



10 June 2020

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 remote meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 15 June 2020 at 6.00pm.**

All Members are requested to attend the meeting via "Zoom".

To ensure social distancing it is only possible to facilitate 11 Members in the Council Chamber. Priority admission will be given to Committee Members, this does not affect the rights of any Member participating in the meeting.

Yours sincerely

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

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

PLEASE NOTE: refreshments will not be available.

For any queries please contact Member Services:

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

AGENDA FOR PLANNING COMMITTEE – JUNE 2020

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 May 2020
- 3.2 Proposal of Application Notifications
- 3.3 Consultation by BCC on Wind turbine proposal LA04/2020/0595/F on Upper Hightown Road
- 3.4 Non-Determination Appeal for Planning Application No: LA03/2019/1033/O
Erection of dwelling on a farm on land 85m east of No. 40 Ballylagan Road, Ballyclare
- 3.5 Non-Determination Appeal for Planning Application No: LA03/2020/0008/F
Proposed demolition of existing dwelling and erection of 2no dwellings and garages and associated site works at No. 6 Glenkeen Avenue, Jordanstown, Newtownabbey
4. Any Other Business

PART TWO - Decisions on Planning Applications

- 3.6 Planning Application No: LA03/2020/0128/F
Proposed residential development of 90 dwellings (comprising 19 No detached, 66 No semi-detached and 5no townhouses), garages, sunrooms, landscaping, open space and all other associated site and access works at lands 80m south of Ferrard Meadows adjacent and north of 41-45 Castle Park; 25-30 Massereene Gardens and 32 Massereene Gardens and west of Ballymena Road, Antrim
- 3.7 Planning Application No: LA03/2019/0727/F
Proposed extension to existing building to provide additional storage facilities at Zeus Packaging, Unit 22, Belfast Road, Central Park, Mallusk, Newtownabbey

- 3.8 Planning Application No: LA03/2020/0114/O
Single dwelling and garage on land 75metres North West of No. 48 Ballynoe Road, Antrim
- 3.9 Planning Application No: LA03/2019/0059/O
Site of dwelling and garage (infill) at lands 30 metres southeast of 7 Ballyquillan Road, Crumlin
- 3.10 Planning Application No: LA03/2019/0061/O
Site of dwelling and garage (infill) at lands 50 metres northwest of 5b Ballyquillan Road, Crumlin
- 3.11 Planning Application No: LA03/2020/0038/A
Proposed digital sign on west gable elevation of the Church Hall and replacement of existing freestanding illuminated sign with digital sign at 560 Doagh Road, Newtownabbey
- 3.12 Planning Application No: LA03/2020/0070/F
2.4 metre high fencing with 2 sets of 6metre wide wire mesh vehicular gates and 2 No. 1.5metre wide wire mesh pedestrian gates at Moneynick Primary School, Randalstown

PART TWO - Decisions on Enforcement Cases – In Confidence

- 3.13 Enforcement Case: LA03/2018/0356/CA
- 3.14 Enforcement Case: LA03/2020/0068/CA

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 15 JUNE 2020**

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 May 2020 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: John Linden, Head of Planning

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

ITEM 3.2

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

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). Two PANs were registered during May 2020 the details of which are set out below.

PAN Reference:	LA03/2020/0331/PAN
Proposal:	Proposed residential development of 81 no. dwellings (comprising of detached and semi-detached units), garages, sunrooms, landscaping, open space and all associated site and access works, including the erection of 1 no. pumping station and 1 no. waste water treatment.
Location:	Lands immediately adjacent and to the north of and north-west of Oakfield Residential Development and Jordanstown Special School, Jordanstown Road, Newtownabbey
Applicant:	Silverwood Development Lands Ltd
Date Received:	21 May 2020
12 week expiry:	14 August 2020
PAN Reference:	LA03/2020/0332/PAN
Proposal:	Proposed residential development (of approx. 56 dwellings and apartments), with garages and associated infrastructure and landscaping.
Location:	Former Northern Regional College Lands Fountain Street Antrim BT41 4AL
Applicant:	Simpson Developments Ltd
Date Received:	21 May 2020
12 week expiry:	14 August 2020

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

As part of its response to Coronavirus, the Department for Infrastructure has recently introduced an amendment to subordinate legislation to temporarily remove the requirement for a public event as part of the Pre-Application Community Consultation (PACC).

The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will apply for five months.

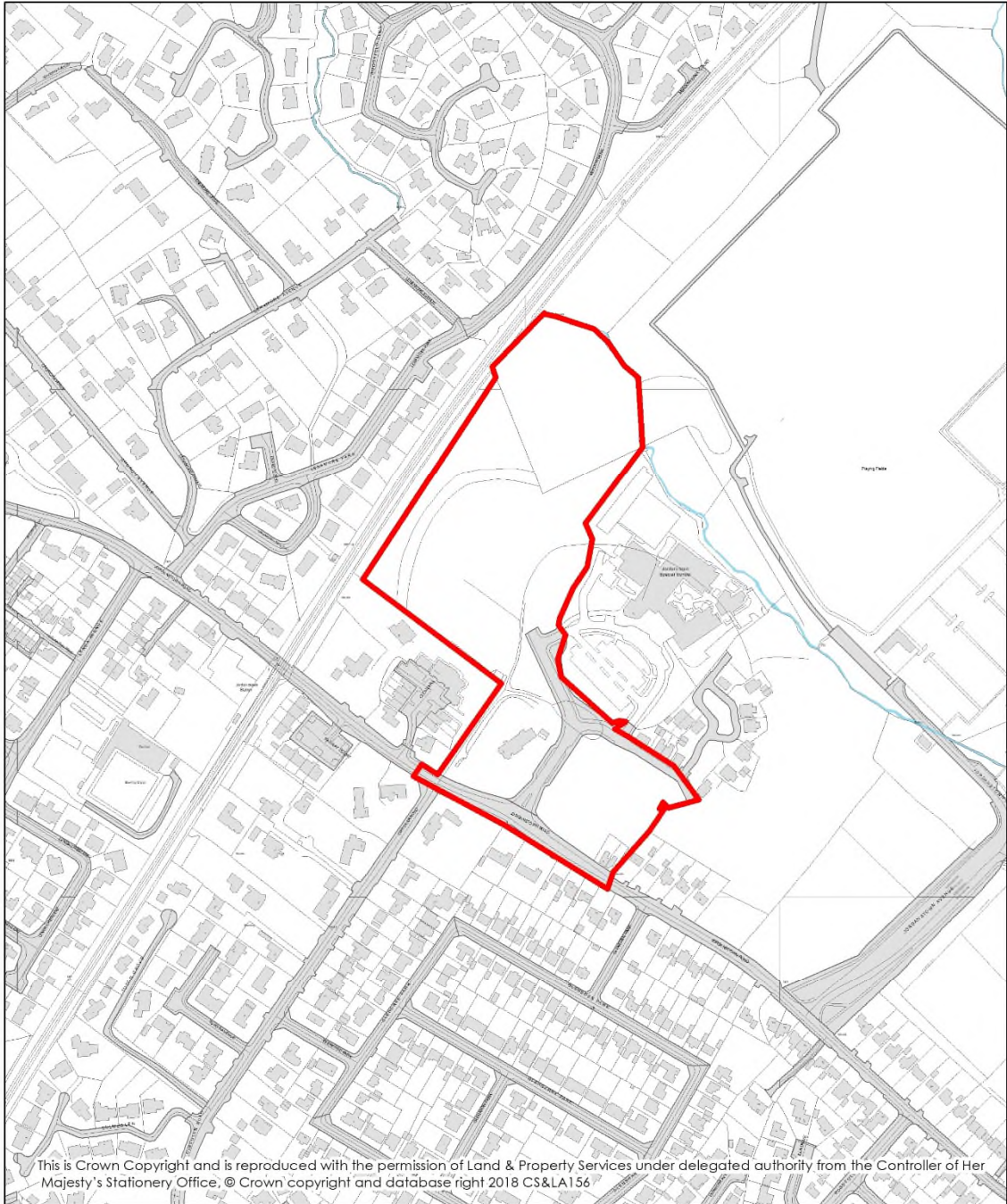
Applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

Guidance issued by the Department indicates that specific detail should be included in the PAN application indicating what consultation methods the prospective applicant is proposing to ensure that the local community is able to access, and comment on, information about a proposed development, despite the absence of a PACC public event.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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



Location Map

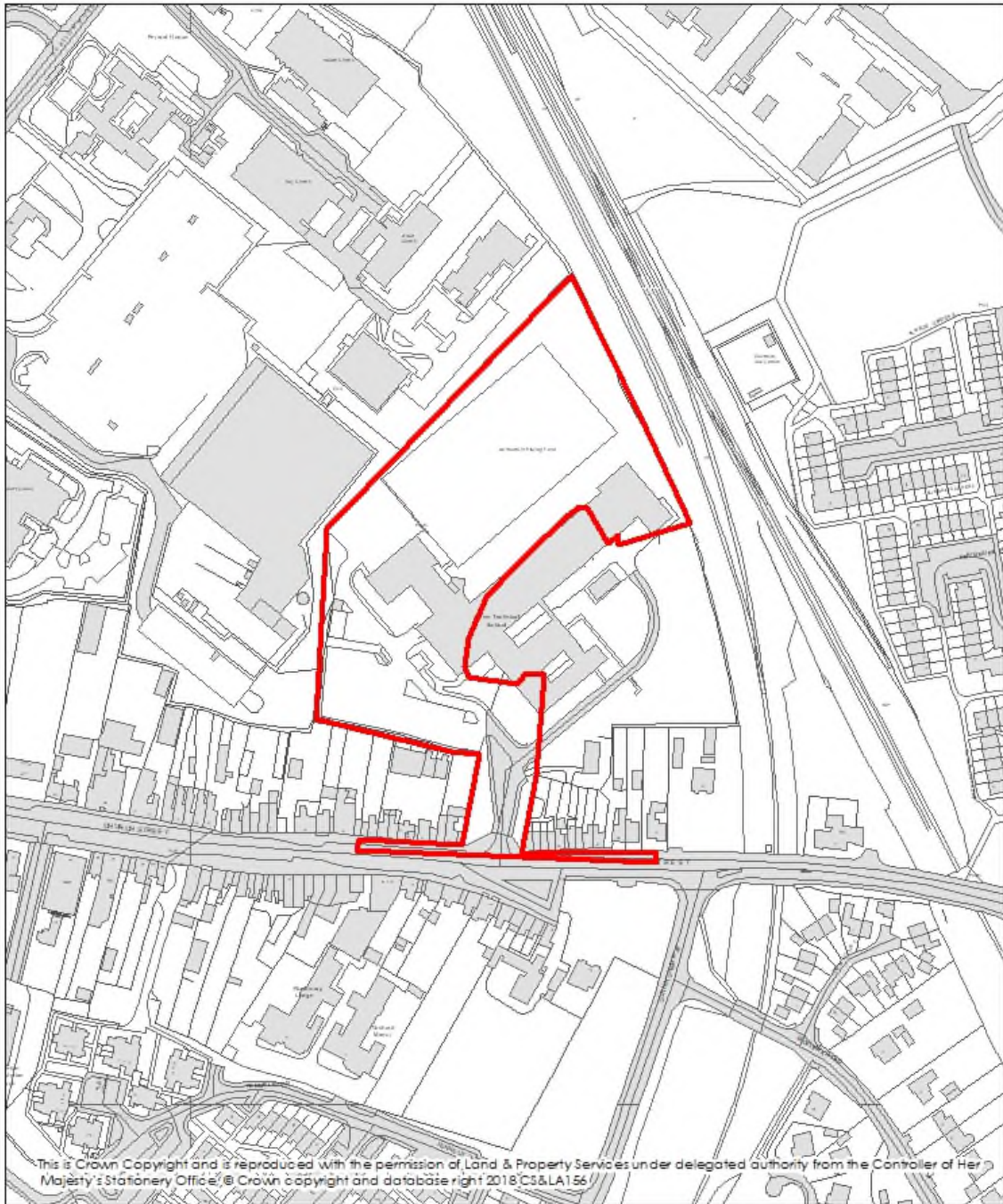
Application Reference: LA03/2020/0331/PAN

 Site Boundary



For Information Only






Location Map

Application Reference: LA03/2020/0332/PAN

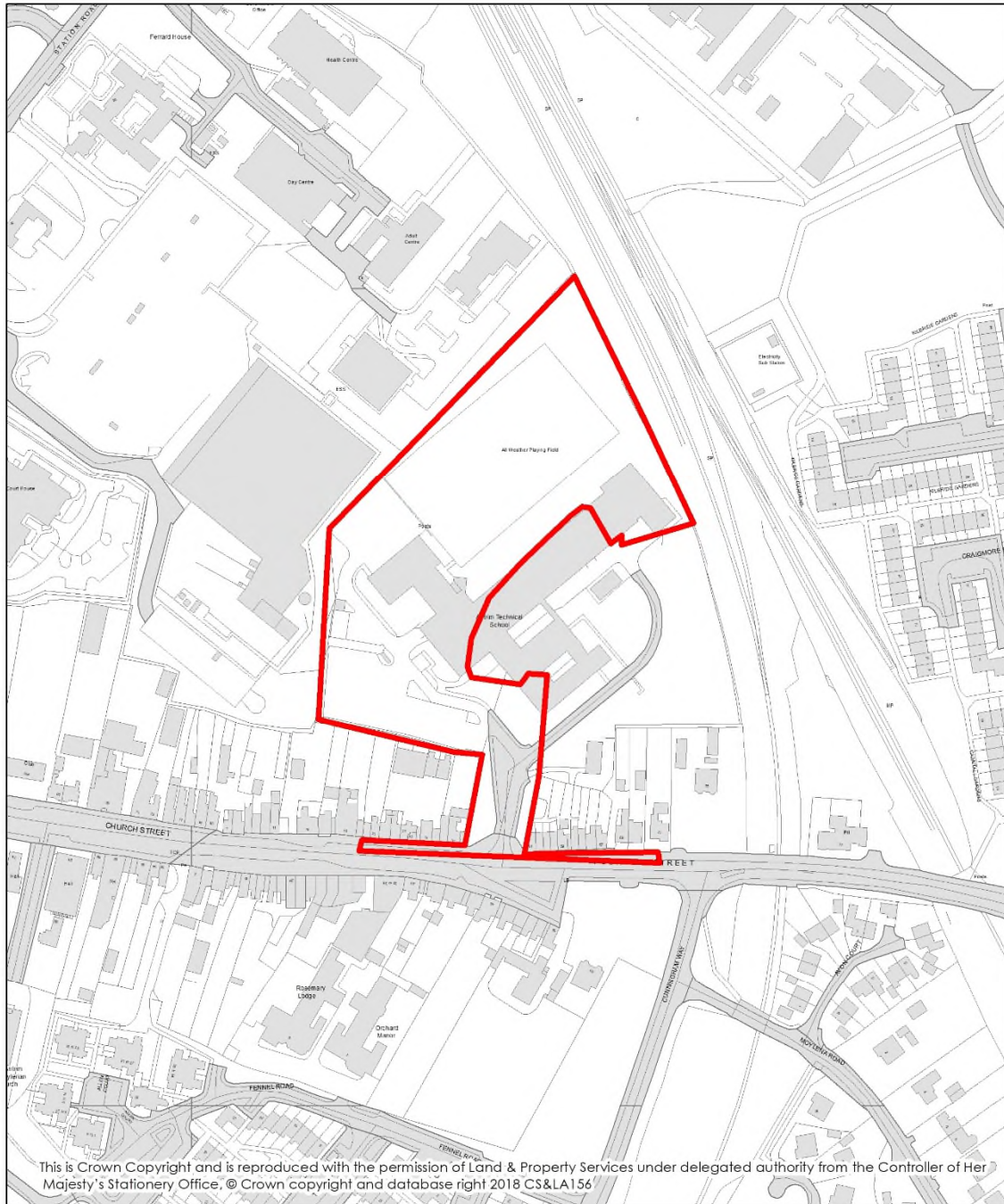
Proposal: Residential development of 81 no. dwellings on lands adjacent and north of and north-west of Oakfield Residential Development and Jordanstown Special School, Jordanstown Road, Newtownabbey

 Site Boundary



For Information Only





Location Map

Application Reference: LA03/2020/0332/PAN

 Site Boundary



Proposed residential development
(of approx. 56 dwellings and apartments)
at the Former Northern Regional College Lands,
Fountain Street, Antrim,

For Information Only



ITEM 3.3

CONSULTATION BY BELFAST CITY COUNCIL – PLANNING APPLICATION REFERENCE LA04/2020/0595/F

Belfast City Council (LCCC) has consulted the Council on an application received for the development of a wind turbine (copy **enclosed**). The proposed site, whilst located within the BCC District on the Upper Hightown Road, lies only a short distance to the north of the District Council boundary with Antrim and Newtownabbey Borough.

Application Reference: LA04/2020/0595/F

Proposal: Proposed installation of a wind turbine on a 60m high tabular tower and 100m high blade tip, switch room cabinet, sub-station cabinet, extension of an existing laneway to form site access and all other associated ancillary works

Location: 510m north/north west of no.33 Upper Hightown Road
Ballysillan Upper Belfast

Applicant: Hill Power Ltd

Further Information on this application is available to view at the Planning Portal
www.planningni.gov.uk

Officers would advise that the Council is not the decision maker in respect of this application; rather the Council is one of a number of bodies which has been consulted by BCC on the application. Any comments made by the Council will be considered by BCC as part of the processing of the application together with all other consultation replies and other representations received. In addition while the Council has been consulted on the proposed development, there is no obligation on the Council to provide a corporate view.

There are a number of options available to the Council in responding to the consultation by BCC:

1. Provide a corporate view in support of the development.
2. Provide a corporate view opposing the development.
3. Provide no corporate view on the development. In this case individual Members or parties may express support for or object to the development.

Member's Instructions are requested.

Prepared by: John Linden, Head of Planning

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

ITEM 3.4

NON-DETERMINATION APPEAL – APPLICATION LA03/2019/1033/O AT BALLYLAGAN ROAD, BALLYCLARE

The applicant for the following planning application at Ballylagan Road, Ballyclare has lodged an appeal with the Planning Appeals Commission (PAC) in default of a decision being made by the Council. This is what is commonly referred to as a Non-Determination Appeal. This means that jurisdiction for determination of this application has now passed to the PAC, rather than the Council.

APPLICATION NO: LA03/2019/1033/O
APPEAL REF: 2020/A0022
PROPOSAL IN BRIEF: Erection of Dwelling on a Farm
SITE/LOCATION: 85m east of No. 40 Ballylagan Road, Ballyclare
APPLICANT: Mr Robert Woodside

In line with normal practice for such appeals the PAC will in due course seek a view from the Council as to whether it wishes to provide draft reasons of refusal or conditions for the proposed development.

The Planning Section report (copy **attached**) which was scheduled to come to the June meeting of the Planning Committee considers that the proposed development is at this time unacceptable for the reasons summarised below:

- It has not been demonstrated that a new dwelling on the site proposed would be visually linked or cluster with an established group of buildings on the farm
- It is considered that a new dwelling on the application site would fail to integrate into the surrounding landscape; and
- The proposal would result in a detrimental impact on the character of the surrounding rural area.

RECOMMENDATION: that the Officer recommendation proposing draft reasons of refusal on the application is approved and that Officers are authorised to submit a Statement of Case to the PAC on this basis and defend this position at appeal.

Prepared by: John Linden, Head of Planning

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

ITEM 3.5

NON-DETERMINATION APPEAL – APPLICATION LA03/2020/0008/F AT GLENKEEN AVENUE, JORDANSTOWN

The applicant for the following planning application at Glenkeen Avenue, Jordanstown has lodged an appeal with the Planning Appeals Commission (PAC) in default of a decision being made by the Council. This is what is commonly referred to as a Non-Determination Appeal. This means that jurisdiction for determination of this application has now passed to the PAC, rather than the Council.

APPLICATION NO: LA03/2020/0008/F
APPEAL REF: 2020/A0016
PROPOSAL IN BRIEF: Proposed demolition of existing dwelling and erection of 2no dwellings and garages and associated site works
SITE/LOCATION: No. 6 Glenkeen Avenue, Jordanstown, Newtownabbey
APPLICANT: Mr Jim Hanna

In line with normal practice for such appeals the PAC will in due course seek a view from the Council as to whether it wishes to provide draft reasons of refusal or conditions for the proposed development.

The Planning Section report (copy **attached**) which was scheduled to come to the June meeting of the Planning Committee considers that the proposed development is acceptable subject to the conditions outlined in the Report.

RECOMMENDATION: that the Officer recommendation proposing draft conditions is approved and that Officers are authorised to submit a Statement of Case to the PAC on this basis and defend this position at appeal.

Prepared by: John Linden, Head of Planning

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

PART TWO

PLANNING APPLICATIONS

COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2020/0128/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed residential development of 90 dwellings (comprising 19 No detached, 66 No semi-detached and 5no townhouses), garages, sunrooms, landscaping, open space and all other associated site and access works.
SITE/LOCATION	Lands 80m south of Ferrard Meadows adjacent and north of 41-45 Castle Park; 25-30 Massereene Gardens and 32 Massereene Gardens and west of Ballymena Road, Antrim
APPLICANT	Lotus Homes UK Ltd
AGENT	TSA Planning
LAST SITE VISIT	March 2020
CASE OFFICER	Michael O'Reilly Tel: 028 90340424 Email: michael.oreilly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands 80m south of Ferrard Meadows adjacent and north of 41-45 Castle Park; 25-30 Massereene Gardens and 32 Massereene Gardens and west of Ballymena Road, Antrim. This is an area of undesignated whiteland within the development limits of Antrim, as identified in the statutory Antrim Area Plan 1984 – 2001.</p> <p>The application site is triangular in shape and comprises an area of approximately 3.5 hectares of land located immediately adjacent to and west of a roundabout junction on the A26 Ballymena Road linking to Springfarm Industrial Estate, Ferrard Meadows, Ferrard Green and The Junction Retail and Leisure Park.</p> <p>The southern boundary of the application site adjoins existing residential development at Massereene Gardens and Castle Park. Massereene Gardens comprises detached bungalows and Castle Park comprises 2 storey semi-detached dwellings. The shared boundary is defined by a mix of garden fencing, walling, hedgerows and trees delineating the rear boundaries of these properties. There is an existing culverted watercourse adjacent to this boundary and within the application site. The eastern and northern edges of the application site are contiguous with the Ballymena Road. The road leading to Ferrard Meadows and Ferrard Green is defined by low rise ranch style wooden fencing. The northwestern boundary is contiguous with the rear boundary of dwellings being constructed in the Ferrard Green residential development and this consists of close boarded timber fencing. The western boundary of the application site is physically undefined and traverses the former Shrubs and Tubs Garden Centre.</p>	

The application site sits approximately 2 metres lower than the Ballymena Road and there is also a drop of approximately 2 metres running north to south through the site. Existing dwellings located within Massereene Gardens and Castle Park sit at a higher finished floor level.

The context of the receiving environment is characterised by existing residential development to the south, north and northwest. The Junction Retail and Leisure Park, including ASDA, LIDL and other local conveniences, is located to the north and beyond the existing residential development. Antrim Business Park is located to the west and Antrim Town Centre is approximately 1 kilometre to the south.

RELEVANT PLANNING HISTORY

Application Site

Reference: LA03/2019/0210/F

Location: Lands west of Ballymena Road Antrim and immediately north of nos 25-30 (inclusive) and 32 Massereene Gardens 41-45 (inclusive) Castle Park Antrim

Development: Erection of residential development comprising 82 dwellings (18 detached and 64 semi-detached units) and associated roads and hard and soft infrastructure)

Decision: Withdrawn: 28 February 2019.

Reference: T/2008/0458/F

Location: Lands to the west of Ballymena Road and to the north of Massereene Gardens, Antrim.

Development: Residential development comprising 175 apartments and 45 townhouses (220), associated car parking (including underground car parking), landscaped open amenity space, children's play area, associated site works and a pumping station.

Decision: Permission Granted: 2 February 2011.

Ferrard Meadows and Ferrard Green

Reference: LA03/2016/0873/F

Location: Lands adjacent to Ballymena Road and south east of Express Holiday Inn Antrim

Development: Proposed development of 45 no. residential units comprising of 32 no. semi-detached, 8 no. detached dwellings and 5 no. townhouses, associated garages, private roads, landscaping and all associated site works (reduction in density from that approved under T/2009/0183/F).

Decision: Permission Granted: 31 May 2017

Reference: LA03/2016/0878/F

Location: Lands situated approx. 115m north west of Castle Park, Junction One, Ballymena Road, Antrim

Development: Proposed residential development to include 45 no. units (including 36 no. semi-detached, 5 no. detached and 4 no. apartments), associated garages, landscaping, and all associated site works (reduction in density to that previously approved under T/2009/0475/F)

Decision: Permission Granted: 19 Sep 2017

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limits of Antrim. Paragraph 16.6 of the Plan is entitled “Unzoned Land” and states that within the development limit there are areas of undeveloped land which have not been zoned for a particular use. Some of these areas may be physically difficult to develop while some consist of small individual parcels. The planning authority will consider proposals for development provided the uses are satisfactory for the locations proposed and that no physical or other problems are involved.

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.

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

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas: sets out planning policy and guidance on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements. It also sets out policy on the conversion of existing

buildings to flats or apartments and contains policy to promote greater use of permeable paving within new residential developments.

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water – No objection

Department for Infrastructure Roads - No objection subject to conditions.

Department for Infrastructure Rivers – No objection.

Department for Communities Historic Environment Division – No objection

Northern Ireland Environment Agency: Various Units -
Drainage and Water: No objection.

Land Soil and Air - No objection subject to condition.

Natural Heritage – No objection.

Shared Environmental Services – No objection subject to condition.

REPRESENTATION

One hundred and eighty-four (184) neighbouring properties notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Development Quality, Impact to Character and Appearance of Area
- Residential Amenity and Noise
- Open Space
- Landscaping
- Access, Movement and Parking
- Flood Risk
- Ecology
- Land Contamination
- Socio-Economic Matters
- 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.

Paragraph 16.6 of the Plan is entitled "Unzoned Land" and states that within the development limit there are areas of undeveloped land which have not been zoned for a particular use. Some of these areas may be physically difficult to develop while some consist of small individual parcels. The planning authority will consider proposals for development provided the uses are satisfactory for the locations proposed and that no physical or other problems are involved.

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

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

- PPS 7: Quality Residential Environments;
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas;
- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 6: Planning, Archaeology and the Built Heritage;
- PPS 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

Within this policy context, and given that the context of the receiving urban environment is largely characterised by existing residential development, it is considered the principle of housing development on the site would be acceptable subject to the development complying with the Plan's provisions for residential development and the creation of a quality residential environment as well as meeting other requirements in accordance with regional policy and guidance which are addressed in detail below.

Development Quality, Impact to Character and Appearance of Area

This planning application seeks full planning permission for a residential development of 90 no. dwellings comprising 19 no. detached, 66 no. semi-detached and 5 no. townhouses, garages, sunrooms, landscaping, open space and all other associated site and access works.

The development layout proposed is organised into several separate character areas which are accessed from a single vehicular access and primary estate road with secondary loop roads providing more discrete accesses to individual character

areas, including public open space areas. The individual character areas include varying plot types, dwelling shapes and sizes.

The Ballymena Road frontage has been respected with varying sequences of dwellings orientated towards the road with the inclusion of a bespoke feature building overlooking the A26 Ballymena Road Roundabout.

Within the site, dual frontage house types have been strategically located at key points and corner sites to address existing and proposed road frontages and important vistas within the development.

The site layout has been designed to ensure that proposed dwellings front onto the various pockets of open space, including the Village Green, in order to provide natural surveillance of these areas. Open space is referred to in more detail later in this report.

The proposal seeks to introduce a range of house types with contemporary architectural detailing and materials which are at slight variation to Ferrard Meadows and Green. The design should however complement those existing dwellings and integrate into the surrounding area whilst simultaneously providing visual interest and variety across the wider residential developments.

In order to respect residential amenity for existing and proposed residents, proposed dwellings have been sited in a traditional back-to-back relationship at Massereene Gardens, Castle Park and Ferrard Green, with separation distances equal to or greater than 20m, which is consistent with the guidance in Creating Places.

In summary, for the reasons set out above, it is considered that the proposed layout and arrangement of buildings, hardstanding and public and private amenity space areas will create a high quality and sustainable residential environment consistent with the policy provisions of the SPPS and PPS7 and is therefore acceptable.

Private Residential Amenity and Noise

Private Residential Amenity

The proposal seeks to introduce new residential development into an urban area where the context of the receiving environment largely comprises pre-existing residential development at Massereene Gardens, Castle Park to the south and Ferrard Green and Meadows to the north.

With respect to the relationship of proposed dwellings located on the southern axis of the development layout and Castle Park, which are two storey dwellings, the separation distance is at a minimum 20 metres, which is consistent with the guidance set out in Creating Places. While the introduction of new two storey dwellings on the application site will create a new relationship with those existing two storey dwellings in Castle Park, this relationship is characterised by a 'back-to-back relationship' and in which a degree of intervisibility between properties in an urban area is a normal feature. This intervisibility will be from upper floor windows, where bedrooms and bathrooms are located. It is considered that an unacceptable adverse impact to the residential amenity of existing and proposed residents will not result should planning permission be granted and the proposal is therefore acceptable in this regard.

Referring to the relationship of proposed development at the southern axis adjacent to Massereene Gardens, which are existing single storey dwellings, it is noted that the separation distance ranges between 27 – 30 metres, which is notably in excess of the 20m separation distance guidance set out in Creating Places. A cross section has been provided demonstrating the proposed relationship. It is accepted that the upper floor of the proposed dwellings will have sight of the rear of dwellings on Massereene Gardens, however, it is considered that the separation distance is in excess of the policy guidance. The relationship of the proposed development with Castle Park is characterised by a 'back-to-back relationship' which has a degree of intervisibility between properties and is a normal feature in an urban area. This intervisibility will be from upper floor windows, where bedrooms and bathrooms are located. It is considered that an unacceptable adverse impact to the residential amenity of existing and proposed residents will not result should planning permission be granted and the proposal is therefore considered acceptable in this regard.

With reference to the provision of private amenity space areas throughout the development it is noted there are a range of plot sizes and shapes with an average private amenity space provision of 100 sqm approximately with sizes ranging between 70 sqm and 190 sqm approximately. This level of variation in size and shape is consistent with the guidance set out in Creating Places and will provide choice to residents.

Within the development layout it is noted that there are several properties with single storey extensions proposed. Having assessed the relationship of these extended dwellings with their immediate proposed neighbours it is considered that an acceptable residential amenity relationship will exist between the relevant properties which are therefore acceptable.

In summary, it is considered that the development layout respects the context of the existing residential environment to the south and north. There is a broad range of acceptably sized private amenity space areas and the indicated extensions to dwellings will have an acceptable relationship with their adjoining neighbours. For these reasons it is considered that the proposal is compliant with the relevant policy provisions of the SPPS and PPS7 and is therefore acceptable.

Noise

An acoustic assessment has been submitted in support of the development proposal. The application site is adjacent to the A26 Ballymena Road, a particularly busy road in Antrim, and the application site is therefore naturally quite a noisy environment given the volume of road traffic carried by the A26. The acoustic assessment seeks to demonstrate that it is possible to achieve practical mitigation measures for sound levels within dwellings and their private amenity space areas.

Within the acoustic assessment, Section 4.1 and Figure B outline the mitigation measures required to ensure that the sound level climate within the private external amenity areas due to road traffic sound levels does not exceed BS 8233:2014 55dB upper guideline level. This includes a 2.1 metre high acoustic barrier at site No.61 and 1.8m high acoustic barriers at other sites throughout the development and as indicated in plans contained within the acoustic assessment.

With reference to the mitigation of road traffic noise for the internal residential environment, Section 4.2 & figures C & D of the assessment outline the sound reduction performances required for glazing and ventilation to the proposed dwellings. The measures are required to ensure that road traffic noise levels are appropriately mitigated to ensure compliance with the BS8233:2014 internal sound levels of 35dB daytime (within living rooms & bedrooms) and 30dB night-time (within bedrooms).

The Council's Environmental Health Section has offered no objections to the report findings and has offered planning conditions to ensure the delivery and retention in perpetuity of these noise attenuation features for the lifetime of the development.

For the reasons set out above it is considered that the proposal can provide appropriate mitigation to provide an adequate internal and external noise environment and is therefore considered acceptable.

Overall, it is considered that the proposal will provide a broad range of appropriately sized and functional private amenity space areas in accordance with the relevant planning policy provisions and designed in accordance with the guidance set out in Creating Places. The varying forms of noise attenuation techniques are to be provided for the lifetime of the development in the interest of the amenity of its residents. For these reasons the proposal is considered as being compliant with the relevant provisions of the SPPS and Policy QD1 of PPS7.

Open Space

Policy OS2 'Public Open Space in New Residential Development' requires that for residential developments of 25 units or more, or on sites of 1 Hectare or more, that public open space is provided as an integral part of the development. A normal expectation will be at least 10% of the total site area. This proposal seeks to provide approximately 5,000 sqm of open space, equating to approximately 12.5% of the total site area.

The main area of open space comprises a central 'Village Green' located at the heart of the development with an additional and more discrete area of open space in the southwestern corner of the application site. This area is described by the agent as linking to the existing area of open space immediately adjacent and to the south via a gated pedestrian walkway. These areas are complemented by a linear area of amenity open space along the edge of the Ballymena Road frontage.

It is considered that each of the areas of open space have been designed and provided as integral features of the overall development and are of demonstrable recreational and/or amenity value, are multi-functional, conveniently accessed and take into account the amenity of nearby dwellings.

A diagram has been provided which clearly identifies open, maintained and private spaces and a phasing plan has been submitted to demonstrate the stage at which open maintained areas will be delivered. Should planning permission be granted a suitably worded planning condition can control the delivery of these areas of open space. Additionally, suitable arrangements for the management of the open maintained spaces for the lifetime of the development have been set out in the Landscape Management Plan.

In summary, it is considered that for the reasons set out above this proposal is compliant with the relevant policy provisions of the SPPS and PPS8 and the proposal is therefore acceptable.

Landscaping

The proposal is accompanied by a detailed landscape proposal and accompanying Landscape Management Plan. The landscape proposal incorporates new planting throughout the application site and includes tree planting along the eastern boundary adjacent to the A26 Ballymena Road. Other landscaped areas include the 'Village Green' and the open space area at the southwestern corner of the application site. It is considered that the landscaping proposal will assist in providing an attractive landscaping framework edging the application site to the busy A26 Ballymena Road and which will work its way into and through the overall development layout positively contributing to the character of the residential environment.

The landscaping proposal identifies that existing vegetation is to be retained and augmented along the southern boundary of the application site adjacent to Massereene Gardens and Castle Park. In its consultation response DAERA: Natural Heritage have suggested that the landscape proposal in this area is updated to solely include native species planting as opposed to the mix of native and non-native planting as currently indicated in the planting proposal. DAERA: Natural Heritage also suggest that all retained trees and hedgerow have root protection zones identified and protected from construction works. Having raised this matter with the agent it has been agreed that should planning permission be granted a negative condition can be utilised to ensure these matters are accommodated within a revised landscaping proposal to be submitted to and agreed in writing with the Council prior to the commencement of any development on the application site.

The majority of the landscaping proposal is acceptable in its own right and other matters such as native species planting and tree protection measures can be identified in a revised landscaping proposal that can be controlled by planning condition, should planning permission be granted. It is considered that the landscaping of the application site can be secured and for this reason the proposal is acceptable and complies with the relevant provisions of the SPPS and Policy QD1 of PPS7.

Access, Movement and Parking

A Transport Assessment Form (TAF) has been submitted in support of the development proposal. It comments that given the number (90) of residential units being applied for it is anticipated that the impact of the development on the local road network is unlikely to be significant. It goes on to say that the site is to be accessed via an existing right turn lane which has been designed to appropriate modern standards.

With respect to car parking provision the development provides 2 in-curtilage car parking spaces for each dwelling and some dwellings also have garages. On-street visitor parking is also provided. With respect to pedestrian connectivity the proposal incorporates pedestrian walkways throughout the site and which link to the existing footpath network, of which there is a 2 metre wide footpath running along the entire length of the site frontage. Internal footpaths are to have dropped kerbs and tactile

paving to assist those whose mobility is impaired. The provision of these features will assist to promote sustainable forms of transport to nearby services and amenities. As noted above, the application site is located in close proximity to the Junction Leisure and Retail Park, where there are a range of local services available. Antrim Town Centre is located 1 kilometre to the south. An Ulster Bus Goldline service runs along the frontage of the Ballymena Road at regular intervals. The railway station is approximately 1.5 kilometres to the southeast and the Loughshore Cycle Trail, which forms part of the National Cycle Network, is within 0.5 kilometres of the application site.

In its consultation response DfI Roads offers no objections to the development proposal subject to conditions. It is considered therefore that the proposal is unlikely to have a significant impact on the local road network, that the layout has been designed to modern standards in terms of vehicular access and is supported by internal footways designed to accommodate those with mobility issues while also supporting alternative forms of transport. Appropriate car parking provision has been provided. The proposal is therefore considered as complying with the relevant policy provisions of the SPPS and PPS3.

Flood Risk

A Drainage Assessment has been submitted in support of the development proposal which comments that; the application site is not located within a 1:100 year fluvial floodplain, that the site has no record of flooding and it is not affected by reservoir inundation. The designated watercourse 'Steeple Burn' is culverted and lies within the site and adjacent to its southern boundary where a 5 metre working strip has been provided and which no buildings are located atop. It also states that ground levels are to be raised in this area and that the existing culvert manholes are to be raised in line with the new ground levels and in the region of 100 - 200 mm.

The site is subject to pluvial (surface water) ponding during a 1:30, 1:200 and 1:1000 year event. To mitigate this constraint the topography of the application site is to be re-profiled to remove isolated low-lying areas, a surface water drainage regime has been designed to remove and subsequently store standing water and finished floor levels are to be at least 150mm above adjacent ground levels.

Surface water drainage from hard surfaced areas will be stored in varying sized concrete pipes fitted with a hydrobrake restricted to green field run-off rates of 10 litres per second per hectare. The required storage volume for a 1:30 year event and a free board of 300 mm with a 10% allowance for climate change is approximately 375 cubic metres. In its consultation response DfI Rivers offers no objection to the methodology, findings or conclusions of the report.

For the reasons set out above it is considered that the proposal will likely not be subject to flooding nor exacerbate flooding elsewhere. In summary, it is considered that the proposal is compliant with the relevant policy provisions of the SPPS and PPS15.

Given the presence of the Steeple Burn twin culvert adjacent to the application sites southern boundary and within the application site area, it is necessary to leave a 5m maintenance strip for the riparian landowner. With respect to the submitted block plan it is evident that there is at least a 10 metre separation distance from the rear of

proposed dwellings to the southern boundary, which accounts for the 5 metre maintenance corridor. It is noted that the development layout does not seek to introduce buildings atop the maintenance strip. However, should planning permission be granted it is considered necessary to remove the permitted development rights from dwellings occupying plot numbers 41 – 61 as any future development will require careful consideration to ensure the maintenance strip is retained for the lifetime of the development. The removal of permitted development rights will not include extensions/modifications to the roofs of those houses. An appropriately worded planning condition can control this matter should planning permission be granted.

Ecology

A Bio-Diversity Checklist has been submitted in support of the development proposal. With respect to Designated Sites the checklist identifies that the application site is hydrologically connected to Lough Neagh/Beg RAMSAR, SPA and ASSI and the Six Mile Water SLNCl. The checklist also comments that a portion of the southern boundary of the application site's eastern side is identified as being NI Priority Habitat and that this is the only habitat present at the site. With respect to protected species the southern boundary is to be retained and will not be illuminated by streetlights. The conclusion of the report is that there will be no impact on bats which may be using the southern boundary of the application site. Regarding badgers the report concludes that the application site is an unsuitable habitat for badgers to seek refuge and that there was no evidence of mammal trails, foraging, dung pits or latrines. Areas of standing water were concluded upon as not being likely to support breeding newts.

In their consultation response DAERA Natural Heritage and Shared Environmental Services (SES) offer no objections to the proposal subject to mitigation measures.

With reference to the protection of the Steeple Burn, a NI Priority Habitat, the mitigation measure that both DAERA Natural Heritage and SES refer to is the provision of a buffer of at least 10 metres between the location of all development and construction works, including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and the washing of vehicles, and the open and exposed portion of the Steeple Burn. It is considered that a suitably worded planning condition can be imposed requiring that a construction method statement detailing the above mitigation shall be submitted by the developer and agreed in writing with the Council prior to the commencement of any development on site.

As noted under 'Landscaping' above, a revised landscaping proposal to solely include native species planting along the southern boundary of the application site, a NI Priority Habitat, can be required by planning condition, should planning permission be granted, and this will promote the bio-diversity of the application site.

For the reasons set out above it is considered that the proposal is compliant with the provisions of the SPPS and PPS2.

Land Contamination

An Environmental Site Assessment and Generic Quantitative Risk Assessment has been submitted in support of the development proposal.

The conclusions of the report are that the application site does not pose any unacceptable risks to human health receptors, that no special gas protection measures are required within the proposed buildings and that the site does not pose an unacceptable risk to controlled waters.

In their consultation response both the Council's Environmental Health Section and DAERA: Land, Soil and Air offer no objection to the methodology, findings or conclusions of the report. They have instead recommended the use of planning conditions pertaining to previously unidentified contamination and the production of a remediation strategy and verification report demonstrating the effectiveness of the works in managing all risks and achieving remedial objectives.

Socio-Economic Matters

Information contained within the planning application indicates that this development proposal represents a circa £14 million pounds investment in the area, will provide circa 50 jobs during the construction phase and during the operational phase will generate £100,000 in rates annually.

Other Matters

There are several references within the documents accompanying the planning application that refer to the previous planning permission (T/2008/0458/F) having been commenced as the vehicular access has been provided and foundations associated with two dwellings have been formed.

It is noted that planning permission for residential development was previously granted on the application site by DoE Planning. That permission has expired and there is no available Certificate of Lawful Use or Existing Development to certify that development on foot of that planning permission commenced lawfully. For these reasons no determining weight in the decision making process is being attributed to those arguments as made.

CONCLUSION

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

- The context of the receiving urban environment is largely residential development and the residential nature of this proposal is a compatible land use. The principle of residential development can therefore be established.
- The Ballymena Road frontage has been respected with varying sequences of dwellings orientated towards it and which contains a bespoke feature building overlooking the A26 Ballymena Road Roundabout (Springfarm).
- There are several individual residential character areas provided throughout the development, which include a range of varying sized dwelling and plot types, shapes and sizes.
- The simple repetition of a limited range of high quality architectural features and finishing materials throughout the development will create a visually attractive residential environment.
- There are several areas of sufficiently sized public open space provided as an integral feature of the development. The development is accompanied by landscaping proposals and management plans.
- An acceptable access location, internal estate road design, car parking provision and pedestrian accessibility features have been provided.

- Varying noise attenuation features are to be provided in the interests of the residential amenity of occupiers of dwellings adjacent to the Ballymena Road and Ferrard Meadows and Ferrard Green main access road.
- Permitted development rights are to be removed from dwellings occupying plot numbers 41 – 61, at the southern boundary of the application site, given the presence of the designated watercourse 'Steeple Burn', which is culverted and requires a 5 metre maintenance strip.
- The proposal has demonstrated that it is not likely to increase the flood risk of the application site or exacerbate flood risk elsewhere.
- The proposal has demonstrated that it will likely not cause an unacceptable adverse impact to ecological interests.
- Recorded levels of land contamination have been demonstrated as not posing a risk to human health and no land remediation is required.
- The socio-economic considerations including capital investment and job creation weigh in favour of the proposal.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
2. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing number 67/1 bearing the date stamp 27 MAR 2020.

Reason: To ensure there is a safe and convenient road system within the development.
3. No other development 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 number 67/1 bearing the date stamp 27 MAR 2020.

Reason: To ensure there is a safe and convenient road system within the development.
4. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling
5. Notwithstanding the provisions of the Planning (General Permitted Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no extension or enlargement (excluding additions to roofs) shall be made to the dwelling houses hereby permitted, or any detached building, on plot numbers 41 – 61 and as

indicated in drawing ref: 62/1, date stamped received 27th March 2020, without the express permission in writing of the Council.

Reason: The further extension of these dwellings or erection of a detached building requires detailed consideration to safeguard the necessary maintenance strip of the designated watercourse Steeple Burn.

6. The provision of each of the areas of open space entitled 'A', 'C' and 'D' and identified as being contained in Phases 1 and 2 as identified in drawing ref: 70, date stamped received 18th May 2020, shall be provided prior to the commencement of the development of Phase 3.

The provision of the open space area entitled 'B' in drawing 70 shall be provided prior to the occupation of the last dwelling in that phase.

Reason: To ensure open space is provided as an integral part of these phases of development in the interests of the residential amenity of proposed residents.

7. No development shall take place until measures have been agreed in writing with the Council to protect existing trees and hedgerows located at the southern boundary of the application site from damage during the construction period. The agreed measures shall be put in place before the commencement of the development and retained throughout the construction period.

Reason: To ensure that the tree (s) and hedgerows to be retained are not damaged or otherwise adversely affected by building operations.

8. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Council showing the retention of the existing vegetation along the southern boundary of the application site, the location, numbers, species and sizes of native species trees and shrubs to be planted at this boundary and the location, numbers, species and sizes of trees and shrubs to be planted elsewhere within the development.

The scheme of planting as finally approved and as associated with each phase of the development shall be carried out during the first planting season after the commencement of that phase of the development.

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

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

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

10. Prior to the occupation of any dwellings approved herein, a landscape management plan shall be submitted to and approved in writing by the Council setting out the period of the plan, long-term objectives, management responsibilities, performance measures and maintenance schedules for all landscaped areas. The landscape management plan shall be carried out as approved.

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

11. Prior to the commencement of any development hereby approved, a plan shall be submitted to and approved in writing by the Council detailing a suitable and clearly defined buffer of at least 10 metres to be maintained between the location of all storage of oil/fuel/machinery/spoil, concrete mixing, refuelling, or washing of vehicles and the open portion of the watercourse adjacent to the Southwestern boundary of the application site.

Reason: To ensure no adverse effect to features of Lough Neagh and Lough Beg SPA and RAMSAR site.

12. If during the development works, new contamination or risks are found which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

Reason: To control any potential risks to human health from any undiscovered land contamination.

13. After completing any remediation works required under Condition 12 above and prior to occupation of the development, a verification report shall be submitted to and agreed in writing with the Council. This report should be completed in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

14. Prior to the occupation of dwelling numbers; 1, 2, 3, 4, 61, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90 a 2.1m high (Plot 61) and a 1.8m high acoustic barrier shall be installed within the site and as presented in figure B of Doc. 04, Inward Sound Level Impact Assessment, date stamped received 21st February 2020.

The barriers shall have a surface weight of not less than 15kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design.

Reason: In order to preserve the amenity of the proposed dwellings.

15. The acoustic barriers as outlined within condition 14 shall be maintained for the lifetime of the development in order to provide the sound reductions stated within section 4.1 of Doc. 04, Inward Sound Level Impact Assessment, date stamped received 21st February 2020.

Reason: In order to preserve the amenity of the proposed dwellings.

16. All glazing, including frames, to rooms within the development shall be capable of achieving the sound reductions when measured from outdoor to indoors as outlined within Figure C of Doc. 04, Inward Sound Level Impact Assessment, date received 21st February 2020.

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

17. Passive and mechanical ventilation, in addition to that provided by open windows, shall be provided to all rooms within the development capable of achieving the sound reductions when measured from outdoor to indoors as outlined within Figure D of Doc. 04, Inward Sound Level Impact Assessment, date stamped received 21st February 2020.

Mechanical ventilators shall not have an inherent sound pressure level (measured at 1m) in excess of 30dB(A), whilst providing a flow rate of at least 15 litres per second. All provided mechanical ventilators shall meet the requirements contained within, "The Building Control Technical Booklet K-Ventilation 1998". No standard (un-attenuated) trickle ventilators shall be fitted to any window system within the development.

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



Location Map

Application Reference: LA03/2020/0128/F

 Site Boundary



Proposed residential development of 90no dwellings (comprising 19no detached, 66 no semi-detached and 5no townhouses), garages, sunrooms, landscaping, open space and all other associated site and access works

For Information Only



ITEM	3.7
APPLICATION NO	LA03/2019/0727/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed extension to existing building to provide additional storage facilities.
SITE/LOCATION	Zeus Packaging, Unit 22, Belfast Road, Central Park, Mallusk, Newtownabbey, BT36 4FS
APPLICANT	Angus Properties Ltd
AGENT	A Cairnduff & Sons Ltd
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 development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and both versions of draft Belfast Metropolitan Area Plan (dBMAP). The application site is on land zoned for existing employment in both versions of dBMAP.</p> <p>The application site is a rectangular shaped site and is currently occupied by a large industrial building and a temporary prefabricated building occupied by Zeus Packaging. Access to the site is achieved via an existing access arrangement off the Belfast Road within Central Park. The topography of the site itself is flat, however the land rises significantly to the south and drops significantly to the north.</p> <p>The application site is located within a major industrial area with the land use being predominately industrial. The area is abutted by residential development located in Blackrock Row to the south of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0433/F Location: Zeus Packaging, 200m opposite Gus Commercials, Unit 22, Belfast Road, Central Park, Mallusk, Newtownabbey, BT36 4FS Proposal: Erection of 1 temporary storage unit (retrospective) Decision: Permission Granted (06.06.2017)</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, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The site is zoned as Existing Employment (MNY 19) 'Mallusk Industrial Estate – Lands south of Antrim Road'. The plan offers no specific guidance on this particular proposal.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Metropolitan Newtownabbey. The site is zoned as Existing Employment (MNY 15) 'Mallusk Industrial Estate – Lands south of Antrim Road'. The plan offers no specific guidance on this particular proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections, subject to conditions

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections

Department for Infrastructure Rivers – No objection subject to conditions

Department for Communities Historic Environment Division – No objections

DAERA: Land & Groundwater Team – No objections, subject to conditions

REPRESENTATION

Fifteen (15) neighbouring properties notified and six (6) letters of objection have been received from six (6) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal.

(www.planningni.gov.uk).

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

- Noise pollution (during removal of existing building and construction of the new building and also the operation during the lifetime of development;
- Overlooking of the adjacent residential properties;
- Loss of privacy;
- Overshadowing and loss of light;
- Visual impact and landscape impacts;
- Increase in vermin during construction;
- Health and safety concerns; particularly risk of asbestos being released during the construction phase;
- Land contamination concerns;
- Concerns in relation to supporting information and clarification regarding content within these documents in particular in relation to land contamination.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The 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 all relevant Plans and is zoned for industry and employment within the BUAP and both versions of draft BMAP. The site is located within Mallusk Enterprise Way, which is an existing area of economic development within Metropolitan Newtownabbey with the principle of an economic use being established on the site. A previous approval LA03/2017/0433/F granted planning permission for a temporary storage unit for a period of three years, which expires on 7th June 2020. The principle of development has therefore been established on the site subject to all other policy and environmental considerations being met.

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 Planning Policy Statement 4 'Planning and Economic Development' (PPS 4) which provides the appropriate context for the proposed development. Due to the zoning and the established use on site, it is considered that the principle of economic development has been established subject to all other policy and environmental considerations being met.

Design, Appearance and Impact on Character of Area

Policy PED 9 requires that the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity. The proposed storage unit is located within the site known as Unit 22, Central Park, Mallusk which comprises an existing storage unit occupied by Zeus Packaging Ltd. The proposal is for an extension to the existing unit which extends out from the gable wall of the existing unit, with a further outshot from the front of the side extension located on the footprint of the existing temporary building, which effectively results in the building having a U shape.

The proposed extension measures 34 metres from the gable wall with a width of 42.5 metres to match the existing gable depth. The proposed front section measures 30 metres by 28 metres and the proposed extension has a ridge height of 9.8 metres from ground level to match that of the existing building. The finishes to the proposed extension match the existing building and consists of facing block to the lower section and wall and roof cladding typical of that found on other industrial buildings to the upper section. The proposal includes 3 additional roller shutter doors to the elevation facing into the existing yard area, and two pedestrian doors. An additional pedestrian door on the front elevation and two pedestrian doors on the gable elevation are also proposed.

The design and appearance of the building is typical of existing industrial buildings in the area. Letters of objection have raised concerns regarding the visual impact of the proposal on the character and appearance of the area and it is acknowledged that as a result of the extension, the overall building will be of a significant size and scale. The existing building has a floor area of 3,452 sqm and the proposed extension increases the floor area by 2,333 sqm. However, when taking account of the site

context and the surrounding area, which is of an industrial character with a number of large-scale buildings in the immediate vicinity, it is considered that the proposal will not have a detrimental impact on the visual amenity of the area.

As the proposed building is located within the premises of an existing industrial use, limited associated works are proposed and the existing access arrangements remain in place. Overall, the site layout, building design and the associated infrastructure arrangements are considered appropriate and will comply with this requirement of Policy PED 9. Another requirement of Policy PED 9 is that appropriate boundary treatment and means of enclosure are provided. The application site is currently defined by an embankment and vegetation along the southern boundary. The existing vegetation along the southern boundary is to be retained, with a proposed retaining wall inset from the existing boundary by approximately 1.2 metres at a height of 2.4 metres. Security fencing at a height of approximately 1.8 metres defines the eastern boundary. Should planning permission be forthcoming a condition should be imposed seeking the retention of the trees and vegetation along the southern boundary.

Policy PED 9 also requires that the proposal is compatible with surrounding land uses and appropriate boundary treatment and means of enclosure are provided and any areas of outside storage are adequately screened from public view. As outlined above, the application site is located within the curtilage of an existing economic use and on land which is zoned for employment uses; therefore the proposal is compatible with surrounding land uses. The scale of the proposed unit is proportionate to the scale and massing of the existing buildings within Central Park. It is considered that given the surrounding development the scale of the proposal will not significantly harm the character or appearance of the area.

Neighbour Amenity

Policy PED 9 of PPS4 requires that the proposal will not harm the amenities of nearby residents and that no noise nuisance is created. Residential properties at Nos. 75, 77, 79, 81, 83, 85, 87, 89 and 91 Blackrock Row, abut the southwestern site boundary. Other surrounding developments are occupied by industrial/economic uses. Letters of objection have been received from nearby residential properties raising concerns in relation to the impact of the proposal on their private amenity, including overlooking, loss of privacy, overshadowing and loss of light.

The proposed development will result in the building being approximately 40 metres closer to the residential properties. The layout of the development results in the gable wall of the proposed extension being located along the rear boundary of the properties in Blackrock Row. There are two pedestrian doors along the southwestern elevation and no windows. It is considered that given the existing boundary treatment and blank gable wall, with the exception of two pedestrian doors (which are to be conditioned to remain closed at all times except for ingress and egress), there will not be any significant negative impacts in terms of overlooking or loss of privacy. Due to the path of sunlight and the relationship of the development with the adjacent properties there will be an element of overshadowing to a small number of adjacent residential properties in the early morning, however, this will not be to a significant level as the extension to the building is positioned to the north of most of the existing dwellings along Blackrock Row, which sit approximately 2 metres higher than the existing industrial building. It should be noted that the relationship of

the proposed extension and the residential properties is similar to that found on the two adjacent industrial sites to the southeast.

Noise

The proposal seeks permission for a storage use only and not for any operational development. Letters of objection raised concerns in relation to noise pollution from the removal of the existing temporary building, construction of the proposed building and the long-term use of the building. Consultation was carried out with the Council's Environmental Health Section (EHS) which noted the use of the proposed extension, the hours of operation and the forklift types currently in use within the existing premises. Overall EHS are of the opinion that the proposed development can operate without adverse impact on nearby residential properties with the imposition of recommended conditions on the grant of any planning permission.

In relation to the works associated with the removal of the existing temporary building and the construction of the development, it is considered that these works are temporary in nature and therefore are not so significant as to warrant a refusal of planning permission.

Flood Risk and Drainage

Planning policy set out in both PPS 15 and PPS 4 introduces a presumption against development in Q100 fluvial floodplains, however, the application site is not located within the 1 in 100 year fluvial floodplain.

Policy FLD 3 of Planning Policy Statement 15 'Planning and Flood Risk' (PPS 15) requires a Drainage Assessment to be submitted for all development proposals that exceed 1,000 square metres of hard surfaces. A Drainage Assessment, Document 01, dated 12th March 2020 was submitted to the Council and consultation with DfI Rivers was carried out. DfI Rivers has responded and advises that while not being responsible for the preparation of the DA it accepts its logic and has no reason to disagree with its conclusions. DfI Rivers acknowledge that a number of proposals within the DA are noted as 'preliminary' and as such DfI Rivers recommend a condition be imposed on the grant of any planning permission requiring a final Drainage Assessment to be submitted.

Access, Movement and Parking

Policy PED 9 of PPS 4 requires that the existing road network can safely handle any extra vehicular traffic and adequate access arrangements, parking and manoeuvring areas are provided. As outlined above the access arrangements to the site are to remain as existing. A Transport Assessment Form (TAF), Document 02, date stamped 2nd September 2019 was submitted to the Council. Consultation with DfI Roads was carried out and no objections to the proposed development have been raised provided the conditions recommended are attached to the grant of any planning permission.

Other Matters

Land Contamination

A Preliminary Risk Assessment was submitted to the Council in relation to contaminated land, Document 04, date stamped 10th September 2020. The report states that asbestos was found in 3 out of 4 borehole locations and further assessment and investigative works are required. A further report Document 03 dated 2nd

September 2019 was also submitted from Foyle Consulting Engineers which details further site investigation completed and risk assessment which is proposed to assess risks from the asbestos identified on site.

Letters of objection from adjacent residents raise a number of concerns regarding the asbestos found on the site and the risk to human health. The overarching concern relates to the risk to human health on residents within Blackrock Row both during the construction phase and in the long term and also the risks to construction workers during the construction phase. These concerns include the impact of potential fibre release into the air and subsequent asbestos related diseases. Objectors have challenged if guarantees can be given that asbestos will not be released during construction and clarification as to how these impacts can be both monitored and minimised and how the health of residents can be guaranteed. Objectors also raised concerns in relation to the range of weather conditions that testing was carried out in and whether these were extensive enough to take account of extreme conditions.

The Council's Environmental Health Section (EHS) and DAERA's 'Regulation Unit, Land and Groundwater Team' (RULGT) have been consulted on the proposal and the concerns from objectors. Both the EHS and RULGT acknowledge the results of the preliminary risk assessment and the follow up letter from Foyle Consulting which includes the evidence of asbestos. Both RULGT and EH have no objections to the proposal subject to conditions, a number of which relate specifically to asbestos. These conditions require the applicant to carry out a suitable asbestos survey prior to development commencing on site which shall be agreed by the Council and indicate that if any unacceptable risks are identified a remediation strategy shall be submitted to and agreed by the Council. In addition, the applicant is required to carry out a 'Plan of Work' to deal with any asbestos containing materials which should detail the nature and duration of the work, the number of persons involved, methods used to prevent, control and reduce exposure to asbestos, air monitoring, arrangement of disposal of asbestos waste and the type of personal protection equipment. This 'Plan of Work' shall be agreed with the Council. EHS note that the risk posed by asbestos is during ground works and as the development proposal is for an extension to an existing building, this will effectively cap any asbestos post development, therefore controlling any risks to human health both on and off site after the development is completed.

Letters of objection included concerns that the neighbour notification letters sent to the properties did not explicitly refer to asbestos being evident on site. The neighbour notification letters are a template letter used in all applications to notify adjoining properties that an application has been submitted to the Council. The letter outlines the location and proposal of the specific development, how the occupier may access additional information regarding the proposal and how to make any representations. The relevant information in relation to the asbestos was submitted to the Council as part of the application and was made available to the public to view. There is no onus on the Council to specifically identify any part of the proposed development which the public may have a particular interest in as such matters can be extremely subjective. In addition, such a course of action could be interpreted as the Council petitioning an objection. Ultimately the objectors are aware of the asbestos issue and this matter has been subject to consultation with relevant consultees. As such no prejudice has been caused.

Concerns were also raised in relation to a covered tank which may have been present on site and subsequent contamination from the said tank, however, no evidence of the tank was identified during geotechnical investigation at the site.

Vermin

Letters of objection have also raised concerns in relation to an increase in vermin during development. Every business has a legal duty of care to dispose of waste through a licensed waste carrier. If the owner/occupier fail to take adequate measures to stop the property becoming infested with vermin, statutory action can be taken against them. In any case, the use of the proposed building for additional storage for an existing packaging business is unlikely to attract additional vermin.

CONCLUSION

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

- The principle of development has previously been established on this zoned area of economic land use;
- The design of the storage building is considered acceptable;
- The proposal will not cause any significant negative impacts on the amenity of nearby properties;
- There is no perceived flood risk associated with the proposed development; and
- RULGT and EHS have no objections in relation to land contamination subject to recommended conditions being imposed.

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. Prior to any site works taking place an asbestos survey shall be carried out by a suitably qualified surveyor. The survey shall include the information set out in the recommendations detailed in section 6.1 of Document 04, Preliminary Risk Assessment and Generic Quantitative Risk Assessment date stamped received 10th September 2019 and Part C of Document 03 date stamped 2nd September 2019. The survey shall be submitted to and agreed in writing with the Council.

Should any unacceptable risks be identified then a remediation strategy shall be submitted to and agreed in writing with the Council before being implemented.

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

3. Prior to the commencement of any development on site, a 'Plan of Work' for the management of asbestos containing materials (ACM) shall be prepared by a suitably competent person and submitted to and agreed in writing with the Council. This Plan of Work shall be submitted before any site work with ACM is carried out and shall include details of the work and the actions to control risk and prevent harm. The Plan of Work shall include the following: the nature and expected duration of the work; the number of persons involved; the address and

location of where the work is to be carried out; the methods to be used to prevent, control and reduce exposure to asbestos; air monitoring; arrangements for disposal of asbestos waste; and the type of equipment to be used including personal protective equipment. Work on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

Reason: For the protection of human health and to ensure the development site is suitable for use.

4. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Pollution Prevention Guidance No. 27 (PPG 27). Soil and groundwater sampling shall be undertaken for a suitable analytical suite. Should contamination be identified the requirements of Condition 6 shall apply.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

5. If during the construction works, new contamination and risks to the water environment are encountered which had not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or as described in the Land Contamination: Risk Management (LCRM) guidance as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

6. After completing any remediation works required under Conditions 2, 4 and 5, and prior to operation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or as described in the Land Contamination: Risk Management (LCRM) guidance as applicable. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risk to workers, neighbours and other offsite receptors. For the protection of human health receptors to ensure the site is suitable for use.

7. The extension hereby permitted shall be used solely for the purposes of storage and for no other use.

Reason: In order to protect the amenity of nearby residential properties.

8. The development hereby approved shall not be operational at any time between 23:00 and 06:00 hours.

Reason: In order to protect the amenity of nearby residential properties.

9. The doors positioned on the southwestern elevation as indicated Drawing No. 05 bearing the date stamp 2nd September 2019 shall remain closed except for use for access and egress.

Reason: In order to protect the amenity of nearby adjacent properties.

10. The existing natural screenings of the site, along the southern boundary shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

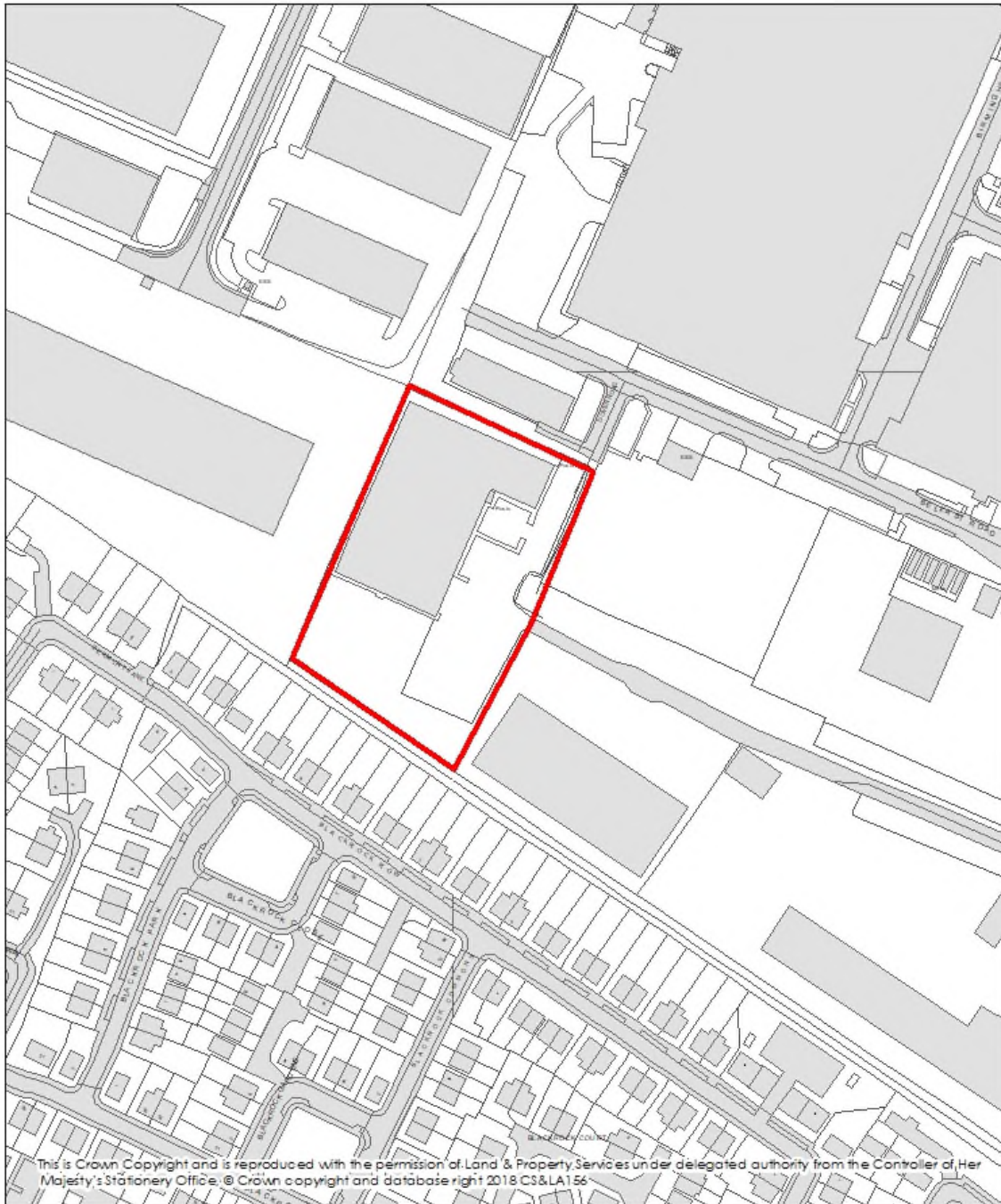
Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

11. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

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

12. Prior to the commencement of the development hereby permitted, a final Drainage Assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 shall be submitted and agreed in writing with the Council.

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



Location Map

Application Reference: LA03/2019/0727/F

 Site Boundary



Proposed Extension to existing building to provide additional storage facilities at Zeus Packaging Ltd Unit 22 Belfast Road Central Park Mallusk

For Information Only



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2020/0114/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Single dwelling and garage
SITE/LOCATION	Land 75metres North West of No. 48 Ballynoe Road, Antrim
APPLICANT	Mr John Agnew
AGENT	NI Planning Approval
LAST SITE VISIT	3rd March 2020
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: orla.burns@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located on land approximately 75 metres northwest of No. 48 Ballynoe Road. The site is located within the rural area and lies outside any designated settlement limits identified within the Antrim Area Plan 1984-2001.</p> <p>The site is currently occupied by 2 no. disused mobile homes, 1 no. storage container and some storage of other materials. The site is accessed via an existing laneway taken from the Ballynoe Road. The northwestern and southwestern boundaries are defined by mature vegetation approximately 8-9 metres in height. The northeastern boundary is bounded by an earth mound whilst the southeastern boundary is defined by a post and wire fence with approximately 1 metre hedging on the inside.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2015/0195/CA Location: Rear of 48 Ballynoe Road, Scolboa, Antrim, Complaint: Unauthorised stationing of 2x mobile homes, a container and other buildings used for storage. Unauthorised use of land for fly tipping. Decision: Case closed 22.01.2016</p> <p>Planning Reference: T/2010/0207/O Location: Rear of 48 Ballynoe Road, Antrim Proposal: Site of dwelling and garage Decision: Permission refused 10.01.2012</p> <p>Planning Reference: T/2005/0386/O Location: Land Adjacent to No 48 Ballynoe Road, Antrim Proposal: Site of Proposed dwelling for horticultural business manager Decision: Permission refused 10.02.06 and Appeal dismissed 29.01.08</p> <p>Planning Reference: T/2004/0047/CA Location: to rear of 48 Ballynoe Road Antrim</p>	

Complaint: Change of Use
Decision: Case Closed 22.10.2013

Planning Reference: T/2001/0283/O
Location: Adjacent to 48 Ballynoe Road, Antrim
Proposal: Site of Dwelling
Decision: Permission refused 12.02.02 and Appeal dismissed 20.12.02

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 PPSs which contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- Amendments Required

DAERA – No Response

REPRESENTATION

Two (2) neighbouring properties were notified and two (2) letters of objection have been received from two (2) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Objector claims that the previous occupant of No. 48 Ballynoe Road had constructed a small stable on the property, however, the objector states the applicant (when living in No. 48 Ballynoe Road) converted the stable into an outside function/bar area and was not used for horses.
- The applicant moved out of No. 48 Ballynoe Road, and placed 2 static caravans and a storage container on the application site and lived on the site for a number of years, however, these structures are now uninhabited and dilapidated.
- There was never any horses present on the application site nor was it used to store machinery associated with horses or stables.
- Objector claims that since the applicant moved from the site, they have used the site for the disposal of waste/building materials.
- The objector states that the land referred to in the application as being used for horse grazing on the adjoining land is incorrect with the exception of one occasion when a number of years ago two horses grazed on the land for a period of a few days.
- There has never been a commercial equestrian business or farm located on the application site.
- There are no farm buildings for the proposal to cluster with.
- The objector states that the applicant has control over the adjoining lands (indicated in blue on Drawing 01 date stamped 18th Feb 2020), however, one objector states that the land in blue belongs to them.
- Facts/evidence submitted on behalf of the application are inaccurate.
- Impact on objectors water supply.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) introduced in September 2015 is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. During the transitional period Planning Authorities will apply existing policy contained within identified policy documents together with the SPPS. Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21) is a retained policy document under SPPS and provides the appropriate policy context. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS.

Policy CTY1 of PPS21 sets out the types of development that in principle are acceptable in the countryside. One of these is a dwelling on a farm in accordance with Policy CTY10 which states that planning permission will be granted for a new dwelling where all of three criteria are met. The policy goes on to say that a dwelling by those involved in the keeping and breeding of horses for commercial purposes will also be assessed under these criteria. It also states that planning permission granted under this policy will only be forthcoming once every 10 years.

Criterion (a) of Policy CTY10 requires that the farm business is currently active and has been established for at least six years. Paragraph 5.43 of the Justification and Amplification of Policy CTY10 states that an equine business is to be afforded the same benefits as an established and active farm. It goes on to state that such businesses will include horse breeding and training and the operation of livery yards, trekking centres and riding schools. Equine businesses are ascribed specific requirements within the remit of Policy CTY10. Paragraph 5.43 states that applicants will have to provide sufficient information to demonstrate a level of involvement commensurate with commercial activity over the requisite period of 6 years. It goes on to state that such information should include a statement of commercial rateable history for the business; copies of appropriate insurances; copies of 'Horse Passports' if applicable; and other information considered relevant to the particular case. Paragraph 5.44 states that those keeping horses and/or ponies for hobby purposes will not satisfy the requirements of the policy.

To satisfy criterion (a) of Policy CTY10, the applicant must demonstrate that their business is currently active and it has been established for at least six years. Commercial Equestrian Business Evidence (Document 01 date stamped 18th Feb 2020) states that the established commercial horse breeding business has operated for a period 'in excess of 10 years'. Evidence submitted with the application includes 9no. horse passports (dated 2008, 2013 to 2020), horse feed receipts (dated 2009 to 2019), Auction Sales (2014 to 2020), Financial Business Statements (2014 to 2019) and Letting Agreements between the applicant and Mr. Coulter (a DAERA registered farmer, from 2014 to 2019). Further evidence submitted shows photographs of the stables and paddocks the applicant states he uses in respect of his Commercial Equestrian Business which are rented from Mr Coulter and located at No. 50 Ballynoe Road.

There are a number of discrepancies with the Letting Agreements, location of the stables/paddocks and the Financial Business Statements.

The Letting Agreements are dated the 3rd day of Jan for the years 2014 to 2015. Each Letting Agreement states that Mr. Coulter resides at No. 50 Ballynoe Road which is incorrect. There have been three (3) copies of each agreement submitted to the Council which have been signed and dated by Mr. Coulter and Mr. Agnew, it is noted that there are signatures on the copies that appear to be different than the originals. The Agreements for the years 2015 and 2016 have the wrong name "Mr. P McMahon" rather than Mr. John Coulter. Additionally, some sections where the Agreement states "Signed by John Agnew" it has been signed by a John McMahon.

A site inspection of No. 50 Ballynoe Road confirmed that there were no stables/paddocks located on the premises. The photographs of the stables and paddocks that were submitted as part of the supporting information do not relate to any buildings at this address. Furthermore, Mr. Coulter owns and lives at his farm located at No. 40 Ballynoe Road. Land and Property folio's confirm that Mr. Coulter has never owned No. 50 Ballynoe Road.

The Financial Business Statements refer to the registered office of the horse breeding business as being located at No. 48b Ballynoe Road however, this is the address for "Agnew Landscapes" also owned by the applicant. There has been no clarification if the horse business is associated with the landscaping business.

Drawing 01 date stamped 18th Feb 2020 indicates grazing land directly to the southeast of the application site which is within the applicant's ownership. The letters of objection state that the proposed 'grazing land' does not belong to the applicant. Land and Property folios confirm that the land in blue belongs to the owners of No. 48 Ballynoe Road and not the applicant. Land located to the southwest is indicated as being used for grazing. The site has been inspected on two occasions – 3rd and 9th March and on both occasions there were no horses on the lands indicated. Objection letters from neighbouring dwellings confirm the surrounding lands have not been used for the grazing of horses.

The information provided raises ambiguity over the accuracy of evidence submitted to the Council therefore it is considered that neither the Letting Agreements, location of the stables/paddocks nor the Financial Business Statements can be used as evidence to support this proposal. On the basis of the ambiguous information provided the Council is not satisfied that the proposal meets the requirements for the applicant's involvement commensurate with commercial activity over the requisite period of 6 years and therefore fails criteria (a) of CTY 10 in that it is not active and established.

Criteria (b) of this policy states that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. The applicant has not provided the Council with the full extent of the farm holding therefore a history search cannot be carried out in order to determine whether any dwellings or development opportunities have been sold off from the farm holding in the last ten years. Based on the information submitted it is considered that the proposal fails criteria (b) of Policy CTY 10.

Criterion (c) of Policy CTY10 states that the new building must be visually linked or sited to cluster with an established group of buildings on the farm. The letters of objection claim that it is not possible to comply with this criteria as there is not nor has there ever been farm buildings located on the application site. Given that it has not been possible to establish that the horse business is currently active and established, it is not possible to establish whether the proposed dwelling would visually link with any buildings associated with an active farm business.

It is therefore considered that the principle of a dwelling on this farm is not acceptable as it does not comply with any of the Criteria set out within Policy CTY10 in that the farm is not currently active, it cannot be demonstrated that no land or dwellings have been sold off from the farm holding within the last 10 years nor would a proposed dwelling be visually linked or sited to a cluster of established farm buildings.

Notwithstanding the fact that this proposal fails the principle of development, further assessment of whether a dwelling would be appropriate at this location is assessed below.

Integration & Character

The SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policies CTY 13 and 14 of PPS 21 state that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, is of an appropriate design and where it does not cause a detrimental change to, or further erode the rural character of an area.

Policy CTY 13 of PPS21 states that in order for a dwelling on a farm to be integrated into the surrounding landscape it should be visually linked or sited to cluster with an established group of buildings on a farm. As noted above, given that it has not been possible to establish that the horse business is currently active and established, it is not possible to visually link the proposed dwelling with any buildings associated with an active farm business.

Nonetheless, the application site is set approximately 100 metres northwest off the public road. There is an existing dwelling (No. 48 Ballynoe Road) and agricultural field located between the road and the application site, and a further dwelling and agricultural field located to the southeast of the site.

The northeastern boundary of the agricultural field is defined by mature trees approximately 4-5metres in height. Mature vegetation defines the southwestern boundary of the site (approximately 9 metres in height).

It is considered that due to the distance the site is set back from the road, combined with the restricted views as a result of the other existing dwellings and the existing mature vegetation that critical views of a dwelling on the application site would be minimal. This would be subject to a ridge height condition of 6 metres above finished floor level and would not have an adverse impact on the rural character of the area.

It is considered that a suitably designed dwelling on this site could successfully integrate into the surrounding rural landscape and would not have a detrimental impact on the rural character of the area.

Other Matters

DfI Roads have requested amendments to the proposal however, as the principle of development has not been established and the proposal is being recommended as a refusal, it is considered unnecessary to request any amended plans to satisfy roads requirements as this would result in nugatory work and expense.

One of the objector's states that their domestic water supply is accessed via a borehole to the rear (southeast) of No. 28 Ballynoe Road and has raised concerns that if a dwelling were to be approved on this site it would have a detrimental impact on their water supply. It is noted that Northern Ireland Water were consulted as part of this application and have made no objections to the proposal nor has there been any evidence to establish how the borehole would be impacted by the siting of a dwelling.

CONCLUSION

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

- The principle of the development has not been established.
- A dwelling would not visually link with an established group of farm buildings.
- A dwelling would integrate on the application site provided it had a ridge height of less than 6 metres above finished floor level.

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 CTY1 and CTY10 of PPS 21: Sustainable Development in the Countryside, and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business is currently active.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1 and CTY 10 of PPS 21: Sustainable Development in the Countryside, in that the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm holding given that there is no active farm business.



Location Map

Application Reference: LA03/2020/0114/O

Scale: 1:2500



Dwelling NW of 48 Ballynoe Road, Antrim

 Site Boundary



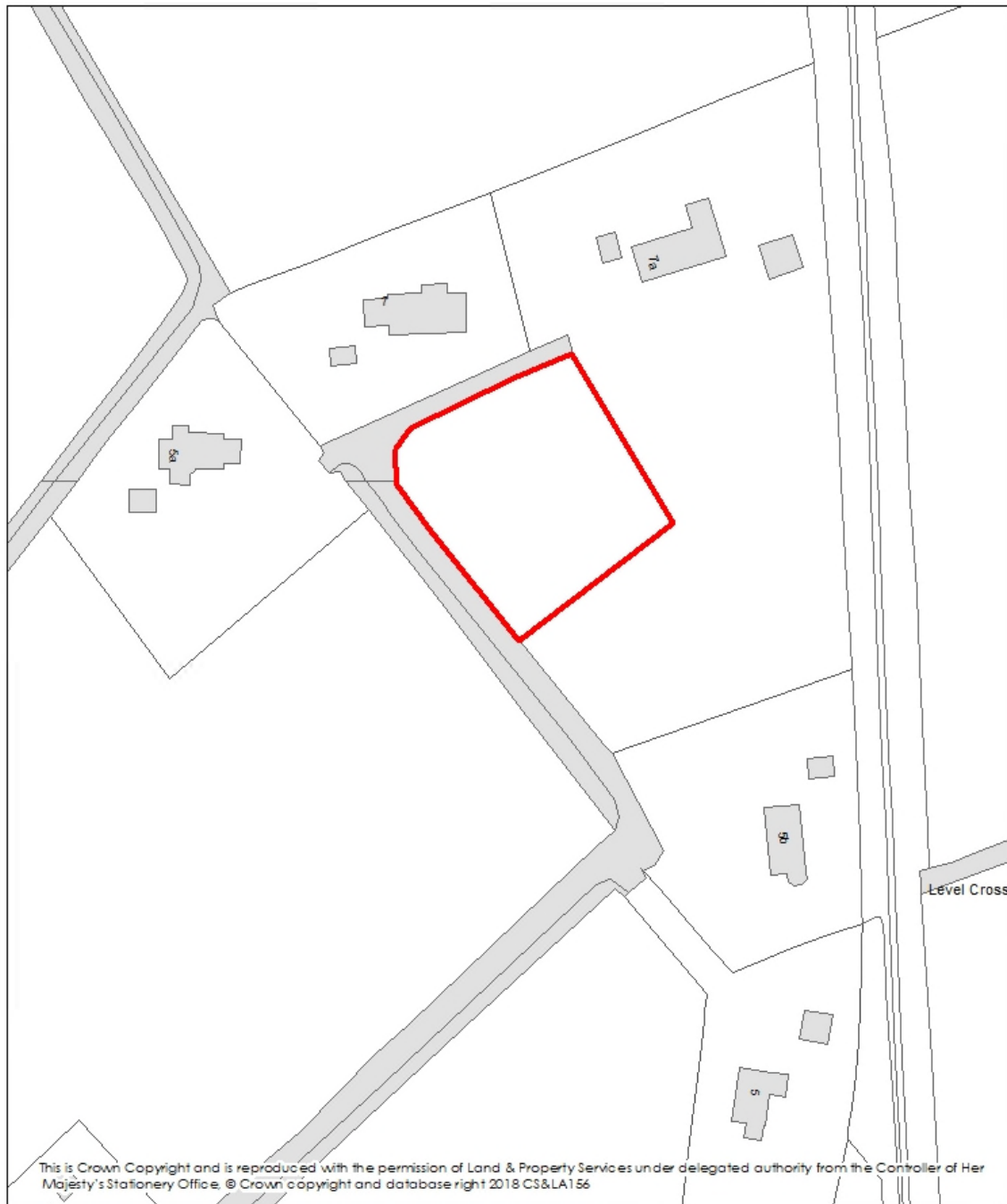
COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2019/0059/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site of dwelling and garage (infill)
SITE/LOCATION	30 metres southeast of 7 Ballyquillan Road, Crumlin
APPLICANT	Mr Robert Muckian
AGENT	Ivan McClean
LAST SITE VISIT	6 th February 2019
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@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>This application was previously presented to Planning Committee on the 19th March 2019 with a recommendation to refuse. At that meeting the Committee determined that the application should be refused in accordance with the Officers recommendation and a decision to refuse planning permission issued on the 20th March 2019.</p> <p>Following the issuing of the decision to refuse planning permission, the applicant submitted an appeal to the Planning Appeals Commission (PAC). During the course of the appeal the PAC identified that the site address provided by the agent and advertised by the Council may be misleading and could prejudice members of the public from understanding where the site was located. The site had previously been described as; "Between 5A and 7A Ballyquillan Road, Crumlin". The PAC took the view that the address may not sufficiently identify the site and sufficient prejudice may have been caused to the public. The PAC considered that given the site address specified on the decision notice that there was no valid appeal before them as there was in their view no valid refusal of planning permission before them.</p> <p>The Planning Section has accepted this decision of the PAC and has re-advertised and re-neighbour notified the application with the site address amended to read;</p> <p>"30 metres southeast of 7 Ballyquillan Road, Crumlin."</p> <p>Following the re-advertisement and neighbour notification process, no third party representations have been received.</p> <p>A concurrent planning application LA03/2019/0061/F which is located immediately adjacent to the current application has also been treated in a similar matter.</p> <p>There has been no additional information submitted or material change in circumstances which would warrant any change in the assessment of the planning</p>	

application. The recommendation remains to reuse planning permission for the reasons previously.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

- | |
|---|
| <ol style="list-style-type: none">1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY1 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 dwelling in accordance with Policy CTY8 of PPS21.2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the shared laneway. |
|---|




Location Map

Application No: LA03/2019/0059/O

30 metres southeast of 7 Ballyquillan Road, Crumlin

Site of Dwelling and garage (Infill) Site 1

 Site Boundary

0 30 60
Metres



For Information Only



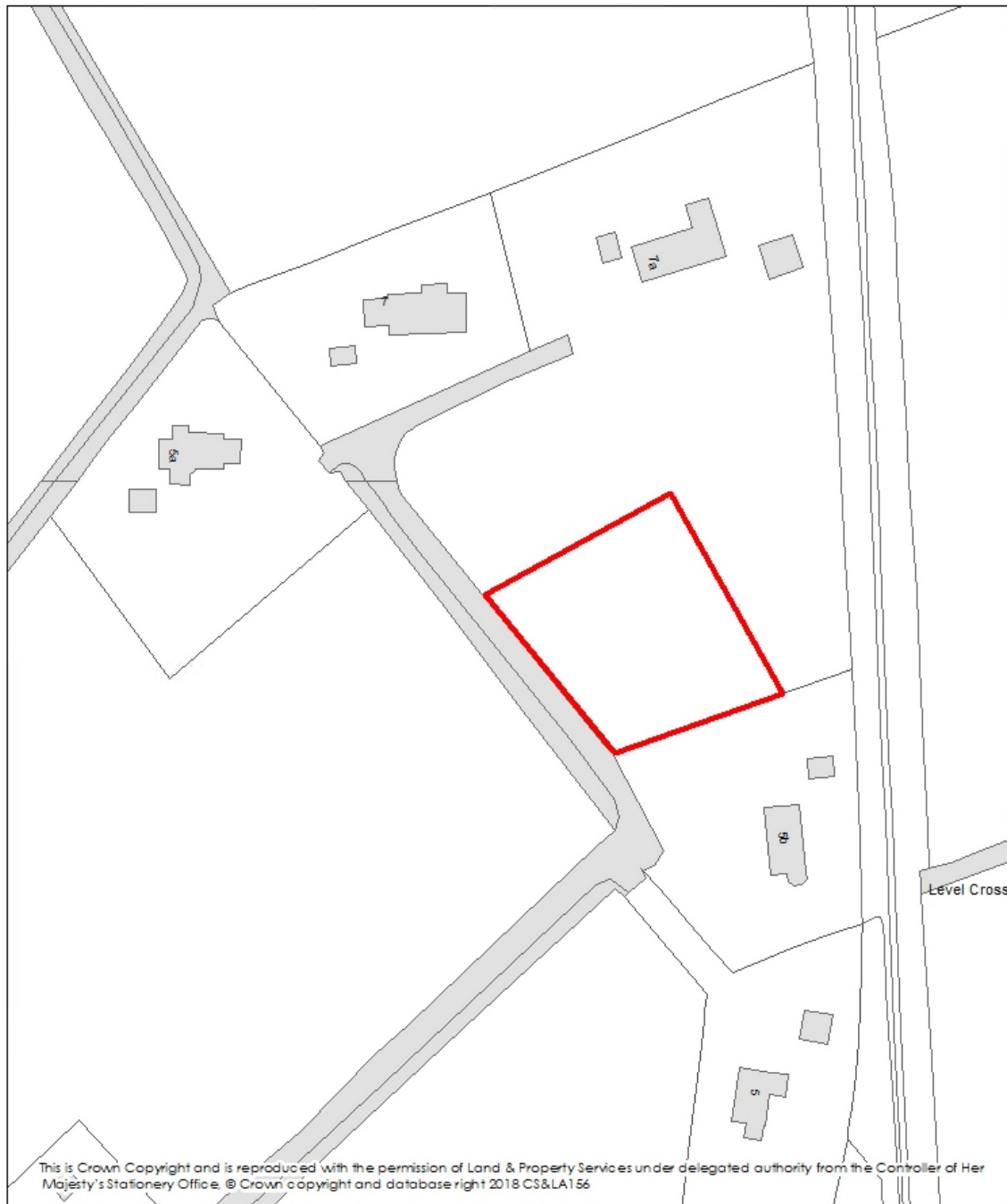
COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2019/0061/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site of dwelling and garage (infill)
SITE/LOCATION	50 metres northwest of 5b Ballyquillan Road, Crumlin
APPLICANT	Mr Robert Muckian
AGENT	Ivan McClean
LAST SITE VISIT	6 th February 2019
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@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>This application was previously presented to Planning Committee on the 19th March 2019 with a recommendation to refuse. At that meeting the Committee determined that the application should be refused in accordance with the Officers recommendation and a decision to refuse planning permission issued on the 20th March 2019.</p> <p>Following the issuing of the decision to refuse planning permission, the applicant submitted an appeal to the Planning Appeals Commission (PAC). During the course of the appeal the PAC identified that the site address provided by the agent and advertised by the Council may be misleading and could prejudice members of the public from understanding where the site was located. The site had previously been described as; "Between 5A and 7A Ballyquillan Road, Crumlin". The PAC took the view that the address may not sufficiently identify the site and sufficient prejudice may have been caused to the public. The PAC considered that given the site address specified on the decision notice that there was no valid appeal before them as there was in their view no valid refusal of planning permission before them.</p> <p>The Planning Section has accepted this decision of the PAC and has re-advertised and re-neighbour notified the application with the site address amended to read;</p> <p>"50 metres northwest of 5b Ballyquillan Road, Crumlin."</p> <p>Following the re-advertisement and neighbour notification process, no third party representations have been received.</p> <p>A concurrent planning application LA03/2019/0059/O which is located immediately adjacent to the current application has also been treated in a similar matter.</p> <p>There has been no additional information submitted or material change in circumstances which would warrant any change in the assessment of the planning</p>	

application. The recommendation remains to reuse planning permission for the reasons previously.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

- | |
|---|
| <ol style="list-style-type: none">1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY1 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 dwelling in accordance with Policy CTY8 of PPS21.2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the shared laneway. |
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Location Map


Application Reference: LA03/2019/0061/O

50 metres northwest of 5b Ballyquillan Road, Crumlin
Site of Dwelling and garage (Infill) Site 2

0 30 60
Metres



For Information Only

 Site Boundary



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2020/0038/A
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT
PROPOSAL	Proposed digital sign on west gable elevation of the Church Hall and replacement of existing freestanding illuminated sign with digital sign.
SITE/LOCATION	560 Doagh Road, Newtownabbey
APPLICANT	Trinity R.P. Church
AGENT	Rapport Architects Ltd
LAST SITE VISIT	27 th January 2020
CASE OFFICER	Lindsey Zecevic Tel: 028 90340214 Email: lindsey.zecevic@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 560 Doagh Road, Newtownabbey which comprises the curtilage of the Trinity Reformed Presbyterian Church.</p> <p>The site lies on the edge of the settlement limit of Metropolitan Newtownabbey as defined in the Belfast Metropolitan Area Plan 2014 (BMAP 2014). The site consists of a two-storey detached building with associated car park. The site is triangular shaped and is defined to the north along the Doagh Road by a 1 metre high stone wall. The western boundary of the site is defined by a stone wall that varies in height given the level changes across the site in a southwesterly direction. The residential properties at Earlford Heights are situated adjacent to the eastern boundary. The rear of the site is defined by a 1 metre high iron railing with the railway line beyond.</p> <p>The area is largely characterised by residential properties with there being an Orange Hall situated to the northeast of the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2010/0085/A Location: 560 Doagh Road, Newtownabbey Proposal: Free Standing Sign Decision: Approved - 13 Apr 2010</p>	
PLANNING POLICY AND GUIDANCE	
<p>Regulation 3 (1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 requires that the Council exercises its power in relation to advertisement control only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and relevant factors.</p>	

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the 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.

Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area: 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.

PPS 17 – Control of Outdoor Advertisements: sets out planning policy and guidance for the control of outdoor advertisements.

CONSULTATION

DfI Roads – No objection subject to conditions.

REPRESENTATION

No neighbours were notified of the application as neighbour notification is not required for applications for advertisement consent. 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
- Amenity, Design and Appearance
- Public Safety

Policy Context

The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 is the relevant statutory rule for the control of advertisements, made under the provisions of Section 130 of the Planning Act (Northern Ireland) 2011. Regulation 3(1)

of the Regulations requires that the Council exercises its powers only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and any other relevant factors.

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 is located 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 Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPS). Amongst these is PPS 17: Control of Outdoor Advertisements. Taking into account the transitional arrangements of the SPPS, retained PPS 17 provides the relevant policy context for consideration of the proposal.

Policy AD1 of PPS 17: Control of Outdoor Advertisements states that consent will be given for the display of an advertisement where it respects amenity when assessed in the context of the general characteristics of the locality and does not prejudice public safety. The policy further states that the guidance for different categories of outdoor advertisement set out in Annex A of the PPS 17 will also be considered when assessing proposals.

The application seeks advertising consent for two digital advertisements. The first digital sign is to be located on the western elevation of the church building and will measure 2 metres wide by 1 metre high and is approximately 3.1 metres above ground level. The second sign will be located on the existing hoarding to the east of the site which was previously approved under U/2010/0085/A. The sign will measure 1.9 metres by 1.3 metres.

Amenity

The SPPS states that a well-designed advertisement should respect the building or location where it is displayed and contribute to a quality environment. Consent should be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality; and to ensure proposals do not prejudice public safety, including road safety. PPS17 states in relation to advertisements that the term amenity is usually understood to mean its effect upon the appearance of the building or structure or the immediate neighbourhood where it is displayed, or its impact over long distance views. In the context of this application it is considered that the sign to the east of the site is acceptable given the planning history and the existing advertisement on the

site. The addition of the proposed digital advertisement at this location is not considered to adversely impact the amenity of the neighbourhood.

It is considered that the proposed digital advertisement to the western elevation is poorly sited resulting in an unduly prominent sign. The site is located on the urban fringe and there is a need to protect the context of the site and the adjoining rural area from the negative effects of advertising. The site is clearly visible from the Doagh Road when travelling in a westerly direction with long uninterrupted views with the gradient in the area sloping down towards the site. Therefore, it is considered that the sign would adversely impact the visual amenity of the immediate neighbourhood and the rural area given the prominence of this location. Attempts have been made to request the removal of this element of the proposal from the scheme, however, amendment from the applicant/agent has not been forthcoming and therefore the application has been assessed on the information before the Council at this time.

Public Safety

Advertisements by their very nature are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. In assessing the impact of an advertisement on public safety the Council needs to consider its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water or in the air.

DfI Roads has been consulted on the proposal and has raised no objection to either sign. As a consequence, it is not considered that public safety is being adversely affected by the sign.

CONCLUSION

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

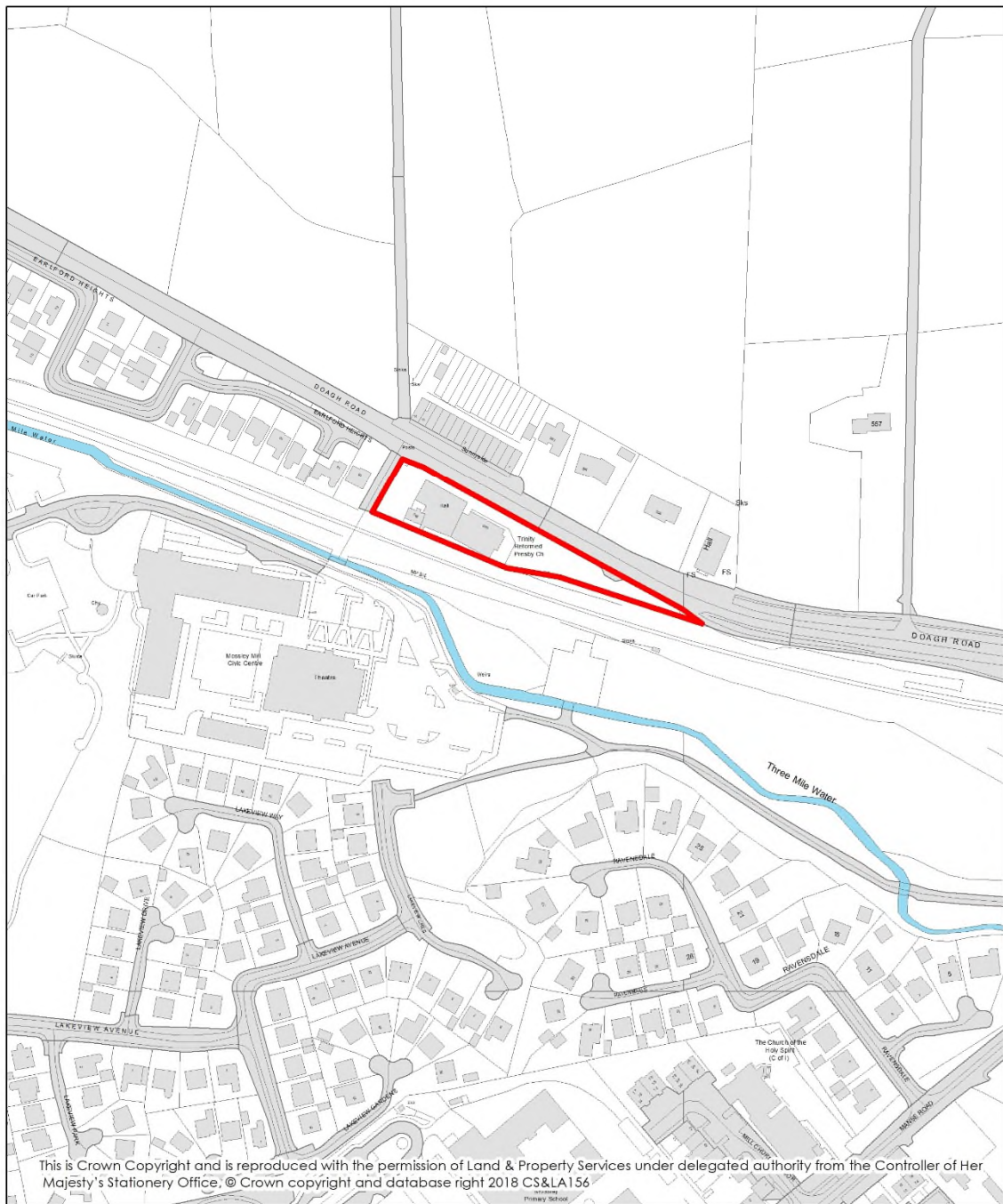
- The principle of both signs is considered acceptable.
- It is considered that one of the signs will have a detrimental impact on the character and quality of this countryside location.
- It is not considered that either sign would prejudice public safety.

RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

PROPOSED REASON OF REFUSAL

1. The proposed signage is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AD 1 of Planning Policy Statement 17, in that the digital sign on the western elevation of the building would have an unacceptable detrimental impact on the visual amenity of the area.



Location Map

Application Reference: LA03/2020/0038/A

Scale: 1:2500



Digital sign at 560 Doagh Road, Newtownabbey

 Site Boundary



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2020/0070/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	2.4 metre high fencing with 2 sets of 6metre wide wire mesh vehicular gates and 2 No. 1.5metre wide wire mesh pedestrian gates.
SITE/LOCATION	Moneynick Primary School, Randalstown
APPLICANT	Moneynick Primary School
AGENT	John Johnston (CPD)
LAST SITE VISIT	12.02.2020
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: Orla.Burns@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 comprises the grounds of the Moneynick Primary School, Randalstown. The site is located in the rural area and outside of any designated settlement limits identified within the Antrim Area Plan 1984-2001.</p> <p>The site comprises a primary school building with associated playgrounds and a carpark. The northern boundary of the site that abuts the Moneynick Road is defined by a metal rail fence approximately 1 metre in height. The northeastern boundary is defined by a 2-metre-high close boarded wooden fence, whilst the remaining boundaries are defined by a 1 metre high concrete wall with an approximately 1.5 metre high palisade fence located on the top. The area of the site which is subjected to development is the roadside boundary which abuts the Moneynick Road.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2007/0891 Location: Moneynick Primary School, 104 Moneynick Road, Moneynick Road, Randalstown Proposal: Installation of Photovoltaic cells for the generation of renewable energy. Decision: Permission Granted – 07/02/2008</p> <p>Planning Reference: T/2003/0710 Location: Moneynick Primary School, 104 Moneynick Road, Moneynick Road, Randalstown Proposal: New Classroom Block Decision: Permission Granted – 29/09/2003</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p>	

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

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

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

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

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

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

CONSULTATION

Department for Infrastructure Roads - No objection.

REPRESENTATION

One (1) neighbouring properties notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

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.

Of particular relevance to an application of this type are paragraphs 4.23-4.30 of the SPPS relating to good design. Paragraph 4.27 states that planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, incompatible with their surroundings, or not in accordance with the LDP or local design guidance.

The proposal will be ancillary to an existing primary school, therefore it is considered the principle of development has been established.

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

The proposal is for the erection of 2.4metre fencing along the northern boundary of the site that abuts the Moneynick Road. The current boundary treatment for the northern boundary is an approximately 1 metre high metal fence located on the footpath between the Moneynick Road and the existing school carpark.

The proposed fencing will measure 1.4 metres higher than what currently exists on the site. As indicated on Drawing No. 02, date stamped 3rd Feb 2020, the fencing will run along the entire extent of the northern boundary and will be black mesh fencing. The fencing coloured in blue on the plan will be double wire mesh gates each measuring 6 metres wide. A pedestrian gate measuring 1.5 metres wide will be located to the west of the northern boundary whilst the fencing indicated in red will be a 3 metre pedestrian visi-rail measuring 1.2 metres in height.

Paragraph 4.26 of the SPPS states design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Furthermore paragraph 4.27 states planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, or incompatible with their surroundings.

The proposal is to enclose an existing carpark located in the northern section of the application site which is used by staff. The fencing will stretch for 47 metres along the Moneynick Road and will be viewed when travelling in both directions along the

Moneynick Road. Views when travelling from the east are achievable for some 42 metres before the site, with views across the site frontage being the most significant.

It is considered that the size and scale of the proposed fencing is inappropriate for this rural location and incompatible with the surrounding area which comprises residential dwellings and agricultural fields.

The agent has indicated that the fencing is for security purposes, however there has not been any detail provided to demonstrate that this fencing is a necessary and proportionate response, that other options were investigated and dismissed and why the fencing is required now and was not required in the past. It was observed that all other areas of the primary school is secured by fencing and walls. Taking this into consideration it is considered that the proposed 2.4 metre fence to the front of the school has a significant visual impact and should be reduced in order to ensure the security needs of the school are met whilst also respecting the character of the rural area.

The agent was contacted via email to ascertain whether a reduced scheme may be submitted however no amended plans have been forthcoming.

It is considered that the proposal is unacceptable in terms of size and scale and if approved would result in a significant visual impact that would detract from the character of the rural area.

Neighbour Amenity

It is considered neighbours will not be affected by the proposal by way of loss of light, dominance or overshadowing.

Other Matters

DfI Roads were consulted on the proposal and have not raised any objections to the proposal.

CONCLUSION

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

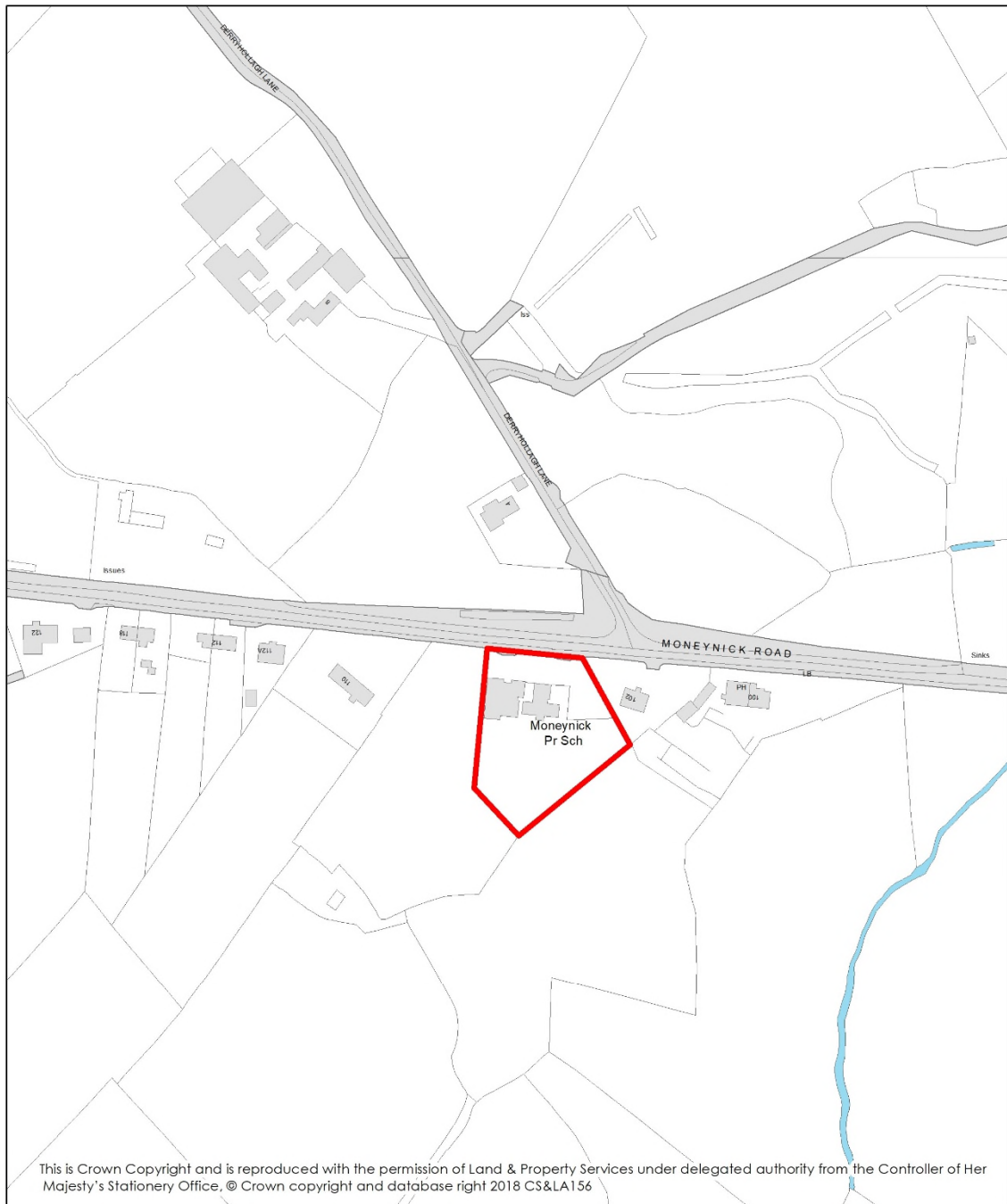
- The principle of the development has been established.
- The design and appearance is considered unacceptable and if approved would detract from the character and appearance of the rural area.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design and appearance of the proposal is unacceptable in this rural location and would detract from the character and appearance of the rural area.



Location Map

Application Reference: LA03/2020/0070/F

Scale: 1:2500



Fencing at Moneynick PS

 Site Boundary

