



6 December 2019

Committee Chair: Alderman P Brett

Committee Vice-Chair: Councillor R Lynch

Committee Members: Aldermen – F Agnew and T Campbell
Councillors – J Archibald, H Cushinan, S Flanagan,
R Kinnear, M Magill, S Ross, R Swann and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Wednesday 11 December 2019 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

For any queries please contact Member Services:

Tel: 028 9034 0098 / 028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – December 2019

Part One - 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.

Part Two - 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.

- 1 Apologies
- 2 Declarations of Interest
- 3 Report on business to be considered

PART ONE

- 3.1 Delegated planning decisions and appeals November 2019
- 3.2 Proposal of Application Notification
- 3.3 Letter from the Royal Society of Ulster Architects
- 3.4 Chief Planners Update – November 2019
- 3.5 Update on Replacement of NI Planning Portal
- 3.6 LDP – Lisburn and Castlereagh City Council Draft Plan Strategy
- 3.7 LDP – Draft Plan Strategy: Summary of Main Issues Arising in Public Consultation Responses

PART TWO - Decisions on Enforcement Cases – In Confidence

- 3.8 Enforcement Case: LA03/2019/0315/CA - Update
- 3.9 Enforcement Case: LA03/2019/0211/CA
- 3.10 Enforcement Case: LA03/2019/0040/CA & LA03/2019/0495/CA

4. Any Other Business

PART TWO - Decisions on Planning Applications

- 3.11 Planning Application No: LA03/2019/0089/F

Proposed development of 24 no. apartments within 4 no. blocks (Partial amendment to previous planning approval U/2014/0167/F), landscaping and all associated site and access works on lands adjacent and north/north east of 85 and 91 Whitehouse Park and adjacent and west of M5 Motorway, Newtownabbey.

3.12 Planning Application No: LA03/2019/0444/F

Demolition of existing retail units, filling station and No.8 Station Road; and development of 2 No. replacement retail units and 1 no. hot food unit, bulk fuel, petrol canopy, ATM and bin store with associated car parking and site works at 8-10 Station Road, Doagh.

3.13 Planning Application No: LA03/2019/0696/O

Proposed construction of 2no. infill dwellings using the existing vehicular entrance at 362 Ballyclare Road and associated car parking on lands between Nos. 362 & 366 Ballyclare Road, Glengormley

3.14 Planning Application No: LA03/2019/0761/O

Proposed site for new dwelling at 133A Seven Mile Straight, Antrim

3.15 Planning Application No: LA03/2019/0805/F

Erection of dwelling, garage and associated site works on lands to the immediate NW of 2A Carmavy Road, Crumlin

3.16 Planning Application No: LA03/2019/0823/F

Proposed conversion and reuse of existing stone barn to domestic dwelling with extension on lands 40m southeast of 27A Pipe Road, Randalstown

3.17 Planning Application No: LA03/2019/0716/F

Single garage to rear of dwelling with associated new access and boundary fence at 9 Lismenary Road, Ballynure.

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 11 DECEMBER 2019**

PART ONE

GENERAL PLANNING MATTERS

ITEM 3.1

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during November 2019 under delegated powers is **enclosed** for Members attention together with information received this month on planning appeals.

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Executive Officer, Planning

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

ITEM 3.2

P/PLAN/1 PROPOSAL OF APPLICATION NOTICE FOR MAJOR DEVELOPMENT

Members will be aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during November 2019 the details of which are set out below.

PAN Reference:	LA03/2019/0949/PAN
Proposal:	Proposed residential development of 90 no. dwellings, detached garages, sunrooms, landscaping, open space and all other associated site and access works
Location:	Lands 80m south of Ferrard Meadow west of Ballymena Road, Antrim
Applicant:	Lotus Homes (UK) Ltd
Date Received:	20 November 2019
12 week expiry:	12 February 2020

Members will recall that 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: Kathryn Bradley, Executive Officer, Planning

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

ITEM 3.3

P/PLAN/1 – CORRESPONDENCE FROM THE ROYAL SOCIETY OF ULSTER ARCHITECTS

The Royal Society of Ulster Architects (RSUA) has written to the Council (copy enclosed) and requested that Officers draw Elected Members attention to the use of the protected term 'architect'.

In its letter the RSUA confirms that use of the title 'architect' is protected by law and can only be used in business or practice by someone who has the education, training and experience needed to become an architect and who is registered with the Architects Registration Board (ARB). It should not therefore be used as a generic term to describe any agent who submits a planning application, when many may not in fact be qualified as such.

The intent of the RSUA letter is to draw attention to the misuse of the title 'architect' to help ensure the public and others are not misled when they seek to engage with the planning and development process.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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

ITEM 3.4

P/PLAN/1 CHIEF PLANNER'S UPDATE – NOVEMBER 2019

Angus Kerr, the Chief Planner in the Department for Infrastructure, has issued a Chief Planner's update (copy **enclosed**) which is intended to update Councils in relation to key planning issues.

The update covers the period from November 2018 – November 2019 and provides information under a range of headings including the NI Planning Monitoring Framework, Local Development Plans, Refresh of the Housing Growth Indicators, Environmental Governance, Planning Guidance and the new NI Planning IT System. The update also provides information on recent case law, the NI (Executive Formation and Exercise of Functions) Act 2018 and indicates that the NI Audit Office will be undertaking a review of the planning system at both a local and central level.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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

ITEM 3.5

P/PLAN/016 REPLACEMENT OF THE NI PLANNING PORTAL

Members will be aware that extensive work has been undertaken over the last 18-24 months in relation to procuring a replacement Planning IT System for Northern Ireland. The Outline Business case and a Memorandum of Understanding were presented in confidence to Full Council on 25 March 2019. At this meeting it was resolved to support the preferred option in the Outline Business Case and contribute financially to the new IT system as per the estimates provided. The Council further agreed to sign up to the Memorandum of Understanding which included a commitment to share the costs of the project at least until Final Business Case stage following a public procurement exercise.

Since this time Officials representing the interests of all Local Authority planning teams across Northern Ireland have continued to work with colleagues from the Department for Infrastructure alongside independent expert consultants, Deloitte, in refining the product specification in preparation for contract award and the implementation stage. Work has also been ongoing to define the structure and resource requirements, both locally and centrally, for the implementation of this large scale project.

For procurement the Tender Evaluation Panel, made up of representatives from DFI, and Local Council Planning and IT teams have been supported by Deloitte and CPD. The chosen procurement process involves a number of stages:

- Stage 1: Selection Process
- Stage 2: Invitation to Negotiate
- Stage 3: Verification
- Stage 4: Negotiation
- Stage 5: Revised and Final Tenders.

Stage 1 of the procurement process has been completed. After assessment of the five submissions received the tender evaluation panel has taken two suppliers forward to the next stage of the procurement process.

Invitations to negotiate were issued to these two suppliers with a deadline for response of 2 December 2019 and it is proposed that these will be assessed by the Tender Evaluation Panel and consensus meetings will take place in mid-December 2019 allowing verification and negotiations to commence promptly in January 2020.

The timetable being set for completion of the remaining steps of the procurement process and the approval of the Final Business Case is challenging, but necessary to minimise any requirement for further contract extensions to the existing system. As Members will be aware from previous reports the contract for the existing Planning Portal expires at the end of December 2020. This means that the Project Team is working to a deadline of March 2020 for contract award.

At this time it is anticipated that the recommended supplier will be identified in February 2020. The Department will then issue a Final Business Case to all councils setting out the preferred supplier(s); the IT solution they propose to provide;

implementation costs; and timescales. All 11 Councils will then be asked to commit to award of contract. In theory, any Council may at that time choose not to proceed with the contract and would be free to procure their own IT system. Whilst this outcome remains a possibility, it is nevertheless considered unlikely for a number of reasons, not least the uncertainty surrounding costs of going it alone, particularly in relation to the cost of data migration from the existing system.

Based on current project timeframes the intention is to bring the Full Business Case to the Council in March 2020 for consideration.

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Executive Officer, Planning

Agreed by: John Linden, Head of Planning

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

ITEM 3.6

P/FP/LDP/66 – LISBURN & CASTLEREAGH CITY COUNCIL, LOCAL DEVELOPMENT PLAN 2032 DRAFT PLAN STRATEGY

Members are advised that Officers from the Council's Forward Planning Team attended the public launch of the Lisburn & Castlereagh City Council's (LCCC) Local Development Plan 2032 draft Plan Strategy (dPS) on 11 October 2019 at The Island Civic Centre in Lisburn.

Following a four week period of pre consultation, the formal 8-week public consultation period is now open and runs from 8 November 2019 to 5pm on 10 January 2020. The draft Plan Strategy and all associated documents are available to view at:

<https://www.lisburncastlereagh.gov.uk/resident/planning/local-development-plan>

LCCC position on ANBC draft Plan Strategy

As Members are aware Officers are currently considering the 122 representations made earlier this year to this Council's draft Plan Strategy with a view to providing feedback to Members in the New Year.

LCCC submitted a response raising a number of concerns/issues on aspects of the draft Plan Strategy which are summarised below:

- Questions the need for the proposed new Strategic Employment Locations (SELs) at Antrim and Ballyclare and advised that these have the potential to adversely impact on the economic growth strategy of LCCC.
- Accept in principle the proposed Nutts Corner SEL provided it is only for consolidation and rounding off of existing development/uses at this location. However concern was raised regarding the cumulative impact that the proposed Nutts Corner SEL could have on the LCCC Economic Growth Strategy when taken in combination with the proposed extension of economic lands at Belfast International Airport, Antrim and Ballyclare.
- Indicated general support for the principle of the proposed Belfast International Airport SEL, but concern raised regarding the scale and nature of proposed complimentary uses that could adversely impact on the growth of LCCC.
- Disagreement registered regarding the role of the West Lisburn Strategic Mixed use site in this Council's evidence base. LCCC consider that West Lisburn has the potential to provide for large scale investment with a regional focus.
- Welcomed this Council's priority for improved accessibility and connectivity and suggested consideration be given to a joined up approach to the potential reopening of the Knockmore railway line from Antrim to Lisburn.

LCCC draft Plan Strategy implications for ANBC

A summary of the LCCC draft Plan Strategy is **enclosed**.

In terms of the tests of soundness, the main cross boundary tests are as follows:

- *C4. Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?*
- *CE1. The plan sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant is it in conflict with the plans of neighbouring councils.*

There are a number of cross boundary issues that affect both Councils. These include settlement growth, housing, transport, retail and overlapping strategic landscape areas such as the Belfast Hills. Officers consider that there are no significant issues under these headings that would be in conflict with this Council's draft Plan Strategy.

However, the following matters have been identified as having potential cross boundary implications that Officers consider should be raised in the Council's response to LCCC:

- LCCC has identified two Strategic Mixed use sites at West Lisburn/Blaris and Purdysburn/Knockbracken. A number of Local Employment Sites are also identified. The Maze lands are identified as a Strategic Land Reserve of Regional Importance (the development of this site rests with the Office of the First and Deputy First Minister). In total 724 hectares are identified for potential "zoned" employment lands including 141 hectares at the Maze Site (the exact uses proposed are unclear at this time). Of the 724 hectares, some 237 hectares of currently zoned land remains, with almost 221 hectares undeveloped. If account is taken of the Maze site this equates to a potential total of over 370 hectares of land still to be developed. Officers would question the need for such a large amount of employment lands, a large proportion of which remains undeveloped, particularly when the Plan's evidence base suggests that approximately only 44 hectares of land is needed during the Plan period. Officers would question how LCCC has adequately considered the impact of such a large proportion of economic growth on neighbouring Councils including ANBC.
- LCCC identifies the area of Lignite near Lough Neagh which straddles the boundary with this Council and indicates that it is unlikely to be developed in the near future. However, the dPS also contains a policy that states that valuable minerals reserves can be exploited and each case will be treated on its own merits. Therefore Officers are unclear regarding the LCCC position on Lignite extraction which could have implications for this Council area. This would be dependent on the position of the Department for Economy agreeing to a licence for such extraction.
- LCCC has published a neighbouring council consultation report following the establishment of an LCCC led neighbouring council working group. However, this Council has not endorsed this publication in terms of agreed engagement as there are a number of established working groups already in place that deal with such matters including the Metropolitan Area Spatial Working Group.

A copy of the Council's draft response is **enclosed** for consideration.

Officers from the Forward Planning Team will also continue to engage with their counterparts in LCCC in relation to the ongoing preparation of our respective Local Development Plans.

RECOMMENDATION: that the draft response to Lisburn & Castlereagh City Council's draft Plan Strategy be approved.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.7

P/FP/LDP/1 – DRAFT PLAN STRATEGY: SUMMARY OF MAIN ISSUES ARISING IN PUBLIC CONSULTATION RESPONSES

Members will recall that it was reported to the October Planning Committee that a total of 122 written representations were made in response to the formal public consultation (undertaken from 26 July to 30 September 2019) on the Council's Local Development Plan draft Plan Strategy. This included representations submitted by Government Departments, other statutory partners and developers as well as comments by residents and local groups.

The 122 written responses range from short, succinct letters to detailed technical documents and are comprised of 13 responses from individual members of the public, 46 responses from organisations, including statutory consultees, and 63 responses from planning agents. They incorporate a large number of issues relating to the draft Plan Strategy and its associated documents. Most of the responses, such as that previously reported by the Department for Infrastructure, raise multiple issues. Officers within the Forward Planning team are continuing to analyse the detailed issues raised within each representation.

This Report has been prepared for Members to draw attention to the following key issues emerging from the ongoing Officer analysis of the representations on the draft Plan Strategy document (hereinafter referred as the Plan)

General Matters

1. General support for the Plan from the Department of Infrastructure (Strategic Planning Directorate), other statutory consultees and NGOs, although a large number of requests seeking detailed changes and additional text to the wording of various policies of the Plan were also made.

Plan Vision, Strategic Objectives and Sustainable Development

2. Broad support for the Spatial Growth Strategy and the Places of the Borough with a number of issues raised by individuals/organisations on specific matters e.g. the use of committed sites; the lack of public transport at Nutts Corner; and excessive development in the countryside.
3. Support in principle for the introduction of Developer Contributions with queries over how it will work in practice.

Employment

4. The majority of representations relating to the Employment section of the Plan have indicated support for the proposed Strategic Employment Locations (SELs), particularly at Nutts Corner and Belfast International Airport (BIA) as well as the Plan's indication of acceptable uses in SELs.
5. One representation made by Lisburn and Castlereagh City Council has however raised concern regarding the cumulative impact of identifying SELs at Antrim, Ballyclare and Nutts Corner and the potential spatial extent of the proposed SEL at Belfast International Airport on the economic growth of its Council area.

6. Belfast City Council has expressed concern regarding the proposed elevation of the Abbey Centre in the retail hierarchy from a District Centre to a large Town Centre, in particular the consequences this may have for Belfast City Centre.
7. The Junction Retail and Leisure Park has expressed concern with the Plan's proposed Retail Hierarchy, and in particular, that ongoing development of the Junction would be unduly constrained by Policy DM8 of the Plan. It has also suggested that Antrim Town Centre should be downgraded in the retail hierarchy to a Tier 2 centre.

Homes

8. Responses from a number of developer interests contend that the overall Housing Growth Figure of 9,750 set out in the Plan to 2030 should be increased.
9. Linked to the developer concerns regarding the overall Housing Growth Figure, they also contend that the Housing Allocation figures for the following settlements should be increased to allow for additional housing growth – Metropolitan Newtownabbey, Antrim, Ballyclare, Crumlin and Randalstown as well as all the villages and several hamlets.
10. Whilst developer interests are seeking to increase the overall Housing Growth Figure, the response from the Department for Infrastructure (Strategic Planning Directorate) refers to the need for the Plan to take account of the recently revised Housing Growth Indicators (HGI) issued by the Department for each Council area. Members have already been made aware that the revised HGI for Antrim and Newtownabbey represents a reduction of almost 50% from the previous figure for the Borough.
11. General welcome for the Affordable Housing policy, particularly from Housing Associations and NIHE, but concerns that the threshold set out in the Plan is unambitious and should therefore be amended to help meet the social and affordable housing needs of the Borough.

Other Matters

12. General support for the identification and safeguarding of the Borough's important mineral deposits, including the strategic lignite reserve near Crumlin.
13. General support for the Landscape Character Assessment evidence base and the designation of Strategic Landscape Policy Areas (in particular the Carnmoney Hill and the Lough Neagh and Lough Beg Strategic Landscape Policy Areas).
14. General support received for the Plan's policy response to tackling climate change and environmental challenges.
15. General support for the Plan's approach to promoting renewable energy development, although one detailed response raised concern about Government Policy and criticised the Plan's support for further wind turbine development.

Members should also note that the period for submission of Counter Representations to representations made on the draft Plan Strategy is scheduled to end on 6 December 2019. At time of writing, the Council has received 9 Counter Representations. It is intended that all representations received will be made available for inspection at the Council's main offices as well as on the Council website by the start of the New Year.

In preparation for an Independent Examination of the draft Plan Strategy before the Planning Appeals Commission (PAC), the Council is required to prepare a full summary of the main issues identified as a result of the public consultation (including all Counter Representations received) and to provide a summary report to DfI/PAC.

Officers will now continue to consider all representations received and will prepare a detailed report to be presented to Members in the New Year which will include Officer recommendations in response to the matters identified.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

PART TWO

PLANNING APPLICATIONS

COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2019/0089/F
DEA	MACEDON
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed development of 24 no. apartments within 4 no. blocks (Partial amendment to previous planning approval U/2014/0167/F), landscaping and all associated site and access works
SITE/LOCATION	Lands adjacent and north/north east of 85 and 91 Whitehouse Park and adjacent and west of M5 Motorway, Newtownabbey.
APPLICANT	Wilden Construction Services Ltd
AGENT	TSA Planning
LAST SITE VISIT	29 th March 2019
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@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 within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plans (2004 & 2014). The site is located in the south and southeastern corner of a larger housing development, namely Loughshore Manor, which is currently under construction. The site has been cleared of all grass and vegetation and is currently being regraded in preparation for construction. It is bounded to the south by mature hedgerows and trees with a post and wire fence and some sparse hedging along the eastern boundary. The site is in a mixed use area and surrounded by residential developments, recreational uses, educational and religious buildings.	
RELEVANT PLANNING HISTORY	
Planning Reference: U/2014/0167/F Location: Lands at 319-321 Shore Road, Newtownabbey (including lands to the east located between the railway line and the M5 motorway) Proposal: Proposed residential development of 58 No. units comprising 10 No. townhouses, 36 No. semi-detached dwellings, 8 detached dwellings and 4 No. apartments with associated landscaping, parking, site and access works (reduction in density from extant permission U/2005/0049/F) Decision: Permission Granted 27.01.2015 Planning Reference: U/2005/0049/F Location: Lands at 319 - 321, Shore Road, Whitehouse, Newtownabbey, BT37 9RZ (including lands to the east located between the railway line and the M5 motorway.)	

Proposal: Erection of 6 No. apartment blocks comprising 174 units with new access including a new bridge and associated comprehensive landscaping and car parking.

Decision: Permission Granted 19.06.2007

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 Antrim Area Plan and the Belfast Urban 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 settlement limit of Metropolitan Newtownabbey.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Metropolitan Newtownabbey.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water – Advised that no connection to public sewers will be allowed.

Department for Infrastructure Roads – No objection.

Northern Ireland Environment Agency: Natural Environment Division – No objection.

REPRESENTATION

Twelve (12) neighbouring properties were notified and six (6) letters of representation from four (4) properties have been received. 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:

- Unnecessary removal of trees and mature landscaping.
- Breaches of a Tree Preservation Order have occurred on site.
- Impact on privacy.
- Impact on wildlife, in particular bats and squirrels.
- Noise disruption from construction.
- Impact on pedestrian and road safety from increased traffic.
- Inadequate provision for storm and sewer provision.
- Higher density development will impinge on the urban environment, character, amenity and environmental quality of established residential area.
- Conditions from previous approval have not been implemented.
- No neighbour notification letter was received.
- Potential for flooding to occur in Whitehouse Park.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The 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. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

The planning history of the application site and the adjoining lands is an important material consideration in this instance. Planning approval was previously granted for the erection of a residential development of fifty eight (58) units comprising ten (10) townhouses, thirty six (36) semi-detached dwellings, eight (8) detached dwellings and four (4) apartments with associated landscaping, parking, site and access works under application reference U/2014/0167/F in January 2015. This approved scheme represented a reduction in the number of units from a previously approved development proposal of six (6) apartment blocks containing 174 units (ref: U/2005/0049/F), which was granted on this application site in June 2007. It should be noted that the current application site formed only a portion of the site referred to in the planning histories referred to above.

Given the previous approvals associated with this application site, the principle of development is acceptable and the main considerations are layout and appearance; impact on the character and appearance of the area and neighbour amenity.

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

This proposal is for the erection of twenty four (24) apartments, contained within four (4) three-storey apartment blocks. The overall height of each block is 13m from finished floor level with external finishes to include dark grey concrete roof tiles, a mostly brick finish with some render to parts and black rainwater goods. The finishes are generally to match those of the previous approval which is under construction. The rear elevation of each apartment block is dominated by full height glazing in the living/dining/kitchen areas, and each apartment has a private balcony area.

The apartment blocks will be positioned in the southeastern corner of the larger development site, and will replace a total of fourteen (14) previously approved units;

four (4) detached and (10) semi-detached dwellings. The latter of which were two-storey, measuring 8.5m from finished floor level and proposed a mix of finishes including brick, stone and render; some also were approved with two-storey front projections. The four detached dwellings were two-storey also, with a ridge height of 7.7m from finished floor level (on sites 28 and 33) and a slightly higher dwelling on sites 36 and 37, with a ridge of 8.3m from finished floor level. The same finishes as the semi-detached dwellings were approved on these plots also. Incurtilage parking was provided for each unit, the majority of which was to the side of the dwelling, although on sites 34 and 35, parking was to the front.

It is considered that the external design and finishes of the apartment blocks are reflective of the development already approved and under construction; they are acceptable and can be accommodated without any detrimental visual impact on to the application site and surrounding area.

Creating Places recommends that for apartment developments, private communal open space will be acceptable and can take the form of landscape areas, courtyards or roof gardens, with a size in the range of 10sqm to 30sqm per unit. The total amount of private communal landscaped areas for the whole apartment development is approximately 880sqm, with each individual unit having a rear private balcony measuring 4.5sqm. Taken together, the average amount of private open space for each apartment is around 40sqm, which is above the recommended amount suggested in Creating Places.

The Addendum to PPS 7, 'Safeguarding the Character of Established Residential Areas', sets out additional criteria for new residential development to that contained within PPS 7. Criterion (c) states that 'all dwelling units and apartments are built to a size not less than those set out in Annex A'; for a three person / two bedroom flat, this equates to a floor area of no less than 65sqm. In terms of the floor area provided for each unit in this proposed apartment development, it has been measured at approximately 67sqm, which is just above the minimum standard.

The development is accessed via two separate vehicular entrances off the main development road, with a separate pedestrian access also being provided. To the front of Block 1 and Block 2 are 19 parking spaces, with a further 15 spaces to the front of Block 4, giving a total of 34 communal parking spaces. This is two spaces short of the minimum required standards but is considered acceptable for this urban location. The amount of hardstanding provided includes the parking spaces, turning head and access road and is broken up with small areas of grass, shrub and ornamental trees.

Each apartment block has two bin storage areas, with a further two 'overspill' storage areas and one bin collection point. These storage areas are to be surrounded with a 1.8m high brick wall to match the apartment blocks and ensure they do not appear incongruous in the overall development.

A 2.2m high solid timber fence will be erected along the rear boundary of the application site, with the existing hedge along the southern boundary to be retained and augmented where necessary. To the front of the proposed development is a 900mm high brick wall with black railings on top, and a 2m high brick wall to be built along the western most part of the application site.

Overall, it is considered that the proposal is acceptable in terms of the appearance of the buildings, boundary treatments and provision of private amenity space with an acceptable layout and a suitable level of soft landscape included to ensure integration into the larger development scheme.

Neighbouring Amenity

Criterion (h) of Policy QD 1 requires that there is no unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. In this case, the proposed development is seeking to replace fourteen (14) dwellings with four (4) apartment blocks, providing a total of twenty-four (24) units. These apartment blocks are positioned further from the approved dwellings currently under construction and should create no greater impact on the amenity of these residents than what was previously approved.

Existing residents of both Whitehouse Park and those in the newly built units within this development site may experience noise nuisance from the ongoing construction works. This issue was raised by a neighbouring property in Whitehouse Park. However, this is a construction site and noise is unfortunately such a consequence. On completion of the development, this level of noise will cease and there should be no further concerns.

Both gables of the apartment blocks have four windows, two serving a bathroom/ensuite, a bedroom corner window and the fourth window at the kitchen sink. This kitchen window is at a low level, positioned approximately 1.1m from finished floor level, and at this height, the potential for overlooking to adjacent bedroom windows has been eliminated.

Block 4 will be built approximately 9m from the boundary with the existing properties at Whitehouse Park, with this common boundary consisting of an existing hedge, mature trees and a new landscaped area. It is considered that with this separation distance, the intervening vegetation and strategic positioning of gable windows, there will be no greater impact on the privacy currently afforded to the residents in Whitehouse Park.

It is considered that the proposal meets with criterion (h) of Policy QD 1 in that the design and layout will not give rise to detrimental impacts on residential amenity.

Access, Road Safety and Parking

DfI Roads was consulted in relation to the application, and no concerns have been raised with the proposed access and the impact on road safety. It is considered that the surrounding road network can accommodate the slight increase in vehicular activity and as detailed above, the layout and number of the parking spaces are appropriate and sufficient for the site.

Other Matters

Removal of Trees and Mature Landscaping

The row of mature trees along the eastern boundary of the application site with the M5 motorway have been removed since planning permission was granted in January 2015. These trees were outside the red line of the application site and so are outside the control of the applicant.

These trees did offer a small level of sound reduction, however it is proposed to erect an acoustic timber fence along this boundary which will reduce the level of noise on the application site. A Noise Assessment, submitted by the applicant and reviewed by the Environmental Health Section has demonstrated that the proposed apartments can be occupied, without adverse impact on residential amenity subject to certain conditions being attached to any permission granted.

Breaches of a Tree Preservation Order (TPO)

There is a TPO on the application site and the larger housing development. The removal of some of the trees covered by the TPO was authorised under the previous planning approval. The previous grant of planning permission supersedes the TPO in so far as it relates to the felling of these specific trees.

Impact on Wildlife

The development site is located close to Belfast Lough Special Protection Area (SPA)/Area of Special Scientific Interest (ASSI) and Belfast Lough RAMSAR site. DAERA raised no objections to the proposal, however, they have suggested a number of informatives to be included on any forthcoming decision notices. These informatives relate to tree or hedgerow loss and vegetation clearance which should be kept to a minimum and not carried out during the bird breeding season which runs from 1st March to 31st August.

DAERA also advised that mature trees have the capacity to provide roosting locations for bats, and prior to the removal of any mature trees, they must be inspected for any evidence of bat activity. The mature trees referred to by DAERA have since been removed, thereby eliminating the potential impact on roosting bats. Squirrels are not a Protected Species.

Conditions from previous approval have not been implemented

This proposal is located within a larger residential development which is currently undergoing construction and it is possible that not all conditions, particularly those relating to landscaping, will be implemented until all construction work has been completed. The Enforcement Team in the Planning Section are aware of the complaints and continue to monitor the site.

Inadequate provision for storm and sewer provision

The Council is aware of a problem with the Whitehouse WWTW Combined Sewer Overflow (CSO) which relates to increased NIEA regulation around storm overflow issues on combined sewers and pollution arising from this WWTW. In general, NIW has indicated that it will recommend refusal to any new development within the affected area that has the potential to increase the level of sewage utilising the Whitehouse CSO. The consultation response from NIW to this application states that under no circumstances will storm water be permitted to enter a public foul sewer. However, the applicant has received written confirmation from NIW that they are satisfied with the change from the previously approved houses to the proposed apartment development and raised no further objection to the current proposal.

Potential for Flooding in Whitehouse Park

As there are no watercourses affecting the application site and all surface water will be disposed of through a public foul sewer, it is considered that the potential for flooding to properties outside the application site is greatly reduced.

No neighbour notification received

All occupiers of premises that are within a 90 metre radius of the boundary of the application site and adjoin the application site fall within the Council's statutory neighbour notification scheme and will receive a neighbour notification letter. No. 93 Whitehouse Park falls within the 90 metre radius but does not directly adjoin the application site and therefore did not receive the standard notification letter. No prejudice has been caused as the occupier of this property is aware of the application and has submitted a formal objection letter.

CONCLUSION

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

- The principle of the development has been established.
- The design and layout are acceptable and will not cause demonstrable harm to the character and appearance of the surrounding area.
- The proposal will not unduly affect residential amenity.
- The proposed development will not cause an unacceptable impact on road safety and convenience.

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. All habitable rooms to the dwellings, shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 32dB Rw.

Reason: In order to ensure a suitable internal noise environment is achieved within the dwellings.

3. All habitable rooms to the dwellings, shall be fitted with passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 32dB Rw.

Reason: To ensure a suitable noise environment is achieved within the dwellings without jeopardising the provision of adequate ventilation.

4. A 2.2 metre high acoustic barrier shall be installed along the site boundary as shown in Figure J of Document Number 06 date stamped 03 Apr 2019. The barrier shall have a surface weight of not less than 8kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and if it is a fence it should be of the ship-lapped design.

Reason: In order to protect residential amenity.

5. The existing natural screenings of this site as shown on approved Drawing No. 06/2 date stamped received 18th November 2019 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 given to the Council in writing prior to their removal. Existing hedging shall be retained at a minimum height of 4 metres and existing trees as shown retained at a minimum height of 6 metres. If any retained tree or vegetation is removed, uprooted or destroyed; or dies it shall be replaced within the next planting season by another tree, trees or vegetation in the same location of a species and size as specified by the Council. Prior to any works of construction, the existing trees shall be protected as per annotated on Drawing No. 06/2 also.

Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.

6. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, be lopped or topped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 3998, 1989 Recommendations for Tree Work.

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

7. The open space and amenity areas indicated on the stamped approved Drawing 06/2 date stamped received 18th November 2019 shall be managed and maintained in accordance with the Landscape Management Plan, DOC 04/2 date stamped received on 18th November 2019, and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

8. The proposed landscaping works as indicated on Drawing Number 06/2 date stamped 18th November 2019 shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development.

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

9. 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 Drawings No. 43/1 bearing the date stamp 08 Dec 2014.

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

10. No residential units hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with

the details outlined blue on Drawing Numbers 43/1 bearing the date stamp 08 Dec 2014.

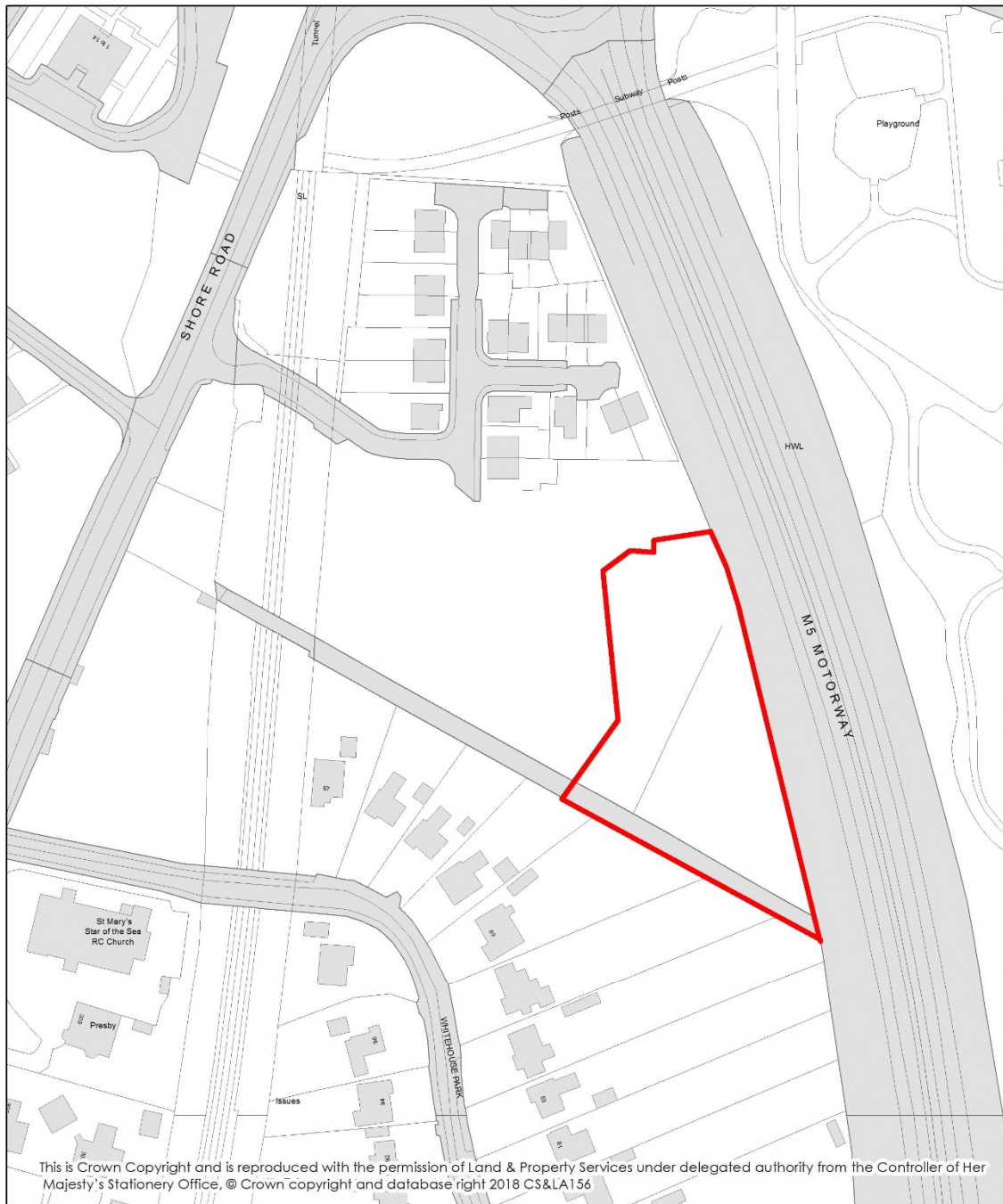
Reason: To ensure there is a safe and convenient road system within the development

11. The development hereby permitted shall not be commenced until a professionally produced street lighting scheme is submitted to and approved by the Council and all the costs shall be borne by the developer.

Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of traffic and pedestrians.

12. No part of the road works hereby permitted shall be opened until the developer has installed an efficient system of street lighting which is to be agreed in writing with the Council.

Reason: To ensure the provision of a satisfactory street lighting system in the interest of road safety and the convenience of traffic and pedestrians.



Location Map

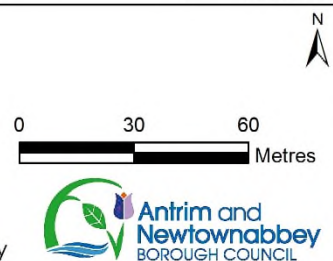
Application Reference: LA03/2019/0089/F

Lands adjacent and north/north east of 85 and 91 Whitehouse Park and adjacent and west of M5 Motorway, Newtownabbey

Proposed development of 24 no. apartments within 4 no. blocks

 Site Boundary

For Information Only



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2019/0444/F
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Demolition of existing retail units, filling station and No.8 Station Road; and development of 2 No. replacement retail units and 1 no. hot food unit, bulk fuel, petrol canopy, ATM and bin store with associated car parking and site works.
SITE/LOCATION	8-10 Station Road, Doagh.
APPLICANT	Henderson Group Property.
AGENT	RPP Architects
LAST SITE VISIT	25 th June 2019
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@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 8-10 Station Road, Doagh which is within the settlement limits of Doagh as defined within both versions of draft BMAP (2004 & 2014). The existing site has a number of commercial units, with a number of hot food takeaways, car sales, an off-license, a supermarket and a petrol filling station which is the primary use. The site also includes an existing dwelling to the north of the current complex (known as No.8 Station Road) which is to be demolished and incorporated into the proposed scheme.</p> <p>The site is located alongside the main Station Road, with the topography of the site being relatively flat. The northern boundary of the site which separates the proposed development from No.6 Station Road is defined by mature vegetation approximately 6-8m in height, it is not clear who has ownership of the hedge and it has not been noted on the proposed plans for retention. The southern boundary, which extends along Exchange Avenue is defined partially by a 1m high wall and the remaining section by the rear wall of the filling station shop while the western roadside boundary is defined by a 1m high wall. The eastern boundary is defined by a 2m high wall beyond a yard area. The wall is adjacent to existing dwellings along Exchange Avenue.</p> <p>The properties to the north, east and west of the site are largely residential, whilst there is a takeaway beyond Exchange Avenue to the south.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/1986/0610 Location: 10 Station Road, Doagh Proposal: Change of use to shops Decision: Permission Granted</p>	

Planning Reference: U/2003/0054/F
Location: Unit 4, 10 Station Road, Doagh
Proposal: Change of use from florists to hot food carry out bar with ancillary sit-in facility.
Decision: Permission Granted (14.05.2003)

Planning Reference: LA03/2018/0873/LDE
Location: The Forecourt Centre, 10 Station Road, Doagh, Ballyclare,
Proposal: Retention of existing off sales
Decision: Consent Granted

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

Until the Council adopts its new Local Development Plan, 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 settlement limit of Doagh. 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 Doagh. The site is designated as being within the Doagh "Area of Village Character".

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Doagh. The site is designated as being within the Doagh "Area of Village 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 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.

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.

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 – Insufficient information received to ensure that there will be no significant detrimental impact upon neighbouring properties.

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections subject to conditions

Department for Infrastructure Rivers – No objection.

Department for Communities Historic Environment Division – No objection.

Northern Ireland Environment Agency: No objections

REPRESENTATION

Nineteen (19) neighbouring properties were notified and one (1) letter of objection has been received. 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:

- Scale of development is excessive.
- The proposal is too close to No.6 Station Road.
- The boundary treatments between the site and No.6 Station Road are not sufficient to protect privacy.
- The proposal will cause overlooking.

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
- Impact upon Natural Environment
- 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 and its adoption in 2014, 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 the 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. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

All the relevant Area Plans identify the application site as being within the settlement limit of Doagh while both versions of dBMAP identify the site as being within the Doagh Area of Village Character. There are no specific operational policies relevant to the determination of the application contained in these Plans.

The principle of development on the site for a commercial use including a petrol filling station (PFS) has been established due to the existing use, which also includes a number of hot food takeaways and a car sales business. Whilst Doagh does not have a designated village centre, it would be accepted that this existing group of shops and a car sales forecourt forms an important retail base within the settlement limits of the village.

The proposal includes the demolition of No.8 Station Road, which is a detached chalet bungalow. Given the location of the site within the settlement limits of Doagh along the main through road, it is considered that the use of this residential site for commercial use is acceptable. The loss of this one residential unit will not result in a significant reduction in the number of residential properties within the area.

Whilst extending the size of the existing buildings on the site (from approximately 550m² of commercial floorspace to a new total of approximately 575m² of

commercial floorspace), it is not considered that the scale of the proposal is such that it will impact upon the shopping activities in surrounding larger towns. The proposal will offer convenience goods to people within the immediate locality and hinterland.

Having taken the above into account, it is considered that the principle of development for commercial activity on the site has been established and the setting of the proposal within Doagh is in accordance with the principles of the SPPS.

Design and Appearance

The application proposed a commercial development consisting of three retail units with associated storage and a petrol forecourt including a canopy. The works will replace the existing commercial units on the site which includes a petrol forecourt with canopy and five units. These include a supermarket, an off licence, a vacant unit, two hot food units; and a car sales business. There is approximately 550m² of commercial floorspace and eight marked parking spaces currently on the site.

Of the three proposed units, the largest is to be occupied by a SPAR supermarket. This will have a total floorspace of 420m² (with an additional 200m² for storage and staff accommodation). The second retail unit has a total space of 90m², with the third unit being a hot food unit having a total space of 65m². The proposed development will provide 32 parking spaces on the site excluding the 6 spaces at the fuel pumps.

The proposed building frontage will be 50m which is approximately double the length of the existing frontage, however the existing building is "L" shaped. The increase in frontage length is accommodated by the inclusion of land occupied by the neighbouring property No.8 Station Road.

There are a number of different heights to the proposed building due to the variations in the roof scape. The maximum height is 10.5m above ground level on the northern end of the building, whilst the remainder of the building is 9m above ground level. The roof has pitched elements on the northern and southern sections whilst the centre section is largely defined by a flat roof associated with the SPAR unit. The average height of the scheme is not considered excessive, however the northern section of the building is 10.5m above ground level, which is substantially above the height of the current buildings on the site and sits in close proximity to the rear garden space of No.6 Station Road. This element of the proposal has a dominant impact upon the adjacent dwelling (No.6 Station Road), particularly within the rear private garden space of that property. This point is raised in a letter of objection from No. 6 and it is considered that the proposal would have a significant impact upon the amenity of this property.

There are three main materials used on the external section of the buildings proposed. White and grey coloured render form the majority of the external walls, with sections in stone cladding to break up the appearance and increase visual interest. Finally there is also a significant amount of glazing proposed along the front elevation which would be expected on a commercial building. The proposed finishes are considered acceptable and will help revitalise the appearance of the site in place of the existing buildings which are not of such a modern appearance. The roof of the building is to be completed using dark grey/black roof tiles/slates.

To the front of the buildings is the forecourt with petrol pumps and associated canopy. The proposed 32 parking spaces are located around the perimeter of the forecourt area. Two points of access are proposed which is the same number as is currently in place.

A yard is located to the rear of the site which includes a bin store area which is to be surrounded by fencing and walls. A 2.2m high timber fence runs along the rear and northern boundary of the proposed buildings on the site, whilst a smaller 1.1m high wall is proposed to the north and south of the forecourt area. The eastern portion of the southern boundary which abuts Exchange Avenue is defined by a 2.2m high wall, whilst the roadside boundary is defined by a 0.6m high wall with railing above to a height of 1.1m.

It is considered that a 1.1m wall along part of the northern boundary dividing the site from the front garden area of adjacent property No.6 is not an acceptable solution and has the potential to create conflict with regards to noise impact, lights and overlooking from cars using the parking spaces along this boundary. Landscaping is proposed close to this boundary, however, no details have been presented. In addition, no details have been provided for the retention of any of the landscaping currently in place, although this may fall within the garden space of No.6 and outside the control of the applicant.

Whilst a portion of the proposed scheme is acceptable and in compliance with the SPPS, there are some failings in relation to the design of the northern section of the building and the 1.1m high part boundary wall proposed along the northern boundary which would have a negative impact upon No.6 Station Road. It is considered that the proposed design does not promote a high quality design that is not in conflict with surrounding land uses.

Neighbour Amenity

The SPPS states that there are a wide range of environmental and amenity considerations, including, noise and air quality which should be taken into account when managing development. This will help minimise adverse impacts, such as noise or light pollution on sensitive receptors e.g. neighbouring dwellings.

The Council's Environmental Health Section (EHS) were consulted on the proposal to obtain their opinion on any potential impact the development may have upon neighbouring properties including noise and light.

Following consultation with the agent a Noise Assessment (NA) was submitted on the 29th July 2019 for consideration undertaken by F.R. Mark & Associates, this was then forwarded to EHS which responded on 1st August 2019 asking for amendments to the report. At this stage an Artificial Light Assessment (ALA) and Odour Assessment (OA) were also requested from the agent.

The ALA and an OA were received in August 2019 and forwarded to EHS to which they responded on 28th August 2019 stating that there were outstanding issues with the ALA; the NA had still not been amended satisfactorily and the OA would be satisfactory subject to condition which would be provided once the noise and lighting assessments were successfully completed.

A revised NA was received in the 22nd August 2019 and EHS subsequently responded on 20th September 2019. The revised report was still considered to be unsatisfactory with inaccuracies and gaps present.

An amended ALA was received in September 2019 and EHS responded on the 3rd October 2019 stating that this would be acceptable and subject to conditions which would be provided once the noise issues were overcome.

An addendum to the NA was submitted to the Council on 29th October 2019 and forwarded to EHS for comment. Having considered this document EHS responded on 20th November 2019 stating that inaccuracies remained in the report and that it would appear that the development will generate a noise level above both the day and night time background noise levels, making the development potentially damaging to the amenity of neighbouring properties. EHS have however indicated that they have insufficient information to properly determine the impact of the scheme.

Numerous opportunities have been provided to the agent to rectify the NA (five times) through their noise consultants. It is considered that the development is contrary to the SPPS in that insufficient evidence has been provided to the Council to demonstrate that there will be no significant impact on neighbouring properties in terms of noise. It is accepted that satisfactory reports have been received by the Council in relation to artificial light and odour.

An objection letter has been received from a neighbouring property No.6 to the north. The objector has raised concerns in relation to the expansion being too close to their property and in relation to scale; the heightened possibility of overlooking and the lack of boundary treatment along the site's northern boundary where a 1.1m wall separates No.6 from the proposed forecourt parking area. These issues have already been addressed within the design section above and would be considered to have a detrimental impact on the residential amenity of No. 6.

Impact on Character and Appearance of the Area

The application site is located within the Doagh Area of Village Character (AVC). Policy ATC 2 of the Addendum to PPS 6; Areas of Townscape Character, is a relevant policy consideration for proposals within an AVC. Policy states that development within an area of townscape/village character will only be permitted where the development maintains or enhances its overall character and respects the built form of the area.

It is considered that the design of the existing commercial development on the site adds little architectural character to the AVC. The overall form and materials used would not be in conflict with the surrounding designated area. Historic Environment Division (HED) has responded with no objections, specifically in relation to the developments impact upon the nearby Rowan Memorial. Therefore by renewing development on the site with a more modern architectural style it is considered this would enhance the character of the area. This is notwithstanding the unacceptable design elements discussed above that would impact upon the amenity of the neighbouring properties.

Flood Risk

The site lies outside any designated flood risk area. A Drainage Assessment was submitted as part of the application and DfI Rivers were consulted and have offered no objections to the proposed development.

Impact upon Natural Environment

NIEA were consulted on the proposal, with feedback given from Regulation Unit (RU) and Natural Environment Division (NED). Both have responded with no objections subject to conditions and informatives. NED originally raised concerns relating to bats roosting around the area and within No.8 Station Road which is to be demolished as part of the scheme, however, following a Bat Survey of the property no further objections were provided.

Other Matters

DfI Roads were consulted on the proposal and have raised no objections subject to conditions and informatives. The level of parking provided is a significant enhancement to the level of parking facilities (32 spaces) which are currently available at this busy commercial enterprise.

CONCLUSION

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

- The principle of the development is considered acceptable, taking into account the existing filling station and other commercial units currently on the site;
- The design of the proposal is unacceptable in relation to the height of the northern section of the building. At 10.5m high it will dominate the neighbouring residential property known as No.6 Station Road;
- The proposed northern boundary treatment is unacceptable where a 1.1m wall forms the boundary between parking spaces at the forecourt and No.6 Station Road. This will create conflict in terms of overlooking, noise and car lights shining into the residential property;
- Environmental Health has concerns relating to the Noise Assessments received;
- The proposal will not have a detrimental impact upon the Doagh AVC;
- There is no anticipated increase in flood risks;
- DAERA offer no objections to the proposal;
- DfI Roads offer no objections to the proposal.

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

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement in that insufficient evidence has been provided to demonstrate the proposal would not have a significant detrimental impact on nearby residential properties by reason of noise.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement in that, if approved, the design of the proposal would have a significant detrimental impact upon No.6 Station Road, Doagh, by reason of dominance and overlooking.



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Location Map

Application Reference: LA03/2019/0444/F

8-10 Station Road, Doagh

Demolition of existing retail units, filling station and No.8 Station Road;
and development of 2 no. replacement retail units and 1 no. hot food unit,
bulk fuel, petrol canopy, parking and site works

 Site Boundary



For Information Only



COMMITTEE ITEM	3.13
APPLICATION NO	LA03/2019/0696/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed construction of 2no. infill dwellings using the existing vehicular entrance at 362 Ballyclare Road and associated car parking.
SITE/LOCATION	Site between no. 362 & 366 Ballyclare Road, Glengormley
APPLICANT	Mr Ian Hanna
AGENT	Peter J Morgan
LAST SITE VISIT	16 th September 2019
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located between Nos. 362 and 366 Ballyclare Road, Newtownabbey and within the countryside as defined within the draft Newtownabbey Area Plan and both versions of draft BMAP (2004 & 2014).</p> <p>The site lies to the south of the Ballyclare Road and has a large frontage onto the road. The application site can effectively be split into three separate sections. The section to the east of the application site is currently utilised as a domestic garden associated with No. 360 Ballyclare Road. The centre of the application site is occupied by property No. 362 Ballyclare Road which is a single storey detached dwelling. The west portion of the application site includes a parcel of agricultural lands.</p> <p>The boundaries to the site are defined to the north (roadside) by a mix of mature, well established hedgerow and trees and a red brick wall approximately 1 metre in height and the access serving No. 362. The western boundary is defined by a mature hedgerow, whilst the eastern boundary is undefined and acts as the access to No.360. The southern boundary is defined by a mix of outbuildings and mature hedgerows. The topography of the site overall is relatively flat.</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 and Draft Belfast Metropolitan Area Plan: The application site is located outside any settlement limit and lies in the countryside as designated by these Plans which offer 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 response.

Northern Ireland Water – No response.

Department for Infrastructure Roads- Additional information requested.

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:

- Preliminary Matters
- Policy Context and Principle of Development
- Design and Appearance

- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Flood Risk
- Other Matters

Preliminary Matters

The submitted plans are incorrect, in that they fail to annotate the footprint of property No. 360 which is a single storey detached dwelling located to the southeast of property No. 362. The building annotated as No. 360 on the submitted plans are actually out buildings associated with the property No. 360 Ballyclare Road.

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 and its adoption in 2014, 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. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the countryside outside of any settlement limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

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

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

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

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

In this case, the application site is located along the Ballyclare Road and the applicant on Drawing No. 02 indicates the footprint of two proposed dwellings on the application site between Nos. 362 and 366 Ballyclare Road. There are two semi-detached properties located to the northwest of the application site known as Nos. 366 and 368 with a frontage onto the Ballyclare Road. Property Nos. 363 and 360 are located to the southwest of the application site and it is accepted they both have a frontage onto the Ballyclare Road (it should be noted that the section of land located to the northwest of the application site, on the ground forms part of the frontage of property No. 360). It is therefore accepted that the application site is located within an otherwise substantial and continuously built up frontage therefore satisfying the first element of Policy CTY 8.

The second element of Policy CTY 8 requires the gap site to be a small gap sufficient only to accommodate a maximum of two dwellings. As outlined above the block plan Drawing No. 02 indicates the footprint of the two properties with one plot having a frontage of 50 metres and the other plot to have a frontage of 37 metres. The justification and amplification text at paragraph 5.34 is clear that the gap site is between houses or other buildings, as such for the purposes of the policy the distance between the buildings at No. 362 and 366 Ballyclare Road constitutes the gap. The overall gap that exists between the said buildings measures 87 metres which is considered, in the context of the Ballyclare Road, to be a large gap sufficient to accommodate more than 2 dwellings whilst still respecting the existing pattern of development in terms of size, scale, siting and plot size.

The third element of CTY 8 requires that the proposal respects the existing development pattern along the frontage in terms of size scale, siting and plot size. As outlined above it is considered that the proposal could accommodate more than two dwellings whilst respecting the existing pattern of development. The frontage of the proposed plots measure 37 and 50 metres. The aforementioned properties that constitute the substantially and continuously built up frontage, are property Nos. 366 and 368 located to the northwest, each of these properties have a frontage of approximately 6 metres. Nos. 362 and 360 are located to the northeast of the proposed dwellings and have a frontage of 10 metres and 62 metres respectively. Although the frontage of property No. 360 measures 62 metres this is in contrast to the remainder of the existing pattern of development along this stretch of the Ballyclare Road and appears as an anomaly in the pattern of development and not an indication of the established pattern of plot sizes or frontages.

Furthermore policy CTY 8 requires the proposal to respect the existing development pattern in relation to plot sizes. The proposed plots measure 5000sqm and 3000sqm, however the plots to the east are much smaller with No. 368 measuring 500sqm and property No. 366 measuring 490sqm, with the property to the west at No. 362 measuring 970sqm. When taking into consideration the existing pattern of development along this stretch of the Ballyclare Road, the plot sizes for the dwellings are significantly larger than the surrounding plot sizes and are uncharacteristically deep with wide frontages which would not respect or be in keeping with the predominant pattern of development within the identified frontage.

The fourth element of Policy CTY 8 requires that the proposal meets other planning and environmental requirements, these are discussed in more detail below, however, given the reasons outlined above, the proposal is considered not to be in accordance with Policy CTY 8.

Impact on Character and Appearance of the Area

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and policies CTY 13 and 14 of PPS 21. As the application seeks outline permission, no details have been provided regarding the proposed design of the dwellings, however, an indicative layout has been provided. Drawing No. 02 indicates the footprint and layout of the proposed dwellings and the access arrangement. Public views of the site are achieved when travelling along the Ballyclare Road in an eastern and western direction. 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 instance the roadside boundary is defined by a mature well established hedgerow, however, due to the sight splays required this hedgerow will be required to be removed. It is accepted that a new hedgerow can be planted behind the sight splays, however, due to the highly visible nature of this road frontage site, it is considered that the proposal would rely on the use of new landscaping for integration which is contrary to the provisions of Policy CTY 13. In addition, the impact of ancillary works in the form of an area of hardstanding extending some 60 metres along the frontage of the site to provide access to three dwellings is contrary to the provisions of Policies CTY 13 and 14.

Policies CTY 8 & 14 indicate that development which creates or adds to a ribbon of development will be unacceptable. The addition of two additional dwellings on the

application site which would visually link with the existing dwellings, would represent a linear form of development along the road frontage which would read as a ribbon of development. Policy CTY 14 also requires that any proposal must respect the traditional pattern of settlement exhibited in that area, as outlined above it is considered that for the aforementioned reasons including plot sizes and frontages that the proposal fails to respect the traditional pattern of development.

Additionally, Policy CTY 14 emphasises that any proposal which causes a detrimental change to or further erodes the rural character of the area will be resisted. This stretch of the Ballyclare Road has a number of dwellings interspersed along the road. The application site provides an important visual break in the built up appearance and it is considered that the development of this gap would cumulatively add to a further erosion of the character of this rural area. Taking into consideration the existing development along this stretch of the Ballyclare Road, the addition of another two dwellings on this site would cumulatively lead to a suburban style of build-up.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, an indicative block plan, (Drawing No. 02) has been provided. It is considered that given the orientation of the proposed dwellings and the resulting relationship between the neighbouring properties that the dwellings could be appropriately designed to ensure that the privacy and amenity of the existing properties to both the east and west are not negatively impacted upon.

Access, Movement and Parking

As outlined above, the access arrangement is via a shared access onto the Ballyclare Road, which involves alterations to the existing access which currently serves property No. 362 Antrim Road. The proposed access off the Ballyclare Road will also serve property No. 362 as well as the two proposed sites. DfI Roads was consulted on the proposal and has requested additional information. This information was not requested from the applicant as the principle of development has not been established and would only put the applicant to unnecessary expense.

CONCLUSION

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

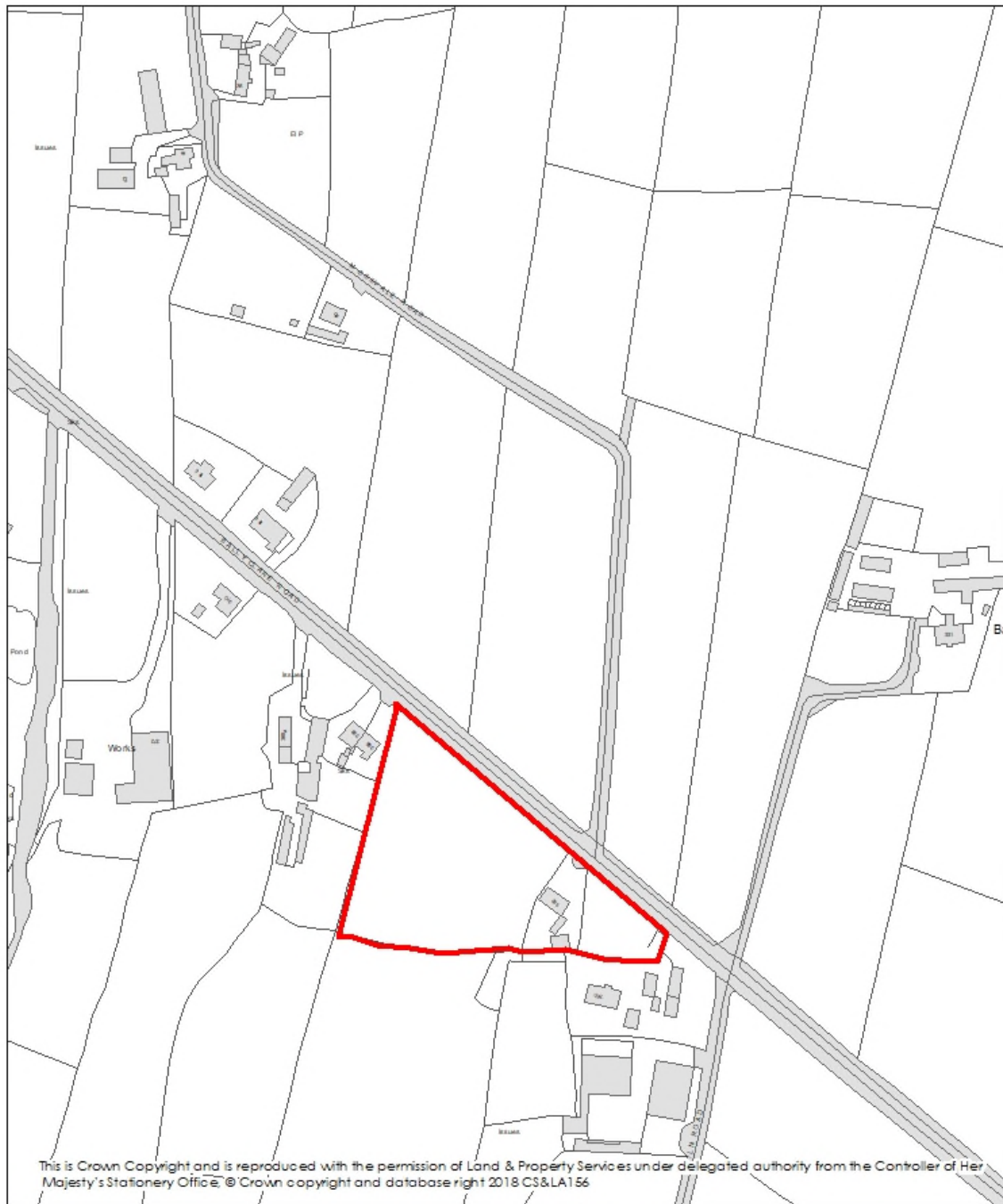
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policy CTY 8 of PPS21
- The proposal will result in a ribbon of development and does not respect the traditional pattern of development.
- The proposal will infill a gap which provides an important visual break in this rural area and result in a suburban style build-up of development when viewed with existing and approved buildings.
- The impact of ancillary works are viewed to be detrimental to this rural area.
- It has not been demonstrated that an acceptable access arrangement can be achieved.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1 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 CTY 8 of PPS 21 as the existing gap could accommodate more than 2 dwellings and the plot sizes are out of character with the other existing plots.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the dwellings proposed on this site would not respect the traditional pattern of development in the area, and would, if permitted, create a ribbon of development resulting in a suburban style of build-up, resulting in a detrimental change to and further eroding the rural character of the area.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 and of Planning Policy Statement 21, in that the site lacks long established natural boundaries and relies on the use of new landscaping for integration and the impact of ancillary works would not integrate with their surroundings.



Location Map

Application Reference: LA03/2019/00696/F

Proposed construction of 2no. infill dwellings using the existing vehicular entrance at 362 Ballyclare Road and associated car parking at site between no. 362 & 366 Ballyclare Road, Glengormley.

 Site Boundary



For Information Only



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2019/0761/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed site for new dwelling
SITE/LOCATION	133A Seven Mile Straight, Antrim, BT41 4QT
APPLICANT	Mr & Mrs Hoey
AGENT	Arca Design
LAST SITE VISIT	11 th October 2019
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the countryside outside any development limit as defined within the Antrim Area Plan (AAP).</p> <p>The application site is set back 70 metres off the Seven Mile Straight to the rear of a newly constructed dwelling. Access to the site is achieved via an existing access which serves No.133a Seven Mile Straight then branches off to the west to serve the proposed dwelling. The topography of the site is relatively flat with the boundaries to the northeast and southeast defined by ranch style fencing with the boundaries to the north and west defined by a mixed species hedgerow.</p> <p>The application site is located within the rural area with the land use being predominately agricultural, a number of dwellings and outbuildings are located within the immediate vicinity.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2019/0064/F Location: 50 metres north of 133A Seven Mile Straight Antrim BT41 4QT, Proposal: Proposed dwelling and garage with access off public road Decision: Permission Granted (10.04.2019)</p> <p>Planning Reference: LA03/2017/0519/O Location: 133A Seven Mile Straight, Antrim BT41 4QT, Proposal: Proposed site for new dwelling Decision: Permission Granted (18.08.2017)</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 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 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.

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.

PPS23: Enabling Development for the Conservation of Significant Places: sets out planning policy for assessing proposals for Enabling Development in support of the re-use, restoration or refurbishment of heritage assets such as historic buildings, scheduled monuments, industrial heritage and historic parks, gardens and demesnes. This PPS 23 is supplemented by a Best Practice Guide of the same title.

CONSULTATION

Council Environmental Health Section – No objections

Northern Ireland Water – Statutory response

Department for Infrastructure Roads- Additional information requested

Department for Communities Historic Environment Division – No objections

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
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access, Movement and Parking

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations.

Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal. The application site is located within the countryside outside any settlement limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development which are acceptable in principle in the countryside and that will contribute to the aims of sustainable development. This includes a number of examples of when planning permission will be granted for residential development. No supporting statement has been submitted to the Council in respect of the application which identifies which Policy in PPS21 that the applicant is relying upon. In the absence of any prepared case by the applicant the Council has assessed the application under both Policy CTY 2a – New Dwellings in Existing Clusters and Policy CTY 8 which allows for the development of a small gap site within an otherwise substantial and continuously built up frontage.

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 within an existing cluster of development which lies outside 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. Policy CTY2a goes further and requires in addition to the above criteria that the cluster of development consists of four or more buildings (excluding ancillary buildings) of which at least three are dwellings and the application site provides a suitable degree of enclosure and is bounded on at least two sides with the development in the cluster.

In this case the applicant has not indicated which buildings or land they consider to constitute a cluster of development. However, the application site abuts the curtilage of property Nos. 133a and 131a located on either side, whilst the front of the application site abuts the curtilage of a newly built dwelling. Additionally a group of farm buildings is located to the northeast of the application site. It is accepted that the application site lies outside a farm and is located within a cluster of four or more buildings of which at least three are dwellings and is bounded on two sides with other development in the cluster. The second element of CTY 2a requires that the cluster appears as a visual entity in the local landscape. Critical views of the site are limited on approach to the site from the southeast due to the dense mature vegetation. On approach from the northwest long distance views are experienced of the dwellings located to the northwest of the application site, however a number of mature trees along this boundary prevent the surrounding development appearing as a visual entity in the landscape. The visual relationship of the surrounding buildings is such that the 'cluster' of development does not read as a visual entity in the landscape due to the dense vegetation and limited public views.

Furthermore, as outlined above the policy requires that the cluster is associated with a focal point such as a community building or is located at a crossroads. In this instance no focal point has been identified by the applicant and following a site inspection it is evident that no focal point exists within the immediate vicinity. The proposal therefore fails to comply with the provisions of CTY2a.

As outlined above, no supporting statement was submitted to the Council and as a consequence the application is also assessed in accordance with Policy CTY8 which allows for the development of a small gap site within an otherwise substantial and continuously built up frontage.

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

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

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

In this instance the application site is set back off the road by 70 metres, to the rear of a newly constructed dwelling, as such the application site does not have a frontage onto a road. The proposed access arrangement merely accesses the Seven Mile Straight and this does not constitute a frontage onto a road. The proposal therefore fails the requirements of CTY8. As the proposed development does not comply with the policy criteria set out in either Policy CTY2a or CTY8, it does not represent one of the types of housing development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement.

Impact on Character and Appearance of the Area

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and policies CTY 13 and 14 of PPS 21. As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling, however, an indicative layout has been provided, (Drawing No. 02) which indicates the footprint and layout of the proposed dwelling and garage and the access arrangement.

As outlined above dense vegetation screens the site from critical views on approach from the southeast, however long distance views are experienced on approach from the northeast. Additionally, the application site is set back to the rear of an existing dwelling which helps to screen the site from views. It is considered that given the limited views and existing development that a suitable degree of enclosure is provided to ensure that a suitably designed dwelling would integrate into the surrounding landscape.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, an indicative siting (Drawing No. 02) has been provided. It is considered that given the orientation of the proposed dwelling and the resulting relationship between the neighbouring properties that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

Access, Movement and Parking

As outlined above, the access arrangement is via an existing access onto the Seven Mile Straight which currently serves No.133a Seven Mile Straight, the access then branches off to serve the proposed dwelling. Consultation was carried out with DfI Roads which has requested additional information in relation to visibility splays. This information was not requested from the applicant as the principle of development has not been established and therefore seeking amendments would only put the applicant to unnecessary expense.

CONCLUSION

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

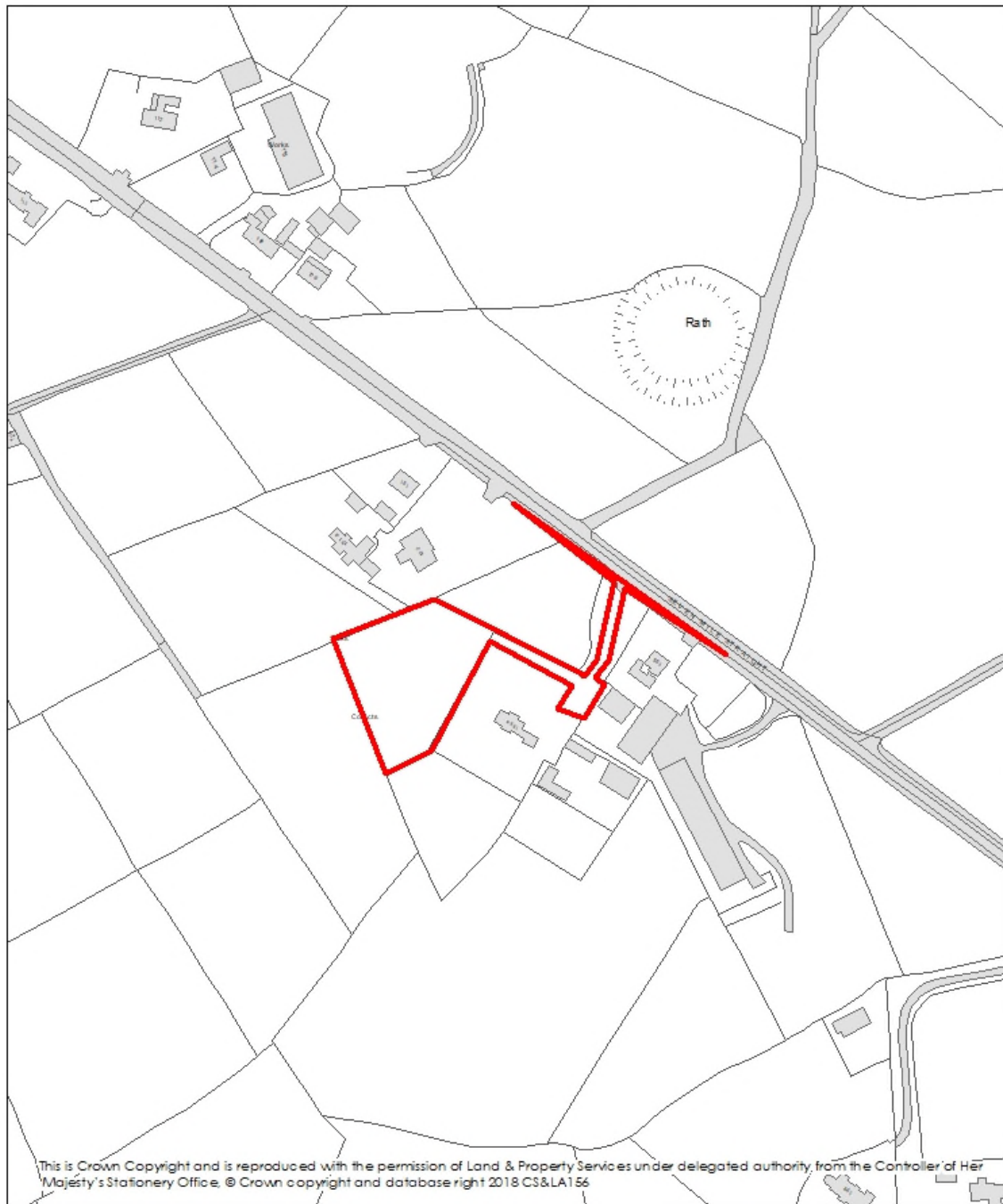
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policies CTY 1, CTY2a CTY 8 of PPS21.
- The site provides a suitable degree of enclosure to ensure that a suitably designed dwelling would integrate into the surrounding landscape.
- It has not been demonstrated that an acceptable access arrangement can be achieved.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1 and CTY2a 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 a new dwelling in an existing cluster in accordance with CTY2a as there is no focal point to the cluster and the cluster does not read as a visual entity in the landscape.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1 and CTY8 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 opportunity under Policy CTY 8 of PPS 21 as the proposed dwelling does not share a common frontage onto a road or shared laneway.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AMP 2 of Planning Policy Statement 3, Access, Movement and Parking, in that it has not been demonstrated that the required visibility splays can be achieved and that the proposal will not prejudice road safety.



Location Map

Application Reference: LA03/2019/0761/O

 Site Boundary



Proposed site for new dwelling

133A Seven Mile Straight, Antrim, BT41 4QT

For Information Only



COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2019/0805/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of dwelling, garage and associated site works
SITE/LOCATION	Land to the immediate NW of 2A Carmavy Road, Crumlin, BT29 4TF
APPLICANT	Finlay Developments
AGENT	Bill McAlister
LAST SITE VISIT	9 th October 2019
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 and just outside the development limits of Killead as defined in the Antrim Area Plan 1984 – 2001. The application site is situated on the northern side of Carmavy Road, Crumlin and is located to the rear of an existing dwelling, No. 2a Carmavy Road.</p> <p>The site is partially bounded to the west by a one (1) metre post and wire fence. A number of trees are indicated on the block plan(Drawing 02) provided with the application however, the majority of the trees to the front of the site have been removed. A one (1) metre wooden fence separates the site from No. 2a Carmavy Road along the eastern and southern boundaries of the site. The northeastern boundary to the rear of the site abuts a stream and is defined by trees and hedging.</p> <p>The dwelling and other buildings further west of the application site (previously at No. 2 Carmavy Road) have been demolished. Further north and northeast of the application site are existing agricultural fields.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1994/0053/O Location: Adjacent to 2 Carmavy Road, Killead, Crumlin Proposal: Site of two bungalows Decision: Application Withdrawn (28.04.1994)</p> <p>Planning Reference: T/1994/0586/F Location: Adjacent to 2 Carmavy Road, Killead, Crumlin Proposal: Retirement bungalow Decision: Permission Granted (27.02.1995)</p>	

Planning Reference: T/1994/0442/O
Location: Adjacent to 2 Carmavy Road, Killead, Crumlin
Proposal: Site of retirement bungalow
Decision: Permission Granted (02.11.1994)

PLANNING POLICY AND GUIDANCE

Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) published in September 2015 confirms that until such time as a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- Further information requested

Department for Infrastructure Rivers – Further information requested

Belfast International Airport – No objection

National Air Traffic Services – No objection

Defence Infrastructure Organisation – No objection

REPRESENTATION

Six (6) neighbouring properties were notified and one (1) letter of objection has been received from one (1) property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- No neighbour notification.
- Land ownership challenge.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. Supplementary guidance on PPS 21 is contained in

document 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Paragraph 6.73 of the SPPS and PPS21 refer to 'new dwellings in existing clusters' and the policy states that provision should be made for a dwelling at an existing cluster of development which lies outside 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.

Policy CTY 1 of PPS 21 sets out a range of development types, which in principle would be acceptable in the countryside and includes a dwelling within an existing cluster of development. Policy CTY2a indicates that provision should be made for a dwelling within an existing cluster provided all of the above-mentioned criteria set out in the SPPS are met. The first part of Policy CTY2a indicates what may be considered to constitute a cluster for the purposes of the Policy.

In this case the application site would appear to lie outside a farm with the only land identified as being under the control of the applicant (outlined in blue) being the adjacent dwelling at No. 2a Carmavy Road which sits to the south of the application site. The text in the supporting statement submitted with the application states that the site is part of the curtilage of No. 2 Carmavy Road although it is assumed this is an error and means to refer to the curtilage of No. 2a Carmavy Road as the associated diagram references the dwelling at No. 2a Carmavy Road.

It is considered that the former curtilage of No. 2 Carmavy Road (now demolished) is set by the northern boundary of the development limit of Killead which the application site lies immediately outside. The site is also not considered to be within the curtilage of No. 2a Carmavy Road. The supporting statement suggests that No. 2a was likely constructed when the development limit was introduced and that the Department at the time may have overlooked the sites inclusion within the development limit as No. 2a was not on the map at the time the plan was published. This is not the case as the DOE published the limits of development for the hamlet of Killead in March 1993 and the site at No. 2a was granted as a retirement bungalow in February 1995, almost two years following the publication of the limits of Killead. The planning history for No. 2a Carmavy Road (Application Reference T/1994/0586/F) which was granted on 27th February 1995 indicates the rear boundary of this site runs in line with the development limit set for Killead.

The first criteria of Policy CTY 2a requires that the cluster of development consists of four or more buildings (excluding ancillary buildings of which at least three are dwellings). The supporting statement submitted by the agent relies on a number of dwellings which are located within the settlement limit of Killead including No 51c, No. 51e, No. 54 and the existing Church and Church Hall as forming the cluster of development at this crossroads. However, the former public house and associated buildings indicated on the site location plan to the west of the site have been substantially demolished except for the concrete base and a small wall. It is therefore considered that the vacant lands to the west of the application site separate the application site (and dwelling at No. 2a) from these buildings referred to at the crossroads. It is considered that the application site and dwelling at No. 2a do not

appear as a visual entity with the buildings being relied upon by the applicant to constitute the cluster. The buildings referenced in the planning statement prepared by MBA Planning all refer to buildings located within the settlement limit of Killead with the exception of No. 2a, PPS21, refers to development in the countryside and when it refers to existing clusters of development, it is referring to clusters which are in the countryside, not within a defined settlement limit. Given the reliance of the agent on buildings within a settlement limit, the proposal cannot be considered as meeting the policy tests of CTY 2a.

In addition, the policy requires that the identified site is bounded on at least two sides with other development in the cluster. The site itself is bound only by No. 2a Carmavy Road with no existing development within the cluster abutting the remaining western and northeastern boundaries. The applicant relies on the fact that the former public house (No. 2 Carmavy Road) to the west of the site has part of one of its walls and the concrete base remaining which is argued constitutes development however, for the purposes of the policy there are no buildings on this site and therefore this is not considered to represent development in the cluster.

In conclusion, the proposal fails to meet the provisions of Policy CTY2a. The application site is removed from a number of the buildings referred to by the applicant as constituting the cluster. Therefore, it is considered that the proposal fails the criteria of Policy CTY 2a.

Design and Impact on the Character and Appearance of the Area

The SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 'Integration and Design of Buildings in the Countryside' states that a new building will be unacceptable where it would be a prominent feature in the landscape and as such would not integrate.

The application site is set back off the road with an existing stream and mature vegetation defining the northeastern boundary of the application site providing a backdrop. It is considered that the site provides a suitable degree of enclosure set behind existing development along Carmavy Road.

The applicant proposes a modest 1 ½ storey dwelling which fronts onto Carmavy Road. The proposed dwelling has a ridge height of approximately six (6) metres. The proposed dwelling has a small front projection, which is subordinate to the main ridge line. A double garage is proposed measuring 6.6m x 6.4 metres and is approximately five (5) metres in height. The proposed garage is set to the rear of No. 2a Carmavy Road and views of this garage will be limited from the public road. The finishes include render, natural slate, hardwood doors and uPVC windows, typical of many of the dwellings within close proximity. It is considered the design of the dwelling is acceptable and will not result in an adverse impact on the character and appearance of this area.

Policy CTY 14 of PPS 21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. Criteria 'C' states that a new building will be unacceptable where it does not respect the traditional pattern of settlement exhibited in the area. The proposed development is located outside the

development limits of Killead and set behind the existing development located along the road frontage. The proposed dwelling is some forty (40) metres back from the main road. It is considered that the proposed development does not respect the traditional pattern of settlement exhibited in the area and is therefore contrary to Policy CTY 14.

Policy CTY 15 of PPS21 states that planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl. The justification and amplification states that the principle of drawing a settlement limit is partly to promote and partly to contain new development within that limit and so maintain a clear distinction between the built up area and surrounding countryside. Given the proposed development is sited outside the development limits of Killead and is set back behind the existing and former pattern of development along the roadside, it is considered that the proposal would result in urban sprawl and is therefore contrary to Policy CTY 15. Views will be apparent when travelling in a southerly direction along Killead Road beyond the stream at the northern most point of the application site. Due to the lack of existing development to the west of the application site and insignificant boundary treatment along the western side of the application site, this proposed development will be visible and result in urban sprawl beyond the set development limit of Killead. While No. 2a to the southeast of the application site is outside the development limits this is a longstanding dwelling located along the roadside which respects the pattern of development in the area.

It is considered that the proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 15 of PPS 21, Sustainable Development in the Countryside, in that the proposed development mars the distinction between the settlement of Killead and the surrounding countryside and results in urban sprawl.

Neighbour Amenity

The proposed dwelling on the site is for a one and a half storey dwelling of approximately six (6) metres in height and has only velux windows on the upper floor of the front elevation. The positioning and orientation of the dwelling is not considered to have an overlooking or overshadowing impact on neighbouring dwellings with the only upper floor window in the eastern gable elevation, which faces towards the remainder of the application site and vegetation along the northeastern boundary of the site.

Access, Movement and Parking

DfI Roads has been consulted and has requested a number of amendments to the submitted plans, however, as the proposal is considered unacceptable in policy terms no further information has been requested from the agent as this would constitute nugatory work leading to unnecessary expense.

Flood Risk

The planning statement prepared by MBA Planning states that the site is not within a flood plain however, the site is affected by Dunore River & Killead Drain along the northern boundary which are designated watercourses under the terms of the Drainage (Northern Ireland) Order 1973, at this location.

DfI Rivers has considered the proposal in line with the current Revised Planning Policy Statement 15 "Planning and Flood Risk" dated September 2014.

The Flood Maps (NI) indicates that the site is within close proximity to the 1 in 100 year Strategic Flood Plain of the designated watercourses located to the north of the site. DfI Rivers has been consulted and requires that the applicant carries out a Flood Risk Assessment that will verify the more accurate extent of the floodplain, which will require a river modelling exercise. Policy FLD 1 states that development will not be permitted within the 1 in 100 year fluvial floodplain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Given the proposal is for a dwelling it would not constitute an exception to the policy.

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. The working strip should have a minimum width of 5 metres, but up to 10 metres where considered necessary, and be provided with clear access and egress at all times.

In accordance with revised PPS 15, Planning and Flood Risk, FLD 3, Development and Surface Water (Pluvial) Flood Risk outside Flood Plains, a Drainage Assessment is required if additional hard-standing exceeding 1000m² is to occur.

Given that the proposal is seen as unacceptable in policy terms no further information has been requested from the applicant for the proposal as this would constitute nugatory work leading to unnecessary expense.

Other Matters

During the course of the application an objection was raised by a third party disputing the ownership of the application site. Submitted with the objection were deeds, land and property registration, memorial of registration of deed and court proceeding along with an affidavit regarding 2A Carmavy Road and lands.

The applicant was made aware of the challenge to the ownership of the site and provided a Will and Testament and has confirmed that the applicant has the legal title to the land. The title to land is a legal issue, planning permission does not confer title. It is the responsibility of the developer to ensure that he/she controls all the lands necessary to carry out the proposed development. Therefore, while noting the objection, this matter is the subject of an ongoing dispute and not a matter which planning can adjudicate upon. The Council's responsibility is to make a decision on this application considering all the relevant matters placed in front of it.

The Environmental Health Section of the Council has been consulted and has advised that the proposed development is in close proximity to Belfast International Airport and therefore may wish to increase acoustic performance of the building elements such as glazing and roofing to help reduce noise from air traffic movements.

The application site is located within a consultation zone within close proximity to Belfast International Airport (BIA). There are no concerns regarding aerodrome safeguarding associated with this development. Belfast International Airport has been consulted and has raised no objections to the proposal although conditions

have been suggested. These conditions firstly relate to any external lighting, the proposal does not include any aspects of external lighting so this condition is not necessary although given the proximity to the airport it may be included as an informative on any approval. Another condition is suggested regarding the use of cranes at the site; this is also not seen as necessary, however, it can be included as an informative if the proposal is approved. The final condition relates to landscape proposals and seeks to limit the planting of berry producing shrubbery to reduce the level of birds in the area and therefore bird strikes. This condition is not considered necessary, however, it could be included as an informative if approval is granted. The National Air Traffic Service (NATS) has also been consulted and has raised no safeguarding objection to the proposal.

A further objection raised concern that no neighbour notification letter was received by the owners of No. 1A Carmavy Road or No. 2 Carmavy Road. A neighbour notification letter was sent to No. 1A Carmavy Road on 10th September 2019. With regards to No. 2 Carmavy Road this property has been demolished. The objector provided an alternative address and a neighbour notification letter was sent to this property on 21st October 2019.

CONCLUSION

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

- The principle of the proposed development is not acceptable in the rural area and the proposal fails to comply with the requirements of clustering policy CTY2a of PPS21;
- The proposed dwelling does not respect the traditional pattern of settlement exhibited in the area resulting in a detrimental change to the rural character of the countryside;
- The proposed development mars the distinction between the settlement of Killead and the surrounding countryside and results in urban sprawl;
- The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP2 of Planning Policy Statement 3, Access, Movement & Parking, and Development Control Advice Note 15 Vehicular Access Standards as there is insufficient information to demonstrate that a safe and suitable means of access for the proposed development can be achieved;
- The proposal is contrary to Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15), in that the applicant has failed to provide a flood risk assessment to demonstrate that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

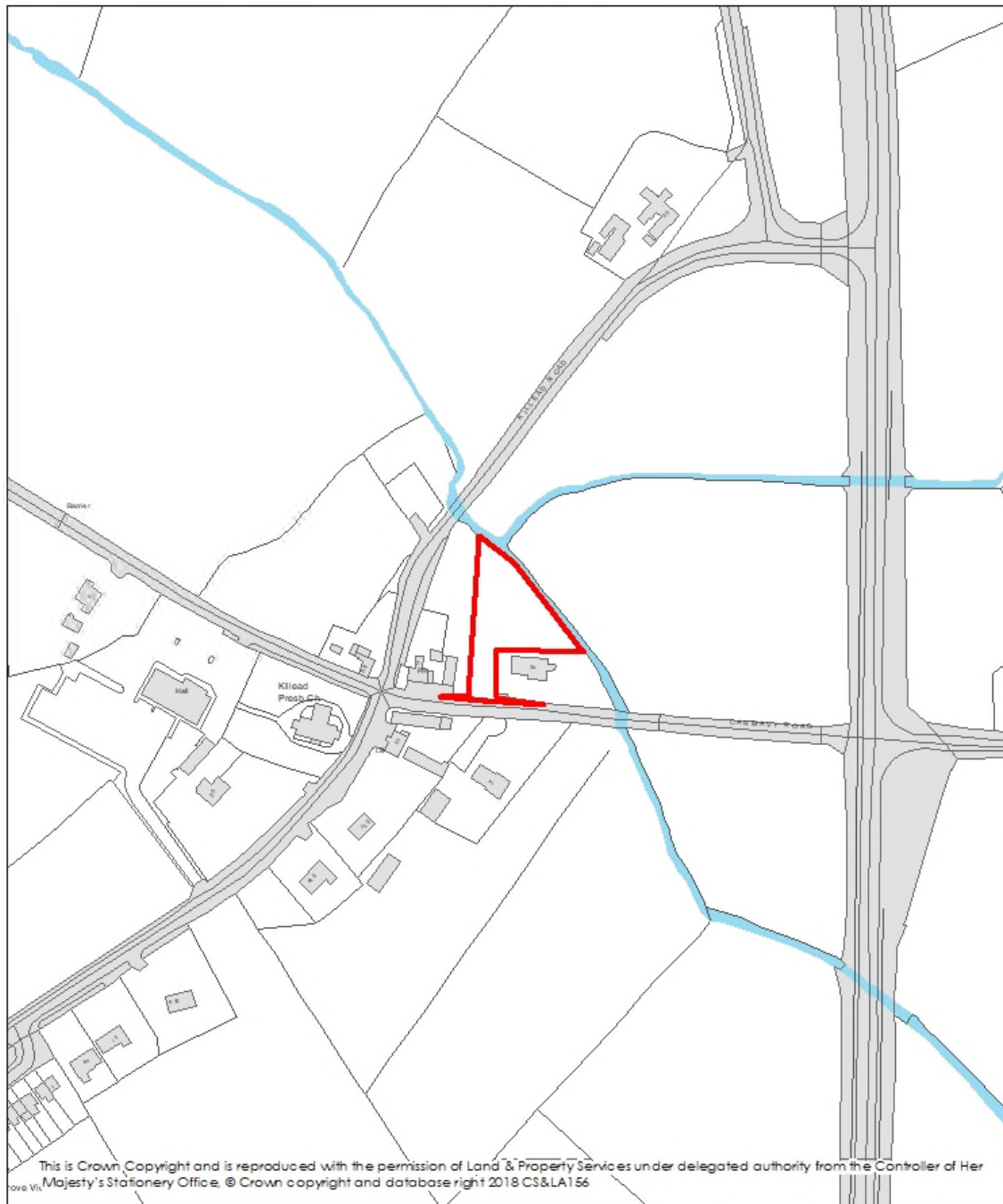
RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 of PPS 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 the provisions for a dwelling within a cluster in accordance with Policy CTY 2a of PPS21.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 4 of PPS 21, Sustainable Development in the Countryside, in that the proposed dwelling does not respect the traditional pattern of settlement exhibited in the area resulting in a detrimental change to the rural character of the countryside.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 15 of PPS 21, Sustainable Development in the Countryside, in that the proposed development would mar the distinction between the settlement of Killead and the surrounding countryside and result in urban sprawl.
4. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP2 of Planning Policy Statement 3, Access, Movement and Parking, and Development Control Advice Note 15 Vehicular Access Standards as there is insufficient information to demonstrate that a safe and suitable means of access for the proposed development can be achieved.
5. The proposal is contrary to Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15), in that no flood risk assessment has been provided to demonstrate that adequate measures can be put in place to manage and mitigate any increase in flood risk arising from the development.



Location Map

Application Reference: LA03/2019/0805/F

 Site Boundary



Proposed Erection of dwelling, garage and associated site works

For Information Only

Land to the immediate NW of 2A Carmavoy Road, Crumlin
BT29 4TF



COMMITTEE ITEM	3.16
APPLICATION NO	LA03/2019/0823/F
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed conversion and reuse of existing stone barn to domestic dwelling with extension
SITE/LOCATION	40m southeast of 27A Pipe Road, Randalstown.
APPLICANT	Robert and Olga O'Neill
AGENT	Slemish Design Studio
LAST SITE VISIT	24 th October 2019
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@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 rural area outside of any settlement limit as defined by the Antrim Area Plan (AAP) 1984-2001. The site comprises a portion of a larger group of farm buildings with there being one single storey, linear building positioned within the application site. The site is located adjacent to the main Pipe Road, with the building itself set back approximately 4m from the roadside.</p> <p>The roadside or northern boundary of the site is defined by a 1.5m high wall which is overgrown with hedging and has an existing access point into the farm complex. The western boundary is currently defined by the side of the existing building, while the southern boundary is currently undefined and runs through part of the yard associated with the site and the surrounding buildings. The eastern boundary is defined by a 2m high conifer hedge, with a gap in the boundary towards the northeastern corner. The topography of the site is relatively flat.</p> <p>There is a group of taller, more modern outbuildings to the west of the site and an associated farm yard. Agricultural lands lie to the south and east of the site. There are a number of dwellings located on the opposite side of the Pipe Road to the north of the 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</p>	

Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) published in September 2015 confirms that until such time as a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to conditions.

REPRESENTATION

Three (3) neighbouring properties were notified of the proposal, no letters of objection or other representations have been received by the Council.

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
- Flood Risk
- Other Matters

Policy Context and Principle of Development

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

The Antrim Area Plan (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 site is located within the rural area outside of any settlement limit as defined by the AAP 1984-2001. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development which are 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 4 which allows for the conversion and reuse of existing buildings.

Policy CTY 4 states that 'planning permission will be granted to proposals for the sympathetic conversion of, with adaptation, if necessary, a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.' Paragraph 6.73 of the SPPS states however that provision should be made for the sympathetic conversion and re-use, with adaptation if necessary, of a locally important building as a single dwelling.

The SPPS does not define "locally important" but rather gives a list of examples such as former school houses, churches and older traditional barns and outbuildings. Recent decisions from the Planning Appeals Commission indicate that the types of buildings cited in the policy typically relate to buildings that have some design, architectural or historic merit.

The building which is the subject to this application is a single storey outbuilding measuring approximately 24m in length with a width of 6m. The building exhibits a significant amount of original basalt stone to the northern gable; and eastern and western side elevations. The majority of window and door openings appear to be long-standing with decorative red brick reveals. There does however appear to

have been significant work done to the building in more recent times with brick having been used to boost or repair the wall plate height of the building. This is clearly visible above the original stonework on the northern, eastern and western elevations. The building also appears to have been extended to the south at some time and this extension is finished entirely in grey brick.

The roof of the property has also been replaced and this is currently defined by grey metal sheeting. The remedial works over the years has somewhat lessened the view that this building could be wholly identified as a vernacular building.

Whilst the building is undoubtedly a permanent structure in line with CTY 4, it is difficult to suggest that this building is "locally important" in accordance with the SPPS. A supporting statement has been received from the agent as well as a letter from the applicant which suggests why the building could be viewed as being "locally important", this includes:

- The building was built circa 1850's, by the applicant's great grandfather, to house cattle although it has been unused since the mid-20th century;
- The building is now falling into disrepair and has roof damage;
- There is a duty to preserve the building;
- This is one of the last original basalt buildings remaining in the locality;
- The building is intrinsically linked to the locality and family for six generations (photographs were also provided).

Whilst it is acknowledged that the part of the original building which remains is of a significant age, it has undoubtedly lost some of its vernacular qualities over time due to extensions, the raising/repair of eaves/ridge heights and replacing the damaged parts of the roof. It is not considered that the building would represent a locally important building.

The claim that this is the last original basalt buildings in the locality cannot be supported following a site visit which demonstrated the presence of other similar buildings in the area. This building does not represent a unique or locally important development within the wider area.

It is accepted that the building may have played a significant role within the family of the previous generations (in relation to farming activities) however, there appears to be no evidence that the building played an important role within the local area beyond the family, thereby failing the "locally important" test.

Having taken the above into account, it is considered that the building which is the subject of this application cannot be considered of local importance and therefore the proposal fails to meet with the policy test set out in paragraph 6.73 of the SPPS and cannot be considered acceptable.

Design and Appearance

Notwithstanding the fact that the principle of development has not been established for the proposal, the proposed design will be assessed.

Part (b) of Policy CTY 4 of PPS 21 states that the conversion would maintain or enhance the form, character, architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of

the locality. The application proposes to convert the existing building to a dwelling by renovating the existing building and carrying out some extensions. Whilst the works intend to keep the general high wall to window ratio, there appears to be a loss of the detail which adds to the character of the existing building, such as the removal of the brick reveals around window and door openings. It is also not entirely clear from the submitted plans to what degree the existing basalt stonework is to be retained. Reference is made to the retention of stone walls, however, the annotation also describes "rendered walls as shown", it is not shown on the plans which walls will be rendered. A metal deck roof is proposed to replace the existing corrugated metal roof.

Part (c) of the policy states that new extensions are sympathetic to the scale, massing and style; and finishes of the existing building. The SPPS states that the conversion should involve minimal intervention. Two extensions to the existing building are proposed as part of this proposal. The length of the building is to be extended by 2.1m and a side extension is to be constructed measuring 12.6m x 6.3m. The side extension will replace an existing outbuilding which measures 19m². Overall the extension creates approximately 45% additional floorspace. Whilst a modest extension is permissible for modern living, this proposed increase is deemed excessive. In addition, the proposed side extension would have a ridge height 400mm above the existing ridgeline which also would be unacceptable as it would dominate the building and leave the converted building to be subservient to the extension.

Having considered the policy provisions of the SPPS and Policy CTY 4 of PPS 21, it is considered that the design approach taken is in conflict with both policies in that the proposed works would not maintain or enhance the existing form, character and architectural features; and design of the existing building; and the proposed extensions are not sympathetic to the scale, massing, style and finishes of the existing building. The extensions go beyond minimal intervention in achieving the final design.

An acceptable level of amenity space (90m²) is to be provided to the side and rear of the property. A 1.8m high timber fence is to be placed to the rear boundary of the site with the retention of the existing hedge along the eastern boundary. Private in-curtilage parking for two cars is provided to the front of the building.

Neighbour Amenity

Part (d) of policy CTY 4 states that the reuse or conversion of a building should not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoin lands or buildings.

The closest dwelling to the site belongs to the applicants, No.27a. This dwelling is located on the opposite side of the Pipe Road approximately 17m northwest of the site. There are no windows proposed on the northwestern (roadside) elevation and it is considered that no neighbouring residential property will be unduly affected by the proposal. Farm buildings are located immediately to the southwest of the site, with a laneway running past the southwestern elevation. Whilst windows are located on this elevation no door openings are proposed.

The Environmental Health Section of the Council has responded to a consultation request with no objections to the proposal save for an informative highlighting the potential for farms to create health nuisances from odour, noise and pests. It is considered therefore that the proposal complies with part (d) of Policy CTY 4.

Flood Risk

The site does not lie within a flood zone and therefore it is considered that there is no known flood risk for the development.

Other Matters

DfI Roads were consulted on the application and have responded with no objections subject to conditions and informatives. No objections or other representations have been received to the planning application.

CONCLUSION

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

- The principle of the development has not been established. The building subject to conversion is deemed not to be of local importance and therefore fails the test set out within the SPPS.
- The design of the proposal is considered unacceptable. Elements of the original architecture such as the red brick reveals around the windows and doorways have been omitted, the degree of stonework retention is unclear and the proposed extension is too large with a ridge height above the retained element of the original building.
- It is considered that no neighbouring property will be detrimentally impacted upon by the development.
- The site lies outwith any designated flood area.
- No objections or other representations have been received from third parties.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 4 of Planning Policy Statement 21, in that the building to be converted is not considered to be of local importance; the proposed design does not maintain or enhance the existing design and architectural features of the building; and the proposed extension is not sympathetic to the existing building in terms of scale.



Location Map

Application Reference: LA03/2019/0823/F

40m SE of 27A Pipe Road Randalstown Antrim

Proposed conversion and reuse of existing stone barn to domestic dwelling with extension.



Site Boundary

0 25 50 Metres



For Information Only



COMMITTEE ITEM	3.17
APPLICATION NO	LA03/2019/0716/F
DEA	BALLYCLARE
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Single garage to rear of dwelling with associated new access and boundary fence
SITE/LOCATION	9 Lismenary Road, Ballynure
APPLICANT	Mr M Davey
AGENT	Eamonn Moore Architect Ltd
LAST SITE VISIT	5 th September 2019
CASE OFFICER	Lisa Stewart Tel: 028 903 40403 Email: Lisa.Stewart@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>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>The main issues to consider in the determination of this application are:</p> <ul style="list-style-type: none"> • Preliminary Matters • Scale, Massing, Design and Appearance • Neighbour Amenity • Other Matters <p>Preliminary Matters</p> <p>Following the completion of the Case Officer Report and prior to the Planning Committee meeting of the 21st October 2019 the agent submitted amended plans for consideration. These amendments were received after the agent had been informed that the application had a recommendation for refusal at the October Planning Committee. The application was subsequently withdrawn by Officer's from the list of applications which were to be considered by the Committee. The amended proposal is now placed before Members for consideration.</p> <p>Scale, Massing, Design and Appearance</p> <p>This application is for a single storey garage located to the east of the dwelling with a 1.3 metre high boundary fence along the northwestern boundary and a associated new vehicular access onto Toberdowney Park. It should be noted that there is an existing detached garage located on the southeastern side of the existing dwelling which is accessed from the Lismenary Road.</p> <p>Further to the October Planning Committee, the agent submitted an amended proposal which relocates the garage to the rear of the dwelling and reduces the height of the boundary fencing. In advance of the Planning Committee meeting Officer's withdrew the application for further consideration.</p> <p>Paragraph A11 of the Annex to APPS 7 states that buildings within the curtilage should be subordinate in scale and similar in style to the existing dwelling. The garage</p>	

is proposed to be located to the east of No. 9 and is adjacent to the boundary common with No. 1 Toberdowney Park. The amended plans show the garage to be located to the rear of the existing dwelling. The garage measures 4.45 metres in width and has a depth of 6.3 metres. The garage is to have a pitched roof and has a maximum ridge height of 3.4 metres. It is considered that the proposed garage will have limited visibility from the Lismenary Road owing to its scale and positioning to the rear of the dwelling. It is considered that the proposed garage does not break the building line of Lismenary Road nor does it break the building line of Toberdowney Park resulting in no significant impact upon the character and appearance of the streetscape of Toberdowney Park.

The amended finishes of the garage are a galvanised roller shutter door and a steel brown door on the northern elevation, cream painted render walls and an aluminium tile effect roofing sheet slate which is blue/dark grey in colour. The finishes of the proposed garage do not detract significantly from the appearance of the existing dwelling.

Given that other garages in the surrounding area are generally positioned to the rear of existing dwellings and the proposed garage is also positioned to the rear of the dwelling it is considered that the siting as amended is acceptable. It is noted that given the location and height of the proposed garage that it would be considered permitted development as set out in the Planning (General Permitted Development) Order (Northern Ireland) 2015, Schedule Part 1 Class D.

The proposed boundary fence consists of close boarded fencing 0.6 metres in height placed on top of a wall which is 0.7 metres in height. The fencing runs along part of the northern boundary from the access point to the start of the wall and is approx. 5.6 metres in length with a height of 1.3 metres, the fencing then closes off an area of private amenity space to the side of the dwelling by turning 90 degrees and finishing at the northern elevation of the dwelling. This portion of the fencing is proposed at a height of 1.35 metres. The location and scale of the proposed boundary fencing following a height reduction is not considered to be particularly dominant when viewed from the Lismenary Road. Paragraph A23 of APPS 7 states that expanses of close-board fencing bordering public areas are visually unacceptable. In this case the fencing borders the public road and footpath and is considered acceptable given the reduced height and that it is to be painted forest green.

Objections were raised regarding the appearance of the garage and the height of the fencing prior to the submission of amended plans. Following submission of the amended plans the planning application was re-advertised and re-neighbour notified. No further objections were submitted.

Overall, it is considered that the location, scale and appearance of the garage and boundary fencing will have no significant impact on the appearance and character of the surrounding area and is therefore acceptable.

Neighbour Amenity

Criteria 'b' of EXT 1 states that development should not unduly affect the privacy or amenity of neighbouring residents.

The proposed garage and boundary fencing has the potential to result in some overshadowing of the garage and driveway of the neighbouring dwelling at No. 1 Toberdowney Park. There will however be no overshadowing of rooms within the dwelling itself. It is considered that the limited impact arising on the amenity of No. 1 Toberdowney Park as a consequence of the proposed garage is insufficient to warrant refusal of permission on this basis.

The proposed garage has a roller shutter door, a pedestrian doorway on the northwestern elevation and has no windows. It is considered that domestic garages are not intensively used and the proposal will not impact upon the neighbouring dwellings by reason of overlooking.

Overall, it is considered that the proposed development will not unduly affect the privacy or amenity of neighbouring residents.

Other Matters

Following receipt of the amended plans, the planning application was re-advertised and neighbours re-notified. The statutory periods for the notifications has expired and no further objections have been received in relation to the amended plans.

CONCLUSION

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

- The location, scale and massing of the proposal will not have a significant adverse impact on the character and appearance of the local neighbourhood.
- The proposal will not have a detrimental impact on the amenity of the neighbouring residential properties.

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 boundary fence shown on Drawing Number 04/2 date stamped 23rd October 2019 shall be erected within 8 weeks from the date of this permission.

Reason: In the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

3. The boundary fencing shall be painted forest green in colour as noted on Drawing Number 04/2 date stamped 23rd October 2019 within 8 weeks of the date of this permission and shall be permanently retained thereafter unless approved in writing by Antrim and Newtownabbey Borough Council.

Reason: To ensure that the proposal is in keeping with the character of the surrounding area and the interest of visual amenity.

4. This permission authorises only private domestic use of the proposed garage and does not confer approval on the carrying out of trade or business therefrom.

Reason: To prevent the creation of additional planning units.

5. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02/1 bearing the date stamp 23rd October 2019, 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.

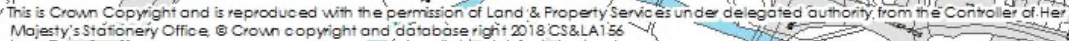
Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The access gradient to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses 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 users.

7. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved Drawing No 02/1 bearing date stamp 28 August 2019 to provide adequate facilities for parking 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 and traffic circulation within the site.



Antrim and
Newtownabbey
BOROUGH COUNCIL