation Notice (BPN) on this building.

As outlined in Section 81-83 of The Planning Act (Northern Ireland) 2011, a BPN is a form of temporary listing which provides statutory protection to an unlisted building, for a period of 6 months, as if it were listed. The Planning Act (Northern Ireland) 2011 gives councils the discretionary power to serve a Building Preservation Notice (BPN) on the owner and occupier of a non-listed building that they consider is of special architectural or historic interest and in danger of demolition or of alteration in such a way as to affect its character as a building of such interest.

Due to the perceived risk, a BPN was served on 24 August 2022 to temporarily protect the said building and to afford the Department time to complete the listing process – copy **enclosed** for Members' information.

Members are advised the responsibility for including a building on the list of buildings of special architectural or historic interest rests with DfC subject to consultation with the relevant district council and the Historic Buildings Council (HBC).

Once a building is listed by DfC then consent is subsequently required for its demolition and any works of alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. This is referred to as 'Listed Building Consent' (LBC) and it is an offence to carry out such works without consent. Planning permission is also required in addition to LBC if the works involve 'development'.

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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