



10 July 2023

Committee Chair: Councillor R Foster
Committee Vice-Chair: Councillor H Cushinan

Committee Members: Aldermen - T Campbell and M Magill

Councillors – J Archibald-Brown, A Bennington,
S Cosgrove, S Flanagan, R Kinnear, AM Logue and
B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 17 July at 6.00 pm.**

You are requested to attend.

Yours sincerely

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

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

PLEASE NOTE: Refreshments will be available from 5.00 pm

For any queries please contact Member Services:

Tel: 028 9448 1301/028 9034 0107

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – JULY 2023

Part One - The Planning Committee has the full delegated authority of the Council to make decisions on planning applications and related development management and enforcement matters. Therefore, the decisions of the Planning Committee in relation to this part of the Planning Committee agenda do not require ratification by the full Council.

Part Two - Any matter brought before the Committee included in this part of the Planning Committee agenda, including decisions relating to the Local Development Plan, will require ratification by the full Council.

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

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2021/0999/F

Proposed residential development consisting of 12 no. dwellings, including 8 no. houses and 4 no. apartments, with associated roads, landscaping and access works at site at 2 Crumlin Road, Crumlin, BT29 4AD.

3.2 Planning Application No: LA03/2021/0464/F

Proposed new free range poultry house for 32,000 birds including new concrete apron, meal bins litter stores, drainage swale, utilising existing improved access onto the Browndod Road at land approximately 292m southeast of 9 Browndod Road, Doagh.

3.3 Planning Application No: LA03/2023/0249/F

Erection of 2 no. modular wards with link corridor to existing hospital (retrospective); two storey decked car park containing 271 spaces; modular office building and electrical sub-station at lands at Antrim Area Hospital, Bush Road, Antrim, BT41 2RL.

3.4 Planning Application No: LA03/2023/0129/S54

Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development. (Variation of Condition 6 of planning approval LA03/2021/0893/F regarding sewage disposal/consent to discharge.) at 333-335 Antrim Road, Glengormley, BT36 5DY.

3.5 Planning Application No: LA03/2023/0232/F

Retention of the use of the ground floor of existing dwelling to office use for a temporary period at 1 Circular Road, Newtownabbey, BT37 0RA.

3.6 Planning Application No: LA03/2022/1085/F

Dwelling and Garage at rear of No. 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road).

3.7 Planning Application No: LA03/2023/0327/F

Retention of garage/store with increased area for curtilage of dwelling at 20 Dundesert Road, Crumlin, BT29 4SL.

3.8 Planning Application No: LA03/2023/0359/O

Proposed single detached dwelling at 8 Farmley Park, Newtownabbey, BT36 7TT.

3.9 Planning Application No: LA03/2023/0391/O

Site for infill dwelling and garage 25M east of 6 Laurel Lane, Belfast, BT14 8SQ.

3.10 Planning Application No: LA03/2023/0255/O

Site for dwelling on a farm with detached double garage at lands. approx. 50m North of 89 Dublin Road, Antrim, BT41 4PN.

3.11 Planning Application No: LA03/2023/0363/O

Site for a Dwelling, Garage and Associated Siteworks (Renewal of LA03/2020/0567/O) 50m south east of 10 Grange Road, Nutts Corner, Crumlin, BT29 4TE.

3.12 Planning Application No: LA03/2023/0136/F

Proposed shed for agricultural storage at 250m SE of 16 Rathbeg Road, Antrim, BT41 2QS.

3.13 Planning Application No: LA03/2023/0171/F

Covered livestock pen (retrospective application) 65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin BT29 4DD.

3.14 Planning Application No: LA03/2022/1069/F

Part change of use of Council building for extension to previous approved adjoining waste transfer station (T/2012/0225/F). Internal layout changes, changes to the elevation, installation of 35m stack and other site works at

Council Depot, 6B Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU.

3.15 Planning Application No: LA03/2023/0396/F

Proposed change of use from a Bowling Green Pavilion/Day Nursery to a Cafe/Restaurant at Hazelbank Pavilion, Hazelbank Park, Shore Road, Newtownabbey.

PART TWO – Other Planning Matters

3.16 Delegated Planning Decisions and Appeals

3.17 Local Development Plan, Quarterly Update (Q1) April to June 2023

3.18 Department for Infrastructure Notice of Opinion Relating to LA03/2021/0941/F

PART ONE - Decisions on Enforcement Cases - In Confidence

3.19 Provisional Tree Preservation Order – In Confidence - TPO/2023/0002/LA03

3.20 Enforcement Case – In Confidence - LA03/2023/0122/CA

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 17 JULY 2023**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2021/0999/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed residential development consisting of 12 no. dwellings, including 8 no. houses and 4 no. apartments, with associated roads, landscaping and access works.
SITE/LOCATION	Site at 2 Crumlin Road, Crumlin, BT29 4AD
APPLICANT	BR Construction
AGENT	GM Design Associates
LAST SITE VISIT	11 th November 2021
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext 40429 Email: ashleigh.wilson@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 https://planningregister.planningsystemni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located within the development limits of Crumlin as identified in the Antrim Area Plan 1984 – 2001 (AAP). The site is not zoned for any particular use and is whiteland within the AAP.</p> <p>The site is irregular in shape and measures approximately 0.44 hectares. A residential dwelling previously occupied this site. The site has been cleared and is currently bound by security fencing to the north-eastern boundary where the site abuts the Crumlin Road. An existing two (2) metre metal fence defines the rear, south-western boundary where the site abuts the railway line.</p> <p>Beyond the north-western boundary of the site is an existing single storey residential property, No. 4 Crumlin Road which is separated by hedging, approximately 2.5 metres in height. An existing apartment development is located to the south of the application site and is accessed off Nutts Corner Road.</p> <p>The area is primarily residential in character with a number of detached dwellings directly opposite the site on Crumlin Road.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1997/0429 Location: 2 Crumlin Road, Crumlin Proposal: Mobile home Decision: Permission Granted (27.12.1997)</p> <p>Planning Reference: T/1980/0518 Location: 2 Crumlin Road, Crumlin Proposal: Timber building for use as workshop store and display area for cottage Decision: Permission Granted (02.12.1980)</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limits of Crumlin. The Plan offers no specific guidance on this proposal.

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

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

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

PPS 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 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

Further information required

Northern Ireland Water

Recommend refusal

Department for Infrastructure Roads

No objection, subject to conditions

Department for Infrastructure Rivers

No objection, subject to condition

Department for Communities Historic Environment Division

No objection, subject to conditions

Northern Ireland Environment Agency: Regulation Unit

No objection, subject to conditions

Northern Ireland Environment Agency: Water Management Unit

No objection, subject to condition

Northern Ireland Environment Agency: Natural Environment Division

No objection

Belfast International Airport

No objection, subject to conditions

UK Crown Bodies - D.I.O. LMS

No objection

Northern Ireland Electricity

No objection

Northern Ireland Transport Holding Company

No objection, subject to conditions

Shared Environmental Services

No objection

REPRESENTATION

Ten (10) neighbouring properties were notified and five (5) letters of objection and two (2) miscellaneous holding letters have been received from four (4) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- Overdevelopment of the site;
- Out of character with the area comprising single dwellings and large green spaces;
- Contrary to the Councils Draft Plan Strategy 2030;

- Adverse effects on residential amenity (No. 1 Crumlin Rd);
- Destruction of the visual aspects from existing properties (No. 1 Crumlin Rd);
- Despite TPOs on the site, the site was cleared of vegetation;
- Health and safety concerns at the site given the trees were removed;
- Destruction of wildlife habitat – the site was on the Talnotry wildlife sanctuary and wildlife including buzzards return to the site;
- A 2019 Wildlife report documents Barn Owls in Crumlin among dangerously low numbers in the province and the clearing of the trees will have a detrimental impact on this;
- Other uses for the site should be considered as there are unoccupied developments within close proximity;
- Planting proposed includes acer platanoides (Norwegian Maples) which causes severe environmental impacts including the release of poisonous chemicals into the soil which kills other plants nearby;
- The proposed relocation of street lighting would be detrimental to pedestrians;
- Increased traffic;
- Road safety issues; and
- Inadequate sight lines.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Flood Risk
- Features of Archaeological Importance
- 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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

The application site is located within the settlement limit of Antrim in AAP. Paragraph 5.10 of AAP states that the approach of the planning authority will be to encourage orderly growth in the residential sectors of each settlement and that particular attention will be given to environmental considerations concerning the size, siting and layout of proposed residential developments.

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 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

Objections received from occupants of neighbouring properties raised the point that other uses for the site should be considered as there are unoccupied developments within close proximity. There is no requirement within planning policy for the developer to demonstrate a need for the proposal based on the number of unoccupied developments within the area.

The application site is located within the development limits of Crumlin and is abutted on all sides by existing residential development. Within this policy context, 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.

Design, Layout and Appearance

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Policy QD1 of PPS7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. Policy requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

During the processing of the application the number of residential units proposed was reduced from sixteen (16) to twelve (12) comprising of 6no. semi-detached dwellings, 2no. detached dwellings and 4no. apartments. The proposed apartment block is located in the south-eastern corner of the application site closest to Millwater Lodge where there are existing apartments adjoining the application site. It is therefore considered that apartments are acceptable within the context of the surrounding developments.

The central area of the site, adjacent to the Crumlin Road is indicated as being left as open space. Proposed dwellings within the site, while set back, provide a strong frontage to the Crumlin Road and the apartment block also provides an aspect onto Mill Road. It is considered that this corner plot can accept the proposed two storey apartment block without significant detrimental impact on the character and appearance of the area.

Although the neighbouring dwellings adjacent to and opposite the application site are single storey, it is considered that the proposed two storey dwellings, given the separation distances proposed between existing dwellings on Crumlin Road, would not appear at odds with the character of the area. The proposed development provides a range of house types and designs which are considered acceptable within the context of the area.

Policy QD1 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments'. It states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40sqm for any individual house. Creating Places further indicates that development of this nature requires an average of 70sqm. In this case each of the proposed dwellings has in excess of 70sqm. It is considered that adequate provision has been made for private rear garden space within the individual dwellings.

A small bin store is proposed in the south-eastern corner of the application site for the four apartments. Boundary treatments include a 1.1 metre rendered boundary wall along the Crumlin Road, a proposed retaining wall between the application site and Millwater Lodge, a proposed 1.8-metre-high timber close board fence to the side and rear of the properties. It is considered that the boundary treatments are acceptable and appropriate within the context of the area.

It has been raised through letters of objection that the proposal is contrary to the Councils Draft Plan Strategy 2030 Section 9 Strategic Objective 7 which states that the Council must 'Promote positive placemaking and ensure that high quality new developments respects, enhances, and integrates with other historic environments and natural heritage' as the development is adjacent to the historic old mill site which is part of history and heritage of Crumlin village and backs onto the environmental heritage site of Crumlin Glen. It has been stated through the letters of objection that the proposed development disregards and disrespects the local character of this area. As discussed above, it is considered that the proposed design, layout and materials proposed respect the existing surrounding developments.

Objections have been received regarding the planting proposed which includes acer platanoides (Norwegian Maples). It has been stated by objectors that this species causes severe environmental impacts including the release of poisonous chemicals into the soil which kills other plants nearby and given the proximity to existing residential dwellings and plots this is unacceptable. These plant species have been removed from the proposed planting schedule and the planting which is now indicated is considered acceptable.

Overall, it is considered that the proposed design and layout in terms of its form, materials and detailing is acceptable. The development will respect the surrounding context and is appropriate to the character and topography of the site in terms of scale, massing, appearance of buildings, landscaped and hard surfaced areas.

Neighbour Amenity

To the northwest of the application site is an existing single storey dwelling, No. 4 Crumlin Road. A 2.5-metre-high hedge is indicated between the application site and the proposed site. The closest proposed dwelling to No. 4 is Site 12 which is a two storey dwelling. It is angled to ensure that there is no significant overlooking and a separation distance of approximately 29 metres is retained between the dwellings. It is considered that the proposed development would not have a detrimental impact on the amenity of No. 4 Crumlin Road.

Nos. 1, 1a, 3 and 5 are existing dwellings which are sited on the opposite side of the Crumlin Road from the application site. A distance of approximately 40 metres is retained as well as a public road and boundary vegetation will exist between the existing and proposed units. It is considered that the proposal would not have a significant detrimental impact on the amenity of these properties.

The levels of the site result in the proposed apartment block 'D' sitting 2.5 – 3 metres above the adjoining properties within Millwater Lodge. However, the properties are angled so as to ensure there is no direct overlooking into one another and existing vegetation between the sites is to be retained where possible. The drawings have been amended during the processing of the application to remove the upper floor windows on Elevation A closest to the existing units to the southeast of the site and it is considered that there will not be a significant impact in terms of overlooking.

Another point of objection relates to the loss of a view from a nearby residential property. The neighbours view is not restricted by the proposed development, instead it is a change of view from that which exists at present and it is not considered that the change of view is detrimental to the outlook of the existing dwelling.

A further point of objection raises concern that the developer cleared the site despite TPOs on the previous trees within the site and the health and safety matter this poses. This matter pre-dates the planning application and therefore the application has been considered on its merits at the time of submission.

It was also raised through letters of objection that the proposed relocation of street lighting would be detrimental to pedestrians. This matter will require separate approval from DfI Roads and is not given significant weight in the determination of the planning application.

Noise and Vibration

The application is adjacent to the railway track to the southwest of the application site. The applicant has submitted a Noise and Vibration Impact Assessment prepared by MCL Consulting, Document Number 10, stamped 13th March 2023.

It is noted that a Davis Vantage Vue Weather Station was used to record the weather data at 10min intervals for the attended part of the survey. For the

unattended monitoring the report refers to a weather forecast. The use of weather station equipment along with any long term monitoring is considered good practice. This is to ensure that data hasn't been unduly affected by high winds, rain or other increment weather conditions. Longer term monitoring of 1 week is usually expected for such applications.

The grid references for the noise monitoring locations are presented within Table 8. Environmental Health would usually request that a plan is presented showing the noise monitoring locations. Table 11 shows the noise risk assessment for daytime hours as 'Medium' risk. The discussion below the table states, "that during the daytime, future occupants are at a low risk".

Proposed mitigation measures for glazing and ventilation to the dwellings are presented within Table 12, in order to ensure that the internal amenity guideline values detailed within BS8233:2014 are achieved.

There are however a number of issues with the methodology used within the report. Page 17 of the report refers to an LAeq,18hr. However, a 16hr value should be used to compare against WHO standards. Also an LAeq,6hr of 57dB(A) is compared against an 8hr value. Page 17 of the report also refers to a speed of 145km/h (90 mph). The proposed development site is close to the train station in Crumlin so trains will be significantly slower than the 145 km/h speed used in the assessment.

Under the 'Cumulative Noise' heading, the report advises that external amenity areas exceed the WHO guideline level of 55dB(A) when the railway noise source is introduced based on the predicted noise levels from the Calculation of Railway Noise (CRN). However, the report does not state what the actual levels will be in the external amenity areas.

The report also advises that the boundary fence of 1.8m provides screening in the amenity areas although the predicted noise levels exceed the WHO guideline of 55dB(A) for the cumulative noise impact. The noise barrier is not shown in the modelling, however, a 1.8m barrier may not be effective if the railway line is higher. It is considered that the speed of trains adjacent to this site would be slower than the figure used due to the proximity of the railway station. The assessment should consider the noise and speed from trains both entering and leaving the railway station.

The baseline SEL needs to be corrected based on vehicle type. British Rail Mk1 and Mk2 are coaches/carriages. 6 cars are now used in Northern Ireland with 2 diesel generators. The consultant has assumed a speed of 145km/h for trains on the line. The site is in close proximity to the train station at Crumlin therefore the trains coming into the station and out of it will be operating at a much slower speed. Coming out of the station towards Antrim the trains will be slower, on power and therefore louder. Coming into the station from Antrim the trains will be coasting and therefore quieter. The Report has not taken this into consideration.

At Appendix 3, the Calculation of Railway Noise requires amendment and clarification: train type, train speed, no. of trains needs clarification, distance and height needs clarified, i.e. to garden, first floor level or façade. The baseline SEL source needs provided and amended for vehicle type, speed needs amended and

these then affect the corrections applied; detail should be provided on which is receiver or receptor height.

Within the Conclusion section, the consultant states, "The impact of future railway noise on the external amenity areas can be reduced by considering a slower train speed and reducing the number of passby's in the daytime. Night-time noise impacts can be reduced completely by operating trains only in daytime hours."

These matters outside the proposed development site cannot be influenced, therefore, mitigation measures will be limited to those which can be implemented on the application site. The number of trains using the line and the times they operate are beyond the control of this applicant. The line is already in existence and can be reused at any time.

Vibration

The assessment refers to a railway vibration measurement which used trains with 4 cars per set. No details on location or date/time of monitoring is provided.

The assessment used a 'scaling factor' of 2 but does not provide an explanation or justification for the use of this value. The vibration assessment refers to 20 passbys for daytime and 2 passbys for night time. Usually there is 1 per hour per direction which would equate to 36 for worst case assessment. The vibration assessment refers to 2x night time passbys, however, the noise calculations refer to 1x night time passby.

Table 13 shows the predicted daytime VDV on the top soil at 16m. It is unclear how the VDV_{b, day} is obtained from the VDV_{event}. Detail is required on how the VDV_{b, day} was calculated. In working out the VDV for day, no timing has been given on how long it takes for a train to pass.

It appears that the railway noise appears to be overestimated with external amenity being the main issue. The Calculation of Railway Noise at Appendix 3 requires correction for vehicle type, speed, number of trains as discussed above.

With regards to vibration, detail is required on how the VDV_{event} to VDV_{b, day} is calculated and the justification/reasoning for the scaling factor used is required.

Owing to the time the application has been with the Council and the length of time that would be required to provide the additional information, in the interest of fairness to third parties, it is considered that it is appropriate to make a recommendation to determine the application on the basis of the information submitted to date.

Overall, it is considered that the proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that there will be no unacceptable adverse effects on the proposed properties in terms of noise and vibration.

Impact on Features of Natural Heritage

A Biodiversity Checklist (Document 06, date stamped 16th September 2022) and an Ecological Assessment (Document 07, date stamped 16th September 2022) has been submitted. The Ecologist has stated that there is, 'a long supporting brick wall to the north/northwest aspect of the site. This comprises of holes and crevices which may be suitable for single bats as a roosting location (photograph 8). This feature is

assessed as being of low bat roost potential'. NED notes that the proposed development will not impact this wall, however, they agree with the Ecologist that if works are to be carried out in the future that further bat surveys on this wall must be carried out.

Objections from neighbouring properties raised concerns regarding the impact on wildlife including owls and buzzards, particularly given the clearance of the site from vegetation prior to the submission of the application. NED has been consulted and has raised no objection, however, has advised that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August, or should be checked by a suitably qualified ecologist with protective measures undertaken if any active nests are found.

The site is not located within a statutory designated area and there are no such sites located within 2km of the application site. The closest site is Crumlin Glen Local Wildlife Site which is located 25 metres to the west. Shared Environmental Services has been consulted and has raised no objection to the proposal subject to the inclusion of a condition that no development takes place until the method of sewage disposal has been agreed with NIW or a consent to discharge has been granted.

Flood Risk and Drainage

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which DfI Rivers has no record.

The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 years fluvial or 1 in 200-year coastal floodplain. A Drainage Assessment (Document 02, date stamped 12th October 2021) has been submitted and DfI Rivers has been consulted. DfI Rivers have stated that while not being responsible for the preparation of the Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.

DfI Rivers advise that the Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible, however the Drainage Assessment states that the drainage design requires further detailed design, therefore DfI Rivers requests that the Council includes a condition requiring the final drainage design to be submitted and agreed prior to the commencement of development. A condition to this effect should be attached to any decision notice should planning permission be forthcoming.

DAERA Water Management Unit (WMU) has been consulted and has indicated that if the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its Consent to Discharge, then Water Management Unit would have no objection to this aspect of the proposal, subject to a condition.

A Waste Water Impact Assessment was submitted to NI Water for this site and a Solution Engineers Report (Document 05, date stamped 16th September 2022) has been received. NI Water has recommended refusal of the application as it considers the WWIA is not deemed complete until a solution has been agreed upon, and

deemed deliverable by both NIW and the developer. However, it is considered that as there is a potential solution for the proposal this matter can be covered by way of a negative planning condition to ensure a feasible method of sewage disposal is available prior to development taking place.

Taking the above into consideration, it is considered that the proposal would not have an adverse impact in terms of flood risk or drainage.

Features of Archaeological Importance

The application site was originally part of the designed landscape of Glendaragh House. This area is divided from the designed landscape (AN/036) by the railway line and is not included within the designated area, however, the 1st and 2nd edition Ordnance Survey maps clearly show garden features within the development site. Historic Environment Division (Historic Monuments) has been consulted and has raised no objection to the proposal, subject to conditions. It is therefore considered that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works.

Access, Movement and Parking

Planning Policy Statement 3 Access, Movement and Parking seeks to ensure that prejudice to road safety does not occur as a result of development. Policy AMP2 - 'Access to Public Roads' states that "planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic. Section 20 of Creating Places sets out the requirements for the total number of parking spaces to be provided for residents, visitors and other callers.

Objections have been received from occupants of neighbouring properties raising concerns regarding increased traffic, road safety issues and inadequate sight lines. The applicant has provided a Transport Assessment Form (Document No. 04, date stamped 16th September 2022). The layout of the proposal makes provision for in-curtillage /communal parking. DfI Roads has been consulted and has raised no objection to the proposal in terms of parking or road safety matters that the development may create in this instance. It is considered that adequate and appropriate provision is made for parking within the development and that the proposed development would not have a detrimental impact on road safety.

Other matters

Belfast International Airport

There are no concerns regarding aerodrome safeguarding associated with this development, Belfast International Airport has been consulted and they have raised no objections to the proposal although conditions have been suggested.

The BIA response received suggested conditions be included firstly relating to any external lighting, the proposal does not include any aspects of external lighting so this condition is not necessary although given the proximity to the airport it may be included as an informative on any approval. Another condition is suggested regarding the use of cranes at the site; this is also not seen as necessary but shall be included as an informative if planning permission is forthcoming.

The final condition suggested related to landscape proposals and ensuring the proposal does not increase the risk of bird strike to aircraft. The landscaping scheme included in the proposal should not increase the risk of bird strikes to aircraft operating at the aerodrome. Information is available when designing landscapes from the Civil Aviation Publication (CAP 680) which is also downloadable from the internet. (www.caa.co.uk).

Contamination

A Contaminated Land Preliminary Risk Assessment (PRA) (Document 03, date stamped 24th January 2022) and a Generic Quantitative Risk Assessment (Document 08, date stamped 5th October 2022) has been submitted. As a result of the findings of the PRA, an intrusive investigation was undertaken within the site by GES Ltd. The intrusive investigation comprised 3no. boreholes with soil sample analysis and ground gas monitoring undertaken.

Ground gas monitoring was undertaken at the 3no. boreholes with the results classifying the site as very low risk and no gas mitigation measures are therefore required on site. Soil samples collected and submitted for analysis identified some elevated Polycyclic Aromatic Hydrocarbons in the southern portion of the site.

Remediation measures were detailed at Section 8 of the GQRA. The report recommends that within all gardens and landscaped areas proposed in the area around Borehole 3, a clean cover capping layer of at least 0.6m should be incorporated. No elevated levels were detected and the report considered that vapour release was not an issue and therefore no remedial measures were required for vapours. A capping layer is recommended as a remediation requirement to mitigate the human exposure risk of the PAH soil contamination.

The Environmental Health Section and DAERA: Regulation Unit Land and Groundwater Team has been consulted and has raised no objection, subject to conditions. It is therefore considered that the proposal can be protected from any contaminated land issues, subject to conditions.

Northern Ireland Electricity

There are overhead cables within close proximity to the proposed development. The applicant prior to the construction stage, has agreed to apply for an alteration to the overhead line in order to maintain the safety clearances required to these lines. NIE has been consulted and has raised no objection to the proposal.

Northern Ireland Transport Holding Company

An existing railway line abuts the south-western boundary of the application site. Northern Ireland Railways has been consulted on the proposal and has raised no objection to the proposal, subject to a number of points. These matters are considered more appropriate as informatives and can be included on any future decision notice.

CONCLUSION

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

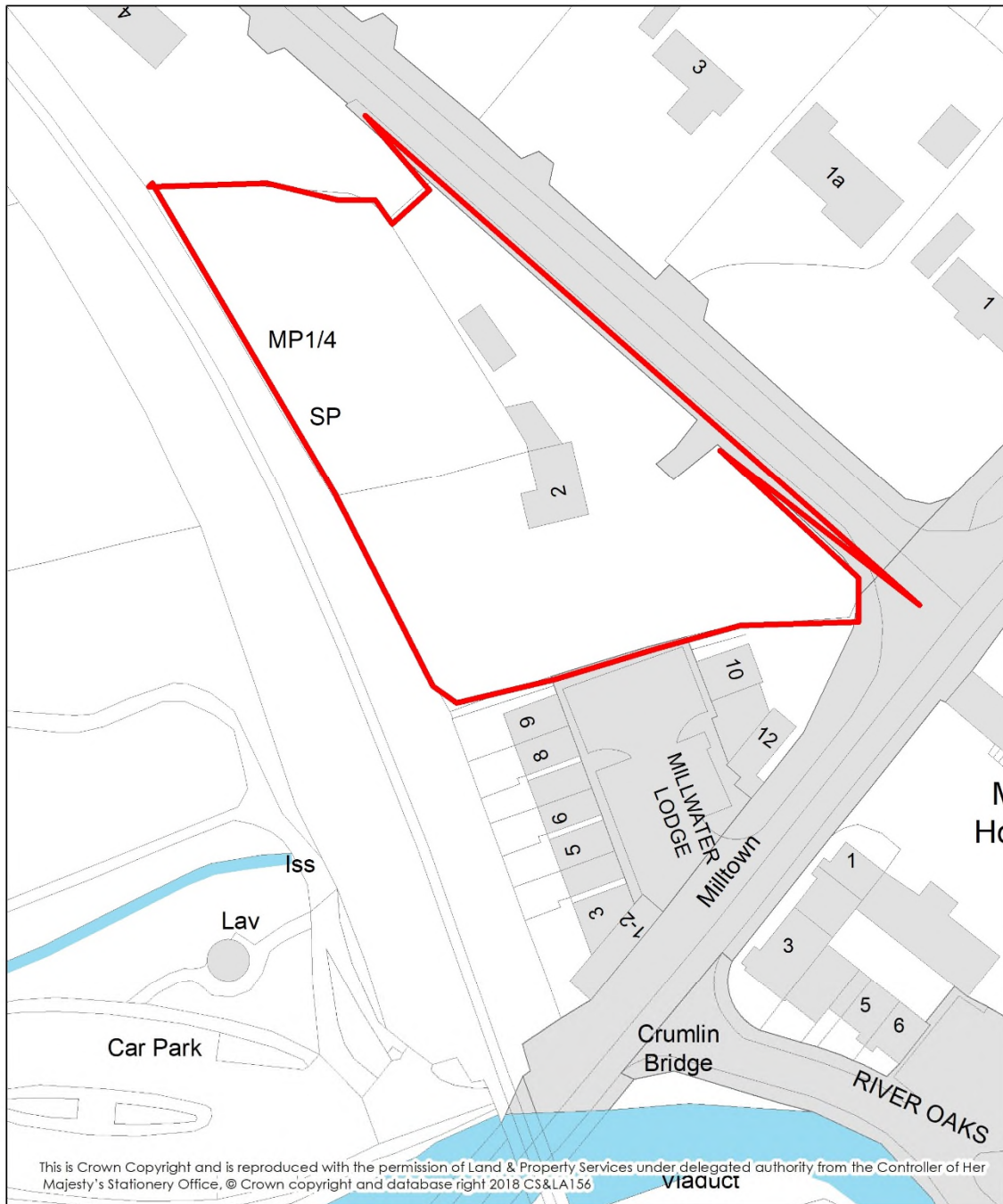
- The principle of the development is considered acceptable;
- The design layout and appearance of the development is considered acceptable;

- The proposed development is considered compatible with adjacent land uses;
- There are no significant neighbour amenity concerns with this proposal relating noise, artificial light, size and scale of the development; overlooking or overshadowing;
- There are no natural or built heritage concerns with this proposal;
- There is no significant flood risk associated with this development;
- There is no road safety, parking or transport issues with this development and;
- It has not been demonstrated that there will be no unacceptable adverse effects on the proposed properties in terms of noise and vibration.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASON FOR REFUSAL

- | |
|---|
| <p>1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that there will be no unacceptable adverse effects on the proposed properties due to impacts from noise and vibration from the nearby railway.</p> |
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Location Map

Planning Reference: LA03/2021/0999/F

Location: Site at 2 Crumlin Road, Crumlin, BT29 4AD

Proposal: Proposed residential development consisting of 12 no. dwellings, including 8 no. houses and 4 no. apartments, with associated roads, landscaping and access works.

 Site Boundary

N
1:800

For Information Only



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2021/0464/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed new free range poultry house for 32,000 birds including new concrete apron, meal bins litter stores, drainage swale, utilising existing improved access onto the Browndod Road
SITE/LOCATION	Land approximately 292m southeast of 9 Browndod Road, Doagh
APPLICANT	Mr G Andrew
AGENT	Revelins Hill Design
LAST SITE VISIT	August 2022
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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Council's website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located on land approximately 292 metres southeast of No. 9 Browndod Road, Doagh, which is within the countryside and outside any development limit as designated in draft Belfast Metropolitan Area Plan (dBMAP) published in 2004.</p> <p>The application site comprises an area of 0.99 hectares and is set back approximately 220 metres from the Browndod Road, from which it is accessed. The application site traverses two fields either side of an existing laneway which serves the main farm buildings, which are located approximately 330 metres to the northwest. The field on the south-western side of the laneway forms the substantive part of the application site. The field on the eastern side of the laneway, is indicated as accommodating the swale.</p> <p>The majority of the boundaries of the application site are physically undefined apart from a small portion of wooden D-rail fencing adjacent to the western side of the laneway leading from the Browndod Road. Hedgerows and several mature trees align the remaining field boundaries within the field in which the application site is located. The topography of the site is undulating with the development proposal to be sited in a natural hollow in the landscape. The site topography significantly rises to the west and falls in a similar fashion to the east towards the Browndod Road.</p> <p>The application site is within 7.5 kilometres of and hydrologically linked to Lough Neagh and Lough Beg SPA/RAMSAR and Tardree Quarry ASSI, Sandy Braes ASSI, Ballypalady ASSI and Lough Neagh ASSI.</p>	
RELEVANT PLANNING HISTORY	

No relevant planning history.

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Northern Ireland Water – No objection

Department for Infrastructure Roads - No objection subject to conditions

Department for Infrastructure Rivers – Refusal recommended

Department for Communities Historic Environment Division – No objection

Shared Environmental Services – Refusal recommended

Department of Agriculture, the Environment and Rural Affairs: Countryside Management Inspectorate Branch – Advice provided

Department of Agriculture, the Environment and Rural Affairs: Water Management Unit – Refusal recommended

Department of Agriculture, the Environment and Rural Affairs: Natural Environment Division – No objection subject to conditions

Department of Agriculture, the Environment and Rural Affairs: Industrial Pollution and Radiochemical Inspectorate – No objection

REPRESENTATION

Seventeen (17) neighbouring properties were notified and four (4) letters of objection have been received from three (3) properties and four (4) letters of support have been received from four (4) addresses. The full representations made regarding this proposal are available for Members to view online at the Planning Portal: (<http://www.planningregister.planningsystemni.gov.uk/simple-search>)

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

- Road safety concerns;
- Water pollution;
- Flood risk concerns;
- Air pollution;
- Odour, noise and general disturbance; and
- The proposed buildings are not sited beside existing buildings on the farm.

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

- The proposal shall decrease the carbon footprint of the farm by moving away from dairy and beef farming to chicken farming;
- The proposal shall produce five (5) times less greenhouse gases and twenty five (25) times less land use;
- The proposal shall increase bio-diversity with the removal of grazing cattle in line with the Council's Local Bio-Diversity Action Plan 2023 – 2028;
- The proposal shall support the diversification of a small family run farm in difficult economic times; and
- Other commentators either 'support' or have 'no objection' to the development proposal.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

Preliminary Matter;
Policy Context and Principle of Development;
Layout, Design and Impact on the Character and Appearance of the Area
Neighbour Amenity;
Flood Risk and Drainage;
Natural Heritage;
Access, Movement and Parking.

Preliminary Matter

Environmental Impact Assessment

As the development is within Category 1 (C) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether the application is or is not EIA development. An EIA Determination was carried out and it is determined that the planning application does not require to be accompanied by an Environmental Statement.

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.

Whilst there is currently no statutory development plan in place for the area where the development is proposed, the provisions of both the draft Newtownabbey Area Plan 2005 (dNAP) and the draft Belfast Metropolitan Area Plan 2015 are considered to be material considerations in the assessment of the current application. Both of these Plans identify the application site as being within the countryside outside any development limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development, namely agricultural development in accordance with Policy CTY 12. Policy CTY 12 states that planning permission will be granted for

development on an active and established agricultural holding subject to other material considerations discussed in the following paragraphs.

The Department of Agriculture, the Environment and Rural Affairs (DAERA) Countryside Management Branch has been consulted and confirm the farm holding has been established since 2015 and has claimed farm payments in each of the last 6 years. DAERA indicates that the farm business is active and established for the purposes of Policy CTY 12.

With respect to Policy CTY 12 it is noted that there are a number of existing buildings present on the farm holding. Each of the existing buildings are already utilised for agricultural purposes and it is considered that these buildings are not of a size or scale that would be suitable for poultry use, which requires specialist requirements in the construction and operation of such a use.

It is considered that the proposed new build poultry house represents a viable expansion of the existing business to improve farm income and contribute to the long term viability of the farm holding, which is consistent with comments made in one of the letters of support. The proposed vehicular access is taken from the Browndod Road along the frontage of the farm holding, the access leads directly to the proposed site and then leads on to the main group of buildings on the farm. Although the application site is recorded as being archaeologically sensitive it is noted that DfC Historic Environment Division has considered the Archaeological Evaluation Report and Programme of Works which was submitted as part of the application and has offered no objection to the development proposal.

For the reasons set out above it is considered that the principle of development is acceptable subject to consideration of all other relevant planning matters. In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPSs which provide the relevant regional policy context for consideration of the proposal:

PPS 2: Natural Heritage;

PPS 3: Parking and Movement;

PPS 15: Planning and Flood Risk; and

PPS 21: Sustainable Development in the Countryside.

The consideration of the merit of the proposal with respect these planning policy statements is set out below.

Pollution Prevention Control (PPC) Permit

The planning and pollution control regimes are separate but complementary systems for the regulation of proposals of this nature. Advice on the relationship between the planning and pollution control regime is set out in Planning Policy Statement 11 'Planning and Waste Management' (PPS 11). This advises that planning control primarily focuses on whether the development itself is an acceptable use of the land rather than on the control of processes or substances involved as well as regulating the location of the development in order to minimise adverse effects on people, the use of land and the environment.

It further advises that the pollution control regime is concerned with the control and regulation of proposed operations and processes along with their day to day operation. The objective is to ensure that the activity is undertaken, and any waste associated with it is disposed of appropriately or suitably treated, without endangering human health or causing harm to the environment.

PPS 11 also states that planning control should not duplicate other statutory controls or be used to achieve objectives relating to other legislation. As such the Council in exercising its role as the planning authority must make its decisions on the basis that the relevant pollution control regime will be properly applied and enforced. The relevant expertise and statutory responsibility for pollution control rests with the Department of Agriculture, Environment and Rural Affairs (DAERA).

Consultation was carried out with DAERA: Industrial Pollution and Radiochemical Inspectorate who advised that the proposed installation for a free range poultry unit (egg production) for up to 32,000 laying hens falls below the threshold (40,000) at which a Pollution Prevention and Control (PPC) permit is required. In the future if the capacity of the installation goes above the PPC threshold (i.e. places for 40,000 poultry), the applicant will be required to apply for and obtain a PPC permit prior to first operating above the PPC threshold. As such DAERA Industrial Pollution and Radiochemical Inspectorate has no objections to the proposal.

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

Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy CTY 12 of PPS 21 states that the development proposal must demonstrate that in terms of character and scale it is appropriate to its location and that the development proposal visually integrates into the local landscape and additional landscaping is provided as necessary. Policy CTY 13 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of appropriate design. Criterion (a) of this policy notes that a building will be unacceptable where it is a prominent feature in the landscape.

The proposal seeks full planning permission for a new free range poultry house accommodating 32,000 birds, new meal bins, litter store, swale and improved access onto the Browndod Road. The proposal also involves the provision of an underground tank to store dirty water with submitted plans indicating that uncontaminated storm water will be directed to a swale.

The poultry shed measures 177 metres long, 16.5 metres wide and measures 5.5 metres to the peaked ridge of the building. The finishing materials of the building comprise smooth pre-cast concrete units at the lower level with the upper level and roof both finished with profiled green cladding. Rain water goods are coloured black with the large access doors being finished with green powder coated aluminium. The litter sheds are 15 metres in length, 14 metres in width and 6.5 metres in height; and the meal silos 9.5 metres in height. It is considered that the construction and finishing materials of the poultry shed, litter shed, and meal silos are typical of modern agricultural development and are acceptable.

The proposed poultry shed is located approximately 210 metres from the Browndod Road and approximately 350 metres to the southeast of the existing farm buildings.

Whilst it is accepted that the application site is on an elevated position relevant to the Browndod Road, it is noted that the proposed siting position is located in a natural hollow in the landscape with the topography of the site rising significantly to the southwest, which provides a natural backdrop for the development. The topography also rises to the northeast, which further assists the integration of the overall development proposal.

Additionally, the poultry house building has a modest ridge height of 5.5 metres and is set to the rear of an existing hedgerow at the north-eastern edge of the abutting agricultural field, which helps screen the development and assists in its integration into the landscape.

The litter store buildings are 1 metre higher than the poultry house with a ridge height of 6.5 metres. One litter store building is located on the south-eastern side of the application site and to the rear of a linear hedgerow and mature deciduous trees, which assists in integrating this element of the proposed development. The other litter store building is set to the north-western side of the application site and to the eastern side (front) of the chicken shed. Given the distance the building is set back from the Browndod Road and the intervening field boundary vegetation, it is considered this element of the development proposal will adequately integrate into the surrounding landscape. Consequently, it is considered that the development proposal will integrate into the landscape and shall not be unduly prominent or otherwise conspicuous in the landscape.

An objector points out that no explanation has been provided as to why the proposal is located in an open field that is removed from the existing buildings within the farm holding. However, there are no suitable existing buildings on the holding that can be utilised for the purposes of the development proposal and the design and materials of the buildings are considered to be sympathetic to the locality. Whilst it is accepted that the proposed poultry shed is not sited beside existing farm buildings it is considered that the preferred siting location is a logical choice given the topography of the site and the surrounding landscape. The farm maps accompanying the application identify lands located within the farm holding, with many of the fields set high in the landscape, which raise problems with respect to prominence and/or skyline development; and other lower lying fields located further again from the farm buildings, and closer to the public road which would raise issues with integration. Whilst it is accepted that the development proposal is not sited beside existing buildings on the farm it is considered that for the above reasons the preferred siting location is acceptable and that the requirements of Policy CTY 12 are complied with as fully as possible.

For the reasons set out above it is considered that the development proposal will integrate into the landscape and will not be unduly prominent or conspicuous. Additionally, it is considered that the application site and the surrounding landform are able to provide a suitable degree of enclosure for the development to integrate into the landscape, the proposal does not rely upon new landscaping for integration and ancillary works (hardstanding areas and swale) will integrate into the landscape. Overall, it is considered that the development proposal complies with the relevant policy provisions of the SPPS and Policies CTY 12 and CTY 13 of PPS 21 and is therefore acceptable in this regard.

Neighbour Amenity

Policy CTY 12 of PPS21 states the proposal must not detrimentally impact on the amenity of residential dwellings outside the holding. It is considered that the main potential impact on neighbour amenity is odour.

The applicant has submitted an Air Quality Impact Assessment in support of the application. Consultation was carried out with the Council's Environmental Health Section (EH) and Department of Agriculture, Environment and Rural Affairs (DAERA), neither of which has objected to this aspect of the development proposal subject to the imposition of planning conditions to control the identified mitigation techniques.

The proposed poultry sheds are mechanically ventilated sheds, designed with a 'baffle' below the stack that ensures there is no air escape through the chimneys should the fans be turned off. With regards to the ridge fans, all inlets will close over to ensure no air escapes when the extraction fans are off/closed. Both EH and DAERA considered the detail of the Air Quality Impact Assessment which was submitted along with the application and have raised no objections to the proposal subject to conditions.

In relation to odour, ammonia and air quality matters, the applicant indicates the intention to remove poultry litter weekly from the poultry unit using a manure belt to a litter store. The applicant indicates that all litter will then be moved to an anaerobic digester plant and there will be no land spreading of poultry litter associated with this proposed development. The Litter Utilisation Report (Document 03, date stamped 12th May 2021) indicates that the poultry litter generated by this proposal will be supplied to a licensed AD plant at No.85 Stramore Road, Gilford, Co. Down.

Consultation responses received from DAERA dated 7th December 2022 and 17th April 2023 respectively, note that the nominated AD plant in Stramore, Co. Down, has a number of identifiable contractual agreements pertaining to litter, slurry and digestate to be transported and used in the Stramore AD plant. DAERA has stated that the total amount of material set out in the contractual agreements exceeds the allowable tonnage as identified in the Waste Management Licence associated with that AD. DAERA goes on to point out that a number of the proposed developments relying on Stramore AD have already been granted planning permission and that the cumulative total of litter, slurry and digestate committed to Stramore AD currently exceeds the allowable tonnage as identifiable within the AD's Waste Management Licence. DAERA concludes by stating that should planning permission be granted for this development proposal it is likely that Stramore AD could not accept the litter produced by the development proposal without exceeding their allowable tonnage and the exporter of the manures would also not be able to comply with a potential planning condition that would seek to control the identified litter disposal route.

While it is accepted that appropriately worded planning conditions can control several of the identified mitigation techniques to offset odour and air quality issues it is considered that in the absence of a viable litter disposal route combined with the concerns that objectors have regarding odour may well be realised. This would be an unacceptable impact to the residential amenity of existing occupiers in the area surrounding the development proposal.

Other sources of noise and disturbance include those caused by traffic and transport to and from the site as well as traffic noise during the construction phase. These

sources of noise and disturbance are not considered to be significant or otherwise determining in this case with construction noise likely to be restricted to normal working hours and will be temporary in nature. The level of traffic attracted to the site is not considered to be of such significance as to cause a significant loss of amenity to third parties, and the timing of deliveries to the poultry house can be controlled by an appropriately worded planning condition, should planning permission be granted. For the reasons set out above it is considered that determining weight in the decision making process cannot be attributed to the points of objection made with respect to noise and disturbance caused by traffic and transport to and from the proposed development.

Overall, it is considered that there is the potential for a significant detrimental impact on the residential amenity of dwellings in proximity to the application site by reason of odour as there is no identifiable and realistic litter disposal route. It is considered that the stockpiling of chicken litter at the application site or the land spreading of the litter on lands within the farm holding may have a significant detrimental impact on the residential amenity of surrounding neighbours arising from odour. It is considered that in the absence of a viable litter disposal route that the development proposal is contrary to criterion (e) of Policy CTY 12 of PPS 21 as it has not been demonstrated that the development proposal would not have an unacceptable impact on the residential amenity of neighbouring residential properties. The residential properties that were notified via the Council's neighbour notification process includes Nos; 3C, 3D, 4, 5, 7, 8, 9, 9A, 10, 10B, 11, 11A, 12, 13A, 14, 14A and 16 Browndod Road. It is considered that this argument attracts more determining weight in the decision making process when compared to the points made in the letters of support received by the Council.

Flood Risk and Drainage

A Drainage Assessment (DA) has been submitted in support of the development proposal. In its consultation response the Department for Infrastructure Rivers (DfI Rivers) has stated that an undesignated watercourse flows along the north-western site boundary and an undesignated watercourse traverses the south-eastern portion of the site. DfI Rivers also confirms that historical Ordinance Survey maps indicate that a watercourse historically traversed the centre of the site, sections of which may be culverted.

DfI Rivers stated that applicant needs to establish and confirm if the historical watercourse that traversed the centre of the application site still exists and if so, confirm both the structural integrity and hydraulic capacity of this feature. They also stated that provision is to be made for a riparian land strip not less than 5 metres in width along the watercourse with clear access and egress at all times to be provided on a plan.

DfI Rivers also commented that in order to fully assess the DA a Schedule 6 Consent from DfI Rivers for the culverting works is provided and that due to the topography of the surrounding area, information is required pertaining to how the surface water runoff from this area is to be managed to prevent flooding to the proposed development. A request for submission of the information was made to the applicant's agent on the following dates: 17th January 2022; 1st February 2022; 25th March 2022; 29th March 2022; 26th April 2022; 8th August 2022; 10th August 2022; 19th

August 2022; and 4th May 2023. No further information has been received to offset the issues raised by DfI Rivers.

In the absence of the required information it is considered that the applicant has failed to demonstrate that the development proposal is not at risk of flooding, would exacerbate flooding elsewhere or that an acceptable riparian land strip has been provided for the historical watercourse that may traverse the central portion of the application site. The development proposal is therefore considered to be contrary to the relevant policy provisions of the SPPS and Policies FLD 1, FLD 2, FLD 3 and FLD 4 of PPS15.

Natural Heritage

The application site is within 7.5 kilometres and hydrologically linked to Lough Neagh and Lough Beg SPA/RAMSAR and Tardree quarry ASSI, Sandy Braes ASSI, Ballypalady ASSI and Lough Neagh ASSI. These sites are both internationally and nationally important and are protected by the Conservation (Natural Habitats, etc.) Regulations (NI) 1995 (as amended) and The Environment Order (NI) 2002.

This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Services (SES) on behalf of the Council, which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

In its final consultation response dated 18th May 2023, SES advised the Council that it cannot be certain, beyond reasonable scientific doubt, that this proposal will not have lasting adverse effects on the integrity of European sites.

SES states that the reason for this conclusion is that DAERA: Water Management Unit (WMU) has expressed significant concerns regarding the proposal to send poultry manure to Stramore AD, as WMU is of the opinion that a sustainable outlet for poultry manure, generated by this proposal, has not been presented as part of this planning application.

SES concludes by stating that the grant of planning permission for this development proposal would not comply with Regulation 43 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) or meet the policy requirements of Policy NH 1 of Planning Policy Statement 2: Natural Heritage and that no evidence has been provided to demonstrate that any exceptional circumstances detailed in Policy NH 1 of PPS 2 apply.

For the reasons set out above it is considered that the development proposal is contrary to the relevant policy provisions of the SPPS and Policy NH 1 of PPS 2 in that it has not been demonstrated that the development proposal, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed Ramsar site.

Consequently, given the lack of an identifiable and reliable poultry litter disposal route and in adopting the precautionary approach advocated by paragraph 3.9 of the SPPS, it is considered that this development proposal may pose significant risks of damage to the environment. Paragraph 3.9 of the SPPS states that the protection of

the environment will generally be paramount, unless there are imperative reasons of overriding public interest.

The agent has been made aware of the issues raised by WMU with respect to poultry litter disposal. Although the agent has rebutted the stated position of WMU, this rebuttal has been rejected by WMU, which has maintained its position that Stramore AD is not able to accommodate the volume of poultry litter produced by this development proposal given its other contractual arrangements for other poultry installations. In the absence of an identifiable and reliable litter disposal route and in adopting the precautionary approach, it is considered that the development proposal poses significant risks of damage to the environment and to Species Protected by Law (Policy NH 2 of PPS 2), National Sites of Nature Conservation Importance (Policy NH 3 of PPS 2) and Habitats, Species or Features of Natural Heritage Importance (Policy NH 5 of PPS 2).

Access, Movement and Parking

The development proposal seeks to provide an improved vehicular access arrangement to the existing vehicular access at the Browndod Road. Visibility splays of 2.4 x 70m are proposed and the vehicular access to the Browndod Road is to be widened to 6m for 20m from the public road.

The Transport Assessment Form (TAF) (Document 01, date stamped 12th May 2021) submitted with the application indicates that the development proposal will generate 4 trips for egg collection, 4 trips for meal delivery and 1 vehicular movement per week for litter removal, a total of 9 vehicular trips per week. The TAF indicates that there will be no peak times for traffic accessing the application site and the Council's Environmental Health Section has proposed a draft planning condition controlling the hours of deliveries to be between the hours of 07:00 – 23:00 hours.

Policy AMP 2 of PPS3 is entitled "Access to Public Roads". The policy headnote states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road subject to a number of criteria.

The requirement of Policy AMP2 of PPS 3 is that the proposed vehicular access will not prejudice road safety or significantly inconvenience the flow of traffic. In this instance visibility splays for the new vehicular access are dimensioned at 2.4 x 70m. In its consultation response DfI Roads, the competent authority for such matters, offers no objections to the details of the vehicular access to the Browndod Road subject to the imposition of planning conditions, which require that the visibility splays are provided prior to any other development commencing and that the gradient of the access is to a set standard. For this reason it is considered that the proposal is compliant with Policy AMP2 of PPS3 and in turn the relevant policy provisions of the SPPS.

Matters raised in letters of objection refer to the visibility splays serving the development not being appropriate as there is a perceived dangerous junction where the Browndod and Connor Roads meet. This road junction is located some 4 km to the south of the application site. Determining weight in the decision making process is not being attributed to this point of objection. Additionally, objections refer

to the perceived requirement for visibility splays appropriate for a road where the speed limit is 60mph. DfI Roads has indicated that the visibility splays proposed are sufficient for the road, where the estimated speed of the road is 35 mph and that the development proposal will not intensify the use of the vehicular access as the traffic movements associated with this development proposal are just over 2.6 daily trips.

As such, it is considered that the entrance, access road, turning and parking proposed is adequate for the scale and nature of the traffic generated by this proposed development, which is contrary to the position of objectors as stated. Determining weight in the decision making process is not being attributed to the point of objection as made. With reference to the point of objection that the gradient of the access is not in accordance with standards set out in DCAN 15, however, DfI Roads has provided a draft planning condition controlling the gradient of the access. Additionally, an objector stated that inter-visible passing bays should be provided to serve the development proposal, however, no such requirement have been deemed necessary by DfI Roads.

For the reason set out above it is considered that the development proposal complies with the relevant policy provisions of the SPPS and Policy AMP 2 of PPS 3 and furthermore that the points of objection as made do not carry determining weight in the decision making process.

CONCLUSION

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

- The principle of development is considered acceptable;
- The design and appearance of the buildings is considered acceptable;
- The impact on character and appearance of the area is considered acceptable;
- Access, movement and parking arrangements are acceptable;
- The impact on neighbour amenity by way of odour is considered unacceptable;
- There is no identifiable and reliable poultry litter disposal route and this has the potential to cause significant damage to the natural environment and to European and Ramsar Sites along with Species Protected by Law, National Sites of Nature Conservation Importance as well as Habitats, Species or Features of Natural Heritage Importance;
- The development proposal has not demonstrated that it is at risk of being flooded or exacerbating flooding elsewhere; and
- Consultation responses and representations received by the Council have been considered within the main body of the report.

RECOMMENDATION

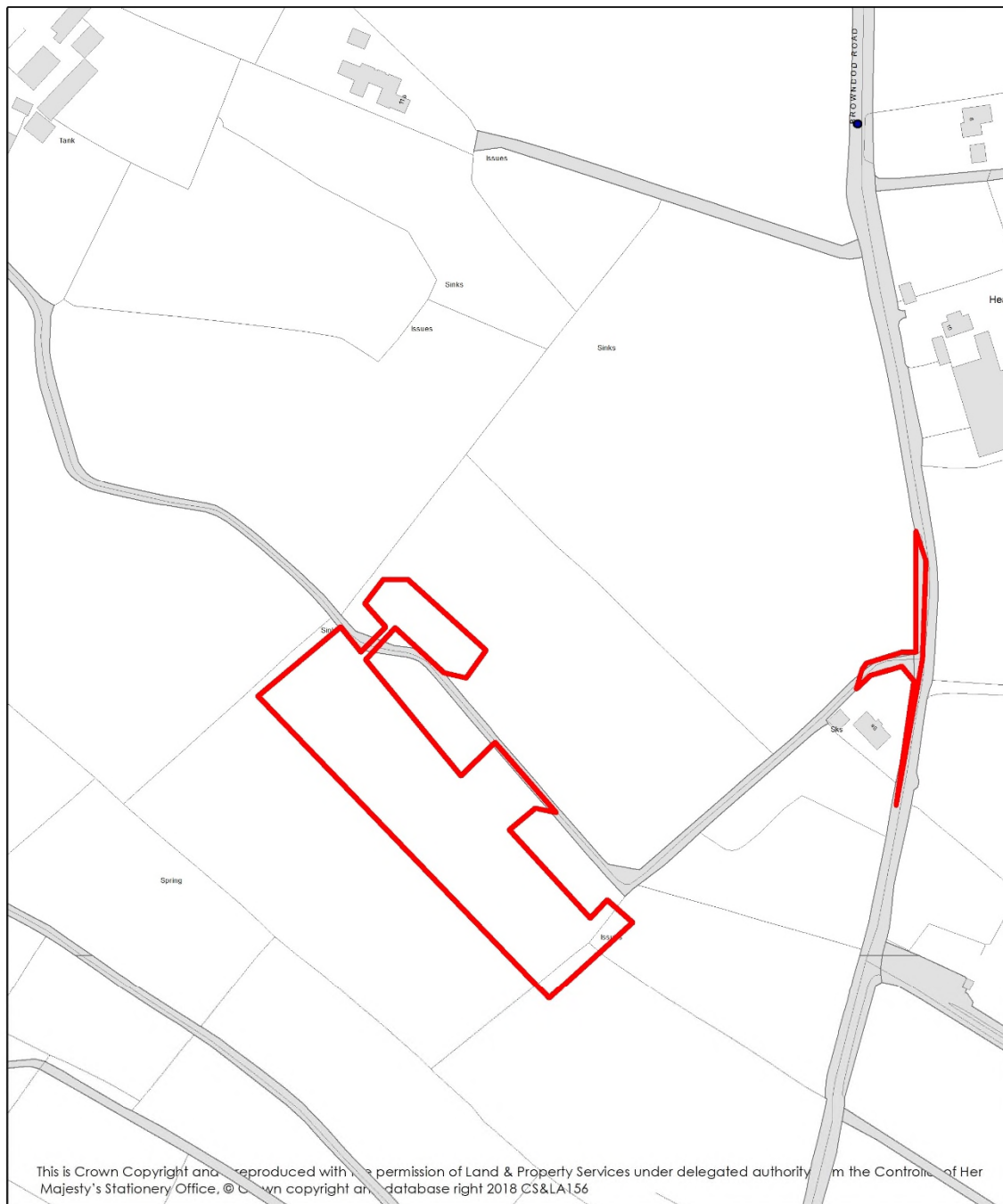
REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The development proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Criterion (E) of Policy CTY 12 of PPS 21, Sustainable Development in the Countryside, in that it has not been demonstrated that the development proposal will not have a significant adverse impact to the residential amenity of occupiers of neighbouring residential properties by reason of odour as it has not been demonstrated that an

identifiable and reliable poultry litter disposal route exists by which to serve the proposed intensive livestock facility.

2. The development proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policies NH 1, NH 2, NH 3 and NH 5 of PPS 2, Natural Heritage, in that it has not been demonstrated that the development proposal shall not cause significant damage to the environment as no identifiable and reliable poultry litter disposal route has been provided.
3. The development proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policies FLD 2 and FLD 3 of PPS 15, Planning and Flood Risk, in that it has not been demonstrated that the development proposal is not at risk of flooding nor exacerbating flooding elsewhere or that an acceptable riparian land strip has been provided for the alleged historical watercourse that traverses the central portion of the application site.

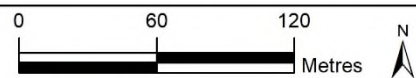


Site Location Plan

Application Reference: LA03/2021/0464/F

Land approx. 292m South East of 9 Browndod Road
Doagh

Proposed new free range poultry house for 32,000 birds including new concrete apron, meal bins litter stores, drainage swale, utilising existing improved access onto the Browndod Road (Amended Drainage Assessment)



 Site boundary

1:2,500



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2023/0249/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 2 no. modular wards with link corridor to existing hospital (retrospective); two storey decked car park containing 271 spaces; modular office building and electrical sub-station.
SITE/LOCATION	Lands at Antrim Area Hospital, Bush Road, Antrim Hospital, Antrim, BT41 2RL
APPLICANT	Alison Renfrew
AGENT	Turley
LAST SITE VISIT	06/06/2023
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Council's website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located within the settlement limit of Antrim Town and is within the designated boundary for the Antrim Hospital site. The application site is split over two parts of the wider hospital site. The proposed car park is located on an area of grass which acts as defensible space between existing car parks and internal roadways. This part of the application site extends to 0.99ha in size and has been partially cleared with the exception of a small group of trees.</p> <p>The modular wards are located on the south-eastern side of the hospital site and extend to 0.722ha. The two modular buildings are substantially complete and are located in what was an area for car parking.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.</p>	

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

Antrim Area Plan 1984 – 2001 (AAP): The application site is located within the settlement limits of Antrim Town. Section 10.1 of the AAP states: "The main development in relation to health facilities in the Antrim Area is the proposal to provide by 1992 a new Area Hospital off Bush Road, containing 313 beds. On the same complex, the Northern Area College of Nursing opened in 1983 and the residential accommodation for trainee nurses has been occupied since September 1985. Final planning of an Area Laboratory on the site has been delayed pending the outcome of a Board Working Party on laboratory services for the whole of the Area. With this exception, no major new sites are likely to be required for health facilities within the Plan period."

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

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

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

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

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

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.

Council Shared Environmental Services – No objections.

Northern Ireland Water – No objections.

Department for Infrastructure Roads- No objections.

Department for Infrastructure Rivers – No objections.

NIEA Land and Ground Water Team – No objections.

NIEA Pollution Prevention & Control team – No objections.

NIEA Water Management Unit – No objections.

Belfast International Airport – No objections.

REPRESENTATION

No neighbours were notified of the application as no occupied properties abut the site and in addition no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Preliminary Matters

Environmental Impact Assessment

As the development falls within Category 2, 10 (A) (The carrying out of development to provide for industrial estate development projects) and Category 2, 10 (B) (The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks) of the Environmental Impact Assessment Regulations (Northern Ireland) 2017, the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether an application is or is not EIA development. An EIA screening determination was carried out and it was determined that the planning application does not require to be accompanied by an Environmental Statement.

Pre-Application Notice

The application falls within the category of a Major planning application as defined by the Planning (Development Management) Regulations (Northern Ireland) 2015 and as such was subject to a Pre-Application Community Consultation carried out on behalf of the applicant.

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 24th June 2022 (ref: LA03/2022/0923/PAN). Residents within a 500-metre radius of the site were provided with details of the proposed development and advised of the public consultation event. Elected Members for the District Electoral Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. The planning application was received following expiration of the 12-week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

Project Rationale

The applicant has indicated that Antrim Area Hospital (AAH) is one of the busiest hospitals for unscheduled care services in Northern Ireland and the hospital's state of the art emergency department caters for approximately 90,000 patients per year. The hospital has 366 beds for acute care and offers obstetrics, neonatal services, paediatrics, palliative care and renal dialysis, as well as a specialist dental unit.

The hospital has been the subject of recent significant investment and development. The applicant indicates that the proposed development is a response to ongoing pressures at AAH and a need to future proof the estate for future developments within the core of the hospital estate.

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 lies within the settlement limit of Antrim Town and within the grounds of Antrim Area Hospital. There are no specific operational policies or other provisions relevant to the determination of the application contained in AAP.

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 addition, the SPPS also sets out planning policies for town centres and retail developments and incorporates a town centre first approach for retail and main town centre uses.

The SPPS, Para 5.72, states that 'Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the Local Development Plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance'.

The SPPS sets out policies for Town Centres and Retailing and seeks to secure a 'town centre first' approach for the location of future retailing and other main town centre uses and to adopt sequential approach to the identification of retail and main town centre uses in LDPs and when decision-taking. A footnote goes on to define "town centre uses" as including "cultural and community facilities, retail, leisure, entertainment and businesses". The proposed development of additional hospital wards and ancillary office accommodation and car parking falls within Class D1 (Community and Cultural uses) part (a) for the provision of any medical or health services except the use of the premises attached to the residence of the consultant or practitioner within The Planning (Use Classes) Order (Northern Ireland) 2015. As the

proposal is considered to be a community facility and therefore a town centre use, the provisions of the SPPS require that an assessment of need is carried out and a sequential assessment undertaken. These are discussed below.

Paragraph 6.282 of the SPPS states that in the absence of a current and up-to-date LDP, councils should require applicants to prepare an assessment of need which is proportionate to support their application. It is noted that the use of the word 'should' suggests this is not mandatory. The policy goes on to state that this may incorporate a quantitative and qualitative assessment of need taking account of the needs of the local town and take account of committed development proposals and allocated sites. Whilst the AAP is not up-to-date and no assessment of need has been submitted, the applicant's rationale for the development is set out within their Design and Access Statement which indicates that the development will facilitate the existing and ongoing operations of Antrim Area Hospital. It is further indicated that the development of the ward buildings is a direct response to ongoing pressures at AAH. The modular design allows the buildings to be built off-site and then erected with minimal disruption to health services, while the proposed car park is merely to replace the parking that will be removed to facilitate the ward buildings.

With regard to the sequential site selection this is not considered necessary to what is essentially an extension to an existing hospital, the proposal does not seek to establish the principle of a new hospital at this location.

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

- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 15: Planning and Flood Risk.
- Public Services and Utilities Policies within 'A Planning Strategy for Rural Northern Ireland'.

Although the application site is located within the development limits of Antrim Town Policy PSU 1 Community Needs from the Planning Strategy for Rural Northern Ireland provides guidance on applications of this nature. Policy PSU 1 acknowledges that 'changing circumstances determine the requirement of land to meet the needs of the community in terms of health, education and other public facilities'. This policy indicates that emphasis will be placed upon making the best possible use of existing sites.

While Policy PSU 1 is largely to facilitate new community infrastructure through the Development Plan Process, in this case it provides an indication as to where it is likely to be acceptable for such developments. Within the policy context discussed above it is considered that the principle of expansion of the existing Antrim Area Hospital to incorporate two additional ward buildings and associated ancillary office and parking is acceptable subject to the development complying with other requirements in accordance with regional policy and guidance which are addressed in detail below.

Design and Appearance

The two ward buildings will be similar in style and appearance to that previously granted planning permission on the site (Ref: LA03/2021/0338/F). The two ward buildings are identical in layout and appearance and are connected to the main hospital building by a link corridor (344sqm). Each building contains eight private single bedrooms and eight 4 x bed wards. All of these rooms are located at the outer edge of the building and avail of views to external spaces. The central strip of the floorplan contains a mix of office, utility and ancillary spaces. The ground floor layout is illustrated below. Each building has a small amount of floor space at first floor level each containing plant equipment.

The ward buildings and link corridor are functional in design. They are constructed on a dark grey brick plinth and have light grey coated cladding panels. Windows, doors and rainwater goods are all dark grey in colour and have a uPVC finish. One of the ward buildings has already been developed on site and can be seen in situ and in the context of the wider hospital estate.

The decked car park is located to the northeast of the hospital estate on an area of undeveloped land. The two storey structure (10,847 sqm) contains a total of 271 spaces and will replace the spaces lost through the development of the modular wards. Additional spaces are also provided to meet the visitor and staff requirements of the new wards and office building that are also subject to this planning application. The car park will have a grey concrete finish. The stairwells will be finished with grey natural stone panels. Street lighting type lights are proposed on the upper deck.

The office building is a standalone structure (349sqm) and will be occupied by administrative staff associated with AAH. The building is a modular building and will have a similar appearance to the ward buildings. The substation building (253 sqm) is single storey with a flat membrane roof. The external walls are finished in cream coloured brick and the doors are dark grey metal. Overall the design, layout and appearance of the building including its scale and massing are considered to be sympathetic to its surroundings and will sit comfortably within the wider hospital site.

Neighbour Amenity

The Council's Environmental Health Section (EHS) has been consulted with regard to this proposal and has indicated that they have no objections with regard to noise, odour or other disturbance affecting residential amenity or affecting the amenity of nearby premises.

With regard to contamination the applicant has submitted a Preliminary Risk Assessment (PRA) (DOC 02) which has identified low risks to the water environment and recommend that no further investigation is required. Both the Council's Environmental Health Section (EHS) and NIEA Regulation Unit (RU) have reviewed the applicant's Contaminated Land Assessment and agree with its conclusions. NIEA (RU) has provided standard conditions should an unknown source of contamination be found during the development of the site. These conditions are considered necessary and reasonable. It is therefore concluded that there is no significant contamination risks to nearby sensitive receptors as a result of this proposal.

Road Safety, Traffic, Parking and Transport Issues

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

Applicable policies include: -

- Policy AMP 2 -Access to Public Roads – Permission will be granted for a development involving access to a public road where it will not prejudice road safety or significantly inconvenience the flow of traffic;
- Policy AMP 7 - Car Parking and Servicing Arrangements – requires proposals to provide adequate provision for car parking and appropriate service arrangements.
- Policy AMP 9 - Design of Car Parking requires a high standard of design, layout and landscaping to accompany all proposals for car parking.
- Policy AMP 10 - Provision of Public and Private Car Parks

In terms of Policy AMP 2 the site is accessed from existing internal estate roads within the hospital grounds, no new roads are proposed as part of this development.

PPS 3 policy AMP 7 requires developments '*to provide adequate car parking*' having regard to the Parking Standards. The Transport Assessment Form (TAF) (Document 03) submitted with the proposal indicates that the addition of two new 24-bed wards to the existing hospital is not anticipated to be the main trip generator to the site and estimates that the two wards will attract a total of 79 trips daily. The proposed development requires 69 additional non-operational parking spaces to accommodate the car parking demand associated with the redevelopment and therefore fully complies with the parking requirements.

The decked car park is located to the northeast of the hospital site on an area of undeveloped land. The two storey structure contains a total of 271 spaces and will replace and exceed the spaces lost through the development of the modular wards. Additional spaces are also provided to meet the visitor and staff requirements of the new wards and office building that are also subject to this planning application.

The wards are being constructed in car parking zone 7 adjacent to the main hospital buildings. The construction will result in the loss of 212 existing parking spaces in Zone 7, however, during the construction phase, 196 temporary car parking spaces will be provided at various locations within the wider hospital site.

A Car Park Management Strategy (Doc 04) is also submitted. The report outlines the existing and proposed car parking requirements at AAH. The report illustrates how the total number of car parking numbers on the AAH site will stay consistent at approximately 2,000 spaces with temporary car parks providing capacity (circa 196 spaces) whilst the decked car park is built. The temporary car parks are subject to a separate planning application.

DfI Roads has not raised any concerns with the parking arrangements. In terms of car parking design, the parking is located on the peripheries of the site and is of a functional design and arrangement. The parking will largely be screened from the public road by existing vegetation along the perimeter of the wider hospital site and by the hospital buildings.

Overall, it is considered that adequate parking has been provided while the design, layout and landscaping to accompany the proposals for car parking is acceptable.

Natural Heritage

PPS 2 sets out the Executive's commitment to sustainable development, conserving, and where possible, enhancing and restoring natural heritage. Policy NH5 Habitats, Species or Features of Natural Heritage Importance states proposals which are likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In this case, the application site is largely car parking and therefore of no ecological value while the grassed area in which the car park is proposed does not contain any significant features or habitats that could be detrimentally impacted as a result of this development.

In addition, the Councils' Shared Environmental Services (SES) has been consulted with regard to the impact on Designated Sites. SES advise that 'This planning application was considered in light of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council which is the competent authority responsible for authorising the project.

SES advised during informal consultation that due to the significant land buffer to the closest watercourse and NIW confirming capacity for sewage, there is no viable pathway for effect from this project and as such it is considered that the proposal will have no significant effects on designated sites. Overall, it is therefore considered that the development proposal will have no significant detrimental impact on natural heritage interests. The proposal is therefore considered to comply with PPS 2.

Flood Risk

PPS15 seeks to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere. The applicant has provided a Flood Risk Assessment (FRA) (DOC 05) and a Pre-Development Enquiry (DOC 06) in support of the application.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site, however, DfI Rivers further advise that the site may be affected by undesignated watercourses of which they have no record. In addition, DfI Rivers indicates that the site does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain.

DfI Rivers has reviewed the Flood Risk Assessment (FRA) and while not being responsible for the preparation of the document, accepts its logic and has no reason to disagree with its conclusions.

PPS 15 also requires that consideration is given to the artificial modification of watercourses and to the proximity to reservoirs, neither of which are applicable to this proposal. Overall, it is considered that there is no significant flood risk associated with this site.

Pollution Prevention Control (PPC)

Advice on the relationship between the planning and pollution control regime is set out in Planning Policy Statement 11: Planning and Waste Management. The planning and pollution control regimes are separate but complementary systems for the regulation of proposals. This advises that planning control primarily focuses on whether the development itself is an acceptable use of the land rather than on the control of processes or substances involved. In addition, planning also focuses on regulating the location of the development in order to minimise adverse effects on people, the use of land and the environment.

A search of the constraints on the application site indicated that a PPC license was in effect on the hospital site. The relevant expertise and statutory responsibility for pollution control rests with the relevant pollution control authority(s), in this instance the Northern Ireland Environment Agency (NIEA). NIEA Pollution Prevention & Control team has advised that a PPC Permit for SRCL at Antrim Hospital was surrendered on 7th May '21. It is therefore considered that there is no significant concern in this regard.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The design layout and appearance is considered acceptable;
- There is no significant impact on the amenity to residential properties;
- There is no significant impact on the character and appearance of this area;
- There is no significant parking or road safety concerns; and
- There is no flood risk with this proposal.

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

1. This decision is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. If during the development works, new contamination or risks to the water environment is encountered which have 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 Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks>.

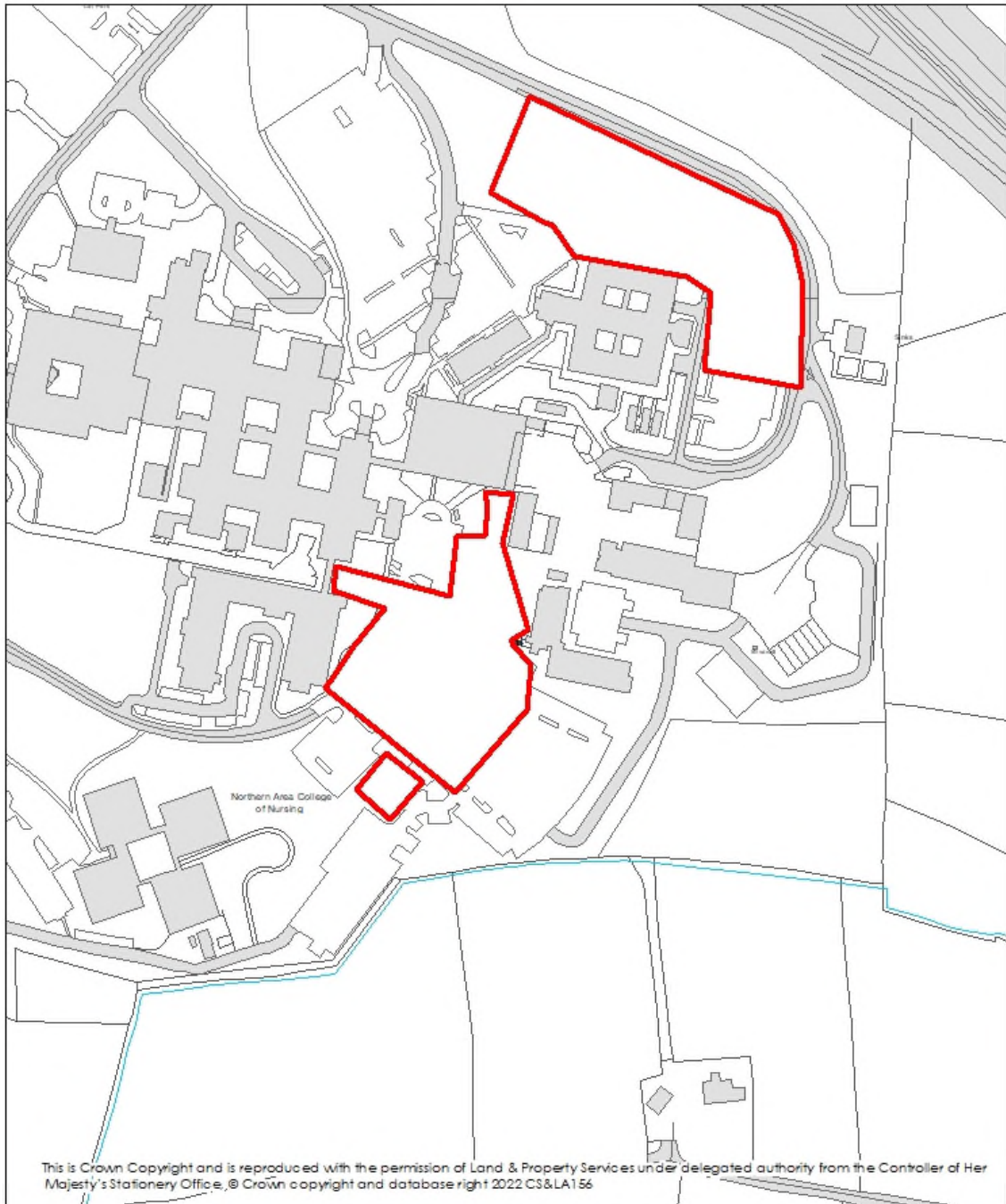
In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

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

3. After completing all remediation works under Condition 2 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report shall be completed by competent persons in

accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report 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.



Planning Application Reference: LA03/2023/0249/F

Location: Lands at Antrim Area Hospital. Bush Road, Antrim, BT41 2RL

Scale: 1:2500



Site Location

Proposal: Development of 2 no. modular bed wards with link corridor to existing hospital; new 2 storey car park containing approx. 210 spaces; modular office building and electrical sub-station



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2023/0129/S54
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	PREVIOUS COMMITTEE DECISION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development. (Variation of Condition 6 of planning approval LA03/2021/0893/F regarding sewage disposal/consent to discharge.)
SITE/LOCATION	333-335 Antrim Road, Glengormley, BT36 5DY
APPLICANT	KC 2021 GG Limited
AGENT	Clyde Shanks Ltd
LAST SITE VISIT	14 th March 2023
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the designated local centre of Glengormley as defined in the draft Belfast Metropolitan Area Plan. The site includes a number of commercial and retail properties along the Antrim Road and the Ballyclare Road.</p> <p>The site extends to approximately 0.3ha in size and is roughly V-shaped. The site is located at the junction of the Antrim and Ballyclare Roads with frontages onto both roads. The application site is a former petrol filling station and ancillary shop which is currently being used as a car wash. The remainder of the site consists of a mix of vacant buildings and single trader retail/commercial units fronting onto the Antrim Road and the Ballyclare Road. These buildings consist of two storey flat roof premises finished with red brick and have a somewhat dated appearance.</p> <p>The wider area surrounding the application site is characterised by a mix of commercial and residential properties of varying heights. The southern side of the Antrim Road is characterised by eight semi-detached bungalows with two storey commercial premises on either side with a two storey commercial snooker club and décor shop particularly prominent features in the street scene.</p> <p>Immediately adjacent to the north-western boundary of the application site is a two storey detached building which contains a ground floor fish and chip shop which sits forward of the building line. Beyond this building the area is dominated by two storey terrace dwellings with small front gardens/yards that act as defensible space to the public footpath and Antrim Road. Further to the northwest beyond these properties is Glenann Court (a Clanmill social housing scheme) consisting of three-four storey apartments of modern design.</p>	

On the eastern side of the application site the area is characterised by commercial properties largely consisting of two storey flat roof buildings. There are also single storey flat roof commercial properties at the junction of Portland Avenue and this street is also dominated by commercial properties.

On the northern most side of the application site fronting onto the Ballyclare Road there are three small single storey retail/commercial units abutting the application site. These three buildings are the exception in height terms along this stretch of the Ballyclare Road, with the properties beyond consisting of a mix of two storey commercial and residential properties. The Lilian Bland Community Park is 150m northwest of the application site.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2022/0980/NMC

Location: 333-335 Antrim Road, Glengormley, BT36 5DY

Proposal: Non material change to LA03/2021/0893/F (Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development.) to reduce floor area of approved apartment 47.

Decision: Non Material Change Granted (21st December 2022)

Planning Reference: LA03/2022/0839/NMC

Location: 333-335 Antrim Road, Glengormley, BT36 5DY

Proposal: Non-material change to planning approval LA03/2021/0893/F (Demolition of existing buildings and construction of 63no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development). Change to substitute 3 bed units for 2 bed units.

Decision: Non Material Change Granted (13th October 2022)

Planning Reference: LA03/2021/0893/F

Location: 333-335 Antrim Road, Glengormley, BT36 5DY

Proposal: Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development.

Decision: Permission Granted (9th May 2022)

Planning Reference: LA03/2020/0768/F

Location: Lands at 333 Antrim Road, Glengormley, BT36 5DY

Proposal: Proposed petrol filling station (6no pumps) with replacement canopy and underground storage tanks, car wash, landscaping, reconfiguration of existing access and all other site works

Decision: Permission Granted (28.10.2021)

Planning Reference: LA03/2018/1016/F

Location: 333 Antrim Road, Newtownabbey, BT36 5DZ.

Proposal: Retrospective change of use from former petrol station to car wash facility.

Decision: Permission Granted (11.04.2019)

Planning Reference: U/2008/0550/F

Location: Car Wash 333 Antrim Road, Glengormley, Newtownabbey, BT36 5D

Proposal: Retention of existing car-wash with ancillary building
Decision: Permission Granted (21.10.2009)

Planning Reference: U/2003/0023/F
Location: 331 Antrim Road, Glengormley.
Proposal: Erection of 2 shop units with first floor storage.
Decision: Permission Granted (10.11.2004)

Planning Reference: U/2003/0589/F
Location: Unit 3-4 Ferbro Buildings, 333 Antrim Road, Glengormley
Proposal: Change of use from shop unit to restaurant with extension to existing takeaway unit.
Decision: Permission Granted (05.12.2003)

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

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

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

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

PPS 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

Northern Ireland Water – No objections subject to the amended condition.

REPRESENTATION

Fifty-Six (56) neighbouring properties were notified, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Policy Context and Principle of Development

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

In this case the principle of development has been established by the planning permission granted by the Council on 9th May 2022 under planning application reference LA03/2021/0893/F. This permitted the demolition of the existing buildings and the construction of 63 no. apartments at 3 storey rising to 5 storey. The scheme included a retail unit at ground floor level, parking provision, new vehicular access and associated development.

As the current application seeks to vary a condition attached to this permission the principle of the development cannot therefore be revisited. Consideration will be given to the proposed variation of the condition imposed on the previous approval and whether the variation of the condition is considered acceptable.

Condition to be varied

The proposed development seeks permission to vary condition 6 of LA03/2021/0893/F:

Original Condition No. 6:

"No development should take place on site until the method of sewage disposal has been agreed in writing with NIW or a Consent to discharge has been granted under the terms of Water (NI) Order 1999.

"Reason: To ensure the project will not have an adverse effect on the integrity of any European Site."

The condition was added initially as NIW raised concerns with the network and wastewater treatment capacity not being available to service the site. In addition, Shared Environmental Services recommended the condition to ensure the project will not have an adverse effect on the integrity of any European Site.

The applicant went through the NIW Pre-Development Enquiry process and Waste Water Impact Assessment process and it was considered through the processing of the previous application (Planning Reference: LA03/2021/0893/F) that it was likely that a solution would be reached by NI Water to allow the development to proceed.

NIW under the previous application, Planning Reference LA03/2021/0893/F, had agreed to a condition that ensures no development takes place until the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from this development and a connection to the sewer has been granted under the Water and Sewerage Services Act (Northern Ireland) 2016. This condition was considered necessary to ensure adequate waste water treatment capacity is available to serve this development.

Applicant's Proposed Condition:

"No development shall commence until an application for an Article 161 Agreement to secure a connection to the public sewer network for the approved development has been submitted and validated to the satisfaction of the Council. The development thereafter shall only be occupied once an Article 161 Agreement has been authorised for a connection to the mains sewer for waste water and foul sewerage from the development."

The variation to the wording as indicated above would essentially allow the developer to fully construct the building once the Article 161 agreement has been submitted to NIW but will restrict occupation of the apartments until the Agreement has been authorised for a connection to the mains sewer for waste water and foul sewerage from the development.

A letter received from the applicant, received 31st March 2023 states that with a projected need of 153 homes in the Glengormley area and 2,932 applicants on the wider Newtownabbey and Antrim waiting lists, housing stress figures are high and there is a requirement to progress new social housing schemes urgently. The applicant has stated that the intention would be to commence construction works in June 2023. A further email received 28th April 2023 from the agent states that the appointed consultant AMK Consulting Engineers are in the middle of the process with NI Water, with Stage 1 being assessed with respect to the existing drainage from the site and with regards the applicants budget, this scheme is being taken out of the applicants year's budget.

It is considered that allowing the building to be fully constructed before it is known whether or when a connection can be achieved would not be appropriate. Whilst typically a pre-commencement condition would be used to secure a NIW connection, in this case, however, this is a previously developed site, there is a need for social housing in this area, and there is a significant delay on the timeframes for sewerage applications to be processed by NIW. In the circumstances, it is considered that it would be acceptable in this instance to allow a phasing approach, i.e. that the developer could build to sub-floor level but would be restricted to not constructing beyond sub floor level until an Article 161 Agreement has been authorised for a connection to the mains sewer. It is considered that the amendment to the condition will significantly assist in bringing forward sooner the delivery of much needed social housing in the area sooner than would otherwise be the case. Therefore, it is considered that the condition should be amended to:

“No development shall commence until an application for an Article 161 Agreement to secure a connection to the public sewer network has been submitted to Northern Ireland Water. No development shall proceed beyond sub floor level until an Article 161 Agreement has been authorised for a connection to the mains sewer and the Council is provided with a copy.

Reason: To ensure the project will have an adequate means of sewage and storm water disposal.

Natural Heritage

Shared Environmental Services in their consultation response to the core permission, planning reference LA03/2021/0893/F had also required that no development should take place until the method of sewage disposal had been agreed in writing with NIW or a Consent to Discharge had been granted under the Water (NI) Order 1999 to ensure that there would not be adverse effects on the integrity of European sites.

While the proposal will allow for construction to commence prior to the method of sewage disposal being agreed, the proposed development has no viable pathway of effect to any European designated site and can therefore have no conceivable effect during the construction phase. The condition will continue to require the method of sewage disposal to be agreed prior to occupation of the units and therefore Habitats Regulations Assessment is not engaged at this stage as the method of surface water and sewage disposal is to continue to be to mains.

CONCLUSION

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

- The principle of the development has been established through planning permission LA03/2021/0893/F;
- It is considered that a variation of the wording of condition 6 of LA03/2021/0893/F is acceptable

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

1. The development hereby permitted shall be begun before the 9TH May 2027.

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

2. No development shall take place until full details of all proposed tree and shrub planting and a programme of works, have been approved by the Council and all tree and shrub planting shall be carried out in accordance with those details and at those times and shall be retained thereafter.

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

3. No apartments shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council for the open spaces indicated on drawing No 03/2 date stamped 27/01/2022. The plan shall set out the period of the plan, long term objectives, management, responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

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

4. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03/1 bearing the date stamp 02/12/2021 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

6. No development shall proceed beyond sub floor level until an Article 161 Agreement has been authorised for a connection to the mains sewer and the Council is provided with a copy.

Reason: To ensure the project will have an adequate means of sewage and storm water disposal.

7. All habitable rooms to the dwellings shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least the Rw values detailed within Appendix B and Appendix C of Document Number 10/1, stamped Planning Section Received 13 Oct 2021.'

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

8. All habitable rooms to the dwellings shall be fitted with acoustic passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least the R_w values, detailed within Appendix B and Appendix C of Document Number 10/1, stamped Planning Section Received 13 Oct 2021.

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

9. The separating floor between the ground floor retail unit and first floor apartments shall be at least 200mm in depth and provide a sound reduction index of at least 56dB.

Reason: In order to protect internal noise levels within first floor apartments above the retail unit.

10. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned and removed, where necessary, in line with the remedial measures as detailed in the RSK Remedial Strategy dated January 2022, report ref: 603620 – R3 (00) and in the Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27). The quality of surrounding soils and groundwater shall be verified and, should any additional contamination be identified during this process, conditions 13 and 14 will apply.

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

11. The development hereby permitted shall not be occupied until the remediation measures as described in the RSK Remedial Strategy dated January 2022, report ref: 603620 – R3 (00) have been fully implemented and verified to the satisfaction of the Council. There shall be no amendments or deviations from the remediation measures and the validation and verification details provided.

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

12. In the event that piling is required at the site, no development or piling work should commence until a piling risk assessment has been submitted in writing and agreed with the Council. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at: <http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf>

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

13. If during the development works, new contamination or risks to the water environment are encountered 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 Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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

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

14. After completing any remediation works required and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

The verification report 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, human health and to ensure the site is suitable for use.

15. Prior to the commencement of development, the applicant shall submit evidence to the Council demonstrating how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161, in a 1 in 100-year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere.

Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

16. The apartments hereby approved shall be operated by a social housing provider and shall be occupied only by a person or persons who have been selected from the Northern Ireland Housing Executive waiting list.

Reason: To ensure that the level of parking is adequate to meet the needs of the development.



Planning Application Reference: LA03/2023/0129/S54

Location: 333-335 Antrim Road, Glengormley, BT36 5DY

Proposal: Demolition of existing buildings and construction of 63no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development. (Variation of Condition 6 of planning approval LA03/2021/0893/F regarding sewage disposal/consent to discharge.

Scale: 1:1000



Site Location



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2023/0232/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE RETROSPECTIVE PLANNING PERMISSION
PROPOSAL	Retention of the use of the ground floor of existing dwelling to office use for a temporary period
SITE/LOCATION	1 Circular Road, Newtownabbey, BT37 0RA
APPLICANT	Julie Cordner
AGENT	Tony McCoey
LAST SITE VISIT	19th April 2023
CASE OFFICER	Leah Hingston Tel: 028 90340403 Email: leah.hingston@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 1 Circular Road, within the development limits of Metropolitan Newtownabbey as defined by the draft Belfast Metropolitan Area Plan (dBMAP) (published November 2004). The site is within the Whiteabbey Area of Townscape Character (ATC) as designated under zoning reference MNY 28 of dBMAP.</p> <p>The site is occupied by a two-storey detached dwelling, finished in red brick, with a steeply pitched red tile roof, and free-standing chimney stacks. It has a single storey rear return which includes a garage. The building is currently occupied by a healthcare practice, namely Connected Health Limited.</p> <p>The site is surrounded by expansive gardens and mature vegetation which provides a green edge to the ATC. The land immediately southeast of the dwelling and accessed from the site is subject to a Tree Preservation Order (TPO).</p> <p>The topography of the site has a gentle south-eastern gradient sloping towards the Shore Road. The south-eastern boundary consists of the external wall of the dwelling beyond which a landscaped patio area and gardens are located. The north-western boundary consists of mature vegetation. The north-eastern boundary is undefined and abuts the internal driveway.</p> <p>The site is located within a predominantly residential area with Wood Green abutting the site to the northwest, higher density housing located along the Circular Road to the southwest and Chestnut Hill located beyond the rear curtilage to the northeast.</p> <p>The Loughshore Park is located in close proximity to the application site, and the commercial area of Whiteabbey Village, which consists of a linear form of shops,</p>	

restaurants, services and some vacant units is located approximately 100 metres to the south.

RELEVANT PLANNING HISTORY

Planning Reference: U/2005/0717/F

Location: 1 Circular Road, Jordanstown, Newtownabbey, BT37 0RA

Proposal: Erection of 1 No. private dwelling

Decision: Permission Granted (07.04.2006)

Planning Reference: U/2007/0814/F

Location: 1 Circular Road, Jordanstown, Newtownabbey, BT37 0RA

Proposal: Erection of 6 no. Single storey dwellings

Decision: Permission Granted (06.01.2009)

Planning Reference: U/2013/0224/F

Location: 1 Circular Road, Jordanstown, Newtownabbey, BT37 0RA

Proposal: Formation of 4 no. Driveways serving house plots 1, 2, 3 and existing house, proposed under previous approval U/2007/0814/F

Decision: Permission Refused (11.02.2014)

Planning Reference: U/2014/0288/F

Location: Land North East and South East of No. 1 Circular Road, Jordanstown, BT37 0RA

Proposal: Erection of 6 no. Single storey dwellings

Decision: Permission Granted (03.03.2015)

Planning Reference: LA03/2016/0120/F

Location: Land North East and South East of No. 1 Circular Road, Jordanstown, BT37 0RA

Proposal: 3 no. Dwellings (alterations to access and site layout from previously approved U/2014/0288/F)

Decision: Permission Granted (10.08.2017)

Planning Reference: LA03/2022/0003/PAD

Location: 1 Circular Road, Jordanstown, Newtownabbey

Proposal: Proposed residential development for 24no dwellings consisting of 12no detached, 1no chalet bungalow, 2no semi-detached and 9no apartments.

Decision: Under Consideration

Planning Reference: LA03/2022/0286/CA

Location: 1 Circular Road, Whiteabbey, Newtownabbey, BT37 0RA

Proposal: Alleged change of use to business premises without planning permission.

Decision: Negotiate to Resolve

Planning Reference: LA03/2022/0612/LDP

Location: 1 Circular Road, Whiteabbey, Newtownabbey, BT37 0RA

Proposal: Completion of development for erection of 1no dwelling as approved under U/2005/0717/F

Decision: Permission Refused (28.09.2022)

Planning Reference: LA03/2022/0623/LDP

Location: 1 Circular Road, Jordanstown, Newtownabbey, BT37 0RA

Proposal: Commencement of residential development for 3no dwellings as approved under LA03/2016/0120/F
 Decision: Permission Granted (06.09.2022)
 Planning Reference: LA03/2022/0942/F
 Location: 1 Circular Road, Jordanstown, Newtownabbey , BT37 0RA (access taken from Shore Road)
 Proposal: Proposed Residential development for 6 no. detached dwellings with access to be taken from the Shore Road. Proposal includes garages, car parking, landscaping and all associated site works
 Decision: Under Consideration

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan Stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan designates the site as Whiteabbey ATC (MNY 28) however it offers no specific guidance on this proposal.

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

PPS 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.

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

CONSULTATION

DFI Roads- Additional information required

Environmental Health- No objection

REPRESENTATION

Four (4) neighbours were notified of the application and no representations have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on the ATC
- Neighbour Amenity
- Access Movement and Parking

Policy Context and Principle of Development

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

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

The application site lies within the development limit of Metropolitan Newtownabbey and the Whiteabbey ATC as defined by dBMAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

The application seeks temporary and retrospective planning permission for a change of use from a residential dwelling to office accommodation to serve a healthcare services business, which falls under Use Class A2, Financial, Professional and other services, of the Planning (Use Classes) Order (Northern Ireland) 2015. The office accommodation is limited to the ground floor of the existing dwelling and includes a staff training room. The agent has stated on the P1 form that planning permission is required on a temporary basis until 30th June 2024.

Paragraph 6.86 of the SPPS states that favourable consideration should be given to an economic development proposal where it is of a scale, nature and design which is appropriate to the character of the particular settlement and subject to meeting normal planning criteria such as compatibility with nearby residential use. The SPPS directs commercial business uses to town centres with the aim to promote sustainability through utilising underused space, maintaining the fabric of buildings and contributing to the overall vitality and viability of town centres. Paragraph 6.271 of the SPPS sets out the 'town centre first approach' within a list of regional strategic objectives. The SPPS states that all proposals must ensure there will be no unacceptable adverse impact on the vitality and viability of an existing centre within the catchment area and meet the requirements of policy elsewhere in the SPPS.

A town centre first approach requires to be adopted for main town centre uses; the SPPS defines town centre uses as being cultural/community facilities, retail, leisure, entertainment and businesses. The office accommodation is associated with business use and offices are commonly found in the centres of towns and villages.

Within Whiteabbey, the commercial core is considered to be the linear row of businesses located on either side of the Shore Road stretching from Whiteabbey Presbyterian Church to the units south of Circular Road. There are a number of vacant units within the commercial core and the application site is located approximately 100 metres north of this area.

A Supporting Statement, Document 01 date stamped 8th June 2023, was submitted to provide the rationale for not being located within a town centre. The rationale set out by the agent is that the proposal is for a temporary change of use of a vacant dwelling until 30th June 2024. The agent emphasises that Connected Health provide an essential care service within Newtownabbey and states the facility "will be relocated to permanent premises, with the benefit of planning permission, if required, when a suitable property becomes available." Document 01 does not provide any evidence of attempts to secure other premises in town centre locations nor does it provide any evidence of a lack of availability of other premises.

The subject office occupies the ground floor of a dwelling and is not located within a town centre location. Given the direction provided by the SPPS, which does not set out any allowances for temporary uses, it is considered that the principle of development at this location is not acceptable.

Impact on the ATC

Annex A of APPS6 directs that for changes of use applications consideration shall be given to the impact of the proposed use on the character and appearance of the area.

The curtilage of the dwelling at 1 Circular Road contributes to a large portion of Whiteabbey ATC and the remainder of the ATC incorporates the commercial core and an area of open space. As the ATC includes commercial uses, the proposed change of use from residential to office use does not harm the character of the ATC. There are no external alterations proposed as part of this application which would adversely impact the appearance of the ATC.

Neighbour Amenity

The proposed change of use does not include any external alterations, which could contribute to residential amenity concerns by way of overlooking or loss of light. The offices are located on the south-eastern side of the building on the ground floor and are sufficiently removed from any neighbouring dwellings. The mature vegetation providing the north-western boundary treatment intervenes between the site and the dwellings located at Numbers 1 and 3 Wood Green. The Council's Environmental Health Section was consulted and responded with no objection.

There is an anticipated intensification of use at the site, albeit the exact numbers of staff attending the site daily, the additional vehicle numbers, and traffic movements associated with the proposed development have not been provided by the agent. Additional information would be required to determine the impact of an intensification of use; however, it is not reasonable to request such information given that the principle of development is considered to be unacceptable.

Access, Movement and Parking

In relation to parking whilst no information has been provided on the additional number of employees attending the premises, the submitted P1 Form states that the site has 10 car parking spaces and does not propose any additional parking provision. However, it is noted that the submitted Block Plan, Drawing Number 02 date stamped 29th March 2023, does not annotate the proposed car parking layout.

DfI Roads was consulted with regards to the development proposal and requested additional information to be submitted, including: an amended P1 Form indicating amendment to an access; the completion of Certificate C serving notice on adjacent landowners; and amended drawings showing the full visibility splays triangulated. It has not been considered reasonable to request the said information and put the applicant to additional expense on the basis that the principle of development is not considered acceptable.

CONCLUSION

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

- The principle of development is unacceptable;
- The proposal does not detract from the character or appearance of the ATC;
- The proposal does not prejudice the privacy or amenity of neighbouring residents; and
- The provisions for access, movement and parking are undetermined.

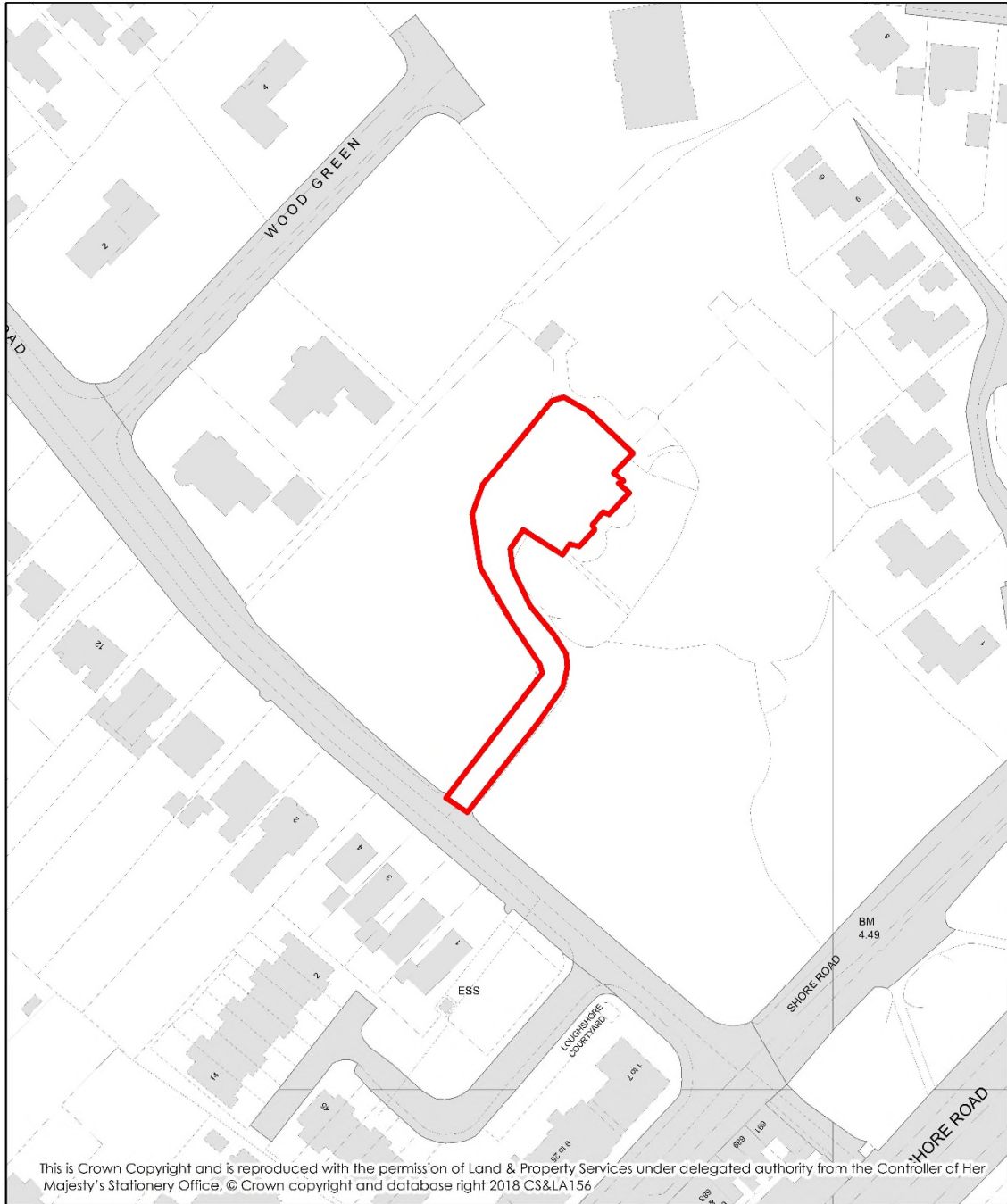
RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement in that the temporary office accommodation lies outside any designated town centre or other retailing area and it has not been demonstrated that a suitable site does not exist within the town centre or any other retailing area.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 3, Access, Movement and Parking, as it has not been demonstrated that the proposed development, if permitted, would not prejudice the safety and convenience of road users.




Site Location Plan

Application Reference: LA03/2023/0232/F

Location: 1 Circular Road, Newtownabbey

Proposal: Change of use of ground floor of existing dwelling to office accommodation



 Site boundary



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2022/1085/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Dwelling and garage
SITE/LOCATION	Rear of 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road)
APPLICANT	Sinead McLaughlin
AGENT	Henry Murray
LAST SITE VISIT	23 rd January 2023
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located to the rear of No. 2 and 3 The Poplars which is within the development limits of Randalstown as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site consists of a split level section of land accessed off the Staffordstown Road. The south-eastern and south-western boundaries are mostly defined by 3-5-metre-tall leylandii hedging and the north-western boundary is partially defined by a mixed species hedgerow up to 3 metres in height and 1.2 metre d-rail fencing defining the remainder. The north-eastern boundary is defined by close board timber fencing. The topography of the application site is split level, with the south-eastern portion sitting approximately 2 metres below the north-western portion. There is a steep drop of 3 metres to the northeast.</p> <p>The surrounding location consists of predominantly residential dwellings of varying house types and plot sizes.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2012/0150/O Location: Rear of 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road) Proposal: One dwelling Decision: Permission Granted (11.04.2013)</p> <p>Planning Reference: LA03/2016/0282/RM Location: Rear of 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road) Proposal: One dwelling and garage Decision: Permission Granted (24.06.2016)</p> <p>Planning Reference: LA03/2023/0257/CLOPUD Location: Rear of 2 & 3 The Poplars, Randalstown</p>	

Proposal: Completion of dwelling and garage in accordance with plans approved under planning references T/2012/0150/O and LA03/2016/0282/RM
Decision: Permitted Development (15.05.2023)

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 Plan identifies the application site as being on unzoned lands within the settlement limit of Randalstown. The plan offers no specific guidance on this proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Department for Communities: Historic Environment Division – No objection.

Northern Ireland Water (NIW) – Refusal due to network capacity issues.

Department for Infrastructure Roads- No objection subject to conditions.

REPRESENTATION

Eleven (11) neighbouring properties were notified and twelve (12) representations have been received from five (5) neighbouring properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- Overshadowing;
- Domineering impact on neighbouring properties;
- Scale and design is incongruous to existing development;
- Proximity to surrounding dwellings;
- Loss of privacy;
- Noise pollution;
- Inappropriate use of sewage treatment plant on the site;
- Sectional drawings do not accurately represent The Poplars;
- Impact on the enjoyment of neighbouring gardens;
- Adverse impact on the quality of life of nearby residents;
- Impact of septic tank on natural environment;
- Devaluation of surrounding property; and
- Increased flood risk in neighbouring properties.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Impact on Character and Appearance of Area
- Neighbour Amenity
- 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 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 settlement limit of Randalstown as defined within the AAP. There are no specific operational policies relevant to the determination of the application in the plan. The application site is located within an existing residential area and as such the principle of a dwelling on this site is considered acceptable 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. Amongst these is PPS 7 Quality Residential Environments and the Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas.

The principle of development for a dwelling within the application site was established under the granting of outline and Reserved Matters permission under planning references T/2012/0150/O and LA03/2016/0282/RM respectively. Planning permission lapsed on the application site on 23rd June 2018 and the dwelling was not completed. A Certificate of Lawful Proposed Development was then granted on 15th May 2023 by the Council for the completion of the dwelling as approved under the earlier grant of planning permission (Ref's: T/2012/0150/O and LA03/2016/0282/RM). This provides the applicant with a valid legal fall-back position, should planning permission not be forthcoming. It is considered therefore that due to the planning history on the application site, the principle of development has been established subject to the application meeting with all other relevant planning and environmental requirements.

Design, Layout and Impact on Character and Appearance of Area

Policy QD1 of PPS7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. Policy QD1 goes on to state that all proposals for residential development will be expected to conform to nine criteria. The design and layout of the proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhood and the wider streetscape.

The proposed development will consist of a single storey detached bungalow, with a lower ground floor level, to include a single storey rear return and a detached single storey garage. The proposed dwelling will be sited approximately 4 metres further to the southeast of the application site than the previously approved dwelling. The dwelling will sit across the split level of the application site and will have two floors of living accommodation provided by a lower ground and ground floor level. The north-western elevation will provide the main frontage onto the Staffordstown Road and will be read as a single storey bungalow dwelling with a ridge height of 5.7 metres above finished floor level. The scale, massing and appearance of the proposed dwelling when viewed from this elevation is consistent with the dwelling permitted development on the application site.

The south-eastern elevation will read more like a two storey dwelling, with ground floor and first floor windows, however, due to the split level of the application site, the windows on the upper level will be no higher than the windows on the ground level of the previously approved dwelling on the application site. A single storey rear return will be provided to the south-western portion of the south-eastern elevation. It will have a mono pitched roof and will have a ridge height of 3.6 metres above finished floor level. Views of this elevation will be restricted from the southeast due to the presence of the leylandii hedgerow that defines the common boundary between the application site and No. 11A Old Staffordstown Road. Fleeting views may be

achieved within The Poplars to the east and northeast of the application site, however, due to the topography of the application site, it will not have a greater visual presence than a single storey dwelling located within the north-western portion of the application site, with a similar land level to the Staffordstown Road. It is acknowledged that the north-eastern gable will be visible when turning onto the Staffordstown Road from the Moneynick Road, however, the embankment is to be retained, which will restrict views of the lower ground floor level, retaining the appearance of the proposed building as a single storey dwelling. The single storey rear return at the lower ground level will reduce the overall massing of the proposed dwelling to the rear.

The south-western elevation will be restricted from critical views due to the laneway and the creation of a retaining wall that will reduce the visibility of the lower ground floor level. Furthermore, the boundary vegetation along the south-western boundary will screen any significant views towards this elevation when traveling southwest to northeast along the Staffordstown Road.

The proposed garage has a consistent design and siting to the garage which was previously permitted on the application site. It will be single storey in nature and will be sited in the northern corner of the application site and to the front of the dwelling. It is considered that whilst this is not normally an acceptable siting location, the applicant has a legal fall-back position and therefore is acceptable in this case.

It is considered therefore that due to the planning history on the application site and the fall-back position provided to the applicant by means of a Certificate of Lawful Development for a dwelling and garage within the application site, the proposed development will not have a significantly greater impact on the character of the surrounding location than the dwelling that has commenced within the application site. The design, scale and massing is therefore acceptable in this case.

Neighbour Amenity

Criterion (h) of Policy QD 1 requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

A number of objections have been received from the neighbouring dwellings in relation to the impact the proposed dwelling may have on their amenity. Impacts such as overshadowing, perceived domineering effect, proximity to neighbouring dwellings, overlooking, noise pollution, impact on the enjoyment of neighbouring gardens and a perceived adverse impact on the quality of life of the residents. In relation to noise pollution, it is accepted that there will be some increase in noise during the construction phase, however this is will not be long term. The end use is for a residential dwelling which is not envisaged to generate high levels of noise and is comparable to the surrounding dwellings in the area. The Council's Environmental Health Section were consulted on the planning application and have provided no objection to the proposal in relation to noise generation. It is therefore considered that the proposed development will not significantly impact the neighbouring dwellings due to the generation of noise.

The closest neighbouring dwellings to the application site which are most likely to be impacted are Nos. 1, 2 and 3 The Poplars. The relationship between these three (3)

dwelling and the proposed dwelling will be gable to rear and will have a separation distance of 23 metres, 18 metres and 22 metres respectively. It is noted that the north-eastern elevation will not be provided with any window voids, therefore disallowing any inappropriate overlooking from the proposed dwelling towards the private amenity area of The Poplars. With the retention of the embankment along the north-eastern boundary, the gable will appear single storey in nature. The proposed dwelling will be sited 4 metres further to the southeast than the previously approved dwelling, however, it will not be moved any closer to the north-eastern common boundary with these neighbours, nor will it have a visibly greater impact than the previously approved dwelling. It is therefore considered that the overall impact will not be significantly changed than the previous design.

No. 11a Staffordstown Road is located to the southeast of the application site. The relationship between this dwelling and the proposed dwelling will be rear-to-rear and there will be a separation distance of 32 metres. Whilst the proposed dwelling will be moved 4 metres closer to the common boundary with this neighbour, the boundary treatment along this south-eastern boundary is a leylandii hedgerow up to 5 metres in height which screens a significant amount of the direct visibility between the two dwellings. There is also no increase in ridge height of the proposed dwelling in comparison to the previously approved dwelling and therefore there is no anticipated impacts from overlooking into the amenity space of this neighbour's dwelling.

No. 12 Staffordstown Road is located 25 metres to the southwest of the application site. This dwelling is a two storey detached building on a consistent ground level with the application site. The relationship between the two dwellings will be front-to-gable. No. 12 Staffordstown Road benefits from having a mature leylandii hedge boundary treatment along its north-eastern boundary abutting the application site. It is considered that due to the separation distance, boundary treatments and topography, there will be no significant impact on this neighbouring dwelling.

Nos. 15b and 15c Old Staffordstown Road provide self-catering accommodation. The buildings are visible from the application site, and the relationship will be front-to-rear. It is considered however that due to the front-to-rear relationship and separation distance of 30 metres, there will be no significant impact on the occupants of these buildings. It is considered that due to the separation distances and the relationships between the remaining neighbouring dwellings that there will not be a significant impact as a result of this proposed development.

Access, Movement and Parking

The proposed dwellings are to be served by the current access from the Staffordstown Road that currently serves the self-catering accommodation at Nos. 15b and 15c Old Staffordstown Road. DfI Roads were consulted on the current application in relation to road safety and have provided no objection subject to compliance with planning conditions relating to the provision of visibility splays and access gradient. The visibility splays had been put in place prior to the commencement of the previous planning permission on the site. It is therefore considered that a condition for the retention and maintenance of the visibility splays should be attached to any grant of planning permission should it be forthcoming.

Other Matters

NI Water has identified that there is no public surface water sewer within 20 metres of the application site and has advised that access to a public surface water network is available via extension of the network or via direct discharge to a designated watercourse subject to consent to be obtained from NIEA. Prior to the application for a Certificate of Lawful Development, this issue was raised with the agent and a proposed sewage package treatment plant was provided as a solution to the network capacity issue. A number of objections were subsequently received from neighbouring dwellings regarding issues regarding flooding and impact on the natural environment. Following the grant of a Certificate of Lawful Development by the Council for the dwelling granted planning permission under Ref's: T/2012/0150/O and LA03/2016/0282/RM, the applicant has a valid fall-back position to erect the dwelling which was previously approved on the site and can therefore connect into the sewer in order to complete this dwelling. It is therefore considered that due the application site benefitting from a Certificate of Lawful Development, a Waste Water Impact Assessment or an alternative solution is not required.

Further objections raised issues that the proposal may result in the devaluation of neighbouring property and that the sectional drawings do not accurately represent the dwellings within The Poplars. Firstly, the devaluation of the surrounding property, whilst it is unlikely to occur as a result of this dwelling, the proposal does not represent a significant change to the dwelling that can be completed by the applicant under LA03/2023/0257/CLOPUD. Due to the valid fall-back position this provides to the applicant, property value will not be any more effected regardless of which dwelling is constructed on the application site. Additionally, whilst it is acknowledged that the sectional drawing submitted (Drawing No. 04, date received 3rd March 2023) does not fully demonstrate the impact the proposed dwelling may have, as concluded above, the cumulative impact of the changes to the design of the dwelling in comparison to that certified under Ref: LA03/2023/0257/CLOPUD will not have a significantly greater impact on the amenity of the neighbouring dwellings.

CONCLUSION

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

- The principle of the development within the development limits is acceptable;
- The density is reflective of the established pattern of development in the area;
- The design and external appearance of the proposal is considered acceptable and would not have a detrimental impact on the character of the area;
- The proposed layout, scale, massing and design of the proposed dwellings will not provide a quality residential environment; and
- The proposal will not result in a significantly greater impact on neighbour amenity due to overlooking and dominance due to the planning history on the application site.

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.

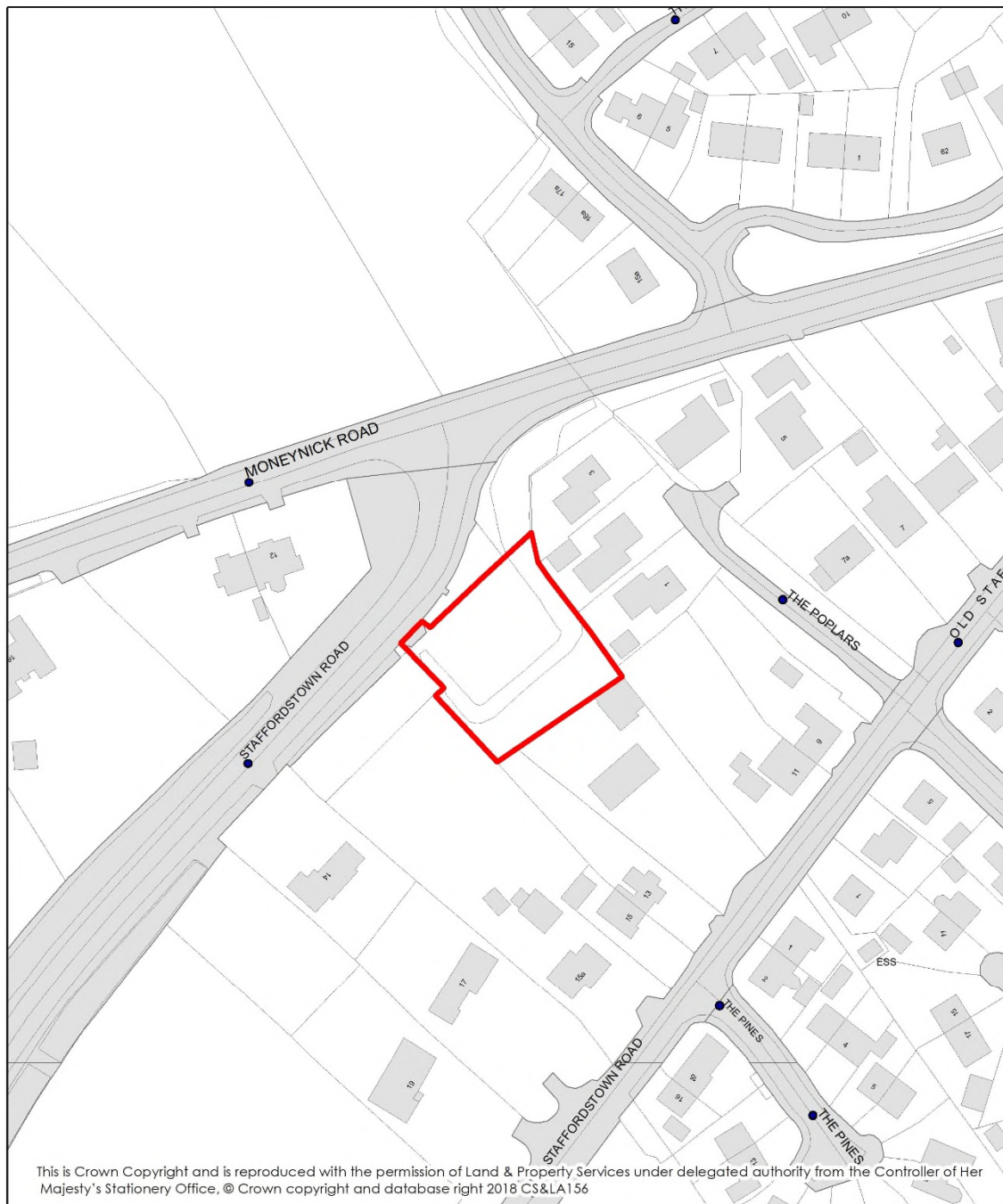
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Prior to commencement, the area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

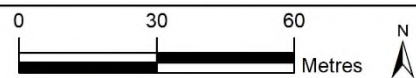



Site Location Plan

Application Reference: LA03/2022/1085/F

Rear of 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road)

Dwelling and Garage (Alterations to house type approved under ref LA03/2016/0282/RM)



 Site boundary

1:1,250



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2023/0327/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of garage/store with increased area for curtilage of dwelling.
SITE/LOCATION	20 Dundesert Road, Crumlin, BT29 4SL
APPLICANT	Thomas Bates
AGENT	Robin Park
LAST SITE VISIT	30th May 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 20 Dundesert Road, Crumlin and is within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site contains a single storey dwelling and associated domestic outbuildings. The dwelling is enclosed by a combination of post and rail fencing, post and wire fencing, trees and hedgerows at different levels of maturity.</p> <p>The extended curtilage area and garage are currently separated from the dwelling and its associated curtilage by a post and rail fence. The area is finished in hardstanding. The northern and north-eastern boundaries are defined by hedgerows and trees measuring approximately 4-6 metres in height, with the roadside boundary defined by a post and rail fence. The western boundary is undefined. The surrounding area is open countryside, with dwellings and agricultural outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning reference: LA03/2023/0275/F Location: 20 Dundesert Road, Nutts Corner, Crumlin Proposal: Erection Of Domestic Stables Decision: Permission Granted (10.05.2023)</p> <p>Planning reference: LA03/2023/0134/F Location: 20 Dundesert Road, Nutts Corner, Crumlin Proposal: Domestic stables Decision: Permission Granted</p> <p>Planning reference: LA03/2022/0172/F Location: 20 Dundesert Road, Nutts Corner, Crumlin Proposal: Domestic garage/store, including extension to curtilage Decision: Permission Granted (26.05.2022)</p>	

Planning reference: LA03/2021/0882/RM
Location: Between 18 and 20 Dundesert Road, Nutts Corner, Crumlin, BT29 4SL
Proposal: 2 Infill Dwellings
Decision: Permission Granted (23.12.2021)

Planning reference: LA03/2020/0450/O
Location: Between 18 and 20 Dundesert Road, Nutts Corner, Crumlin, BT29 4SL
Proposal: 2 Infill Dwellings
Decision: Permission Granted (09.19.2020)

Planning reference: T/2013/0361/F
Location: 20 Dundesert Road, Nutts Corner, Crumlin
Proposal: Single storey extension to rear and side of existing dwelling with detached garage (proposal includes the demolition of an existing barn and former extension at side of dwelling).
Decision: Permission Granted (06.02.2014)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

Addendum to PPS 7 - Residential Extensions and Alterations: sets out planning policy and guidance for achieving quality in relation to proposals for residential extensions and alterations.

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

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

CONSULTATION

Council Environmental Health Section – No objections.

REPRESENTATION

One (1) neighbour was notified of the application and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The 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 proposal seeks retrospective planning permission for the retention of garage/store with increased area for curtilage of dwelling.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. Policy CTY 1 indicates that development not falling into one of the listed categories will be permitted only where there are overriding reasons why it is essential and could not be located within a development limit. There is no provision for residential land use to be extended further into the neighbouring countryside within Policy CTY 1. Policy CTY 1 directs consideration of an extension to a

residential curtilage in the countryside to the addendum of PPS 7 'Residential Extensions and Alterations'. The general purpose building is also assessed under PPS 7 and the additional policy requirements of Policies CTY 13 and CTY 14.

The extension to an existing domestic curtilage is considered acceptable in principle, however, the report below outlines that there are significant concerns with the overall scale and visual impact of the domestic curtilage and the domestic garage.

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

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

The increased curtilage extends a further 59m northwest beyond the rear boundary of the existing dwellings curtilage, creating a total curtilage depth of 130m. The curtilage has also been extended west, increasing the width to 32m at certain points. The area of extended curtilage is finished in hardstanding and remains undefined along the entire western boundary where an agricultural field adjoins. This agricultural field is also under the control of the applicant. It is noted that two dwellings have been approved in this adjacent field under planning references LA03/2020/0450/O and LA03/2021/0882/RM, however, no works have commenced on these grants of planning permission as of yet.

Given the expanse openness of the site, the flat topography, the lack of intervening boundary treatments and any form of enclosure, it is considered that the extension to curtilage is highly visible, especially when viewed from critical viewpoints when travelling east along Dundesert Road. The development has created an overall curtilage depth of approximately 130m, with significant new landscaping required to provide any degree of integration and screening.

The development has resulted in the unnecessary encroachment into the open countryside, eroding the rural character while not having respect to the traditional pattern of settlement exhibited in the surrounding area. The vast majority of roadside dwellings located in the vicinity have modest plot depths, whilst the proposed extended curtilage will be at odds with the established pattern of development, would appear as an anomaly and be incongruous within the landscape. Furthermore, the existing curtilage of the dwelling and the newly extended portion is clearly separated from the rest of the curtilage by a post and rail fence, giving the impression that the plots operate independent of each other and are not associated with each other.

The garage building to be retained has been constructed at a different location as was previously approved under planning reference LA03/2022/0172/F, and is located approximately 33m further northwest than the previously approved site. The garage has also not been constructed to the approved width, length, and height.

The development has been constructed to a height of 6.3m (approved height 4.3m), and to a length of 18.3m and width of 12.2m (approved length 18m, approved width

9.6m). The proposal is not visible from long views given the existing intervening buildings and boundary treatments, however, short views are experienced when travelling east along Dundesert Road. The agricultural field located adjacent and immediately west of the application site lacks any established roadside boundary treatment, which in combination with the flat topography, provides open views of the development.

The development appears wholly detached from the main dwelling, however, it is indicated that the subject building is to remain ancillary to the dwelling even though it has an approximate separation distance of 55 metres. The design of the building appears like an industrial unit, possessing features (4.4 metres high roller shutter doors, grey wall panelling) which are generally associated with industrial buildings. There is a substantial increase in the height of the building by two metres to an overall height of 6.3 metres, alongside the increase in length and width (resulting in the creation of an additional 50sqm of floor space), it is considered that the size, scale and design of the building appears prominent and out of character for the rural landscape, which is further compounded when viewed in the context of the small single storey dwelling located within the application site.

It is noted that a recent grant of planning permission for a stable block under planning reference LA03/2023/0275/F is to be positioned along the north-eastern boundary and outermost edge of the approved curtilage under planning reference LA03/2022/0172/F. The applicant could construct the approved stables which would reduce the visual separation of the subject building from the existing dwelling.

However, it is considered that given the significant size and scale of the subject building, in comparison to the existing dwelling, and the significant separation distance from the dwelling (55 metres) that the subject building would appear incongruous within the landscape, would lack any significant landscaping and would be detrimental impacting the rural character of the surrounding area. In summary, the development is considered out of character for such a rural and exposed location and is considered to result in a detrimental impact on the existing character of the area, therefore failing Policies CTY 13 and 14.

Furthermore, given that the extension to curtilage is not deemed acceptable, the garage is located within the open countryside. The development is not considered to meet any policy test under CTY 1 and no other overriding reasons have been provided why this development is essential and could not be located in a settlement.

Neighbour Amenity

It is considered that there will be no detrimental impact to neighbour amenity by way of overlooking, loss of privacy, overshadowing, loss of light or dominance given the 110m separation distance to the nearest neighbouring property.

Other Matters

The Environmental Health Section of the Council were consulted regarding the proposal and responded with no objections in relation to noise and odour from the subject development.

PPS 15 Planning and Flood Risk

Policy FLD 3 Development and Surface Water (pluvial) Flood Risk Outside Flood Plains requires a Drainage Assessment for a change of use involving new buildings and/or hardstanding exceeding 1000sqm in area. The application is far in excess of the 1000 sqm threshold and therefore requires the submission of a Drainage Assessment in order for an assessment to be made of the development from a flood risk perspective. No Drainage Assessment was submitted, nor was it requested due to the proposed development not being considered acceptable in terms of its visual impact. A reason for refusal on drainage grounds has been added as a precautionary measure.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 of PPS 21;
- The development appears unduly prominent within the landscape;
- The size and scale of the development is inappropriate for the site and location, and the site lacks established boundary treatments for integration;
- The development would fail to blend with the existing landform;
- The development does not respect the traditional pattern of development exhibited in the area;
- There are no neighbour concerns regarding impact on neighbour amenity;
- The development may give rise to surface water flooding and no Drainage Assessment has been provided.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal would appear a prominent feature in the landscape; the site lacks long established boundary treatments; the site relies primarily on new landscaping for integration; the design of the building is inappropriate for the site and locality; the proposal fails to blend with the existing landform; the proposal does not respect the traditional pattern of settlement exhibited in the area.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 3 of PPS 15 Planning and Flood Risk in that it has not been demonstrated that a satisfactory means of drainage associated with the development has been achieved that would not increase the risk of flooding elsewhere.



Site Location Plan

Application Reference: LA03/2022/0327/F

Proposal: Extension to curtilage and retention of garage/store

Location: 20 Dundesert Road, Crumlin, BT29 4SL

0 30 60 Metres



Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2023/0359/O
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed single detached dwelling
SITE/LOCATION	8 Farmley Park, Newtownabbey, BT36 7TT
APPLICANT	Mark Smith
AGENT	John Synnott
LAST SITE VISIT	7 th June 2023
CASE OFFICER	Ashleigh Wilson Tel: 028 903 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 8 Farmley Park, Newtownabbey. This is an urban location within the development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and draft Belfast Metropolitan Area Plan (published 2004) (dBMAP).</p> <p>The application site includes the existing two-storey, semi-detached dwelling at No. 8 Farmley Park, the associated rear garden area to the southern side of the property and driveway to the western side of the property. An existing single storey wooden shed is also located to the west of the existing dwelling within the application site.</p> <p>The front, northern boundary of the site is defined by a one (1) metre high wall, partially with railings on top and partially with a mature hedge on the inside at approximately three (3) metres in height. The wall and hedging extend to partially define the sites western side boundary which abuts the public road at Farmley Gardens. The majority of this boundary is defined by a two-metre-high wall and double metal gates which provide access off Farmley Gardens to a driveway at the western side of the dwelling. The rear, southern boundary abuts the gable end and garage associated with a two storey dwelling at No. 2 Farmley Gardens. This southern boundary of the application site is defined by a 1.5-metre-high wooden fence and trees and hedging of approximately three (3) to four (4) metres in height.</p> <p>An existing two (2) metre high timber fence separates the existing driveway to the existing dwelling at No. 8 Farmley Park and the rear private amenity space associated with the existing dwelling at No. 8 Farmley Park. The northern boundary of the application site is defined by a 1.5-metre-high wall and a further fence on top of approximately 1 metre in height.</p> <p>The area is urban in character and within a dense area of housing. An existing office building (No. 7 Farmley Road) is located beyond the south-eastern corner of the application site.</p>	

RELEVANT PLANNING HISTORY

No relevant planning history.

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, 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.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section

No objection

Northern Ireland Water

Refusal recommended

Department for Infrastructure Roads

Further information required

DfI Rivers

No response to date

REPRESENTATION

Eight (8) neighbouring properties were notified of the proposal and one (1) letter of objection has been received.

The full representations made regarding this proposal are available for Members to view online at the Planning Portal:

(<http://www.planningregister.planningsystemni.gov.uk/simple-search>)

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

- Loss of privacy
- Loss of light
- Loss of view
- Impact on the foul sewer network
- Traffic, parking and access problems
- Devaluation of property

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The 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.

Paragraph 1.10 of the SPPS sets out 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 retained planning policy documents together with the SPPS.

In respect of the proposed development, there is no conflict or change in policy direction between the provisions of the SPPS and that contained in Planning Policy Statement 7 – Quality Residential Environments and the 2nd Addendum to the Addendum to PPS7 – Safeguarding the Character of Established Residential Areas (APPS7). PPS7, APPS7 and Planning Policy Statement 3, Access, Movement and Parking (PPS 3) remain the applicable policies to consider the proposed development against.

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. The existing property on site comprises a semi-detached, two storey residential dwelling set within a larger plot than the surrounding dwellings. Given the existing dwelling on the application site and its location within the urban area the principle of residential development on the site is considered acceptable in the context of the previous land use and the surrounding residential context. The application stands to be considered on its individual merits against prevailing regional planning policy. These matters are addressed below.

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

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS 7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity.'

Policy LC1: Protecting Local Character, Environmental Quality and Residential Amenity of the second addendum to PPS7 deals with the issue of density within residential areas. It states that the proposed density of new development should not be significantly greater than that found in the established residential area. In addition, Policy QD 1 of PPS 7 requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

The character of the area consists of largely semi-detached dwellings fronting onto the road with a back-to-back relationship. Outline planning permission is sought,

however, a block plan along with floor plans and elevations (Drawing No. 03, date stamped 11th May 2023) has been submitted and indicates the proposed dwelling as a detached dwelling situated to the southern side of the existing dwelling (No. 8 Farmley Park).

The block plan indicates the dwelling set back approximately 4.2 metres from the roadside boundary and fronting onto Farmley Gardens. The proposed dwelling respects the existing building line with the remaining dwellings along Farmley Gardens. The block plan indicates the use of the existing entrance off Farmley Gardens to access the proposed dwelling with space for parking to the front of the dwelling. The existing dwelling utilises this area of hardstanding for car parking at present and therefore it is considered this arrangement will not appear out of character with the area.

The proposed dwelling is gable fronted with a hipped roof. The size, scale and roof form of the proposed dwelling matches those of the surrounding area and it is considered the design of the dwelling would not appear out of character with the area. Criterion (c) of Policy QD1 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments'. It states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40sqm for any individual house. Creating Places further indicates that development of this nature requires an average of 70sqm.

In this case, a garden depth of approximately 2.2 metres is indicated to the rear of the proposed dwelling. The amenity space proposed totals approximately 22 square metres to the rear, eastern side of the proposed dwelling. In addition, the proposal will reduce the amenity space for the existing dwelling at No. 8 Farmley Park and will result in the rear elevation of No. 8 (with first floor windows) looking onto the very restrictive amenity space for the proposed dwelling at a distance of 5 metres from the common boundary.

Whilst it is accepted the dwelling is located within a dense housing area, it is considered the amenity space proposed is inadequate, inappropriate and is not reflective of the character of this area.

Taking the above into consideration, it is considered that the proposal is contrary to the provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the second Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, in that the proposed development represents an overdevelopment of the site as inappropriate and insufficient levels of private amenity space have been proposed.

Neighbour Amenity

Criterion (h) of policy QD1 of PPS 7 requires that there are no unacceptable effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

The occupants of No. 6 Farmley Park have objected to the proposal with regards to the impact on their property and garden from overlooking, loss of light and loss of view. The proposed dwelling partly backs onto an existing single storey office building at No. 7 Farmley Road and partly onto the rear garden area of No. 6 Farmley Park. It is accepted that it is the end of the garden furthest away from the house rather than the immediate amenity space, however, the proposed dwelling is indicated approximately 2.2 metres from the boundary of the neighbouring garden. Creating Places guidance document states that a minimum of around 10 metres between the rear of new houses and the common boundary will generally be appropriate. Two first floor bedroom windows are proposed in the rear elevation and it is therefore considered that the proposal will not have an unacceptable impact on the amenity of existing residents in terms of overlooking.

One first floor gable window is proposed on the first floor on the northern side of the proposed dwelling facing towards the rear elevation of the existing dwelling on the application site at No. 8 Farmley Park. This window serves a landing which is not considered to be a habitable room and it is considered the use of obscure glazing could be used to ensure that there is no significant overlooking impact to existing dwellings from this proposed window.

It has been raised through a letter of objection from the occupants of No. 6 Farmley Park that the proposed development would significantly impact on the view from the rear of the property. Given the positioning of the proposed dwelling, it is considered that the neighbours view is not restricted by the proposed development, instead it is a change of view from that which exists at present and it is not considered that the change of view is detrimental to the outlook of the existing dwelling.

With regards to overshadowing, due to the path of the sun and proposed separation distances from the boundaries it is considered that the proposed dwelling would have an overshadowing impact on the existing dwelling at No. 8 Farmley Park as the proposed side elevation of approximately 9.5 metres in length and approximately 8 metres in height from ground floor level would be positioned approximately five (5) metres from the rear elevation of the existing dwelling. In addition, the rear elevation of the proposed dwelling is indicated approximately 2.2 metres from the boundary with the rear garden of No. 6 Farmley Park and therefore overshadowing is likely to occur in the evening. Overall, it is considered the proposal would have an adverse effect on existing properties in terms of overlooking and overshadowing.

Access and Parking

It has been raised through letters of objection that the proposal will increase traffic, parking and access problems for the occupants and neighbours. The existing roads around 6 and 8 Farmley Park are marked with double yellow lines. On-street and off-street parking is currently used by residents with on-street parking also used by non-residents to park while they visit nearby shops, banks etc.

The proposed development requires the use of an existing access to the public road to serve the proposed dwelling. However, the proposal would appear to remove the existing access and in-curtilage parking for the existing dwelling at No. 8 Farmley Park.

Criterion (f) of Policy QD1 requires that adequate and appropriate provision is made

for parking. Creating Places guidance document states that 2.5 in curtilage spaces would be required for the proposed dwelling (or two on-street car parking spaces). The proposal indicates an area to the front of the dwelling which is currently hardstanding to be utilised for parking for the proposed dwelling, however, again the proposal removes the current parking area for the existing dwelling at No. 8 Farmley Park.

No parking statement or detail on the block plan has been submitted with the application to demonstrate how sufficient parking can be accommodated for the existing and proposed dwelling. It is noted that the application site is located on a corner plot with double yellow lines around the majority of the roadside abutting the application site.

DfI Roads were consulted on the application in relation to road safety and has requested a proposed access for existing house No. 8 is indicated with visibility splays of 2.4 metres by 33 metres at any new access. In addition, DfI Roads has requested that parking is indicated as per Creating Places.

Given that the application seeks outline planning permission and the proposal is seen as unacceptable in policy terms, no further information has been requested from the agent as this would constitute nugatory work and put the applicant to unnecessary expense and therefore a refusal reason has been added as a precautionary measure in this instance with regards to access and parking.

Other Matters

Flood Risk

The proposal is located within an area of known constraint for flood risk. DfI Rivers has been consulted and has not responded to date. The site is known to be at some risk from surface water flooding, however, given the level of hardstanding on the site, the only issue would be to ensure that the proposal was constructed with a suitable freeboard and adequate drainage proposals were implemented. It is considered that to request this information from the applicant would lead to nugatory work and expense for the applicant given the recommendation to refuse outline planning permission.

NI Water

Objection has been received from a neighbouring property with regards to the impact on the foul sewer network. NI Water has been consulted and has recommended refusal of the application. There is available capacity at the Waste Water Treatment Works, however, the receiving foul sewage network has reached capacity. This establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. For this reason, NI Water is recommending connections to the public sewerage system are curtailed. NI Water advise that the applicant should consult with them directly to ascertain whether any necessary alternative drainage / treatment solutions can be agreed. No further information has been requested from the agent in this regard as this would constitute nugatory work and put the applicant to unnecessary expense.

It is therefore considered that the proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would cause harm to an interest of acknowledged importance, namely sewage disposal, as it has not been

demonstrated that there is a satisfactory means of dealing with sewage associated with the development.

Devaluation of house prices

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

CONCLUSION

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

- The principle of residential development on this site is considered to be acceptable;
- It is considered that the proposed development represents an overdevelopment of the site as insufficient private amenity space is provided for the proposed development;
- It is considered the proposal would have an adverse effect on existing properties in terms of overlooking and overshadowing;
- The applicant has failed to provide sufficient information to demonstrate that there is a satisfactory means of dealing with sewage associated with the development; and
- there is insufficient information to demonstrate that a safe and suitable means of access and parking for the existing and proposed development can be achieved.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policies QD1 of Planning Policy Statement 7 'Quality Residential Environments' and Policy LC 1 of the second Addendum to PPS 7, Safeguarding the Character of Established Residential Areas in that, it has not been demonstrated that the proposed development can achieve a quality and sustainable residential environment; inappropriate and insufficient levels of private amenity space have been proposed as an integral part of this development; and it will have an unacceptable adverse effect on the amenity of existing residents in terms of overshadowing.
2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP2 of Planning Policy Statement 3, Access, Movement & Parking, and Development Control Advice Note 15 Vehicular Access Standards as there is insufficient information to demonstrate that a safe and suitable means of access and sufficient parking for the existing dwelling and the proposed development can be achieved.

3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would cause harm to an interest of acknowledged importance in that it has not been demonstrated there is a satisfactory means of dealing with sewage associated with the development.



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Site Location Plan

Application Reference: LA03/2023/0359/O

Proposal: Proposed single detached dwelling

Location: 8 Farmley Park, Newtownabbey, BT36 7TT

0 25 50
Metres



Site boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2023/0391/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for infill dwelling and garage
SITE/LOCATION	25M east of 6 Laurel Lane, Belfast, BT14 8SQ
APPLICANT	Alan Brown
AGENT	Park Design Associates
LAST SITE VISIT	7 th June 2023
CASE OFFICER	Ashleigh Wilson Tel: 028 903 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 25 metres east of No. 6 Laurel Lane, Belfast which is located within the countryside as defined within the Antrim Area Plan (1984-2001).</p> <p>The application site is accessed from an existing laneway off Laurel Lane, Belfast. The lane cuts through an existing field and there are no defined boundaries along the laneway for the first ninety (90) metres. The lane then turns in a northerly direction and follows an existing field boundary, defined by mature vegetation on the lanes north-western side and remains undefined on the south-eastern side.</p> <p>The application site itself is irregular in shape and set back off Laurel Lane by approximately 190 metres. The site is undefined along its northern and western boundaries. The north-eastern boundary is partly defined by overgrown hedging and is partly undefined. An existing boundary wall, approximately 1.5 metres in height, partially defines the site's south-eastern boundary with the remainder undefined.</p> <p>A single storey, linear agricultural building is located adjacent to the site's north-eastern boundary and the remains of a derelict outbuilding is located beyond the northern boundary. An old, two storey derelict dwelling (No. 6 Laurel Lane) is located outside, however, abutting the site's western boundary.</p> <p>The topography of the site is relatively flat and a number of recent approvals have been granted within the area. The area is rural in character with a number of dispersed dwellings and outbuildings within the area.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2021/0398/O Location: 4A Laurel Lane, Belfast, BT14 8SQ Proposal: Site for replacement dwelling Decision: Permission Granted (26th November 2021)</p>	

Planning Reference: LA03/2021/0470/O
Location: 6 Laurel Lane, Belfast
Proposal: Site for replacement dwelling
Decision: Permission Granted (21st October 2022)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

PPS 2: Natural Heritage: sets out planning policies for the conservation, protection and enhancement of our natural heritage.

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

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

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

CONSULTATION

Council Environmental Health Section - No objection

Northern Ireland Water - No objection

Department for Infrastructure Roads – No objection, subject to condition

DfC Historic Environment Division – No objection

Defence Infrastructure Organisation LMS – No objection

DfI Rivers – No response to date

REPRESENTATION

Four (4) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of

development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

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

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

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

The application site is located along an existing laneway, approximately 190 metres off Laurel Lane. The curtilage of the site does not extend to Laurel Lane and therefore it is considered that the application site does not have a road frontage along Laurel Lane. The site however, has a proposed frontage onto the existing private laneway. The justification and amplification of Policy CTY 8 indicates that for the purposes of the Policy a road frontage includes a footpath or private laneway.

Two other recent outline approvals have been granted for dwellings along the laneway to the southwest of the application site, Planning Reference: LA03/2021/0470/O for a replacement dwelling for No. 6 Laurel Lane and Planning Reference LA03/2021/0398/O for a replacement dwelling for No. 4a Laurel Lane. These are outline permissions and therefore the replacement dwellings have not been erected, although the dwellings to be replaced are still existing. The existing dwellings at Nos. 4A and 6 do not share a frontage onto the private laneway as No. 6 faces in a south-westerly direction with its curtilage set back from the laneway and No. 4 has a piece of intervening land between its curtilage and the laneway. These buildings do not therefore have a frontage which extends to the private laneway despite how the site location supplied by the agents portrays the layout of the existing buildings.

A further existing outbuilding to the southwest of No. 4a can be considered to share a frontage with the application site. However, this outbuilding and a single storey agricultural building located at the end of the laneway act as a 'bookend' and are the only two buildings that share a frontage with the application site. Therefore, it is considered that a substantial and continuously built up frontage does not exist at this location.

The second element of Policy CTY8 requires the site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Additionally, the third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. As discussed

above, it is considered that there is no 'gap' to be infilled and as such the proposal fails to meet the policy provisions outlined in Policy CTY 8.

The proposed development has also been assessed in respect of a dwelling within an existing cluster. The first criteria of Policy CTY 2a requires that the cluster of development consists of four or more buildings (excluding ancillary buildings of which at least three are dwellings). Whilst a number of existing and approved buildings have been identified on the site location plan within close proximity to the application site, it is considered that four or more buildings (with at least 3 being dwellings) do not surround the application site and therefore the proposal would not be absorbed into a cluster through rounding off or consolidating. Additionally, the cluster would not be associated with any focal point. It is considered therefore that the proposal does not meet with all the requirements of Policy CTY 2a of PPS 21.

As the proposed development does not comply with the policy criteria set out in Policies CTY 8 or CTY 2a, it does not represent one of the types of residential development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No other overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement. The proposal therefore fails Policy CTY 1 of PPS 21 and as such it is considered that there are no other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

All dwellings in the countryside must integrate with their surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings and will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure.

The proposal seeks outline permission and therefore there are limited details with regards to the layout and design of the proposed dwelling. A hatched area is indicated on the site location plan indicating the proposed positioning of the dwelling. The northern and western boundaries of the application site are undefined and the partially defined boundaries to the northeast and southeast consist of vegetation and a 1.5 metre wall.

Although the site lacks any significant boundary definition, views from Budore Road will be limited due to existing vegetation beyond the northern and western boundaries of the application site. Critical views of the site will be achieved from the access laneway and from Laurel Lane when travelling in a north-westerly direction, however, a modest dwelling would be read against a backdrop of vegetation beyond the northern boundary of the application site which would aid integration. Overall, it is considered that this site can provide a suitable degree of enclosure for the proposed dwelling to integrate into the landscape and therefore complies with Policy CTY 13.

Policy CTY 14 of PPS 21 requires the proposal not to cause a detrimental change to, or further erode the rural character of an area. While Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Where ribbon development is created or where an existing ribbon is added to, it will also have a knock-on detrimental impact on the rural character of the area. Paragraph 5.33 of PPS 21 explains that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings can be sited back, staggered or at angles and with gaps between them but can still represent ribbon development, if they have a common frontage or they are visually linked. Owing to the positioning of the existing and proposed dwellings, in this case the proposed siting of the dwelling would not be considered to create a ribbon of development and it is therefore considered that the proposal will not have a detrimental impact on the character and appearance of the area.

Neighbour Amenity

There are no existing dwellings abutting the application site boundaries, however, an outline approval has been granted for a replacement dwelling for No. 6 Laurel Lane to the southwest of the application site. It is considered that given the separation distances proposed between the approved off site dwelling replacing No. 6 Laurel Lane that a modest dwelling could be designed to ensure no significant impact on neighbouring properties by way of overlooking, overshadowing, noise or other disturbance.

Movement, Access and Parking

An existing laneway off Laurel Lane is to be utilised to access the proposed dwelling. The access has been partially granted to serve two recent outline approvals (Ref's: LA03/2021/0470/O & LA03/2021/0398/O). The proposed development requires the alteration of an existing access to the public road to serve the proposed dwelling. DfI Roads were consulted on the application in relation to road safety and has raised no objection to the proposal, subject to a condition.

Other Matters

Flood Risk

The proposal is located within an area of known surface water flooding. DfI Rivers has been consulted and have not provided any comment. It is considered that the issue with surface water flooding could be addressed through detailed drainage proposals, however, to request this information would put the applicant to nugatory expense given the recommendation to refuse outline planning permission.

Ecology

Informal consultation was carried out with Shared Environmental Services (SES) and its response indicates that core works are proposed to be 10+ metres from a possible watercourse located to the north of the proposed site. This watercourse indirectly connects into Lough Neagh and the hydrological connection could be considered slightly tenuous due to the probable nature of it at the development site, and its distance to Lough Neagh & Lough Beg SPA/ Ramsar site – 13+ kilometres west. Any accidentally released contaminated run-off is likely to be suitably diluted and dispersed before reaching the SPA/ Ramsar site, at which point any effect would be negligible. Any non-mains system must be reviewed and authorised by DAERA's Water Management Unit, with a Consent to Discharge a regulatory requirement of the Water (NI) Order 1999. It is therefore concluded that there can be no

conceivable effect on any European site due to the scale, location, nature and type of proposal.

Features of Archaeological Importance

The proposal is located within close proximity to a mound within a Historic Monuments consultation zone. Historic Environment Division (Historic Monuments) has considered the proposal and has raised no objection to the proposal. It is considered the proposal complies with Planning Policy Statement 6 in this regard.

CONCLUSION

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

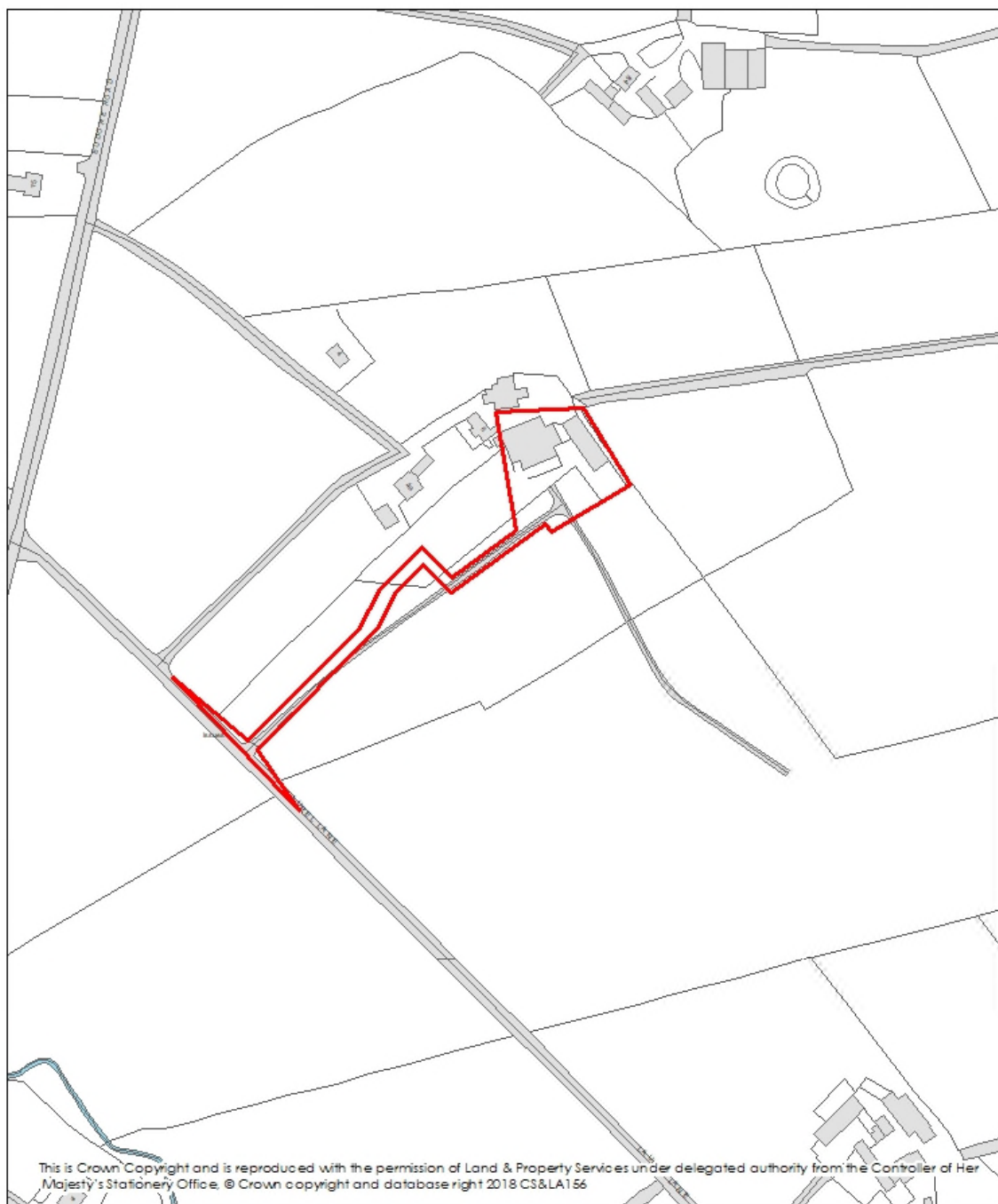
- The principle of the development cannot be established as the proposal is contrary to the policy requirements of Policy CTY 1, CTY 2a and CTY 8 of PPS 21;
- The application site is able to provide a suitable degree of integration;
- The proposal will not create a ribbon of development that would further erode the character of the rural area;
- There are no road safety concerns with the proposal; and
- There is limited risk from surface water flooding.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage and the proposal does not represent a small gap site sufficient only to accommodate a maximum of two dwellings.



Site Location Plan

Application Reference: LA03/2023/0391/O

Proposal: Site for an infill dwelling and garage

Location: 25m east of Laurel Lane, Belfast, BT14 8SQ

0 60 120
Metres



Site boundary



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2023/0255/O
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling on a farm with detached double garage
SITE/LOCATION	Lands. approx. 50m North of 89 Dublin Road, Antrim, BT41 4PN
APPLICANT	David McCabe
AGENT	Park Design Associates
LAST SITE VISIT	4 th May 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 50m North of 89 Dublin Road, Antrim which is located within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is located off the Dublin Road and forms a rectangular shape. The topography of the site is generally flat, with the site located at a slightly lower level than in comparison to the road. No.89 Dublin Road bounds the application site to the southern aspect. The eastern (roadside) boundary is defined by a 1m high timber and rail fence which has a number of interspersed trees measuring approximately 4-6 metres in height. The southern boundary is defined by a 1m high post and wire fence. At the time of site inspection, the site appeared to be in agricultural use.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out in a dispersed settlement pattern. It is noted that along this stretch of the Dublin Road, the application site is located adjacent to a linear row of six dwellings.</p>	
RELEVANT PLANNING HISTORY	
No recent/relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.</p>	

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

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

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

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

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

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

CONSULTATION

Council's Environmental Health Section – No objection.

Northern Ireland Water – WWIA requested.

Department for Infrastructure Roads- If the proposal meets an exception under the Protected Routes Policy, no objection, subject to condition.

Belfast International Airport- No objection.

Department for Communities Historic Environment Division- Additional information requested.

Department for Agriculture, Environment and Rural Affairs- The Farm Business ID was allocated in January 1996. The business has claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last six years. The response also states that the proposed site is located on land for which payments are currently being claimed by the farm business.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is Policy CTY 10 which states that planning permission will be granted for a dwelling on a farm where all of the three listed criteria can be met.

The Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response dated 10th May 2023 that the associated farm has been in existence for more than 6 years, the farm business ID having been allocated in January 1996. Their response also confirms that the farm business claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last 6 years. The response also states that the proposed site is located on land for which payments are currently being claimed by the farm business. The proposal is

considered to comply with this criterion and therefore the business is accepted as being active and established.

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

Policy CTY 10 also requires any new building to visually link or be sited to cluster with an established group of buildings on the farm. The application site is located adjacent to No.89 Dublin Road (dwelling and garage) which is contained within the blue line indicating it is under the control of the applicant. The P1 form notes the applicant's address as 11 Ballyarnot Road, Antrim. The submitted farm maps display the farm holding which contains a number of agricultural buildings and the majority of lands surrounding 11 Ballyarnot Road, Antrim.

The agent was contacted regarding concerns that the proposal was not sited to visually link or cluster with an established group of buildings on the farm, and that there was no information to suggest the dwelling and garage located at No.89 Dublin Road are associated with the farm holding. The agent subsequently submitted information from a solicitor and a conveyancing document which confirms the applicant owns the property, however no information was forwarded which confirms that this property is an established group of buildings on the farm. The aforementioned property at 89 Belfast Road while under the ownership of the applicant does not appear to be a building on the farm holding. The farm holding incorporates existing agricultural buildings and a large area of farmland which bounds No.11 Ballyarnot Road on three aspects. No supporting documentation has been provided to indicate why the proposal cannot be sited beside the existing established farm buildings. As such the proposal is considered to fail the policy requirements of CTY 10.

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

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

This application is for outline permission only, the design elements of the dwelling would normally be considered under a subsequent Reserved Matters application, however, it is considered that a suitably designed dwelling would be acceptable on the site without appearing as a prominent feature within the landscape. The site benefits from mature tree coverage to the eastern (roadside) boundary, with the site sitting at a lower level than the Dublin Road. These factors, combined with conditions restricting the ridge height to 6m and the submission of a planting schedule at Reserved Matters stage would reduce the proposals visual presence from any critical viewpoints and further aid integration within the surrounding landscape. The proposal is considered to meet the requirements of Policy CTY 13

The application site is located adjacent to a linear form of development which fronts onto the Dublin Road, forming a bookend along this stretch of road. The development of the site would result in an additional dwelling and garage located along this heavily built-up stretch of roadway, which already contains six dwellings, further extending development into the countryside and adding to the existing ribbon of development.

It is considered that the additional buildings at this location would further erode the rural character of the countryside, resulting in a suburban style build-up of development when viewed with the existing built form. The proposal is therefore considered to fail Policies CTY 8 & 14.

Neighbour Amenity

The agent has indicated a proposed siting for the dwelling, whereby it would be located approximately 24m from the nearest neighbouring dwelling (No.89 Dublin Road), with a gable-to-gable relationship. As the application seeks outline permission, limited details have been provided regarding the proposal, however, given the linear form of development along this stretch of the Dublin Road and the gable-to-gable relationship, it is considered that an appropriately designed dwelling could be accommodated on the site which results in no detrimental impact to neighbouring amenity.

Access and Parking

Access to the application site is to be gained from the Dublin Road. DfI Roads were consulted regarding the application and responded with no objections subject to conditions if the proposal meets an exception under Policy AMP 3 Protected Routes. As the principle of development has not been established for a farm dwelling under CTY10, and the proposal does not meet any other exception as listed, the proposal is considered contrary to Policy AMP 3 of PPS 3.

Other Matters

The Council's Environmental Health section were consulted regarding the proposal and responded with no objections to the proposed development.

Historic Environment Division were consulted regarding the proposal due to its location within a consultation zone (ANT050:148). HED responded requiring an archaeological evaluation in order to assess whether the proposal is acceptable to Policy BH2 of PPS6. No archaeological evaluation was submitted, nor was it requested due to the principle of development not being established.

Belfast International Airport were consulted regarding the proposal and responded with no objections at this outline stage.

Northern Ireland Water were consulted regarding the proposal and responded noting network capacity issues in relation to the nearby public sewerage system and that connections are curtailed. Their response also notes the applicant is required to submit a Wastewater Impact Assessment (WWIA) to assess the proposal and any potential solutions. However, as indicated on the P1 form, the applicant intends for foul sewerage to be disposed of, via a septic tank, whilst surface water will be disposed of through soakaways, therefore no connection to the public mains is required to service this proposal.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policies CTY 1 and CTY 10 of PPS 21;
- It is considered a dwelling could be accommodated within the site and integrate appropriately within the landscape;
- It is considered that a dwelling on the site would add to a ribbon of development;
- An appropriately sited dwelling would not have a detrimental impact on neighbouring amenity;
- The proposal is considered contrary to Policy AMP 3 of PPS 3 as it does not meet an exception to the protected routes policy; and
- It has not been demonstrated that the proposal will not have an adverse impact on an archaeological site.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the new building is not visually linked or sited to cluster with an established group of buildings on the farm.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the new building would add to a ribbon of development.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy AMP 3 of Planning Policy Statement 3 and Annex 1- Consequential amendment to Policy AMP3 of PPS3 as contained within PPS21, Access, Movement and Parking, in that the proposal does not meet the exceptions test for a new access onto a Protected Route.
5. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy BH2 of Planning Policy Statement 6, Planning, Archaeology and the Built Environment, in that it has not been demonstrated that the proposal will not have an adverse impact on an archaeological site.



Site Location Plan

0 60 120
Metres



Application Reference: LA03/2023/0255/O

Proposal: Site for dwelling on a farm with detached double garage

 Site boundary

Location: Lands, approx 50m North of 89 Dublin Road, Antrim, BT41 4PN



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2023/0363/O
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION
PROPOSAL	Site for a Dwelling, Garage and Associated Siteworks (Renewal of LA03/2020/0567/O)
SITE/LOCATION	50m south east of 10 Grange Road, Nutts Corner, Crumlin, BT29 4TE
APPLICANT	S Graham
AGENT	Nigel Coffey
LAST SITE VISIT	30 th May 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 50m southeast of 10 Grange Road, Nutts Corner, Crumlin which is within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is set back approximately 240 metres from the Grange Road and is accessed via a private laneway which currently serves a farm complex. The application site forms a rectangular shape cut out of a larger agricultural field. The topography of the land is generally flat, with an agricultural entrance providing access onto a private laneway. The application site is located adjacent to and southeast of the main farm grouping. The north-eastern, south-western, and north-western boundaries are defined by mature hedgerows measuring approximately 2-3m in height, alongside interspersed mature trees.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out in a dispersed settlement pattern.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0567/O Location: 50m south east of 10 Grange Road, Nutts Corner, Crumlin, BT29 4TE Proposal: Site for a dwelling, garage and associated site works Decision: Permission Granted (09.12.2020)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development</p>	

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

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

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

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

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

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

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

CONSULTATION

Council's Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection, subject to condition.

Department for Communities Historic Environment Division- No objection.

Department for Agriculture, Environment and Rural Affairs- The Farm Business ID was allocated in November 1991. The business has claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last six years. The response also states that the proposed site is located on land for which payments are currently being claimed by the farm business.

REPRESENTATION

Three (3) neighbouring properties were notified and five (5) letters of representation have been received from occupied properties in the wider area. Two (2) letters were received from neighbour notified properties.

(The full representations made regarding this development are available for members to view online at the Planning Register (<https://planningregister.planningsystemni.gov.uk>)

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

- Traffic/road safety;
- Land/development disposals.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is Policy CTY 10 which states that planning permission will be granted for a dwelling house on a farm where all of the three listed criteria can be met.

The principle of development was established onsite under planning reference LA03/2020/0567/O dated 9th December 2020, with an expiry date of 9th December 2023. It is noted that the red line for the current application remains the same as previous approval Ref: LA03/2020/0567/O. The current application was received on the 10th May 2023, prior to the expiration of the previous grant of outline planning permission and is therefore a valid renewal opportunity. As a period of three years has passed since the initial grant of planning permission, and the proposal is for a farm dwelling, the applicant is required to demonstrate that they have been active and established over this period.

The Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response dated 23rd May 2023 that the associated farm has been in existence for more than 6 years, the farm business ID having been allocated in November 1991. Their response also confirms that the farm business has claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last 6 years. The response also states that the proposed site is located on land for which payments are currently being claimed by the farm business. The proposal is considered to comply with this criterion.

A number of objection letters make reference to the applicant disposing of a number of previously approved development opportunities. A site history check has been carried out on the lands submitted and shown on the farm maps and there does not appear to have been any development opportunities sold off from the farm holding within 10 years of the date of the application. This is further confirmed by the answer to Q5 of form P1C which states that there have been no dwellings or development opportunities sold off from the farm holding within the last 10 years.

Policy CTY 10 requires that any new building is visually linked or sited to cluster with an established group of buildings on the farm. The application site is located adjacent to and southeast of the existing farm grouping. It is considered that a dwelling on the site would visually link and cluster with the existing established grouping of buildings on the farm holding.

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

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

This application seeks outline permission only, with the design elements of the dwelling normally being considered under a subsequent Reserved Matters application. It is considered, however, that a suitably designed dwelling would be acceptable on the site without appearing as a prominent feature within the landscape given the approximate 240m setback distance from the Grange Road and intervening boundary treatments and vegetation elements which screen and filter direct views of the application site. It is noted that intermittent views of the site may be experienced and so a height condition in relation to the dwelling is to be attached in order to minimise any potential visual impact of the development.

Given the extent of the red line, a curtilage condition is to be attached which will ensure the proposal respects the traditional pattern of settlement exhibited in the area. The submission of a landscaping scheme at the Reserved Matters stage will also be required in order to provide details regarding the undefined boundaries.

In summary, subject to a number of conditions, it is considered that the proposal will integrate appropriately and respect the rural character of the area. The proposal is considered to meet the requirements of Policies CTY 13 and CTY 14.

Neighbour Amenity

As this is an outline application, details regarding the design, siting and layout of the proposed dwelling have not been submitted. It is considered that a dwelling of appropriate scale, design and orientation could be positioned within the application site as to not have a negative impact upon adjacent neighbouring properties, with the closest neighbouring property located approximately 200m from the application site.

The proposal is located northeast of the existing farm dwelling, whereby a mature hedgerow and interspersed trees define the boundary, providing adequate screening between the plots, therefore no impact to the amenity of the farm dwelling is expected.

Access and Parking

Access to the application site is to be gained from the Grange Road. A number of objection letters make reference to the single lane nature of Grange Road and that the proposal would result in additional traffic movements along an already busy roadway. DfI Roads were consulted in order to assess the development in relation to road safety, visibility splays and sightlines, and the developments impact on the flow of traffic. DfI Roads responded with no objections to the development and as they are the statutory consultee with regards to any intensification of existing accesses onto the public highway, they are given determining weight. As no objections were raised from DfI Roads, the Council has no reason to refuse the application on road/pedestrian safety concerns. The development is therefore considered to meet this criteria.

Other Matters

The Council's Environmental Health Section were consulted regarding the proposal and responded with no objections.

Historic Environment Division were consulted regarding the proposal due to the sites location within a consultation zone for a number of scheduled monuments. HED responded with no objections to the proposal.

The Health and Safety Executive Northern Ireland were consulted regarding the application due to its proximity to a pipeline. Under the previous grant of planning approval (Ref: LA03/2020/0567/O), they offered no objections to the application subject to an informative, therefore it was not deemed necessary to re-consult them on the current application.

A number of objection letters note the additional traffic, mess and disturbance that will be caused by HGVs serving the site during the construction of the proposal. The

Council accepts that HGV movements will be required to facilitate the construction phase, however this is considered temporary. Furthermore, the proposal is for one dwelling, whereby it is not expected that the development would require substantial weekly HGV movements in order to facilitate the construction process. An objector also notes concerns that the applicant is going to build two dwellings on the site and not one. The application is for a proposed dwelling and garage on a farm in accordance with Policy CTY 10 of PPS 21. Under this policy provision, only one dwelling can be applied for every ten years. The applicant has not submitted any further applications under a different policy provision for a second dwelling on the application site.

Letters also make reference to debris on the roadway. This would be a matter for DfI Roads who have responsibility over roadways. Any debris which poses significant risk should be immediately referred to the PSNI.

CONCLUSION

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

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

RECOMMENDATION

GRANT OUTLINE PLANNING PERMISSION

PROPOSED CONDITIONS

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates: -
 - i. the expiration of 5 years from the date of this permission; or
 - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Full particulars, detailed plans and sections of the reserved matters required in Condition 02 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by the Council.

Reason: To ensure the dwellings integrates into the landform

5. No development shall take place until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted along the south-eastern boundary of the site. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

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

6. If within a period of 5 years from the date of the planting of any trees 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.

7. The proposed dwelling, garage and its associated curtilage shall be contained within the area shaded yellow to the north/northwest section of the application site as shown on Drawing No. 01 date stamped 10th May 2023.

Reason: To ensure that the development is not prominent and satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21.

8. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access location to be constructed and other requirements in accordance with the attached RS1 form.

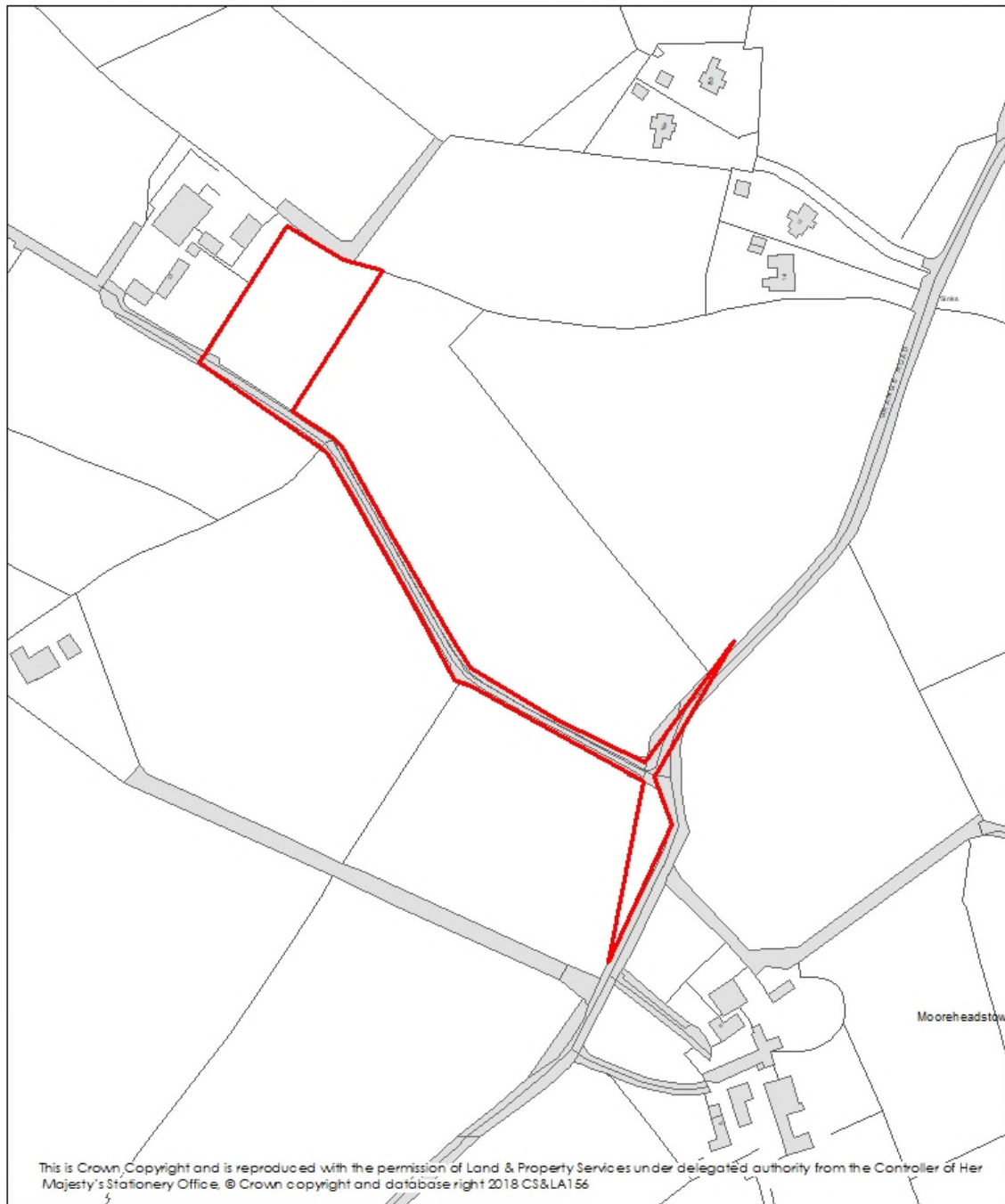
Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

9. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.3 metres at any point.

Reason: In the interest of visual amenity.

10. The proposed dwelling shall have a ridge height of less than 7.7 metres above finished floor.

Reason: In the interest of visual amenity.




Site Location Plan

Application Reference: LA03/2023/0363/O

Proposal: Site for a dwelling, garage and associated siteworks
(renewal of LA03/2020/0567/O)

Location: 50m southeast of 10 Grange Road, Nutts Corner, Crumlin, BT29 4TE

0 60 120
Metres

 Site boundary



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2023/0136/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed shed for agricultural storage
SITE/LOCATION	250M SE of 16 Rathbeg Road, Antrim, BT41 2QS
APPLICANT	Martin Johnston
AGENT	Austin Mullan
LAST SITE VISIT	13 th April 2023
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 250 metres southeast of No. 16 Rathbeg Road, Antrim. This is a countryside location as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site consists of the north-western section of a larger agricultural field. The south-western and north-western boundaries of the site are undefined. The north-eastern boundary is defined by a tree lined hedgerow between 2 and 7 metres in height. The south-eastern boundary is defined by a 1.2-metre-tall post and wire fence. The topography of the application site rises in a north-easterly direction.</p> <p>The surrounding location is countryside, with few outbuildings and single dwellings. The M2 Motorway is visible to the south of the application site.</p>	
RELEVANT PLANNING HISTORY	
No relevant/ recent planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.</p> <p>The Strategic Planning Policy Statement for Northern Ireland (SPPS) published in September 2015 confirms that until such time as a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy</p>	

and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- No objection

Department for Communities Historic Environment Division - No objection

Department for Agriculture, Environment and Rural Affairs- The farm business ID was allocated in November 1991. The business has claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last six years. The response also states that the proposed site is located on land for which payments are currently being claimed by the farm business.

REPRESENTATION

No neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on the Natural Environment
- Design and Appearance
- Neighbour Amenities
- Other Matters

Policy Context and Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of its council area. The SPPS retains some existing Planning Policy Statements (PPS) one of which is 'Sustainable Development in the Countryside' (PPS21). Policy CTY 1 of PPS 21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. It goes on to say that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

One of these types of development is for development on an active and established agricultural or forestry holding in accordance with the provisions of Policy CTY 12 of PPS21. For the purposes of defining an active and established farm, paragraph 5.56 of Policy CTY 12 indicates that the definition of an active farm is the same as that provided within Policy CTY 10. DAERA's Countryside Management Branch has been consulted on the application and has responded to confirm that the Farm Business ID was issued on 19th November 1991. It is noted in DAERA's response, that the business has claimed Single Farm Payment (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri-Environment Schemes in each of the last six (6) years. It is therefore considered that the farm business is active and established.

In support of the application, the agent submitted a number of farm related documents and a supporting statement (Document 03, date received 12th May 2023). It is noteworthy that the applicant has an existing agricultural holding at his principal farm complex at 94 Gallagher Road, Toome which is approximately 15 miles from the application site. This is approximately a 30-minute drive by car avoiding the motorway due to restrictions on agricultural vehicles using motorways. In order to demonstrate that the new building sited away from the existing farm complex is required, it must be shown that there are no suitable existing buildings on the holding or enterprise that can be used and that it is essential for the effective functioning of the farm or there are demonstrable health and safety reasons. The supporting statement does not expand on why the existing buildings on the holding cannot be utilised, simply stating that it is not possible.

To demonstrate that it is essential for the efficient functioning of the business, it references the distance between the farm complex and the application site, with the applicant having to use B roads in order to avoid the M2 motorway. It states that the shed is required for equipment and tool security and lists the items to be stored within

the shed. These are to include:

- Vehicles and equipment;
- Fertilizers;
- Hay and straw;
- Animal meals;
- Petrol, diesel and other fuels;
- Isolate sick or injured animals; and
- Isolate calving cows.

It has not been fully substantiated and it is unclear as to why the construction of a building within the existing farm or at the very least an existing building cannot be used for this purpose if there is not one designated to fulfil this function already. Whilst it is acknowledged that a building would afford greater convenience to the applicant by means of not having to transport items to and from the main farm complex, the siting of an additional agricultural building away from any of the existing farm complex is not considered essential for the efficient functioning of the business given that there are only two hectares of land at this location. In addition, there are no demonstrable health and safety reasons presented with the supporting information to demonstrate why this building needs to be sited away from the existing buildings on the farm. The development does not provide an exceptional case for a new farm building sited at an alternative site away from the existing farm business and its buildings.

The applicant states that the shed is required purely for the purpose of the storage of tools and equipment to be used in the maintenance and upkeep of the lands at this location. The applicant owns 2.2 hectares of land at this location and proposes to erect a shed which measures 320sqm which is a very significant size. There is no justification as to why a shed of the size proposed, is required to be able to farm such a small outfarm.

It is considered therefore that the application does not meet with the requirements of Policy CTY 12 and therefore the principle of development has not been established.

Impact on the Natural Environment

The application seeks planning permission for a shed for agricultural storage. Document 03 (date received 12th May 2023) shows that the building will be used for the storage of agricultural equipment. There is nothing to demonstrate that the building will be provided with a slatted floor and slurry tanks for the long-term housing of cattle. It is considered that should planning permission be granted, the shed will only be used for storage and not for the housing of livestock and this matter can be controlled by means of a planning condition should planning permission be forthcoming.

Design and Appearance

Policy CTY 12 of PPS 21 requires the building to be appropriate to its location in terms of size and scale, it should visually integrate into the local landscape and the design and materials be sympathetic to the locality; as required by Policy CTY 13. The shed takes the form of a rectangular plan with a mono pitched roof. The building has a ridge height of 6.2 metres above ground level, it is 24.6 metres wide and has a depth of 13 metres. The design and appearance of the building making use of corrugated

iron cladding, translucent roof sheeting and shuttered concrete walls provide the appearance of an agricultural building typical of a countryside location.

The application site benefits from having mature boundary treatments along its north-eastern boundary, however, swathes of this boundary will likely be removed to allow the visibility splays to be created at the access point. The siting of the proposed shed will be midway along the south-eastern boundary of the larger field. Due to the topography of the application site, the shed will have a backdrop given the undulation in the lands. Furthermore, the south-western boundary of the agricultural field, which is within the control of the applicant, has a substantial boundary treatment of trees up to 7 metres in height. It is therefore considered that there will be sufficient landscaping to encourage the integration of the building into the surrounding countryside. The backdrop provided by the topography of the lands will further encourage the integration of the proposed shed.

Overall it is considered that the design of the building is acceptable and the building will integrate with the surrounding countryside and therefore is acceptable in terms of integration in accordance with Policy CTY 13 of PPS 21.

Neighbour Amenity

It is noted that there are no abutting neighbouring dwellings to the application site. The closest dwelling is No. 16 Rathbeg Road, which is located 250 metres to the northwest of the application site. Due to the separation distance involved, it is considered that there will be no significant impact on the amenity of any nearby dwellings.

Other Matters

Road Safety

DfI Roads were consulted as part of the application and have provided no objection to the proposal subject to standard conditions.

CONCLUSION

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

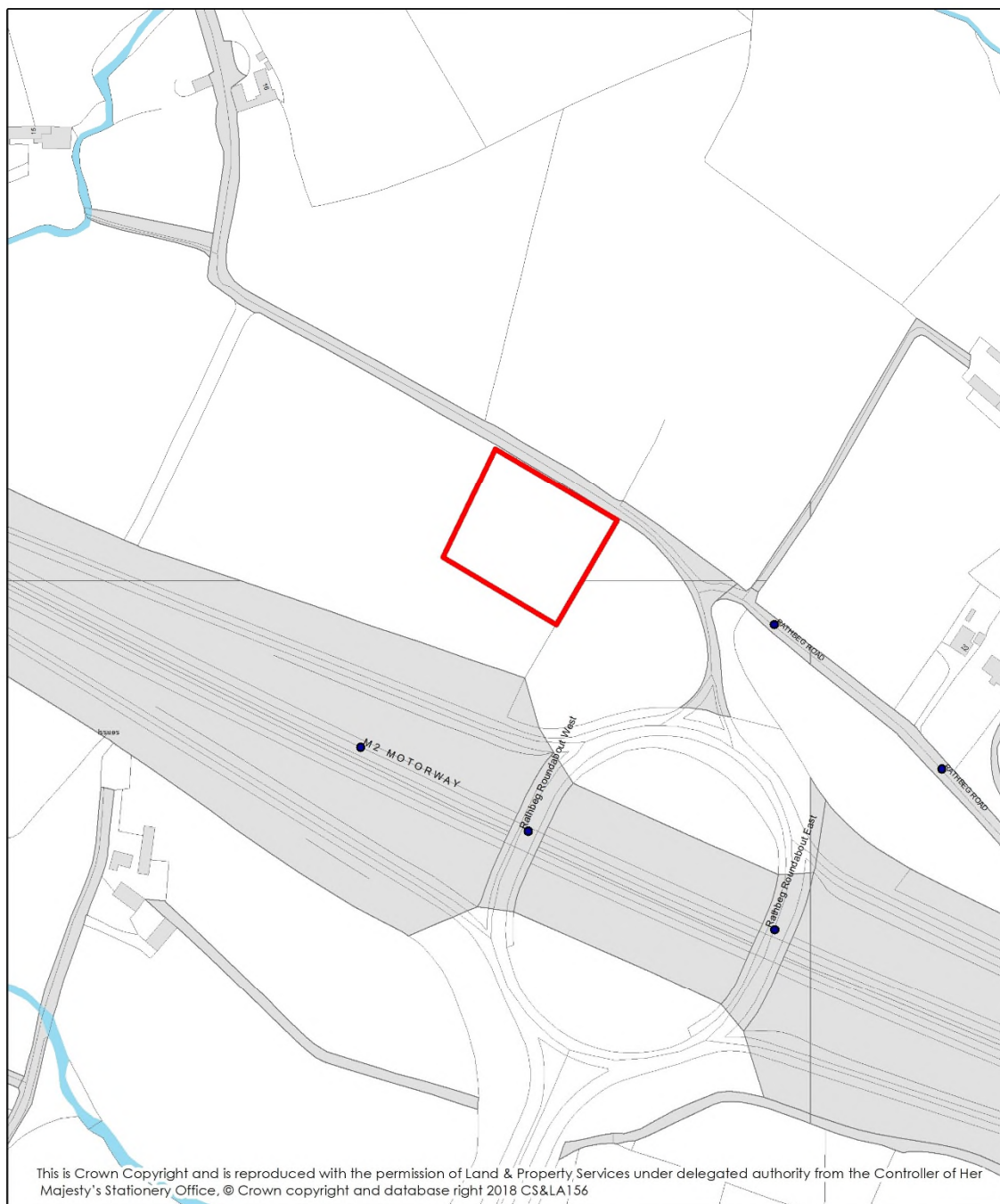
- The principle of the development is considered unacceptable given the site's location away from the existing farm cluster;
- The proposal will integrate into its receiving rural environment; and
- There are no concerns in relation to neighbour amenity.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the building is not clustered with an established group of farm buildings on the agricultural holding, in addition it has not been demonstrated that a new building is required for the efficient functioning of the farm business.

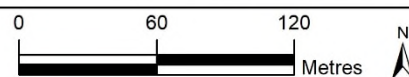



Site Location Plan

Application Reference: LA03/2023/0136/F

250m Southeast of 16 Rathbeg Road, Antrim, BT41 2QS

Proposed shed for agricultural storage



 Site boundary

1:2,500



COMMITTEE ITEM	3.13
APPLICATION NO	LA03/2023/0171/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Covered livestock pen (retrospective application).
SITE/LOCATION	65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin BT29 4DD.
APPLICANT	Vincent Connon
AGENT	Big Design Architecture
LAST SITE VISIT	13 th April 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40442 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>At the Planning Committee meeting of the 19th June 2023, the application was deferred to allow the agent/applicant a further opportunity to submit additional information to support their application. The time allowed to submit this information was restricted to two weeks, however, at the time of writing no further information has been submitted. As there is no new information to consider the recommendation to refuse planning permission remains unchanged.</p>	
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that i) the building is not clustered with an established group of farm buildings on the agricultural holding, ii) it has not been demonstrated that a new building is necessary for the efficient functioning of the farm, iii) there is no persuasive evidence that a building at this location is necessary for the efficient functioning of the farm. 2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 12 & 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building fails to integrate into the landscape. 	

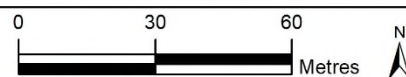


Site Location Plan

Application Reference: LA03/2023/0171/F

65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin
BT29 4DD

Covered livestock pen (retrospective application)



 Site boundary

1:1,250



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2022/1069/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Part change of use of Council building for extension to previous approved adjoining waste transfer station (T/2012/0225/F). Internal layout changes, changes to the elevation, installation of 35m stack and other site works.
SITE/LOCATION	Council Depot, 6B Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU
APPLICANT	Natural World Products Ltd
AGENT	MBA Planning Ltd
LAST SITE VISIT	10/02/2023
CASE OFFICER	Tierna Mc Veigh Tel : 028 903 40401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 6b Orchard Way, Antrim which is within the development limits of Antrim Town as designated in the Antrim Area Plan 1984 -2001. The site is not zoned for any particular use but adjoins an industrial zoning – Newpark.</p> <p>The proposal is located wholly within the curtilage of the Council's Services Depot. This depot serves as a base for vehicles used for refuse collection, street cleansing, ground maintenance as well as other plant/equipment.</p> <p>The application site is the middle unit in a row of three (3) adjoining industrial units that have a frontage along the north-western elevation of the building. The subject unit has a single roller shutter door on its north-western elevation and a pedestrian door adjacent to the roller door. A further pedestrian access has been provided along the southern elevation; however, the unit does not have a frontage on this elevation.</p> <p>The building is finished using bare concrete blocks for the first 6 metres, then corrugated iron cladding for the remaining 6 metres finishing at roof height. The flat roof has a metal guardrail surrounding its perimeter.</p> <p>The building is surrounded by areas of concrete hard standing and rough gravel/stone. Access to the site is via an existing access gate and gravel access road off Orchard Way. The topography of the site is relatively flat but slopes gently from east to west. The northern boundary is defined by a 2-metre-high concrete post and wire mesh fence augmented by vegetation approximately 5 metres in height whilst the western boundary is defined by 2-metre-high paladin fencing.</p>	

The site is bounded by industrial/commercial premises including the Council's civic amenity site to the immediate south and west and SAM Mouldings adjoins the site to the north.

RELEVANT PLANNING HISTORY

Planning Reference: T/1995/0399

Location: Vanguard Logistics LTD, 6 Orchard Way, Newpark Industrial Estate, Antrim

Proposal: Change of use of part of industrial building to waste paper baling plant and installation of external weighbridge

Decision: Permission Granted (27.10.1995)

Planning Reference: T/2002/0853/F

Location: 6 Orchard Way, Antrim

Proposal: Operational Services Depot Facility (refuse collection, street cleansing, grounds maintenance and storage facility for associated plant, equipment and vehicles with ancillary office accommodation)

Decision: Permission Granted (05.12.2002)

Planning Reference: T/2004/0807

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim (Townland of Newpark Parish)

Proposal: Change of use of part of existing building to receive & compost kitchen & garden wastes using an "in-vessel" composting system. Use of land to store & stabilise compost before dispatch & for ancillary uses - vehicle washing, bio-filtration system & staff car-parking.

Decision: Permission Refused (27.01.2006)

Planning Reference: T/2010/0078/F

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU

Proposal: Part change of use of existing council building to a waste transfer station for kitchen and garden waste and other non-hazardous municipal solid waste.

Decision: Permission Granted (26.05.2011)

Planning Reference: T/2012/0225/F

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU

Proposal: Part change of use of council building for extension to previous approved waste transfer station (T/2010/0078/F), to allow internal layout changes.

Decision: Permission Granted (03.01.2013)

Planning Reference: LA03/2015/0397/NMC

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU

Proposal: The proposed minor amendment relates to the operations within the facility, more specifically the removal of the proposed Transfer Area/Pit, referred to on the stamped approved planning drawing no 04 - Operational Plan Layout, dated 27th November 2012.

Decision: Non-material Change Granted (26.08.2015)

Planning Reference: LA03/2015/0453/NMC

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim, Co. Antrim, BT41 2RU

Proposal: In order to satisfy Condition No 4 of planning approval T/2012/0225/F, NWP propose to install a Light Extraction Ventilation (LEV) System together with high level

Roof Fans. The 2No roof fans will be fitted to the outside of the existing roof surface and will extend not further than 500mm above the existing roof surface. The roof fans will not be visible, as the existing parapet wall extends above the ridge height of the building.

Decision: Non-material Change Granted (06.10.2015)

Planning Reference: LA03/2016/0465/LDE

Location: 6 Orchard Way, Newpark Industrial Estate, Antrim, Co. Antrim, BT41 2RU

Proposal: Re-location of both the existing roller shutter door and the proposed pedestrian exist door as shown on previously approved drawing no 03 planning ref; T/2012/0225/F.

Decision: Permission Granted (04.07.2016)

Planning Reference: LA03/2021/0951/F

Location: 6B Council Depot, Orchard Way, Newpark Industrial Estate, Antrim, Co. Antrim, BT41 2RU

Proposal: Part change of use of council building to provide an extension to previously approved adjoining waste transfer station (T/2012/0225/F). Internal layout changes, changes to the elevation and other site works.

Decision: Permission granted (06.06.2022)

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, 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 Town. The site is not zoned for any particular use but adjoins an industrial zoning. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

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

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

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

CONSULTATION

Council Environmental Health Section - Approval subject to conditions

DfI Roads- No objection

NI Water - Approval subject to conditions

DAERA: Water Management Unit – Approval subject to conditions

DAERA: Regulation Unit - Approval subject to conditions

Shared Environmental Services – No objection

REPRESENTATION

Eight (8) neighbouring properties were notified, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Appearance
- Compatibility with Adjacent Land Uses
- Neighbour Amenity
- Natural and Built Heritage
- Pollution and Contamination
- Road Safety, Parking and Manoeuvrability
- 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

application site is located within the settlement development limit of Antrim Town, is not zoned for any particular use but adjoins an industrial zoning. 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 (PPS's). Amongst these are PPS 4: Planning and Economic Development and PPS 11: Planning and Waste Management. Taking into account, the transitional arrangements of the SPPS, retained PPS 4 and PPS 11 provide the relevant policy context for the proposal.

The principle of development has been previously established under planning application reference LA03/2021/0951/F which was granted permission on 6th June 2022 for 'Part change of use of Council building for extension to previous approved adjoining waste transfer station (T/2012/0225/F). Internal layout changes, changes to the elevations and other site works.' This consent has not been implemented but remains extant.

This proposal is manifestly the same as approved in June 2022, however, is seeking permission for the following changes:

- An increase in expected tonnage to be received from 60,000 tonnes per annum to a proposed uplift to 65,000 tonnes per annum;
- An increase in the range of waste codes as set out in Annex 2 of the submitted Supporting Statement, Document 01;
- The ability to screen, shred and bale waste into Refuse Derived Fuel (RDS); and
- Removal of the approved roof fans and the introduction of a 35-metre-high stack.

The agent on behalf of the applicant has provided a Supporting Statement, Document 01 date stamped 21st December 2022, which indicates that the changes have arose from the predicted requirements of Council tenders coming out which are driven by the Waste Transfer Station's (WTS's) requirement to screen and shred waste as part of their operations to ensure non-residual wastes are identified expediently and removed before onward transport. The baling of subsequent residual waste into Refuse Derived Fuel (RDS) is standard practice in WTS's to ensure that bulking operations are efficient and create value from residual products.

The shredding, screening and baling of waste creates more odour than the operation previously approved and as such an updated Odour Impact Assessment, Document 02 date stamped 11th January 2023, has been submitted. The Odour Impact Assessment proposes additional mitigation in the form of a 35-metre-high stack, which will be fed by the proposed ventilation system. The previously approved roof fans are no longer required. The additional tonnage and waste codes do not materially alter the approved development and are only proposed to ensure operational flexibility is available to meet future tender requirements.

The proposal is considered as a Sui Generis use as defined by the Planning (Use Classes) Order (Northern Ireland) 2015. The most appropriate policy context for the proposal is PPS 4 'Planning and Economic Development' and PPS 11 'Planning and Waste Management'.

Whilst Policy PED 1 of PPS 4 falls silent on sui generis uses, this does not mean that the proposal should not be assessed in accordance with PPS 4 at all, rather the policies most appropriate within PPS 4 need to be considered.

Policy PED 7 confirms that sui generis uses can be appropriate on white land last used for industry or business uses when the proposal is for a compatible sui generis use of a scale, nature and form appropriate to the location. Policy PED 9, which sets out a list of thirteen (13) general criteria for economic development is considered the most appropriate policy in this case.

Proposals including extensions to Waste Transfer Stations (WTs) are considered under Policy WM 2 of PPS 11 'Waste Collection and Treatment Facilities' and must comply with the four (4) main criterion. Account will also be taken of Policy WM 1 'Environmental Impact of a Waste Management Facility'. Policy PED 9 of PPS 4 provides the general criteria for economic development. It is noted that most of the requirements of Policy WM 1 of PPS 11 is consistent with the requirements of Policy PED 9 of PPS 4 and will be reviewed together.

Based on the policy context, area plan zoning and planning history, it is considered that the principle of the proposed development is acceptable at this location, subject to all other policy and environmental considerations being met.

Design, Layout and Appearance

Criterion (d) of Policy WM 2 of PPS 11, requires proposals involving the sorting and processing of waste are carried out within a purpose built or appropriately modified existing building, and that the built development associated with the proposed methods of handling, storage, treatment and processing of waste is appropriate to the nature and hazards of the waste concerned.

The application site is the middle unit in a row of three (3) adjoining industrial units, all of which have a frontage along the northern elevation. The subject unit has a footprint of 2,090 sqm, a frontage length of 36.6 metres and an overall height of 12 metres. One (1) roller shutter and one (1) fire exit door is positioned on the northern elevation.

Externally, the proposal seeks to include an additional roller shutter door and a pedestrian door on the unit's northern elevation. The internal layout of the building will be altered to include three (3) waste storage bays along the southern rear wall in a configuration similar to the existing waste transfer station in the abutting unit and the introduction of shredding, screening and bailing areas along the eastern wall.

Under the extant permission (Ref: LA03/2021/0951/F), planning permission was granted for the installation of roof fans for the purposes of ventilation, however, under the current application, the proposal seeks to remove these fans in lieu of a 35-metre-high, circa 1.5 metre diameter dispersion stack, set on a 16sqm concrete base. Internal extract ducting is to be fitted on the western elevation, which is to be fed into the dispersion stack. Views of the proposed 35-metre-high stack will be intermittent particularly when travelling in both directions along the Ballycraig Road and the Greystone Road, however, the presence of the mature dense roadside vegetation aligning these roads, provide a mature backdrop, reducing the visual impact. It is

also important to note that dispersion stacks are a common feature within the surrounding locality of the application site.

Criterion (j) of Policy PED 9 requires the site layout, building design, associated infrastructure and landscaping arrangements to be of a high quality and assist the promotion of sustainability and biodiversity. It is noted that whilst none of the named features are subject to change as part of this application, there is a substantial tree-lined boundary to the north and west of the application site. The site is considered to be suitably laid out and the associated infrastructure of a quality that complies with the requirements of criterion (j). With regard to the substantial boundary treatments of the application site, the application complies with the requirements of criterion (k) of Policy PED 9.

Compatibility with adjacent land uses

The proposed development is sited within an existing industrial area, which consists of a mix of industrial, commercial and warehousing uses. In line with Policy PED 1 and Policy PED 9 of PPS 4, it is considered that the proposal is compatible with the predominant industrial/employment use that was previously approved on the site and with the surrounding land uses. There is no reason to suggest that this proposal will be any more detrimental to surrounding land uses than the business in its previous form.

Neighbour Amenity

Criterion (b) and (e) of Policy PED 9 of PPS 4 state that proposed works shall not harm the amenity of nearby residents or create unacceptable noise nuisance. The nearest residential dwelling to the proposal is No. 21 Ballycraig Road which is 81 metres to the southwest of the site. The remaining properties to the north, east and south are of a commercial/industrial nature. The application site is bounded to the north and west by hedging and trees with a minimum height of 3 metres. It should be noted that the proposed operations are to occur within the building and that ingress and egress of vehicles will occur via the roller shutter doors on the northern elevation, approximately 130 metres from the residential property at No. 21 Ballycraig Road.

Although there is potential for noise nuisance during the construction phase of development, this should not arise outside reasonable times and would be temporary in nature. Given the context of development some noise and disturbance is to be expected, however this is likely to be at a medium level associated with the daily workings of the warehouse and commercial yard.

The Council's Environmental Health Section (EHS) was consulted on the proposal and in its response dated 22nd March 2023 referred to the submitted Supporting Statement, Document 01 date stamped 21st December 2022 which confirmed that the applicant is seeking to increase the amount and range of waste accepted, to screen, shred and bale waste and to introduce a 35-metre-high stack.

In its consultation response EHS also made reference to the submitted Odour Assessment, Document 02, date stamped 'Planning Section Received 11th January 2023, and having reviewed the information submitted EH advised that it is satisfied that the proposed development can operate without adverse impact at nearby sensitive receptors subject to a number of conditions being attached to any planning approval granted. EHS concluded that should the site be operated in accordance

with the measures outlined within the Odour Assessment, odour impacts should not adversely affect nearby residents.

Accordingly, it is considered that the separation distances, site screenings and the proposed mitigation measures are sufficient to dispel significant impacts on residential amenity.

Natural and Built Heritage

Part (c) of Policy PED 9 states that works shall not adversely affect features of the natural or built heritage. A review of the Department for Communities (DfC) Historic Environment map viewer and the NIEA Natural Environment map viewer reveals that no features of natural or built heritage is located or zoned within the site or the surrounding environs, therefore the proposed works will have no effect on such features and thus fulfils the requirements of criterion (c) of Policy PED 9 of PPS 4 and criteria 8 of WM 1 of PPS 11.

Pollution and Contamination

Criterion (f) requires the development to satisfactorily deal with emissions or effluent. Drawing Number 07 date stamped 21st December 2022 indicates a leachate drain running from the proposed internally waste storage bays outside into a leachate tank. The contents of which is to be removed off site by road tankers for treatment at a licensed facility.

With respect to the leachate effluent from the site, DAERA Regulation Unit Land and Groundwater Team (RU) was consulted and in its response dated 10th May 2023 referred to the submitted Preliminary Risk Assessment (PRA) provided by OSM Environmental Consulting Ltd (OSM), Document 03 date stamped 17th April 2023. The report identified a low risk to the water environment at this site and as such RU stated it has no objection to the development proposal subject to a number of contamination mitigation conditions being attached to any grant of planning permission should it be forthcoming.

As stated above, the proposal seeks to erect a 35-metre-high, circa 1.5 metre diameter dispersion stack for purposes of ventilation, which will be connected to the building via internal extract ducting. An Odour Impact Assessment, Document 02 date stamped 11th January 2023, accompanied the application, and confirms the additional processing activities occurring within the site will not prejudice other industrial activities in the wider area or cause any unacceptable odour impacts.

Overall, it is considered that the proposal complies with criterion (f) of Policy PED 9.

Road Safety, Parking and Manoeuvrability

Criteria (g) and (h) of Policy PED 9 and criteria 4, 5 and 6 of Policy WM 1 of PPS 11, relate to the existing road network safely handling the extra vehicular traffic and that adequate access arrangements, parking and manoeuvring areas are provided.

As illustrated by Drawing Number 04 date stamped 21st December 2022, the proposal seeks to utilise the exiting site entrance and access lane, which is to be surfaced in tarmac and is capable of allowing 2-way access to and from the subject building. Manoeuvrability within the site is achievable to the front and within the subject

building. Five (5) vehicle spaces have been provided to the west of the site. DfI Roads was consulted on the proposal and offer no objections.

Flood Risk

Directly to the north and northwest of the subject building is an area of surface water flooding. As indicated on Drawing Number 04 date stamped received 21st December 2022, the application seeks to establish a new concrete yard directly to the front of the subject building. This concrete yard measures 630sqm and will be connected to the site's access road. Although the concrete yard does not warrant the submission of a Drainage Assessment, the proposal seeks to introduce an additional section of storm sewer pipe to be included within the new concrete yard. As the proposal is primarily related to a change of use, and that measures have been proposed to address surface water flooding, it is considered on balance, that the proposal will not likely exacerbate surface water flooding and therefore is compliant with criteria (d) of Policy PED 9 and criteria 10 of WM 1 of PPS 11.

Other Matters

Crime and Personal Safety

Criterion (I) requires the proposal to be designed to deter crime and promote personal safety. The lockable gates that exist at the entrance to the site are pre-existing and are locked at the end of daily operations. The site has significant boundaries and there are no substantial risks identified to persons attending the site as a result of crime.

Planning History

The abutting unit currently functions as a waste transfer station, with the subject unit providing additional capacity. With regards to this, there are a number of planning conditions subject to the granting of planning permissions under T/2010/0078/F and T/2012/0225/F, that, should be attached to the grant of any planning permission should permission be forthcoming. This is to ensure that the proposal is consistent with the function and types of waste handled at the neighbouring unit.

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

- The principle of the development is acceptable;
- The proposal will not adversely impact upon the amenity of nearby residents or commercial properties;
- There will be no significant increase in the contamination risk to the surrounding environment;
- The road safety of the site is acceptable;
- There is sufficient parking and manoeuvrability within the site;
- The flood risk on the site will not be increased as a result of the proposal; and
- There have been no objections from any consultees or interested third parties.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The materials accepted at the waste transfer facility shall be restricted to those European Waste Catalogue codes listed in Appendix A.

Reason: To ensure protection of the environment.

Appendix A

European Waste Catalogue Codes to be accepted at the site:

02 01	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 03	Plant tissue waste
02 01 07	Wastes from forestry
03 01	Wastes from wood processing and the production of panels and furniture
03 01 01	Waste bark and cork
03 01 05	Sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04
03 03	Waste from pulp, paper and cardboard production and processing
03 03 01	Waste bark and wood
03 03 07	Mechanically separated rejects from pulping of waste paper and cardboard
04 02	Wastes from the textile industry
04 02 10	Organic Matter from natural products (for example grease, wax)
15 01	Packaging (including separately collected municipal packaging waste)
15 01 01	Paper and cardboard packaging
15 01 02	Plastic packaging
15 01 03	Wooden packaging
15 01 04	Metallic packaging
15 01 05	Composite packaging
15 01 06	Mixed packaging
15 01 07	Glass Packaging
15 01 09	Textile packaging
17 02 02	Glass
17 04 02	Aluminium
17 04 05	Iron and steel
19 05	Wastes from aerobic treatment of solid wastes
19 05 01	Non-composted fraction of municipal and similar wastes
19 05 02	Non-composted fraction of animal and vegetable wastes
19 05 03	Off specification compost
19 06 04	Digestate from anaerobic treatment of municipal waste
19 06 06	Digestate from anaerobic treatment of animal and vegetable waste
19 09 02	Sludges from water clarification
19 12	Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising)
19 12 01	Paper and Cardboard
19 12 10	Combustible waste (Refuse Derived Fuel RDF)

19 12 12	Other wastes (excluding mixtures of materials) from the mechanical treatment of wastes other than those mentioned in 19 12 11
19 13 06	Sludges from groundwater remediation other than those mentioned in 19 13 05
20 01	Separately collected fraction (except 15 01)
20 01 01	Paper and cardboard
20 01 02	Glass
20 01 08	Biodegradable kitchen and canteen waste
20 01 10	Clothes
20 01 11	Textiles
20 01 38	Wood other than that mentioned in 20 01 37
20 01 39	Plastics
20 01 40	Metals
20 02	Garden and parks waste (including cemetery waste)
20 02 01	Biodegradable waste
20 02 02	Soil and stones
20 03	Other municipal wastes
20 03 01	Mixed municipal waste
20 03 02	Waste from markets
20 03 03	Street cleaning residues
20 03 07	Bulky Waste

3. Prior to the development hereby permitted becoming operational the waste transfer station, as shown on Drawing Number 04, date stamped 21st December 2022 shall be fitted with an air extraction system with a capacity of at least three air changes per hour (10m³/s) and shall be remain operational.

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

4. During the operational lifetime of the facility hereby permitted extracted air shall be discharged to atmosphere through the proposed high level stack at 35 metres in height. The terminal velocity at the emission point shall be at least 15m/s.

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

5. Following the receipt of a reasonable complaint relating to noise and odour, the operator shall respond to and investigate the complaint and make a written submission to the Council indicating the source of the issue (if any) and any required mitigation measures. The mitigation measures will thereafter be implemented in accordance with a scheme to be agreed in writing with the Council.

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

6. Following the commencement of the operations hereby permitted all roller shutter doors and pedestrian doors shall be kept in the closed position, except for ingress and egress, with only 1 vehicle access door to be open at any time. All roller shutter doors shall be rapid action.

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

7. All off-loading, deposition, storage and re-loading of waste shall be carried out within the waste facility building hereby approved, as indicated on Drawing Number 04 date stamped 21st December 2022 and only when all doors are closed.

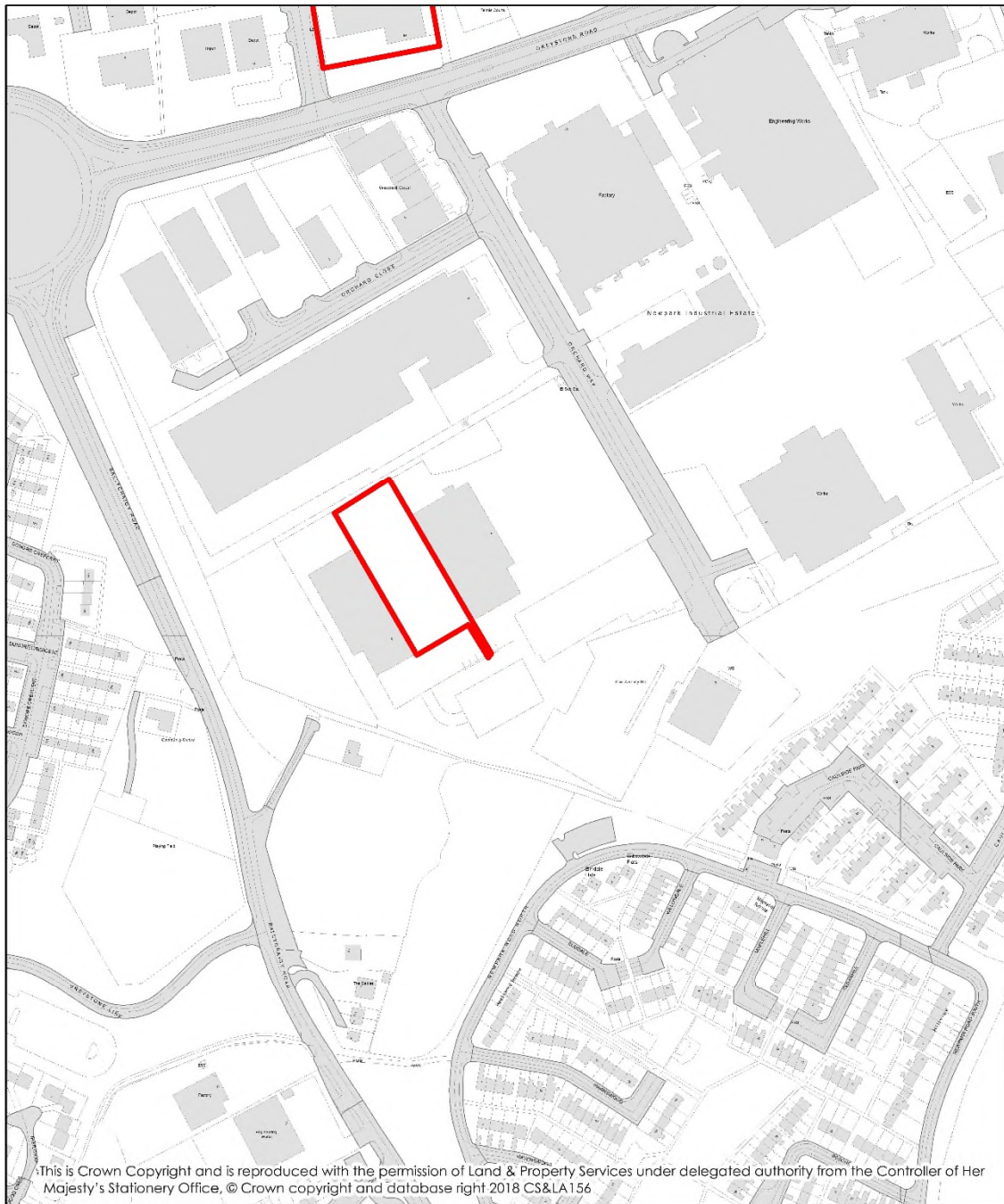
Reason: In order to protect amenity at nearby sensitive receptors.

8. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

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

9. After completing all remediation works required under Condition 8 and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report 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.




Site Location Plan

0 80 160
Metres



Application Reference: LA03/2022/1069/F

 Site boundary

Proposal: Part change of use of council building for extension to previous approved adjoining waste transfer station (T/2012/0225/F). Internal layout changes, changes to the elevation, installation of 35m stack and other site works.



Location: Council Depot, 6B Orchard Way, Newpark Industrial Estate, Antrim, BT41 2RU

COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2023/0396/F
DEA	MACEDON
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed change of use from a Bowling Green Pavilion/Day Nursery to a Cafe/Restaurant
SITE/LOCATION	Hazelbank Pavilion, Hazelbank Park, Shore Road, Newtownabbey
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	Antrim and Newtownabbey Borough Council
LAST SITE VISIT	07/06/2023
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands within Hazelbank Park, approximately 30 metres south of 38 Abbeydene Manor, Newtownabbey which is within the development limit of the Belfast Urban Area in the Belfast Urban Area Plan (BUAP). The site is also located within the development limit of Metropolitan Newtownabbey, within an area of 'Existing Open Space' and within the Local Landscape Policy Area (MNY 46), as designated by the draft Belfast Metropolitan Area Plan (Published 2004).</p> <p>The site forms part of a historic bowling green which is no longer in use, and the site boundaries are currently undefined. The remainder of the bowling green has been redeveloped to a public commemorative garden to celebrate the Coronation of King Charles III. The site is surrounded by open space within Hazelbank Park. Abbeydene Manor residential development is located beyond the site to the north and Abbeydale Close residential development is located beyond the site to the northwest.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2023/0197/F Location: Former Bowling Green, Hazelbank Park, Shore Road, approximately 60 metres south of 38 Abbeydene Manor, Newtownabbey Proposal: Retention of a public garden to celebrate the Coronation of King Charles III Decision: Permission Granted 26th May 2023</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 settlement limit of 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 Plan offers no specific guidance on the 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 interest 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 8- Open Space, Sport and Outdoor Recreation- sets out planning policies 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 and advises on the treatment of these issues in development plans.

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

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

Development Control Advice Note 4- Restaurants, Cafes and Fast-Food Outlets: provides general guidance relating to restaurants, cafes and fast-food outlets.

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan Stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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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 interest of acknowledged importance.

CONSULTATION

Council's Environmental Health Section- Approve subject to conditions

DfI Roads- No objections

Northern Ireland Water- Approve subject to conditions

REPRESENTATION

Four (4) neighbouring properties were notified of the application and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access, Traffic and Manoeuvring
- Impact on Environmental Quality of the Area
- Flood Risk
- Other Matters
-

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan,

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

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

The application site lies within the settlement limit of Metropolitan Newtownabbey in both plans. It is also situated within an area of 'Existing Open Space' in dBMAP and falls within the Local Landscape Policy Area (LLPA) under designation MNY 46 of dBMAP.

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). In this case, the relevant planning policy statements are PPS 2 'Natural Heritage', PPS 3 'Access, Movement and Parking', PPS 8 'Open Space, Sport and Outdoor Recreation', PPS 15 'Planning and Flood Risk (Revised September 2014)' and Development Control Advice Note 4 - Restaurants, Cafes and Fast-Food Outlets.

Policy OS 1 of PPS 8 'Open Space, Sport and Outdoor Recreation' states that development will not be permitted if it would result in the loss of existing open space or land zoned for the provision of open space. The application site is associated with lands at Hazelbank Park. The development does not remove any of the existing open space, rather it is thought to enhance the existing area of open space by providing an additional café which could be viewed as an asset to the enjoyment of the open space. Consequently, it is considered that the proposal does not conflict with this aspect of PPS 8.

Paragraph 5.1 of DCAN 4 states that applications for restaurants, cafes and fast-food outlets generally give rise to a number of issues and objections which are specific to these particular categories of land use. As a result, the likely impact of such proposals on the character and amenity of the adjoining or surrounding area will be an important concern when determining applications. It goes on to state that in assessing this impact, a number of factors need to be taken into account, including noise disturbance, smells and fumes. Paragraph 5.2 of DCAN 4 states that the use of planning conditions is often paramount to the control of restaurants, cafes and hot food outlets, particularly in relation to the above considerations. The impact of many proposals which would otherwise be rejected, may be mitigated by the imposition of such conditions.

A cafe falls under the sui generis use class as defined by the Planning (Use Classes) Order (NI) 2015. It is considered that the principle of a change of use of the existing

bowling green pavilion/day nursery to a cafe on the application site would be acceptable, subject to all other material considerations being met.

Design and Impact on Character and Appearance of the Area

The proposal seeks permission for the change of use from a Bowling Green Pavilion/Day Nursery to a Cafe/Restaurant. Internally, the layout of the building will be altered to accommodate the proposed café.

There are minor alterations to the physical form, scale or appearance of the building, including replacement windows and doors and replacement rainwater goods. There is also a proposed double boarded fence around existing bin store to the rear of the building. It is considered that the general appearance of the building is acceptable and does not unacceptably impact on the character and appearance of the area.

The proposal is set within the grounds of Hazelbank Park and as such the aim is to create a setting where visitors can enjoy the approved commemorative garden and proposed new café within the context of the surrounding area of Hazelbank Park and Belfast Lough. As such, the proposal is deemed to be of an acceptable design and scale and is not considered to lead to the loss of, or cause harm to, the character, principal components or setting of Hazelbank Park and the surrounding area.

Overall, the layout, scale and design of the proposal is considered to be acceptable and will not detract from the appearance or character of the surrounding area.

Neighbour Amenity

Given the nature of the development, issues of noise and odours are relevant material considerations in the assessment of the proposal. It is noted that a number of residential properties are located approximately 30 metres north of the application site at Abbeydale Close.

A Noise Impact Assessment and an Odour Impact Assessment, Documents 02 and 03 respectively, both date stamped 3rd May 2023, were forwarded to the Council's Environmental Health Section, who raised no objection to the proposal, subject to the inclusion of proposed conditions.

Access, Traffic and Manoeuvring

The site benefits from a car parking area within Hazelbank Park. Taking into account that there is no new floor space being created by the proposal, it is considered that there is sufficient car parking spaces to serve both staff and visitors to the site.

Following consultation, DfI Roads offered no objection to the proposal; it is considered that the existing road network can safely handle any extra vehicular traffic generated by the proposal and that adequate access arrangements, parking and manoeuvring areas exist.

Impact on Environmental Quality of the Area

The application site is situated at Hazelbank Park and surrounded by wooded parkland habitats. The site is located 165 metres east of the following National, European and International Designated Sites: the Belfast Lough Area of Scientific Special Interest (ASSI); the Belfast Lough Ramsar Site; and the Belfast Lough Open Water Special Protection Area (SPA).

Policy NH 1 of PPS 2 states that planning permission will only be granted for a development proposal that is not likely to have a significant effect on a European site, SPA, proposed SPA, or a listed or proposed Ramsar Site. Policy NH 3 states that planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of an ASSI.

A Preliminary Ecological Appraisal (PEA), Document 01 date stamped 3rd May 2023, was submitted in respect of the development proposal. The PEA states that the proposal has had no significant effect on any designated site due to the nature of the proposal and the separation distance of 165 metres from any designated site. No evidence of any Northern Ireland priority or protected species were identified on the site. Due to the findings contained within the PEA, no consultation with the Department of Environment, Agriculture and Rural Affairs was considered necessary.

Flood Risk

It is noted that the southern portion of the application site lies within an area of surface water flooding. Policy FLD 3 outlines that a Drainage Assessment is not required for proposals within an area of surface water flooding if the proposal constitutes minor development. In this case, the proposal relates to a material change of use with only minor external alterations, as a result, it is considered that a Drainage Assessment is not required.

Policy FLD 3 advises that where a Drainage Assessment is not required but there is potential for surface water flooding, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

Other Matters

Consultation

Northern Ireland Water (NIW) was consulted on the proposal due to there being a potential increased sewerage load on the site, however, NIW has advised that there is available capacity within the network to serve the proposed café.

CONCLUSION

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

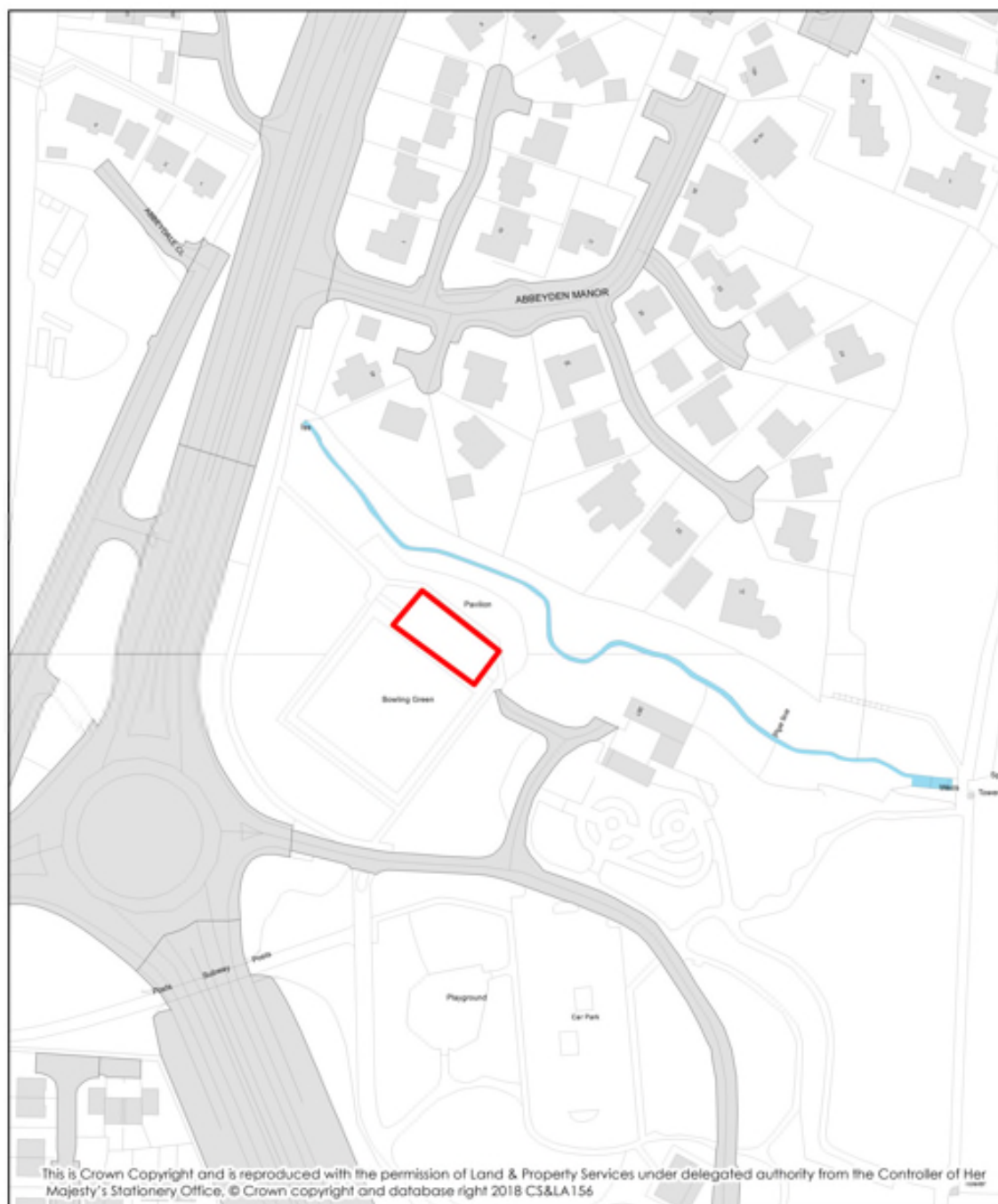
- The principle of development is considered acceptable;
- The layout, scale and design of the proposal is appropriate;
- There will be no detrimental impact on the character and appearance of the area;
- The proposal will not unduly affect the amenity of neighbouring residents;
- The proposal will not have a detrimental impact on any designated sites or protected species; and
- The proposal will not lead to an increased level of flooding at the application site or elsewhere.

RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSED CONDITIONS	
<ol style="list-style-type: none"> 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 café hereby approved shall not operate at any time between 23:00 and 07:00 hours. Reason: In order to protect the night time amenity at nearby sensitive receptors. 3. There shall be no deliveries to the café hereby approved between 23:00 and 07:00 hours. Reason: In order to protect the night time amenity at nearby sensitive receptors. 4. Following the café becoming operational, all doors located on the rear facade shall remain in the closed position except for ingress and egress. Reason: In order to protect amenity at nearby sensitive receptors. 5. The cumulative noise level from all activities associated with the café hereby approved (including external plant) shall not exceed a Rating Level of 46dB LAr,1hr between 07:00-23:00 hours, when measured within the external amenity area of any nearby noise sensitive receptor and assessed in accordance with British Standard 4142: 2014 + A1:2019. Reason: In order to protect amenity at nearby noise sensitive receptors. 6. The 'Bin Store' area as identified on Drawing Number 06/1, date stamped 16th June 2023, shall only be used for the disposal and collection of refuse between the hours of 07:00 to 23:00. All waste within the bin store area shall be stored in lidded and closed receptacles. Reason: In order to protect amenity at nearby sensitive receptors. 7. Prior to the development hereby approved becoming operational a 'high level of odour control', commensurate with the high level of odour control specified in EMAQ+ "Control of Odour and Noise from Commercial Kitchen Exhaust Systems' shall be installed into any commercial kitchen within the development. It shall thereafter be retained and maintained during the lifetime of the development. Reason: In order to prevent any adverse odour impact on amenity at nearby sensitive receptors. 8. The extracted air from the odour abatement system shall be discharged not less than 1 metre above the roof eaves height of the development hereby approved and shall be capable of achieving 10-15m/s discharge. 	

Reason: In order to prevent any adverse odour impact on amenity at nearby sensitive properties

9. The extraction and ventilation system must be cleaned and maintained in perpetuity with the lifetime of the development hereby approved and in line with Section 6.7 Mitigation Measures, within Document Number 03, date stamped 3rd May 2023 to ensure compliance with Condition 7.

Reason: In order to protect amenity at nearby sensitive receptors from adverse impacts of cooking odours.




Site Location Plan

Application Reference: LA03/2023/0396/F

Location: Hazelbank Pavilion, Shore Road

Proposal: Change of use from bowling green/day nursery to cafe



 Site boundary



PART TWO

OTHER PLANNING MATTERS

ITEM 3.16

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during June 2023 under delegated powers together with information relating to planning appeals is **enclosed** for Members' information.

Three (3) appeals were dismissed during June 2023 by the Planning Appeals Commission (PAC) in relation to LA03/2020/0030/F (2021/A0152) proposed 2 detached dwellings at 40m north of No. 1 Carnbank, Antrim Road, Templepatrick, LA03/2021/1039/O (2021/A0249) proposed dwelling and garage (infill site) 20m east of 11 Cogry Road, Ballyclare, and LA03/2021/0805/F (2021/A0232) proposed dwelling and garage 120m west of 44 Rickamore Road Upper, Templepatrick; copies of these decisions are **enclosed**.

Two (2) further appeals were allowed during June in relation to LA03/2022/0110/LDP (2022/E0015), proposed completion of two (2) semi-detached dwellings (sites 6&7) as per planning permission T/2003/0576/F at land 55m NW of No.28 Magheralane Road, Randalstown, and LA03/2021/1043/LDP (2022/E0003), proposed completion of nursing home in accordance with LA03/2016/0902/RM 30m SW of 209 Castle Road, Randalstown; copies of these decisions are also **enclosed**.

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.17

P/FP/LDP 1 LOCAL DEVELOPMENT PLAN, QUARTELY UPDATE (Q1) APRIL TO JUNE 2023

A progress report is provided on a quarterly basis to the Planning Committee on the progress of the Council's new Local Development Plan. This report covers the first quarter (Q1) of the 2023-24 business year (April to June 2023).

Local Development Plan, Independent Examination

Members are reminded that the Council's Planning Section previously anticipated that the Planning Appeals Commission (PAC) Report (i.e. the 'IE Report') on the Independent Examination (IE) of the Council's Draft Plan Strategy (DPS), which concluded on 29 June 2022, would be submitted to the Department for Infrastructure (DfI) at the end of January 2023. However, notification was received from the PAC on two occasions: (1) on 31 January 2023 advising that delivery of the IE Report is delayed until 28 February 2023, and (2) on 28 February 2023 advising of a further delay, and that they were not in a position to provide a delivery date of the IE Report to DfI. The PAC responded on 19 June 2023 to advise that work on the Independent Examination Report has recommenced. It is now anticipated that the IE Report will be released to DfI in the autumn, when it will consider the PAC's recommendations for a 12 week period. DfI will then release the IE Report to the Council and make a direction concerning the adoption of the Plan Strategy. The Council will then consider the IE Report and the direction from DfI, before preparing for the adoption of the Plan Strategy.

In preparation for the receipt of the IE Report and in order to adopt the Plan Strategy in a timely fashion, Officers within the Forward Plan Team continue to liaise with key stakeholders in the process, including the Council's legal representatives, legal Counsel and bodies such as Shared Environmental Service (SES).

Towards a draft Local Policies Plan

Despite the delay regarding the delivery of the IE Report from the PAC, the Forward Planning Team continues to undertake preparatory work on the next stage of the LDP process, the Local Policies Plan (LPP).

Key areas of work in the period April to June 2023 included: (1) the publication of the Annual Housing Monitor 2023 which was agreed at Planning Committee in June 2023. This identified that some 738 net dwelling units were completed in the settlements of the Borough in the 2022-2023 survey year. This figure represents an increase of some +118 units over the previous survey year; (2) In order to assist with the development of the LPP evidence base, the Forward Planning Team have launched a procurement process to appoint consultants to (a) assist Officers complete a Strategic Landscape Assessment, and (b) assist Officers in the evidence base relating to the 'Homes' topic. An update on LDP procurement will be provided in the next quarterly report; and (3) Work is

continuing on the evidence base for housing and employment lands and updates will be provided in due course...

It is anticipated as the evidence base for the Local Policies Plan develops, that the Forward Plan Team will hold a number of workshops with Members.

Publications

Members are reminded that DfI Strategic Planning launched a public consultation on the review of the Strategic Planning Policy Statement (SPPS) on renewable and low carbon energy. This public consultation followed an earlier targeted engagement exercise with stakeholders.

A draft response by Officers to this consultation was brought to the June Planning Committee for Members agreement, and was subsequently submitted to DfI on 28 June 2023.

Minerals Meeting

On 26 April 2023 Officers from the Forward Plan Team attended a 'Planning for Minerals' workshop which was jointly hosted by the Mineral Planning Association NI and Northern Ireland Environment Agency. The workshop heard from a number of stakeholders involved in the minerals planning process, including quarry operators and agents, and local and central government, who outlined their experiences of minerals planning in Northern Ireland. The workshop encouraged discussion on the general minerals planning process and the expectations of the various bodies involved in the process.

Local Development Plan, Planning Improvement Programme

Members are reminded that DfI are currently the leading body for a Planning Improvement Programme (PIP) relating to Local Development Plans (LDPs). This includes a partnership approach between DfI and Councils to review current LDP timetables to ensure they are realistic and achievable, whilst seeking improvements to the functioning of the LDP process.

Senior Officers within the Forward Plan Team continue to engage in this process and an action plan was presented to, and agreed at, the LDP Principal's Working Group on 12 June 2023 for consideration; hosted by Armagh, Banbridge and Craigavon Borough Council. At this stage of the LDP PIP process, it is anticipated that each Council's Forward Plan Team will progress specific elements of the PIP, with agreement from DfI, and timescales for this to be confirmed. Once these are in place, Members will be updated on progress in due course.

Local Development Plan Working Group Updates

(a) Belfast Metropolitan Area Spatial Working Group

A meeting of the Belfast Metropolitan Area Spatial Working Group (MASWG) took place on 18 April 2023, hosted by Ards and North Down Borough Council. Updates were received from various councils and consultees in relation to LDP

matters, including a presentation on the DfI Review of Renewable and Low Carbon Energy policy; a copy of the draft minutes is **enclosed** for Members' information.

(b) DfI Transport Planning Modelling Unit (TPMU), Belfast Metropolitan Transport Plan (BMTP) 2035

DfI Transport Planning Modelling Unit (TPMU) met with Officers from the Forward Plan Team on 13 April 2023 to provide a progress update on the Belfast Metropolitan Transport Plan (BMTP) including draft Vision, Objectives and Guiding Principles and a draft Transport Network Hierarchy. All relevant DfI TPMU project documentation were presented to the April Planning Committee. DfI TPMU have also corresponded with the Council seeking to present a draft of the Antrim and Newtownabbey section of the BMTP to Members. Officers presented a report to the June meeting of the Full Council, seeking agreement to issue an invitation to DfI TPMU to present their findings. It is anticipated that this meeting will follow in due course, for a likely September date.

On 28 June 2023 Officers from the Forward Plan Team and Parks (Operations) met with DfI TPMU and their appointed consultants Atkins to discuss DfI's Active Travel Delivery Plan. Upon receipt of a draft of this Plan, a further update will be provided to Members in due course.

(c) DfI/DAERA Coastal Forum Working Group

A meeting of the DfI/DAERA Coastal Forum Group took place on 26 June 2023 at DfI HQ, Clarence Court, Belfast. Updates were provided on: (1) the project Work Programme, and Policy Approach Workshop meeting previously held on 7 December 2022, hosted by Ards and North Down Borough Council (both **enclosed** for information); and (2) Coastal evidence gathering. A 'soft launch' was provided of the DfI/DAERA Northern Ireland Coastal Observatory, which will be used by Officers in the consideration of the coastal element of our Strategic Landscape Assessment at draft LPP stage.

(d) ANBC Local Development Plan Steering Group

Members are reminded that para 2.18(c) of the Statement of Community Involvement identifies that a LDP Steering Group be set up, as a high level co-ordinating body to ensure oversight of LDP progress, as well as providing strategic input. Following a recess due to the Coronavirus (COVID-19) period, a meeting of the group took place on 4 May 2023 with the Chair and Vice Chair of the Planning Committee and Senior Officers from the Council's Planning Section. An update was provided on the progress regarding the receipt of the IE Report, as well as the various strands of work on going as part of the LPP. The next meeting of the LDP Steering Group is due in early August.

Supplementary Planning Guidance (SPG)

Members are reminded that that the recently published 'A Guide to Your Home and Planning Permission' Supplementary Planning Guidance (SPG) had been shortlisted for a Royal Town Planning Institute (RTPI) 'Planning Excellence.

The results of the awards were announced on 15 June 2023 and whilst the SPG did not win an award on this occasion, the shortlisting of it is an indication of how well it was received by the RTPI.

The Forward Plan Team will continue to develop further SPGs as we move through the LDP process, which will be brought before Members in due course.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.18

P/PLAN/1 DEPARTMENT FOR INFRASTRUCTURE - NOTICE OF OPINION RELATING TO PLANNING APPLICATION REFERENCE LA03/2021/0940/F

The Department for Infrastructure (DfI) has written to the Council to advise that it has issued a Notice of Opinion that approval should be granted to the planning application outlined below (copy of the DfI letter and the accompanying Notice of Opinion (NOP) are **enclosed**).

Application Reference: LA03/2021/0940/F

Proposal: Application for the extraction, transportation and working of sand and gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totalling some 3.1km², in the north-west of Lough Neagh situated approximately east of Traad Point, north of Stanierds Point, west of Doss Point and south of Ballyronan and the ancillary deposition of silt and fine material without complying with condition number 07 and condition number 12 of planning approval LA03/2017/0310/F.

Location: Lough Neagh within the Mid Ulster District Council, Antrim and Newtownabbey Borough Council, Armagh Banbridge and Craigavon Borough Council and Lisburn and Castlereagh Council Areas

Applicant: Lough Neagh Sand Traders Limited

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

<https://planningregister.planningsystemni.gov.uk/simple-search>

Planning Application LA03/2017/0310/F for the extraction, transportation and working of sand and gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totalling some 3.1km², in the north-west of Lough Neagh situated approximately east of Traad Point, north of Stanierds Point, west of Doss Point and south of Ballyronan and the ancillary deposition of silt and fine material was granted by DfI on 6 January 2021 subject to conditions. The planning application falls in under an application of regional significance as defined by the Planning Act (Northern Ireland) 2011 and is therefore falls in under the jurisdiction of the Department.

This Planning application seeks permission to develop land without compliance with planning Condition No7 which states that 'between 1 October and 31 March barges shall not leave dock earlier than sunrise or return later than sunset. (Sunrise and sunset are defined as the time stated by HM Nautical Almanac Office for the City of Belfast)' and Condition No. 12 which states that 'Only barges of the dimensions specified in Table 2.1 of Chapter 2, Volume 2 of the Environmental Statement (April 2017) shall be permitted to extract mineral from the permitted areas. Any barge to be replaced shall be of no greater

dimensions than that which it replaces.' attached to planning permission LA03/2017/0310/F.

For information drawing 01 received 15 May 2017 under LA03/2017/0310/F is **enclosed** to show where the extraction is taking place.

Following earlier consultation by the Department on this application in July 2022 the Council had agreed not to provide a corporate view and this position was subsequently conveyed to the Department in writing.

Having now issued its opinion that permission should be granted to this application the Department, as with the previous applications, has written to the Council to ascertain if it wishes to request an opportunity of appearing before and being heard by the Planning Appeals Commission on the current application. It should be noted that the Department has also written to the applicant in similar fashion.

If a hearing before the Planning Appeals Commission is requested by the Council or the applicant, the Department must take into account the report of this hearing. However, the final decision in relation to the application will rest with the Department.

On foot of the NOP now received there are in effect only two options available to the Council in responding to the Department:

1. To request a hearing before the Planning Appeals Commission on the Department's Notice of Opinion; or.
2. To note the Department's Notice of Opinion and advise that the Council will not be seeking a Hearing before the Planning Appeals Commission.

Members' instructions are requested.

Prepared by: Kathryn Bradley, Planning and Economic Development Business Support Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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