



9 August 2023

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

Committee Members: Aldermen - T Campbell, M Magill and S Ross

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 14 August 2023 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 – AUGUST 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 Introduction of New Staff.
- 4 Report on business to be considered:

PART ONE - Decisions on Planning Applications

4.1 Planning Application No: LA03/2021/0933/F

Proposed development of 14no. social housing units (including 6no. bespoke complex needs homes) lands at 30m SW of 3 Rosewood Lane, Parkgate (accessing Parkgate Road and Ballysavage Road).

4.2 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 2 Crumlin Road, Crumlin.

4.3 Planning Application No: LA03/2020/0489/F

Erection of 44no. Dwellings at Ballyhamage House, 43 The Burn Road, Doagh, BT39 0QH.

4.4 Planning Application No: LA03/2020/0490/LBC

Part demolition, conversion & alterations of listed buildings to provide 2no. detached dwellings, 5no. townhouses and 2no. apartments at Ballyhamage House, 43 The Burn Road, Doagh, BT39 0QH.

4.5 Planning Application No: LA03/2023/0193/F

Erection of storage distribution warehouse depot with ancillary office accommodation, access and parking provision and all other associated site works to include for hard and soft landscaping works along with provision of a temporary wastewater treatment system at lands adjacent and 30 metres north of No 14 Plasketts Close, Fergusons Way, Kilbegs Industrial Estate, Antrim.

4.6 Planning Application No: **LA03/2023/0258/F**

Proposed extension to Diageo Baileys Global Supply facility to support production demand. The extension will include additional warehouse capacity, staff facilities, solar PV and associated external plant equipment. Increase in staff car parking. EV charging points, trailer bays, improved site access, associated landscaping, external lighting columns and all associated site works at Diageo Baileys Global Supply, 2 Enterprise Way, Newtownabbey, BT36 4EW.

4.7 Planning Application No: **LA03/2022/1036/F**

Proposed replacement storage shed associated with an existing filling station and shop, associated car parking and site works at 179 Moneynick Road, Toome, Antrim.

4.8 Planning Application No: **LA03/2023/0430/F**

Retention of upgraded extraction system to support the manufacturing of construction materials (retrospective) Unit 3B, Norfill Business Park, Antrim, BT41 4LD.

4.9 Planning Application No: **LA03/2022/1085/F**

Dwelling and garage rear of 2 & 3 The Poplars, Randalstown (access onto Staffordstown Road).

4.10 Planning Application No: **LA03/2022/0824/F**

Proposed shed for keeping of vintage vehicles and garden mowers and equipment 67 Whitehouse Park, Newtownabbey, BT37 9SH.

4.11 Planning Application No: **LA03/2023/0318/F**

Conversion of existing building to ancillary residential accommodation associated with existing dwelling 17 Grange Road, Nutts Corner, Crumlin.

4.12 Planning Application No: **LA03/2023/0316/F**

Erection of stable and riding area for personal use 50m NW of 5C Ballyquillan Road, Crumlin, BT29 4DD.

4.13 Planning Application No: **LA03/2023/0387/RM**

Erection of Dwelling and Garage 25m North of 28C Drumsough Road, Randalstown, BT41 2NW.

PART TWO – Other Planning Matters

4.14 Delegated Planning Decisions and Appeals July 2023.

- 4.15 Proposal of Application Notices for Major Development July 2023.
- 4.16 Northern Ireland Statistics and Research Agency (NISRA) Planning Statistics – Annual Statistical Bulletin 2022/23 for the Period April 2022 to March 2023.
- 4.17 Planning Improvement Programme (PIP) Update.
- 4.18 Local Development Plan Steering Group Minutes and Local Policies Plan Preparatory Studies.
- 4.19 Mid and East Antrim Borough Council (MEABC) Local Development Plan 2030 Draft Plan Strategy Update.
- 4.20 Northern Ireland Audit Office (NIAO) Planning Fraud Risks.
- 4.21 Department for Agriculture, Environment and Rural Affairs (DAERA) Call for Evidence on Impacts of Air Pollution on the Natural Environment.

PART ONE - Decisions on Enforcement Cases - In Confidence

- 4.22 Enforcement Annual Report Update April 2022 – March 2023 – In Confidence
- 4.23 Tree Preservation Order TPO/2023/0003/LA03 – In Confidence
- 4.24 Enforcement Case LA03/2021/0290/CA – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 14 AUGUST 2023**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	4.1
APPLICATION NO	LA03/2021/0933/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed development of 14no. social housing units (including 6no. bespoke complex needs homes).
SITE/LOCATION	Lands at 30m SW of 3 Rosewood Lane, Parkgate (accessing Parkgate Road and Ballysavage Road)
APPLICANT	Rural Housing Association
AGENT	Manor Architects
LAST SITE VISIT	22 nd August 2022
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 on lands approximately 30 metres southwest of No. 3 Rosewood Lane, Parkgate and lies within the countryside as defined within the Antrim Area Plan (1984-2001).</p> <p>The application site comprises an agricultural field and is situated at a corner location between Ballysavage Road and Parkgate Road/Paradise Park. The application has a road frontage width of 114 metres and a maximum depth of 94 metres. The topography of the site rises gently in a northerly direction across the site.</p> <p>The northern boundary of the application site is undefined as the site is a portion cut out of a larger agricultural field. The remaining eastern, southern and western boundaries are defined by 1.5-2-metre-high field boundary hedging. An agricultural laneway runs adjacent to the eastern boundary of the site and separates the application site from adjacent residential development at Rosewood Lane and Kensingvale which are located within the settlement limits of Parkgate.</p> <p>The application site is surrounded by agricultural fields to all site boundaries with the exception of the eastern boundary which is defined by residential development located within the urban settlement of Parkgate.</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.

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.

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.

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Northern Ireland Water – Refusal recommended

Department for Infrastructure (DfI) Roads - No objection subject to conditions

DAERA: Natural Environmental Division – No objection subject to condition

DAERA: Water Management Unit – No objection

REPRESENTATION

Eighteen (18) neighbouring properties were notified and seventy-nine (79) letters of objection have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- The proposed development is outwith the development boundary of Parkgate;
- There are other suitable sites within the development limits;
- Impact on character of village and rural landscape and loss of green open space;
- Removal of pedestrian footpath;
- Submission of factually incorrect information / lack of clarity;
- Ecological impacts;
- Creation of ribbon development contrary to CTY 8 of PPS21;
- Parkgate/Templepatrick does not qualify as a 'small settlement' contrary to Policy CTY 5 of PPS 21;
- Poor public transport provision;
- Inadequate parking provision;
- Proximity to adjacent farm buildings;
- Overlooking;
- Loss of light
- Increased traffic and concerns with road safety;
- Insufficient education, health and community infrastructure within Parkgate;
- Flooding;
- Distinct separation between Parkgate and Templepatrick;
- Lack of community consultation;
- Sufficient housing already approved within the village to accommodate the proposed dwellings;
- The site is within an Area of Natural Beauty;
- Conflicting neighbour notification and advertisement dates;
- Sets a precedent;
- Sufficient social housing already exists within Parkgate;
- No reference to the 2017 5 year Parkgate Village Plan;
- Devaluation of properties;
- Increased crime will result;
- The proposal is contrary to Policy CTY 13 of PPS 21 due to insufficient planting defining boundaries, reliance on new planting and the prominence of proposed dwelling types;
- The proposal is contrary to Policy CTY 14 as the proposal leads to a suburban style build-up of development;
- Conflict between the housing types proposed and the demand indicated by Northern Ireland Housing Executive (NIHE);
- Creation of urban sprawl;
- Loss of view;
- Increased noise and pollution;
- The Council's refusal of a similar application at Dunadry;

- Insufficient accessibility for disabled or elderly persons along Burn Road, Main Street and Parkgate Road;
- Inadequate NI Water Infrastructure;
- Stray livestock from adjacent farm complex and wider surrounding area;
- Incorrect NI Biodiversity Checklist;
- Inadequate electrical infrastructure;
- No planting schedule provided;
- The area for the Waste Water Treatment Facility takes away from the area previously submitted for wildlife; and
- Concerns regarding the Waste Water Treatment Plant.

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
- Impact on Character and Appearance of the Area
- Residential Amenity
- Other Matters

Policy Context and Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. 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. The application proposes 14 no. dwellings within the countryside in accordance with Policy CTY 5 of PPS 21 - Social and Affordable Housing.

Policy CTY 5 outlines that planning permission may be granted for a group of no more than 14 dwellings adjacent to or near a small settlement to provide social and affordable housing to meet the needs of the rural community. Planning permission will only be granted where the application is made by a registered Housing

Association and where a demonstrable need has been identified by the Northern Ireland Housing Executive which cannot readily be met within an existing settlement in the locality.

The application proposes 14 no. dwellings (6.no dwellings are bespoke for applicant needs) and has been submitted by a registered housing association - 'The Rural Housing Association' and therefore the proposal is compliant with the first element of Policy CTY 5.

The agent has outlined within Document 01 date stamped 23rd September 2022 that the population of Parkgate is 676 (2011 census data). A number of third party objections have highlighted that the combined population of Parkgate (676) and Templepatrick (1437) calculated during the 2011 Census totals 2113 is now out of date given the amount of new dwellings which have been built and occupied in both settlements since 2011. Comments received have highlighted that up-to-date data would exceed the 2250 threshold of a 'small settlement' and therefore the application is contrary to Policy CTY 5.

The 2021 census data for the populations of towns and villages is due to be released summer 2023 and therefore the applicants have referred to the 2011 census data as the most up to date information available at this time. In any case, the policy can be interpreted as attempting to control the expansion of larger settlements into the countryside and therefore in the context of the application, only the population of Parkgate is relevant. The reference to Templepatrick is only relevant in the context of the Housing Needs assessment produced by Northern Ireland Housing Executive (NIHE) which is discussed below.

Document 02 date stamped 7th February 2022 comprises a supporting letter from NIHE. The letter outlines that the five year (2021-2026) projected social housing for Parkgate/Templepatrick is twenty-one (21) units and there were 27 first preference applicants on the housing stress waiting list. The NIHE therefore support the proposal as only 1 allocation had occurred over the last 12 months (Feb 2021- Feb 2022).

A number of objections have highlighted the conflict between the housing types proposed and the demand indicated by Northern Ireland Housing Executive (NIHE). As outlined in Document 01, NIHE have outlined that the largest household group in housing stress was single person households (45%) followed by small families (25%). To this effect, the application includes a number of 5 bed (1), 4 bed (1) and 3 bed (5) properties. The applicant has outlined that a total of six of the properties proposed are bespoke to cater for the personal circumstances of a number of applicants. Although it is noted that this deviates from the housing stress calculations provided by NIHE, a number of the dwellings are proposed to cater for 'named applicants' and as such the larger houses proposed reflect personal needs e.g. wheelchair accessibility. The remaining dwellings are limited to 1 and 2 bed apartments and dwellings which cater to the demands of single persons and small family households expressed by the NIHE housing stress data. It is considered that sufficient information has been submitted to demonstrate a need for the proposed units within the area.

For the purposes of this policy, a small settlement is defined as having a population of around 2250 (or less), while affordable housing is defined as twenty-one (21) social rented housing and intermediate housing for eligible households as outlined below.

The following sequential tests in terms of location are to be applied:

- a) land adjacent to the existing settlement limit, subject to amenity and environmental considerations;
- b) a site close to the settlement limits which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment;
- c) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.

An assessment of lands within the settlement limits of Parkgate was carried out by NIHE and the outcome of this assessment is provided within Document No. 01 date stamped 23 September 2021 and Document 07 date stamped 15 November 2022.

- Site 1 – (0.84 Ha) Located at Main Street/The Burn Road/east of Chase to the eastern section of Dunadry which has been identified by the applicant as the only site within the development limits of Dunadry that could accommodate the needs of the scheme, however the owner is unwilling to sell the land to the RHA. An email chain under Appendix A of Document 07 provides confirmation that the land owner is unwilling to sell lands at Site 1.
- Site 2 - (0.35 Ha) Located at Grange Road (to the rear of Parkgate School) – is a constrained site with no road frontage and is too small to accommodate the proposal.
- Site 3 – (0.27 Ha) Located at Parkgate Road/ The Burn Road – site is too small and unavailable for purchase. The landowner declined to sell the lands if the development was exclusively for social housing, however he would be interested in a wider private residential development scheme partly combining social housing.
- Site 4 – (0.7 Ha) Located at Parkgate Road (northern side) – planning approval LA03/2016/1081/F for 13 no. dwellings and works to construct dwellings is nearing completion.
- Site 5 – (0.12 Ha) Located at Parkgate Road (southern side) – site is too small to accommodate the proposal.

The remaining sites numbered 6 – 26 as outlined in Section 2 of Document 01 date stamped 23rd September 2021 provide a sequential breakdown of a number of edge of settlement locations at Parkgate. Approximately 10 sites on the edge of Parkgate were identified as 'suitable' for the proposal, however, ultimately Site 13 was favourable as the site was available for purchase.

An assessment of lands within the settlement limits of Templepatrick was carried out by NIHE and the outcome of this assessment is provided within Document No. 02 date stamped 7 February 2022 and Document 07 date stamped 15 November 2022.

- Site 1 – (1.39 Ha) Lands to the rear of Nos 868, 870 and 872a Antrim Road – was granted planning permission for 41 dwellings under planning Ref: LA03/2017/0476/F and recently Ref:LA03/2021/0564/F (change of house type

25 no. dwellings). The applicants have stated that they have engaged in numerous attempts to contact the landowner of the site as demonstrated in Appendix B of Document 07. In order to establish the unviability of the proposed scheme within Site 1, the applicant has provided a 'Financial Viability Statement' under Document No. 10 date stamped 22nd December 2022. The financial viability assessment has concluded that Site 1 Templepatrick would require a weekly income of £3607.93 to cover private finance and other associated costs. The applicants have further highlighted that this requires a weekly rent of £262.21 per unit which is more than double local housing allowance rents for this area. The projected scheme costs are 59% above Total Cost Indicators and 29% above the tolerance levels of 130%. The concluding comments have outlined that RHA would be unable to obtain approval for grant funding for a scheme at this location and this site is deemed unviable for the development of social housing.

- Site 2 – (2.52 Ha) Lands south of Temple Rise adjacent to Lylehill Road and Kilmakee Road – planning permission granted for 105 no. dwellings under references T/2005/0373/O and T/2013/0375/RM. The previous permission has mostly been implemented and therefore the site could not accommodate the proposal.

The remaining site Nos. 3 – 24 as outlined in Document 02 date stamped 7th February 2022 provide a sequential breakdown of a number of Templepatrick edge of settlement locations. Approximately 5 sites on the edge of Templepatrick were identified as 'suitable' for the proposal, however, the relevant landowners appeared to be unwilling to sell or no response was received.

Following the submission of this information a further development opportunity site has been identified through the submission of a planning application (Planning Ref: LA03/2023/0407/O), located at the corner of Parkgate Road and Connor Road which is situated within the development limits of Parkgate. This application has been submitted for 18no. residential units on this site. The applicants supporting information 'Parkgate Site Identification Study – Map 1' highlights part of this site (Site 3) and references it within Document No. 01, date stamped 23rd September 2021. They state that "the site is too small and unavailable for purchase. The landowner declined to sell the lands if the development was for exclusively affordable housing, however they indicated that they would be interested in a wider private residential development scheme partly combining social housing".

No evidence was provided to substantiate the claims that the landowner was unwilling to sell the lands and it was not indicated what level of social housing would be acceptable to the landowner. The new information contained within application Ref: LA03/2023/0407/O indicates that development may be acceptable on the wider site. Additionally, even if these lands were not large enough to accommodate the 14no. units proposed, the preference would be to extend this alternative site into the field adjacent to the north rather than developing within a new field at one end of Parkgate which would elongate the development pattern of the village.

It is accepted that bespoke bungalows form part of the NIHE need for this area, however, it has not been demonstrated that this site (Ref: LA03/2023/0407/O) could not

accommodate some or all of the proposed development which could potentially remove the need for the development to extend into the open countryside.

Owing to the time that the application has been with the Council and 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. The onus is on the developer to ensure that all sites have been fully explored and adequate information has not been provided in relation to this site situated within the development limits of Parkgate on the corner of Parkgate Road/ Burn Road and Connor Road. The proposal is therefore considered contrary to Policy CTY 5 in that it has not been demonstrated that the need identified by the Northern Ireland Housing Executive cannot readily be met within an existing settlement in the locality.

A number of objection letters have outlined that the proposed development would set an unacceptable precedent. To this effect the requirements of Policy CTY 5 of PPS 21 states that generally only one group will be permitted in close proximity to any particular rural settlement. Therefore, the approval of the proposed development would in effect prevent any further applications under Policy CTY5 from being implemented adjacent to Parkgate.

Objection letters have outlined that the Council refused a similar application at Dunadry. The Planning Section are not aware of any such applications at Dunadry and in any case, no evidence was submitted to attribute any significant weight to this issue.

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

The SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 states that a new building will be unacceptable where it would be a prominent feature in the landscape and as such would not integrate and is of an appropriate design. Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area.

A number of objections have expressed concern that the proposed development would not comply with Policy CTY 13 as the site lacks long established boundaries and relies primarily on the use of new landscaping for integration. Additionally, concerns have outlined that the proposed development would lead to an increase in suburban style build-up of development contrary to CTY 14 of PPS 21.

The application proposes a total of 14 residential units including a mix of single storey detached (6) and two storey detached (2) and semi-detached (4) dwellings including a two storey apartment block (2 units). Access is taken from Parkgate Road for all the properties with the exception of two detached single storey dwellings which have individual access taken from Ballysavage Road. It is recognised that the construction of 14 dwellings in the rural area would conflict with the policy objectives of Policy CTY14 which seeks to prevent a suburban form of development and Policy CTY 15 which seeks to prohibit urban sprawl of settlements into the countryside. It is not unusual that some planning policies can pull in different directions and can seem to conflict with each other. It is a matter for the decision maker to assess the

application in its proper context and apply weight in the decision making process to the relevant policies. In this case Policy CTY5 specifically allows for development of a small group of houses on the edge of the settlement limit. The wording of the policy is deliberate and would seem to suggest that it should be taken as an exception to the other policies within the Area Plan and within PPS21. It is on this context that Policies CTY 14 and 15 can be set aside. It is considered that the proposal respects the character, density, scale, mass and design of adjacent residential developments Rosewood Lane and Kensingvale. Therefore, it is considered that the proposed development would read as an extension to the existing residential developments when viewed from the public road.

The proposed development requires the removal of the existing hedgerows defining the southern and western roadside boundaries in order to facilitate visibility splays. It is accepted that there is limited boundary vegetation defining the application site, however, supplementary planting is proposed to all site boundaries and additionally landscaping is used to help define each domestic curtilage as demonstrated on Drawing No. 02c, date stamped 23rd March 2023. Additionally, by the very nature of the proposal for 14No. dwellings, it is not anticipated that such a proposal would integrate completely into the rural landscape and critical views when travelling along Parkgate Road and Ballysavage Road would be achieved. However, it is considered that the siting of the application site reads as an extension to the existing residential development within Parkgate.

With regard to open space provision, Policy OS 2 of Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation (PPS 8) relates to open space in new residential development and requires for more than 25 units that open space is provided as an integral part of the development with the normal expectation being at least 10%. The application proposes 14 no. dwellings and therefore there is no policy requirement for the proposal to provide open space as part of the overall scheme. However, to this effect the proposal has provided two sections of open space to both the southeastern and southwestern corners of the application site. The provision of open space within the proposed development reduces the overall perception of built form within the application site and softens the impact of the proposal on the landscape.

Planning Policy Statement 7 Quality Residential Environments and the Supplementary Planning Guidance provided in the 'Creating Places' document are the relevant documents for assessing residential development. While these would normally apply to the urban area, in the context of this scheme which lies in the rural area on the edge of a settlement limit they are deemed to be the most appropriate policy context to assess the design and layout of the scheme. 'Creating Places' 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 40m² of private open space for each dwelling house and an average standard of 70m² or greater for the development as a whole. The garden areas proposed to serve the proposed dwellings range from a maximum of 386 square metres to a minimum of 109 square metres and therefore are considered to be in excess of the minimum average private amenity space. Paragraph 5.20 of 'Creating Places' advises that in the case of apartment developments private communal open space should range from a minimum of 10 square metres to 30 square metres per unit. The proposed apartment block proposes 2 no. units and 155 square metres of shared amenity

space is proposed. It is considered that the communal private amenity area serving the apartment block is compliant with the recommended requirement.

A number of objections have raised concern that the proposed development would result in ribbon development. Policy CTY 8 states planning permission will be refused for a building which creates or adds to a ribbon of development. The application site will read as a natural extension to the existing development with the settlement limit of Parkgate, which by virtue would extend a built up frontage across Parkgate Road. However, whilst this proposal contravenes Policy CTY 8, it is considered that the proposal seeks permission under Policy CTY5 and therefore it is Policy CTY5 which is determining.

With regards to the visual impacts of the development, Drawing No. 02/C indicates a Waste Water Treatment Plant (WWTP) which is underground. However, the proposal indicates a compound surrounding the WWTP as well as a grasscrete access and a dashed line indicates what would appear to be an enclosure with access gates, however, no details have been provided with regards to this aspect of the proposal. The compound abuts the road and therefore there are concerns with regards to the visual impact this is likely to create. It is considered that this element of the proposed development would have a detrimental visual impact and it is therefore considered that the proposal is contrary to CTY 5 of PPS 21 in that the development would not be designed to integrate sympathetically with the surroundings.

Neighbour Amenity

Policy CTY 5 of PPS 21 does not make direct reference to neighbour amenity, however paragraph 2.3 of the SPPS requires consideration to be given to the impacts on amenities and the existing use of land and buildings that ought to be protected in the public interest.

As indicated above the application site is located adjacent to Rosewood Land and Kensington residential developments along the eastern boundary. All other remaining boundaries lie adjacent to agricultural fields. Letters of objection have outlined that the proposed development specifically 'House Type K' would directly overlook dwelling No's 3, 4, 5 and 6 Rosewood Lane.

Paragraph 7.15 of Creating Places advises that adequate spacing needs to be provided and in the case of greenfield sites and in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable to minimise overlooking. Additionally, a minimum of around 10m between the rear of new houses and the common boundary is required.

'Plot 11' proposes House Type (HT) K located to the eastern section of the proposed development shares a rear-to-rear relationship with the existing semi-detached dwellings (No's. 4 and 5 Rosewood Lane) with an agricultural lane sandwiched between existing and proposed dwellings. The rear elevation of HT K is located approximately 11 metres from the eastern boundary of the application site which runs parallel with an agricultural lane. The overall separation distances between the rear elevations of neighbouring properties No's 4 and 5 Rosewood Lane and HT K is approximately 21 metres which is considered sufficient to ensure no significant overlooking or overshadowing impact of the existing dwellings.

It is considered that the proposed development would not significantly impact on neighbour amenity as the general positioning of the 14 No. dwellings follow a general cul-de-sac layout with each dwelling sharing a gable-to-gable relationship. The exception to this is 'Plot 1' and 'Plot 2' which are located to the western section of the application site fronting onto Ballysavage Road. The proposed properties are suitably arranged with adequate separation distances provided to ensure no negative impacts through overlooking or overshadowing on the amenity of the proposed dwellings.

Concerns were also raised through letters of objection in relation to pollution and noise nuisance created by the proposed development. It is not anticipated that residential development would generate significant negative impacts on air quality or noise, with the exception of during the construction period however; this should not arise outside reasonable times and would be temporary in duration.

The Council's Environmental Health Section (EHS) raised concern regarding the proximity to the M2 motorway and the subsequent high levels of noise generated from road traffic on the M2 motorway adversely impacting residential amenity at the proposed development. A Noise Impact Assessment (NIA) was submitted (Document 06 date stamped 19th May 2022 and 06/1 date stamped 22nd November 2022). EHS have responded and are content that internal amenity of the future residents can be suitably protected by imposing noise control conditions. Close boarded fences between dwellings have been provided to reduce external noise levels. EHS have advised that whilst close boarded fences are not acoustic fencing and no predicted noise levels on external amenity areas has been provided to demonstrate the value of these mitigation measures. However, the inclusion of woodland habitat as detailed in 'Drawing Number 24', date-stamped, '15 Nov 2022' in the southwest corner of the site should provide visual screening, in addition, the screening provided by the proposed dwellings and to some degree the boundary treatments, should ensure that external noise level do not exceed the upper guideline value.

For these reasons, it is considered that the design and layout will not create conflict with neighbouring properties both existing and approved and will not give rise to any significant negative impacts in relation to neighbour amenity including any overlooking or overshadowing impact.

Access, Movement and Parking

Policy AMP 2 of Planning Policy Statement 3 'Access, Movement and Parking' (PPS 3) requires that any development should not prejudice the safety and convenience of road users. A new vehicular access is proposed directly from Parkgate Road which is to serve 12 of the proposed dwellings. A second vehicular access is proposed directly from the Ballysavage Road along the western boundary which is to serve the remaining 2 dwellings. Letters of objection have raised concern that the proposed development would increase road traffic.

Consultation was carried out with DfI Roads who raised no objections in relation to the proposed access arrangements onto both Parkgate Road and the Ballysavage Road. Therefore, it is not considered that the additional traffic created by this development would not lead to any significant intensification of the traffic travelling along this section of the road network.

Policy AMP 7 of PPS 3 requires that adequate and appropriate provision is made for parking. The proposal includes a total of 14 no. dwellings, ranging from apartments, semi-detached and detached dwellings with varying bedroom numbers in each residential unit. Planning guidance 'Creating Places' provides a breakdown of the number of car parking spaces required for each development type, in this case a total of 34 parking spaces is required.

A Parking Report and Transport Assessment Form (TAF) (Document 04 dated 19th May 2021) was submitted in support of the application which details a breakdown of alternative travel modes which include walking, cycle accessibility and the public transport connectivity. Document 04 highlights that the proposed development provides for 27 No. in-curtilage spaces and 7 visitor cars parking spaces equating to a total of 34 spaces.

In this regard, the applicant has since proposed a revised layout which has subsequently improved the proposed parking provision increasing from 27 in-curtilage parking spaces to a total of 33 no. in curtilage parking spaces and 8 No. visitor spaces which equates to a total of 41 spaces overall. It is considered that the proposed scheme has provided sufficient parking to satisfy the requirements of policy AMP 7 of PPS 3.

A number of objections have raised concern that the proposed development creates concern for pedestrian movement within Parkgate as several roads require crossing to access local services and no pedestrian crossings are available for residents. The existing footpath along Parkgate Road will not be impacted by the proposal, the application also proposes an extension of the footpath onto Ballysavage Road. It has been raised by third party objectors that part the proposed footpath on the western boundary of the application site abutting Ballysavage Road is outside the application site boundary. Based on the measurements taken from the drawings it would appear that a small part of footpath indicated may be outside the red line, however, this is difficult to ascertain on the drawings. However, DfI Roads has been consulted and has raised no objection to the proposal.

Concern has been raised by neighbouring residents that the application site is not sufficiently linked to adequate public transport links which are limited to two bus services from Antrim to Larne and Carrick. Concerns have also been raised regarding insufficient parking provision available within the settlement limits of Parkgate. In this case the application site is located in direct proximity to existing bus stops located at Parkgate Park.

Flood Risk and Drainage

The site is not located within the fluvial or coastal floodplains, however, the site does lie within an area for surface water flooding as identified within the NI Flood Maps. Current advice from DfI Rivers is that planning permission should not be withheld on the basis of the surface water information contained in the strategic flood map unless there is other evidence, such as a known flooding problem or the proposal is of a size or nature that could significantly increase surface water runoff. It has been raised through letters of objection that the area previously has flooded and photographs have been provided from third party objectors with regards to surface water flooding in the area.

Policy FLD 3 of PPS 15 deals with flood risk outside floodplains, it states, that a Drainage Assessment will be required for all development proposals that exceed 10 dwelling units or more. A Drainage Assessment, (Document No. 09 dated 23rd November 2022) was provided and consultation with DfI Rivers was carried out. The Drainage Assessment notes that an undesignated culverted watercourse exists to the northwestern corner of the site, which crosses Parkgate Road and bounds the Kensingvale development. DfI Rivers has indicated that a Schedule 6 Consent would be required for this development. This is a separate consenting regime which lies outside the planning process and this matter could be addressed by way of an informative.

Revised Policy PPS 15 Annex D17 bullet point 8 states 'the likely impact of any displaced water or increased run-off from the development site should be estimated and the consequences for neighbouring or other locations assessed'. It is noted that the DfI Rivers contacted the agent directly to discuss this matter and request this information, however, no further information has been forthcoming. This information has not been formally requested by the Council given the concerns with the principle of development and so as to not put the applicant to unnecessary nugatory work. It is therefore considered that the proposal is contrary to Planning Policy Statement 15 in that it has not been demonstrated that the proposed development would not result in a flood risk to the surrounding area.

NI Water

A number of concerns have outlined that there is no available sewage capacity to serve the proposed development and the conflicting responses received by NI Water during the determination of the application.

NI Water formally responded on the 9th November 2021 and outlined that a public foul sewer is located within 20 metres of the application, which can adequately service these proposals subject to the extension of the existing public surface water network. Subsequently a Drainage Assessment (Document 09) includes a letter from NI Water in Appendix B date 1st June 2022 which outlines that the public foul sewer network cannot adequately serve the proposal and a Wastewater Impact Assessment to agree an alternative drainage/solution is required.

Following this, a revised P1 form was received on 4th May 2023 indicating that a sewage package treatment plant is to be provided by the developer to service the site. This was also indicated on a revised site plan. It has been raised through third party letters of objection that the Waste Water Treatment Plant would have a detrimental impact with regards to odour and air quality, impacts on natural heritage, noise impacts, health and safety impacts. It is considered that the WWTP will require separate consents from NIEA and it is not considered likely that it will have any significant impact given the limited scale of the development proposed.

NIEA are the regulatory body responsible for granting consent to discharge for the proposed Waste Water Treatment Plant. A number of site specific factors need to be taken into account in assessing the suitability of the proposed means of effluent disposal including proposed treatment methods and disposal methods or whether it discharges to an underground stratum or waterway. This information can only be fully assessed when a discharge consent application (deemed complete) has been

received by NIEA and on this basis an informative can be added to any future decision notice.

NIEA Water Management Unit has been consulted and has raised no objection to the proposal. Given that the watercourse is culverted it is considered that consultation with Shared Environmental Services is not required as the proposal would not require a Habitats Regulations Assessment.

Natural Heritage

The application site is a greenfield site and involves the construction of 14 no. dwellings and associated ancillary works. The majority of existing hedgerows defining the site boundaries require removal in order to implement visibility splays. To this effect, a number of objections have raised concern with the proposal and its impact on the ecological value of the site as it has been highlighted that buzzards, nesting birds and small mammals frequent the site. Further concerns have highlighted that the application site is within an Area of Natural Beauty.

Preliminary Ecological Appraisal (PEA) and NI Biodiversity Checklist was submitted with the proposal under Document No. 11 and Document 05/1 date stamped 25th January 2023. The concluding comments of the submitted PEA highlight that the application site comprises low quality habitat and improved grassland dominates the site. The PEA noted that the application site is of low ecological value and there was no evidence of priority species or priority habitats recorded.

Department of Agriculture, Environment and Rural Affairs, Natural Environment Division (NED) have provided a substantive response and have considered the impacts of the proposal on designated sites and other natural heritage interests and on the basis of the information provided has no concerns.

Following NEDs response, photographs of birds within the area have been submitted from third party objectors and concerns were raised that the proposed development would have a detrimental impact on wildlife in the area. However, during a telephone conversation with NED, they advised that the photographs could have been taken from anywhere, that the photographs alone would not carry significant weight and NED confirmed their response would not change due to the submission of the photographs. There is no evidence that birds are nesting within the site, however, it is recognised that birds have large foraging areas which can include urban areas. It is therefore considered that this matter cannot be given determining weight.

A further point raised through letters of objection is that the proposed area for the Waste Water Treatment Facility takes away from the area previously submitted for wildlife. However, there is no requirement within policy for the proposed development to provide a wildlife area. In addition, a woodland habitat is proposed on the southwestern corner of the application site.

Overall, sufficient information has been provided to demonstrate that the proposal will not result in a significant impact to a European protected species or habitats and is therefore compliant with both policies NH2 and NH5 of PPS 2: Natural Heritage.

Other Matters

Objection letters have raised concerns with the adjacent agricultural access which runs adjacent to the eastern boundary of the application site creating a nuisance to the proposed development. Additionally, concern has been raised that the location of the proposed development next to adjacent farmlands may result in field gates being left open and livestock escaping and causing damage or injury. In relation to possible impact on human health, no evidence has been presented to suggest human health will be adversely impacted by this proposal. In addition, residential dwellings already border the eastern side of this agricultural laneway.

A number of objection letters have outlined that the outcome of the community consultation concluded a 75% opposition rate to the proposed development and any consultation carried out by the applicant has included limited worthwhile discussions with the local community. To this effect, there was no legislative requirement for the applicant to engage in community consultation as the proposal does not exceed the threshold for a major or regionally significant development.

A number of objection letters have highlighted that the proposed development would result in the devaluation of surrounding properties and a loss of view. The proposed development is located adjacent to Rosewood Land and Kensingvale. The relationship between adjacent properties and the proposed development are limited to gable and rear relationships. Therefore, it is not considered that a neighbours' view is 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 dwellings. In any case, the potential impact of a proposed development on private views is not generally viewed as a material planning consideration. Similarly, the devaluation of neighbouring properties is also not considered a material planning consideration and is not normally sufficient grounds to refuse planning permission.

It has been raised through letters of objection that the existing infrastructure in Parkgate is not adequate as education and community facilities are at capacity. An email has been provided from the dentist within Parkgate to advise that they are taking on private patients at this time but not NHS patients. As outlined above, Parkgate is designated as a village in the AAP (1984-2001) and given the restricted nature of the settlement as a small linear village it is not anticipated that sufficient infrastructure and facilities would be available to meet the needs of all Parkgate residents. However, in this regard Parkgate is located approximately 6 miles from Antrim Town and is accessible via public transport routes allowing Parkgate residents to utilise existing facilities within Antrim Town.

A number of objections have outlined that the proposal would result in an increased crime rate in the Parkgate area. No evidence has been presented to suggest how crime would increase by virtue of this proposal. Therefore, there is no determining weight given to this issue.

CONCLUSION

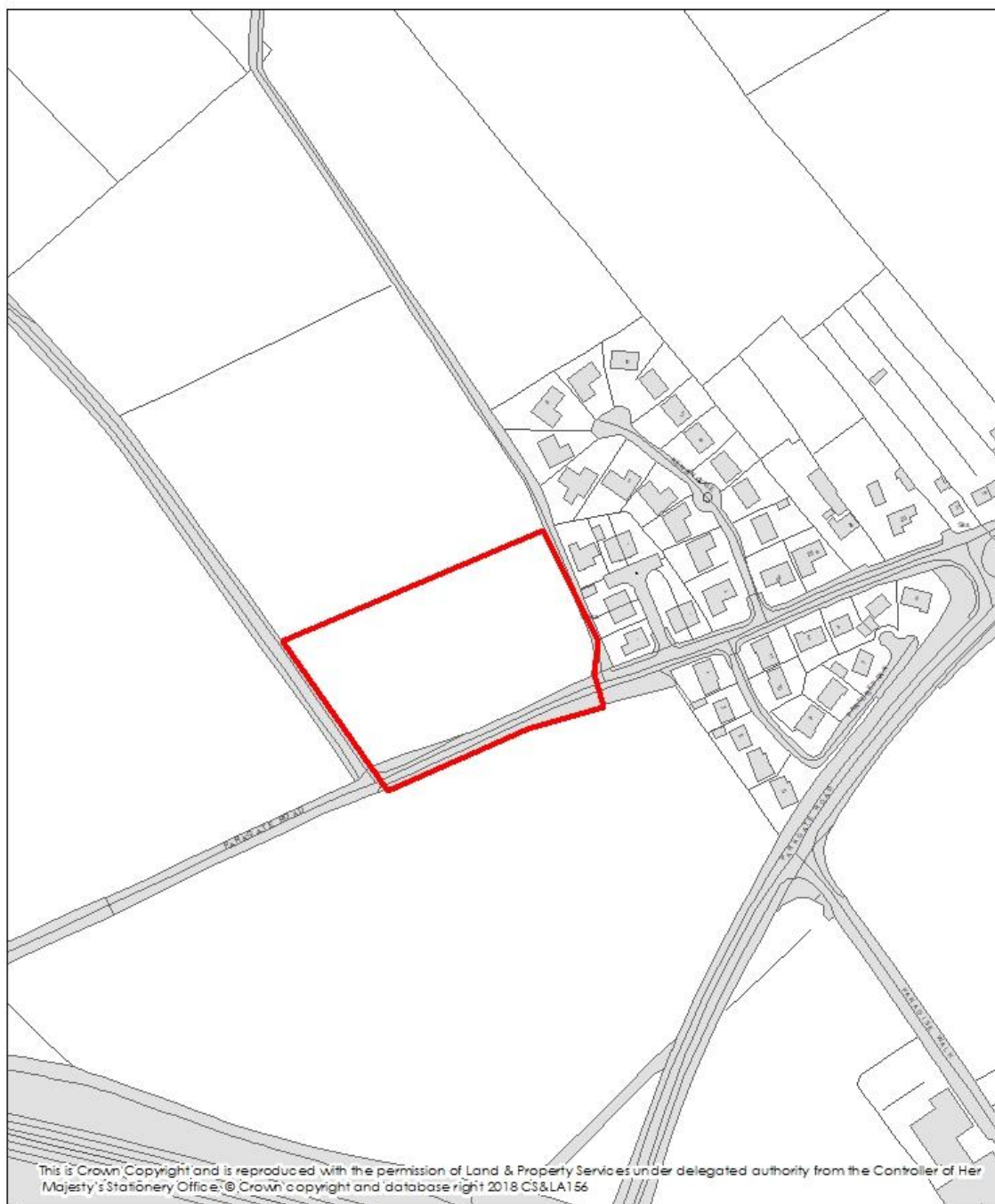
The following is a summary of the main reasons for the recommendation:

- The principle of the proposed housing development is considered unacceptable in accordance with CTY 5 as it has not been demonstrated that there are no suitable sites within the development limits of Parkgate;

- It is considered that the proposed development would not integrate into the surrounding landscape without resulting in a detrimental impact on the character of the area;
- It is considered that the proposal will not result in any significant detrimental impact on neighbour amenity;
- There are no road safety concerns with this proposal;
- The proposed development is not considered to result in a significant impact on protected species or habitats in compliance with NH 2 of PPS 2; and
- It has not been demonstrated that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from development elsewhere.

RECOMMENDATION
REFUSE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 5 of Planning Policy Statement 21 in that it has not been demonstrated that the social housing need identified by the Northern Ireland Housing Executive cannot readily be met within an existing settlement in the locality (Parkgate).
2. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 5 of Planning Policy Statement 21 in that the development would not be designed to integrate sympathetically with its surroundings.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 3 of Planning Policy Statement 15, Planning and Flood Risk, in that it has not been demonstrated that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from development elsewhere.



Site Location Plan

Application Reference: LA03/2021/0933/F

Location: Lands at 30m SW of 3 Rosewood Lane, Parkgate
(accessing Parkgate Road and Ballysavage Road)

Proposal: Proposed development of 14no. social housing
units (including 6no. bespoke complex needs homes)



 Site boundary



COMMITTEE ITEM	4.2
APPLICATION NO	LA03/2021/0999/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT 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 northeastern boundary where the site abuts the Crumlin Road. An existing two (2) metre metal fence defines the rear, southwestern boundary where the site abuts the railway line.</p> <p>Beyond the northwestern 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

No objection, subject to conditions

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 southeastern 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 southeastern 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 place making 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 11, date stamped 30th June 2023. Environmental Health Section (EHS) has been consulted and has pointed out a number of errors and inconsistencies within the assessment.

With regards to noise impact, within Segment 1, the number of trains at night is given as 1. Usually this figure would be expected to be even. It was previously highlighted that 2 trains for night time hours is used in a Noise and Vibration Impact Assessment. It is understood that there is no current service provided at this location, however, it has the potential to restart at any time. EHS are of the opinion that the worst case scenario should be assessed. This would be expected to be 1 train in both directions per hour during the day time and 1 train movement each direction during night time hours, which would give figures of $Q = 36$ for day time hours and $Q = 2$ for night time hours.

In addition, the train speeds have been reduced from the previously submitted information and although distances from the track have been provided, no indication is given as to whether this is to the garden or to first floor level/façade of the dwelling. Heights have been presented with no detail on how the figure has been obtained or what it represents. Furthermore, propagation correction continues to be added instead of being taken away.

Table 12 of Document Number 10, recommends glazing to provide 31dB $Rw+C_{tr}$ to apartments and 25dB $Rw+C_{tr}$ to houses, and ventilation to provide 36dB $D_{n,e}+C_{tr}$ to apartments and 33dB $D_{n,e}+C_{tr}$ to houses.

The discussion under Cumulative Noise at Section 4.4 within Document Number 10 states that suitable internal noise levels can be achieved for all dwellings using a minimum 33 dB $Rw+C_{tr}$, and 36dB $D_{n,e} +C_{tr}$ and that the ventilation strategy would require windows and trickle vents with enhanced acoustic performance.

Document Number 11 refers to the mitigation measures provided in Table 12 of Document Number 10 as providing suitable internal noise levels for both the predicted rail and road traffic noise sources impacting upon the proposed residential development.

With regards to vibration, the discussion within Document 11, date stamped 30th June 2023 refers to an historic measurement where there were 4 vehicles per set travelling and the train passbys were typically 6 seconds long with a train speed of 100-120km/hr. In NI, Diesel Multiple Units (DMUs) 6 vehicles are used so the train bypass would last longer than 6 seconds. Also the train speed was revised to 65km/hr which would mean it would take longer to pass. 65km/hr would still be a higher speed than expected at 350m from the station. Pulling out of the station, the train will be on power and therefore louder, and on coming into the station the train will be coasting and therefore less noise produced. This has not been considered in the assessment.

Despite the errors and inconsistencies within the assessment as outlined above, EHS's tentative calculations would indicate that the proposed development can be suitably protected from an adverse impact on amenity from noise and vibration, subject to the attachment of noise control conditions, to any approval granted.

Overall, it is considered that the proposal complies with the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has been demonstrated that there will be no significant adverse effects on existing or proposed properties.

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-curtilage /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 southwestern 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 significant natural or built heritage concerns with this proposal;
- There is no significant flood risk associated with this development; and
- There is no adverse road safety, parking or transport issues with this development

RECOMMENDATION	GRANT PLANNING PERMISSION
<h2>PROPOSED CONDITIONS</h2> <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. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999. Reason: To ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available and to ensure the project will not have an adverse effect on the integrity of any European site. 3. The development hereby permitted shall not be occupied until the remediation measures detailed within Section 8 of the Generic Quantitative Risk Assessment, Document 08, date stamped 05 October 2022, have been fully implemented and verified to the satisfaction of the Council. Reason: To control any risk to human health arising from land contamination. 4. There shall be no amendments or deviations from the remediation measures and the validation and verification details contained within Document Number 08, date stamped 05 October 2022 without the prior written approval of the Council. Reason: To control any risk to human health arising from land contamination. 5. After completing the remediation works under Condition 3; and prior to occupation of the development, a verification report shall 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/landcontamination-how-to-manage-the-risks>.

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

6. If during the development works, new contamination or risks 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: To control any risk to human health arising from land contamination.

7. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing number 16/2 date stamped 19th April 2023.

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

8. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing number 16/2 date stamped 19th April 2023.

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

9. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

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

10. All habitable rooms to the apartments (House Type D) as marked on Drawing Number 02/4, date stamped 16th March 2023 shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 31dB Rw+Ctr. The works shall be carried out prior to the occupation of the relevant units and the glazing shall be maintained during the lifetime of the permission.

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

11. All habitable rooms to House Type D (apartments) as marked on Drawing Number 02/4, date stamped 16th March 2023 shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 36 dB Dn,e+Ctr. The works shall be carried out prior to the occupation of the relevant units and the ventilation shall be maintained during the lifetime of the permission.

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

12. All habitable rooms to House Types A, B and C (houses) as marked on Drawing Number 02/4, date stamped 16th March 2023 shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 25 dB Rw+Ctr. The works shall be carried out prior to the occupation of the relevant units and the glazing shall be maintained during the lifetime of the permission.

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

13. All habitable rooms to House Types A, B and C (houses) as marked on Drawing Number 02/4, date stamped 16th March 2023 shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 33 dB Dn,e+Ctr. The works shall be carried out prior to the occupation of the relevant units and the ventilation shall be maintained during the lifetime of the permission.

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

14. Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with FLD 3 & Annex D of PPS 15, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to the Council for its consideration and approval.

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

15. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Antrim and Newtownabbey Borough Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation

recording or by preservation of remains in-situ;

- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

16. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 15.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

17. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 15. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

18. The existing hedgerow and vegetation along the northern and southern boundaries of the site as indicated on the approved plan 02/4, date stamped 16th March 2023 shall be retained at a minimum height of two metres and trees within the hedgerow, as agreed in writing with the Council, shall be allowed to grow on.

Reason: In the interest of visual amenity.

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

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

20. Proposed planting shall be carried out in accordance with approved drawing No.02/4, date stamped 16th March 2023. Planting shall be carried out in the first available season after occupation of the first dwelling hereby approved.

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

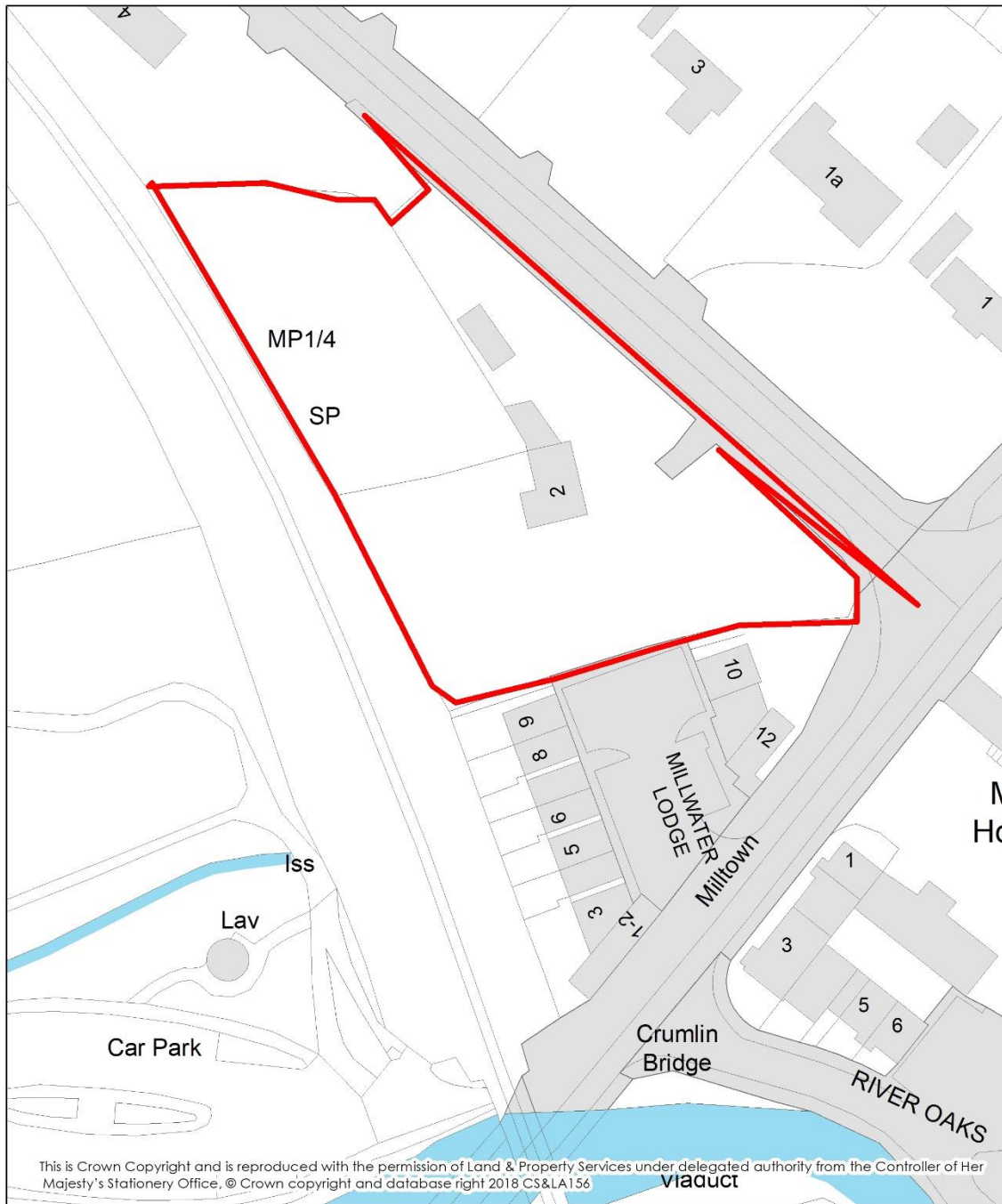
21. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or

becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

22. No dwellings or apartments hereby approved shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council. 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 (during the lifetime of the permission) of the open space and amenity areas in the interests of visual and residential amenity.



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	4.3
APPLICATION NO	LA03/2020/0489/F
DEA	BALLYCLARE
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 44no. Dwellings
SITE/LOCATION	Ballyhamage House, 43 The Burn Road, Doagh, BT39 0QH
APPLICANT	Suzanne McConnell
AGENT	Dimensions Chartered Architects
LAST SITE VISIT	19th July 2023
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at Ballyhamage House, 43 The Burn Road, Doagh. The site is located within the development limits of Doagh as defined by the draft Belfast Metropolitan Area Plan published 2004 (dBMAP) and within the development limits of Doagh as defined within the draft Newtownabbey Area Plan (dNAP).</p> <p>The topography of the site rises from the south and east in a northerly and westerly direction. There is a large expanse of grass on the southern portion of the site. A laneway access extends from southwestern corner of the site in a northeasterly direction towards Ballyhamage House, a grade B2 listed building of special architectural or historic interest under reference HB21/02/011, which is located on an elevated position on the northern half of the site.</p> <p>The western boundary of the site is defined by a 1-metre-high post and rail fence, with the southern (roadside) boundary defined by a row of mature deciduous trees, in excess of 8 metres in height. The eastern boundary of the site is defined by a 1.8-metre-high close boarded fence separating the site from the Ballyhamage residential development.</p>	
RELEVANT PLANNING HISTORY	
<p>The associated application for Listed Building Consent under application reference LA03/2020/0490/LBC is running concurrently with this application.</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 a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

PPS 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.

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

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads – No objection subject to conditions

Northern Ireland Water – No objection

Department for Communities Historic Environment Division - Historic Buildings Unit – No objection subject to conditions

Department for Infrastructure Rivers – No objection

Department of Agriculture Environment and Rural Affairs – Water Management Unit - No objection subject to condition

Shared Environmental Services – No objection subject to condition

REPRESENTATION

Twenty (20) neighbouring properties were notified, and thirty-one (31) letters of objection have been received from twenty-three (23) properties. Three (3) non-committal comments have also been received. 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:

- Traffic concerns;
- Impact upon the environment, flora and fauna including swifts;
- Neighbour amenity (loss of light, boundary treatment);
- Loss of character;
- Impact upon the character of Ballyhamage House;
- Sewer network issues; and
- Flood risk.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Appearance and Impact on the Character of the Local Area
- Impact Upon a Listed Building
- Neighbour Amenity
- Road Safety
- Other Matters

Policy Context and Principle of Development

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

The application site is located within the development limit of Doagh as defined in the draft Belfast Metropolitan Area Plan (dBMAP) published in 2004 and is not zoned for any particular use. The site is also located within the development limit of Doagh as

defined by the draft NAP. There are no other specific operational policies or other provisions relevant to the determination of the application contained in the 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).

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.

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, Appearance and Impact on the Character of the Area

The application proposes a housing development consisting of 44 dwelling units, comprising a mixture of townhouses, semi-detached dwellings, detached dwellings and apartment units. The development includes thirty-seven (37) new build residential units, as well with the restoration of the listed Ballyhamage House to accommodate seven (7) new residential units.

The proposed properties have their own identity, without offending the character of the surrounding area or the design or character of the listed building on the application site. The majority of the proposed residential units are two-storey in nature but include a number of units, which utilise attic space for storage/accommodation.

Whilst having a necessary familiarity in the design to compliment rather than contrast with Ballyhamage House, there is an appropriate variation in the design of the proposed units to bring visual interest to the area whilst retaining the overall character.

The dwellings located on corner sites including Plots 32-35 and Plots 36-38 benefit from dual-frontage designs, which improves the visual appearance when travelling through the development and from transient viewpoints when travelling along the adjacent Burn Road.

The proposed dwellings have varying ridge heights between 8.5 metres and 9 metres above ground level, with the existing listed building having a slightly higher ridge height of between 9 metres and 10.5 metres above ground level. The proposed ridge heights

of the proposed units are not significantly higher than the adjacent dwellings to the east within the existing Ballyhamage residential development.

Plots 23-35 and Plots 36-44 have car parking within their curtilage to the front of the property. Plots 1-22, which are located in the northern section of the site, have use of communal parking. This allows a communal garden area to be located at the rear of the listed building, which is considered acceptable. The communal parking area is softened with additional tree planting and grassed areas.

All the proposed dwellings are finished in render with natural slate roofs, which is in keeping with the character of the existing listed building.

Private amenity space is provided which average plots of almost 74sqm in accordance with the Creating Places design guide. Public open space is provided in a large central area and at the southern section of the site; these areas are accessible to all and are well overlooked and provide passive surveillance. The total area of public open space is in excess of 4000sqm, which exceeds the 10% of the total site area required by Policy OS 2 of PPS 8.

Most of the rear private garden areas are defined by a 1.8 metre high close boarded timber fence, with other boundary definition comprising 1.8 metre high walls or hedging on areas of high-visual interest.

An approximate 3-metre-wide wedge of hedging and shrubs will be planted along the western site boundary to create a buffer between the site and the countryside beyond. The existing stone wall is to be retained along the northern boundary of the site with a new 1.8-metre-high close boarded timber fence defining the eastern boundary between the site and the existing dwellings within the Ballyhamage residential development. In addition, hedgerow planting is proposed to be planted to the inside in order to soften the expanse.

Overall, it is considered that the design and appearance of the proposed scheme is acceptable and is in accordance with draft BMAP, Policy QD 1 of PPS 7 and Policy OS 2 of PPS 8.

Impact Upon a Listed Building

Ballyhamage House is a grade B2 listed building of special architectural or historic interest, under reference HB21/02/011 and as such, DfC Historic Environment Division: Historic Buildings (HB) was consulted in respect of the development proposal.

In its final consultation response dated 22nd June 2023 HB accepts the amended drawings presented by the agent and the viability of the scheme requiring forty-four (44) units as satisfactory. Although HB do not object in principle to the works proposed, it has recommended a number of conditions to be attached on any decision notice should planning permission be forthcoming.

Throughout the consultation process, HB's priority was to ensure that critical views of Ballyhamage House were unobstructed and that it remained the focal point of the development. The agent has provided a number of amendments to the layout of the scheme, with the aim of satisfying HB with regards to this matter.

HB suggested in its final consultation response that consideration should be given to omitting the trees indicated along the access road leading up towards the listed building, as it expects these will obscure views of the listed building from the southern end of the site. However, it is considered that without the retention of the said trees, the development as a whole would appear overly 'hard' with critical views of a significant degree of hardstanding and road networks surrounding the built form of development. It is considered that with the low number of trees proposed to be retained and their sparse locations that there would be no significant impact upon the critical views of the listed building. It is also considered that the retained trees will offer a higher level of integration to the site from passers-by, which is considered necessary given the location of the site on the edge of the development limit of Doagh.

In relation to the proposed finishes to Ballyhamage House, details of external and internal finishes at Ballyhamage House have been provided, and these have been agreed with HB.

Objectors have raised concerns regarding the impact of works on the listed building. However, HB has recommended a number of conditions are attached should the development be approved, to ensure that no damage is caused to the part of the building which is to be retained and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed buildings.

It is considered that the proposed works will not have a significant detrimental impact upon the listed building and that the proposed works will improve the visual attractiveness of the site as a whole and bring life back to an abandoned yet important listed building.

Neighbour Amenity

Concerns have been raised by objectors in relation to neighbour amenity, predominantly from residents from the adjacent Ballyhamage residential development, and specifically those backing onto the proposed eastern boundary of the application site.

The first amenity issue raised is in relation to loss of light to properties within the existing adjacent Ballyhamage residential development, however there is a separation distance of at least twenty (20) metres between the existing and proposed dwellings, which is the minimum standard separation distance as set out within the Creating Places design guide. Given the separation distance, it is considered that there will not be a significant loss of sunlight impacting upon the dwellings or their gardens within the Ballyhamage residential development.

Objectors have also raised concerns in relation to dominance as a result of the positioning of the proposed dwellings, particularly in relation to Plots 14-35 which are located directly adjacent to existing dwellings within Ballyhamage. It is noted that land levels between the existing dwellings at Ballyhamage residential development and the proposed dwellings on the application site are not significantly different, as indicated on Drawing 03D. In addition, there is a minimum 20 metre separation distance between the existing and proposed dwellings, both of which are two-storey buildings and as such it is considered that the proposal will not have a detrimental impact on the existing properties by way of dominance. Therefore, it is considered that minimal

weight can be afforded to these and any other neighbour amenity issues in the decision making process.

With regards to the potential impact upon the amenity of proposed dwellings within the development proposal, the scheme has been designed to minimise overlooking between properties. Care has been taken to ensure there is minimal overlooking, albeit a degree of which is not unusual in an urban environment. Additionally, the layout of the proposed dwellings ensures that the proposed development does not adversely impinge on the immediate aspect or outlook from adjoining properties.

Overall, it is considered that the proposal complies with part (h) of Policy QD 1 of PPS 7.

Road Safety

A number of objectors raised concerns in relation to increased traffic along the Burn Road and in Doagh village which would result in an unsustainable development and consequent road safety issues as a result of the proposed development.

DfI Roads was consulted on the proposal and has responded with no objections to the development proposal subject to conditions being attached to any planning decision. Given that DfI Roads expressed no concerns, little weight can be afforded to the objectors' comments in the absence of evidence to demonstrate their concerns.

Other Matters

Flooding, Drainage and Sewerage

Objectors have raised issues with regards to flood risk and sewerage capacity in the area. A treatment plant is proposed, as indicated on Drawing Number 46B, to treat foul sewage on the site. The treatment plant is contained underground and will only have a manhole visible at ground level. The agent has submitted a Schedule 6 Consent Certificate, Document 06/1, for discharge into a nearby watercourse. This Schedule 6 Consent was renewed by DfI Rivers in June 2022. The application site does not lie within a flood zone and DfI Rivers is satisfied with the submitted Drainage Assessment, Drawing Number 46B, and the drainage calculations contained within Document 09. Therefore, little weight can be attached to these objections.

Impact upon Natural Environment

A number of objections have been received with regards to the impact of the development upon flora and fauna on the site, and specifically to the potential detrimental impact upon swifts on the site.

DAERA Natural Environment Division (NED) was consulted on the proposal and acknowledged the presence of swifts within the buildings on the site that are proposed to be retained and renovated. Having considered this matter NED has offered no objection to the proposal but has recommended conditions to be attached to any planning decision including the placing of a minimum of 8 alternative nesting opportunities, such as swift nest boxes or other appropriate nesting box types, to be erected around the site in suitable locations prior to renovation works commencing.

NED also noted that there is a low likelihood of bats on site, albeit the applicant's initial Bat Survey highlighted the existence of one bat on the first site inspection. As such, NED

has recommended conditions to ensure the protection of bats and their roosts be imposed should planning permission be granted.

In addition, the Biodiversity Survey, Document 04, stated the habitats on site are generally of low ecological value and the trees along the southern site boundary are proposed to be retained. Having considered the above, it is considered little weight can be afforded to objection points in relation to impact upon natural heritage.

CONCLUSION

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

- The principle of the development is acceptable;
- The proposed layout is considered to be acceptable;
- The design and appearance of the development is considered acceptable;
- There will be no undue detrimental impact upon the listed building, Ballyhamage House;
- There will be no significant detrimental impact upon any neighbouring property to the site;
- There are no road safety concerns expressed by DfI Roads;
- The site does not fall within a designated flood zone, and storm and waste water can be successfully dealt with; and
- There will be no detrimental harm upon the natural landscape or wildlife on the 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. The open space areas indicated on Drawing Number 43C date stamped 15th March 2022 shall be managed and maintained in accordance with the Landscape Management Plan, Document 01A date stamped 14th December 2021. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

3. The existing natural screenings of this site as shown Drawing Number 43C date stamped 15th March 2022 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be given to the Council in writing prior to their removal. The existing hedging shall be retained at a minimum height of 2 metres and the existing trees indicated as to be retained shall be retained at a minimum height of 10 metres.

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

4. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council. Fencing for the protection of root protection zones shall be implemented in accordance with BS 5837:2012 L0-03 or the updated version of this standard. The fencing shall be implemented in accordance with the details indicated on Drawing Number 43C, date stamped 15th March 2022.

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

5. The proposed planting shall be carried out in accordance with Drawing Number 43C date stamped 15th March 2022. The planting shall be carried out in the first available season after occupation of the dwellings hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2 metres thereafter, trees shall be allowed to grow on and retained at a minimum height of 4 metres thereafter. If any 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.

6. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number PSD 01A date stamped 26th January 2022, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter

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

7. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number PSD 01A date stamped 26th January 2022.

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

8. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number PSD 01A date stamped 26th January 2022.

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

9. No dwellings shall be occupied until that part of the service road, which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

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

10. Demolition work within 2 metres of the existing buildings to be retained shall be carried out by hand or by tools held in the hand other than power-driven tools.

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

11. Prior to commencement of structural alterations to the listed buildings on the site, a method statement shall be submitted and approved in writing by the Council demonstrating how the proposed structural works will be undertaken, and outlining how the listed building will be protected, during construction work. The work shall be carried out fully in accordance with the details approved.

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

12. Any scaffolding fixings shall be only to mortar joints, through open windows or discreet non-invasive locations.

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

13. Powered tools (for example, air-driven tools; electric angle grinders and so forth) are not to be used to cut back masonry joints prior to repointing; where these are considered unavoidable, methods must be agreed and approved in writing by the Council prior to commencement.

Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed buildings.

14. New mortar, plaster and render on the listed buildings shall be lime based with no cement-based additives and shall be finished with lime wash.

Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed buildings.

15. All drainage works shall comply with the drainage layout indicated on Drawing Number 46B date stamped 26th January 2022 and the drainage calculations indicated in Document 09 date stamped 26th January 2022.

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. Twenty four hours prior to any works taking place on the tree assessed as having high roosting potential, as identified in Table 4.1 within the Preliminary Roost Assessment of the Bat Survey within Document 03 date stamped 24th July 2020, an experienced bat worker or surveyor shall assess the tree for evidence of roosting bats and provide mitigation where necessary.

Reason: To ensure the protection of bats and their roosts.

17. A minimum of five bat boxes shall be erected in appropriate locations prior to renovation works commencing. Bat boxes shall be located in areas free from artificial light and of minimal potential disturbance.

Reason: To ensure the protection of bats and their roosts.

18. There shall be no light directed towards boundary vegetation, as detailed on Page 16 of the Bat Survey report, Document 03 date stamped 24th July 2020.

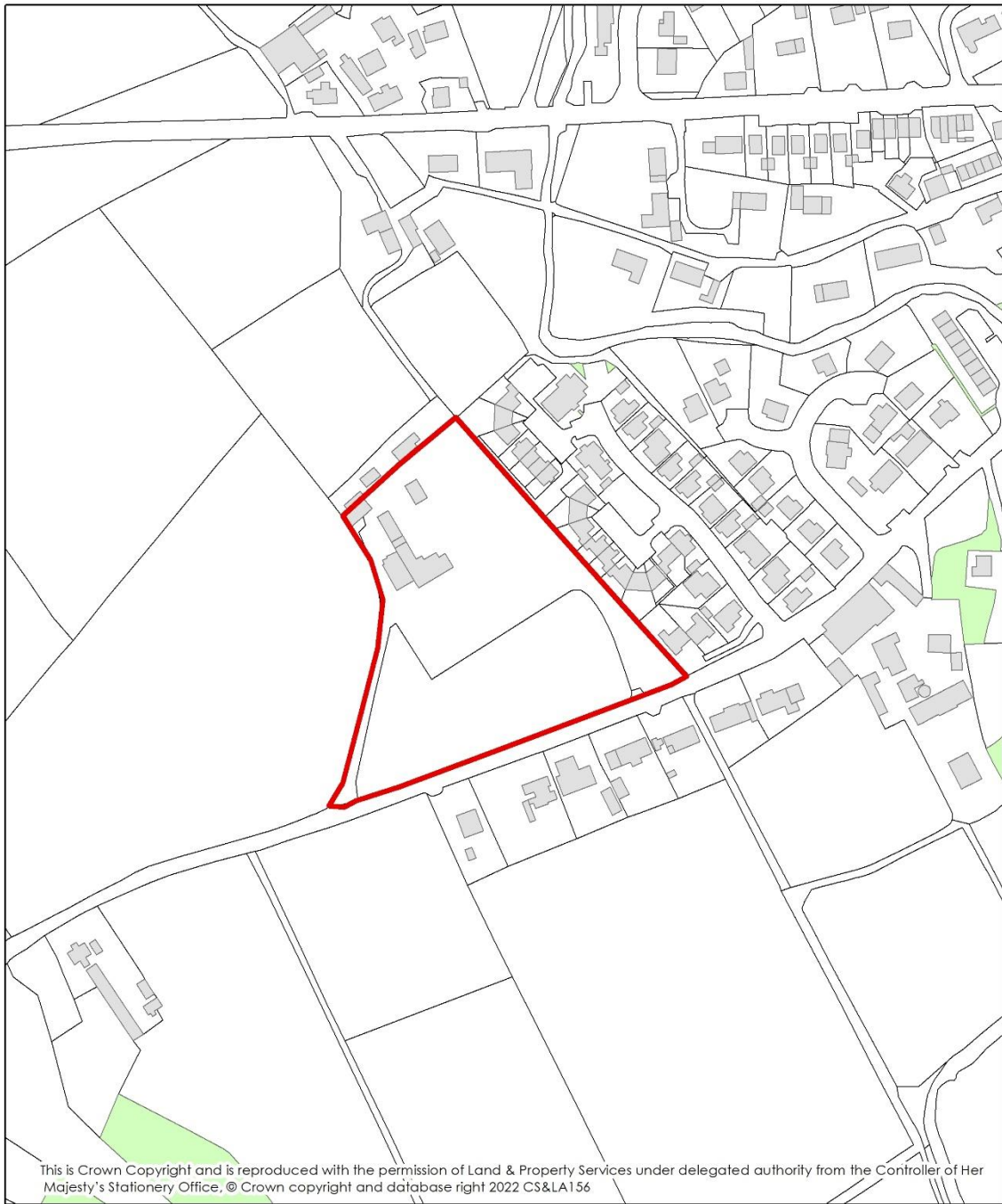
Reason: To ensure the protection of bats and their roosts.

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

Reason: To ensure the protection of breeding birds.

20. Prior to any building being occupied a minimum of 8 swift nest boxes, shall be erected around the site in suitable locations prior to renovation works. The full details of the types of boxes and their locations shall be agreed in writing with the Council. The boxes shall be retained throughout the lifetime of the development.

Reason: To provide compensatory nesting opportunities for Swifts.



Planning Application Reference: LA03/2020/0489/F

Location: Ballyhamage House
43 The Burn Road, Doagh

Proposal: Erection of 44no. Dwellings

Scale: 1:2500



Site Location



COMMITTEE ITEM	4.4
APPLICATION NO	LA03/2020/0490/LBC
DEA	BALLYCLARE
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT LISTED BUILDING CONSENT
PROPOSAL	Part demolition, conversion & alterations of listed buildings to provide 2no. detached dwellings, 5no. townhouses and 2no. apartments
SITE/LOCATION	Ballyhamage House, 43 The Burn Road, Doagh, BT39 0QH
APPLICANT	Suzanne McConnell
AGENT	Dimensions Chartered Architects
LAST SITE VISIT	19th July 2023
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located at Ballyhamage House, 43 The Burn Road, Doagh. The site is located within the development limits of Doagh as defined by the draft Belfast Metropolitan Area Plan published 2004 (dBMAP) and within the development limits of Doagh as defined within the draft Newtownabbey Area Plan (dNAP).</p> <p>The topography of the site rises from the south and east in a northerly and westerly direction. There is a large expanse of grass on the southern portion of the site. A laneway access extends from southwestern corner of the site in a northeasterly direction towards Ballyhamage House, a grade B2 listed building of special architectural or historic interest under reference HB21/02/011, which is located on an elevated position on the northern half of the site.</p> <p>The western boundary of the site is defined by a 1-metre-high post and rail fence, with the southern (roadside) boundary defined by a row of mature deciduous trees, in excess of 8 metres in height. The eastern boundary of the site is defined by a 1.8-metre-high close boarded fence separating the site from the Ballyhamage residential development.</p>	
RELEVANT PLANNING HISTORY	
<p>The associated application for planning permission under application reference LA03/2020/0489/F is running concurrently with the current Listed Building Consent.</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, 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 a Plan Strategy for the whole of the Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

PPS 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.

CONSULTATION

DfC Historic Environment Division: Historic Buildings Unit – No objection subject to conditions

REPRESENTATION

The Council is not required to carry out neighbour notification on applications for Listed Building Consent. However, seven (7) letters of objections have been received from seven (7) properties. One (1) letter of support has been received and two (2) non-committal representations have been received.

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:

- Impact upon swifts;

- Loss of character;
- Impact upon character of Ballyhamage House;

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 Upon a Listed Building;

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 application site is located within the development limit of Doagh as defined in the draft Belfast Metropolitan Area Plan (dBMAP) published in 2004 and is not zoned for any particular use. The site is also located within the development limit of Doagh as defined by the draft NAP. There are no other specific operational policies or other provisions relevant to the determination of the application contained in the 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).

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.

With the foregoing in mind, it is considered that in principle the proposed development is acceptable subject to the relevant policy provisions set out above and careful consideration of the impact of the proposal on the listed building.

Impact upon a Listed Building

The application seeks full planning permission for alterations and associated works to Ballyhamage House, a Grade B2 listed building of special architectural or historic interest. Ballyhamage House is a two-storey Georgian house built c.1800, with an attached former chapel located to the north side of the Burn Road, Doagh.

Policy BH 8 and Policy BH 10 of PPS 6 outlines the policy criteria for development that will impact on a listed building and its setting. As a result, DfC Historic Environment Division (HED) has been consulted with regards to the proposal and a number of comments have been made in relation to the development.

Having considered a number of revisions during the lifetime of the application, HED has responded with some final comments dated 22nd June 2023. HED has indicated that they are content for conditions to be placed on any forthcoming approval, subject to clarification that stained glass windows will be retained. The applicant has stated that the stained-glass windows cannot be retained due to their poor condition. The Council considers that the re-use of the stain-glassed window is not deemed to be critical to the retention and upgrade of the listed building and should not prohibit approval of the scheme.

HED has suggested in its consultation response that consideration should be given to omitting the trees indicated along the access road leading up towards the listed building, as it expects these will obscure views of the listed building from the southern end of the site. However, it is considered that without the retention of the said trees, the development as a whole would appear overly 'hard' with a significant degree of hardstanding and road networks surrounding the built form of development. It is considered with the small number of trees and their sparse locations that there would be no significant impact upon critical views of the listed building.

The Council considers that the comments and recommendations made by HED in its consultation response do not warrant a refusal of this application. It is considered that the scheme as proposed is acceptable in terms of its impact on the listed building. The proposal is considered to complement the existing use on the site and sustain the future of Ballyhamage House, which at present is in a state of abandonment and disrepair and may not be salvageable if it is left to deteriorate further.

CONCLUSION

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

- The principle of development is acceptable;
- It has been sufficiently demonstrated that the development would not have a significant impact on the Grade B2 listed building.

RECOMMENDATION

GRANT LISTED BUILDING CONSENT

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. Demolition work within 2 metres of the existing buildings to be retained shall be carried out by hand or by tools held in the hand other than power-driven tools.

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

3. Prior to commencement of structural alterations to the listed buildings on the site, a method statement shall be submitted and approved in writing by the Council demonstrating how the proposed structural works will be undertaken, and outlining how the listed building will be protected, during construction work. The work shall be carried out fully in accordance with the details approved.

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

4. Any scaffolding fixings shall be only to mortar joints, through open windows or discreet non-invasive locations.

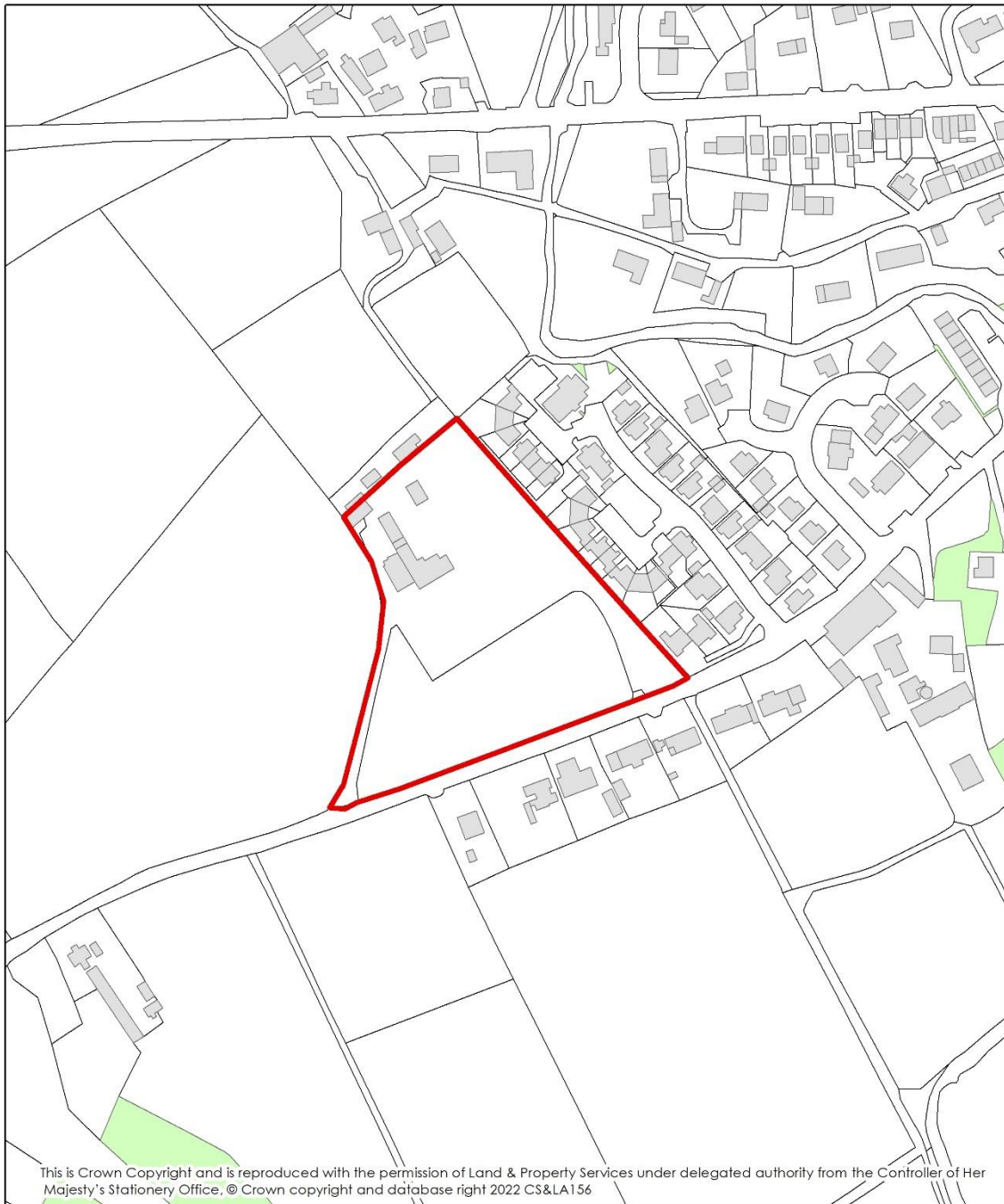
Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

5. Powered tools (for example, air-driven tools; electric angle grinders and so forth) are not to be used to cut back masonry joints prior to repointing; where these are considered unavoidable, methods must be agreed and approved in writing by the Council prior to commencement.

Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed buildings.

6. New mortar, plaster and render on the listed buildings shall be lime based with no cement-based additives and shall be finished with lime wash.


Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed buildings.



Planning Application Reference: LA03/2020/0490/LBC

Location: Ballyhamage House
43 The Burn Road, Doagh

Proposal: Part demolition, conversion
& alterations of listed buildings to provide
2no. detached dwellings, 5no. townhouses and 2no. apartments

Scale: 1:2500 

 Site Location



COMMITTEE ITEM	4.5
APPLICATION NO	LA03/2023/0193/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of storage distribution warehouse depot with ancillary office accommodation, access and parking provision and all other associated site works to include for hard and soft landscaping works along with provision of a temporary wastewater treatment system.
SITE/LOCATION	Lands adjacent and 30 metres north of No 14 Plasketts Close, Fergusons Way, Kilbegs Industrial Estate, Antrim.
APPLICANT	Tyre Call Limited
AGENT	Genesis Planning Consultants.
LAST SITE VISIT	26/04/2024
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</p>	
SITE DESCRIPTION	
<p>The application site is located within the settlement limit of Antrim Town on lands zoned for industry. The site is comprised of an area of vacant lands to the southwestern periphery of Kilbegs Business Park, located approximately 2 miles northwest of Antrim Town Centre.</p> <p>Plasketts Burn watercourse abuts the western boundary of the site which is defined by a number of mature trees. The eastern boundary runs parallel to Fergusons Way estate road. This boundary is defined by a 3 bar D-rail fend with mature trees (6m+) and landscaping to the rear.</p> <p>Adjacent to the site there are a number of commercial, industrial and leisure developments which includes storage depots, gyms, the Girls Brigade, a car mechanics, manufacturing units and offices.</p> <p>Milltown Wastewater Treatment Works is located beyond the western boundary of the site. Further commercial/industrial developments are present to the south of the site; including car mechanics, dispatch depots and a shopping centre complex.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/1005/PAN Location: Lands at Plasketts Close, Fergusons Way, Kilbegs Industrial Estate, Antrim. Proposal: Storage and distribution depot with ancillary office accommodation, access and parking provision and all other associated site works. Decision: Proposal of Application Notice Acceptable.</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, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Draft Belfast Metropolitan Area Plan together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001 (AAP): The Plan identifies the applications site as being within the rural area of Antrim. Paragraph 25 of the AAP highlights the policies in place for this area and discussed below under the principle of development.

Antrim Area Plan 1984-2002 Alteration No.3 entitled 'Industry – Antrim Town including Technical Supplement': The aim of this alteration is to ensure an adequate supply of industrial land in Antrim Town within the plan period. March 1999.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section (EHS) - No objection.

NI Water – Concerns raised with network and waste water treatment works capacity.

Belfast International Airport (BIA) – No objections.

DAERA Northern Ireland Environment Agency (NIEA):

Water Management Unit – No objections.

Regulation Unit Land – No objections.

Natural Environment Division – No objections.

DfI Roads – No objections subject to conditions.

DfI Rivers – No objections.

DfC Historic Environment Division – No objections subject to conditions.

Council Shared Environmental Services (SES)

No objections subject to conditions.

REPRESENTATION

Thirty-three (33) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Neighbour Amenity
- Compatibility with Adjacent Land Uses
- Flood Risk
- Natural and Built Heritage
- Access, Movement and Parking
- Crime and Personal Safety
- Effluent Disposal

Preliminary Matters

Environmental Impact Assessment

The development falls within Category 10 (A) - The carrying out of development to provide for industrial estate development projects and, 10 (B) (The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks) of Schedule 2 of the Environmental Impact Assessment Regulations (Northern Ireland) 2017. The Council is therefore 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 16th November 2022 (ref: LA03/2022/0057/PAN). Businesses and residents within a 300-metre radius of the site were provided with details of the proposed development in the form of a consultation flyer advising of the in person consultation arrangements. Elected Members for the District Electoral Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. A number of comments were made during the consultation process. 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.

TyreCall Existing Premises

The applicant indicates that their existing facility at 12 Kilbegs Road is at maximum capacity for both storage and overall operations as its business headquarters.

The applicant further states that with the advent of Electric Vehicles to the Northern Ireland market the tyre stock profile required to service this increasingly diverse car market is expanding rapidly, requiring unique tyre sizes and construction attributes to satisfy the weight and range requirements of Electric Vehicles. Additionally, the company has increased their agricultural and construction tyre business substantially in the last few years. As a response to continuously evolving customer and industry changes the company has diversified and expanded the product range and services offered both locally and internationally.

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 application site lies within the settlement limit of Antrim town on lands zoned for industry following the publication of the Antrim Area Plan 1984-2002 Alteration No.3 entitled 'Industry – Antrim Town including technical Supplement'. There are no key site requirements associated with these lands.

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

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

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

Planning Policy Statement 4 – Planning and Economic Development (PPS4).

PPS 4 Policy PED 1 deals with economic development in settlements. It states that a development proposal for a Class B4 storage or distribution use will be permitted in an area specifically allocated for such a purpose in a development plan.

As the application site is located within zoned industrial lands the principle of development is considered acceptable subject to the development complying with a number of criteria contained within Policy PED 1 and the general criteria to be applied to economic development proposals set out in Policy PED9 of PPS4.

Design, Layout and Appearance

PPS 4 Policy PED 1 and Criterion (j) of Policy PED 9 requires the applicant to ensure that the scale, nature and form of development are appropriate to the area and to ensure that site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity.

The application site is approximately 1.57 ha in size and is for a storage and distribution development providing a gross floor space of 8,136 sqm for class B4 storage and distribution warehouse with ancillary buildings, car parking and areas of circulation and hardstanding, landscaping and boundary treatment. The building will have a main warehouse of about 7,361.36 sqm with 774.7 sqm office and ancillary space over three floors. The proposed building measures 17.8m at the highest point.

The main access to the site will be from the southeastern corner of the application site on to the Fergusons Way estate road. An area of car parking is provided in this area adjacent to the office block. A secondary access is proposed on the southern side of the application site onto Plasketts Close which will provide access for HGVs to load and unload from the main distribution warehouse. This area also includes a number of parking spaces and loading bays for HGVs.

The building is a standard portal framed building providing a flexible shell to meet the user's requirements. The warehouse building will have a curved roof profile with goosewing grey Kingspan cladding panels while the office block is flat roofed with dark grey facing blockwork at ground floor level with blue Kingspan cladding above the blockwork. Insulated roller shutter doors in a gunmetal grey colour will be located on the principle elevation. The corner of the main warehouse building will have a two-storey office finished in a full height curtain wall glazing. Pockets of landscaping are proposed along the southern side of the application site which a landscaping buffer (10-15m depth) is proposed adjacent to Plasketts Burn consisting of a woodland planting mix.

The proposed development is located on an edge of settlement location adjacent to a Waste Water Treatment Works on the western side and surrounded on the northern, eastern and southern side by other industrial and commercial properties generally two storey in height and finished with a mix of blockwork and cladding. As such it is considered that the design, layout and appearance of the building including its scale and massing are sympathetic to its surroundings.

Neighbour Amenity

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

The Council's Environmental Health Section (EHS) has been consulted with regard to this proposal and they have indicated no objections with regard to noise, odour or other disturbance on residential amenity or on the amenity of nearby commercial premises. EHS were advised of NI Waters request for an Odour Impact Assessment, however, EHS has indicated that this is not necessary in this instance.

NIEA Regulation Unit has also responded with no objections with regard to potential contamination and has no objection to the development subject to conditions relating to potential unknown contamination. It is therefore considered that there are no significant contamination risks associated with this site.

Compatibility with Adjacent Land Uses

Policy PED 1 and PED 8 of PPS 4 seeks to safeguard existing or approved economic development uses from incompatible development that would prejudice future operations. This is also echoed in Policy PED 9 criterion (a) of PPS 4.

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

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

The application site is located within development limits of Antrim Town on lands zoned for industry and is surrounded by a variety of uses including commercial, leisure, industrial, storage uses, car mechanics and office uses. In addition, Milltown Waste Water Treatment Works is adjacent to the western boundary of the application site.

It is considered that there are no sensitive industrial enterprises in this area that would be significantly impacted upon as a result of this development, nor would the proposed development have a significant impact on the future operation of any existing or proposed uses within this immediate area. Therefore, it is considered that there is unlikely to be any significant emissions from this development that would result in a significant impact on any existing or approved uses within this site or prejudice their future operations.

With regard to compatibility with the adjacent NI Water Milltown Waste Water Treatment Works it is noted that NI Water has asked for an Odour Assessment to be submitted to ensure that there is no significant impact on their operations. EHS has been consulted and has raised no concerns with the compatibility of this development to nearby receptors. It is therefore considered that the proposed development is compatible with the adjacent residential properties.

Flood Risk

PED 9 (d) of PPS 4 requires that development is not located in an area at flood risk and will not cause or exacerbate flooding. PPS15 reinforces this position with a series of Policies for the applicant to adhere to.

A watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as 'Plaskets Burn' is located adjacent to the western boundary of the site. DfI Rivers advise that the site may be affected by undesignated watercourses of which they have no record.

Policy FLD 1 of PPS 15 states that development will not be permitted within the 1 in 100-year fluvial flood plain (AEP7 of 1%) unless the applicant can demonstrate that the proposal constitutes an exception to the policy. DfI Rivers has advised that a minor portion of the sites eastern boundary lies within the defended fluvial floodplain and as such Policy FLD 1, Defended Areas applies. The applicant indicates within their Flood Risk Assessment that the vast majority (99%) of the site lies outside of any defended or undefended floodplain and as such Policy FLD 1 does not apply to those parts of the site while 1% of the site benefits from a flood defence and is deemed to be a defended area. The drainage consultant indicates that the development of the defended parts of the site is proposed as an exception as having the benefit of flood protection confirmed by DfI Rivers as being structurally adequate and provides a minimum standard of 1:100-year fluvial flood protections. The proposal does not include essential infrastructure, storage of hazardous substances, bespoke accommodation for vulnerable groups or development located close to the flood defences.

The drainage consultant accepts that the proposed development represents an intensification of use, however, the policy allows proposals to be considered in their individual merits informed by a Flood Risk Assessment. In this case it is indicated that:

- The proposed development levels ensure that there is no significant risk to development on the site including in the event of flood defence failure.
- There is no significant loss of valuable flood plain that would be occupied in the event of a flood defence failure.

Having regard to the minor nature of the proposed development site being within the floodplain and the arguments put forward by the applicant, it is considered in this instance that this proposal can be deemed an exception under the defended area criterion and as such the DfI Rivers has reviewed the Flood Risk Assessment (DOC 04) (FRA) by McCloy Consulting, dated October 2022.

The FRA has provided a detailed model of the adjacent watercourse, which has demonstrated the 1 in 100-year fluvial flood level at this location to be 104.33mOD with this level rising to 104.70mOD when taking into account climate change. The

detailed model within the FRA predicts that the 1 in 100-year flood event will remain in-bank and no parts of the site will flood.

DfI Rivers advise that it has no reason to doubt the technical findings in the FRA. The detailed model predicts that there will be flooding in the locality of the culvert inlet when flows are increased to account for climate change, likewise if there is a blockage in the culvert. To account for this, DfI Rivers recommends that the FFL of the development is set 600mm above the predicted 1 in 100year fluvial flood level (104.93mOD).

With regard to Policy FLD2 (Protection of Flood Defence and Drainage Infrastructure) A watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as 'Plaskets Burn' is located adjacent to the western boundary of the site. Under paragraph 6.32 of Policy PPS 15 FLD 2, it is essential that a working strip of minimum width 5m is retained, but up to 10m where considered necessary. DfI Rivers requests that the working strip is protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or any future development by way of a planning condition. Access to and from the maintenance strip should be available at all times. Based on the proposed site layout and accompanying drawings in relation to retaining a maintenance strip, DfI Rivers has no reason to sustain an objection under Policy FLD2.

With regard to development and surface water, DfI Rivers has reviewed the Drainage Assessment (DOC 04) and while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. It is therefore considered that Policy FLD 3 has been complied with.

DfI Rivers has advised that Policy FLD4 (Artificial Modification of Watercourses) and Policy FLD5 (Development in Proximity to Reservoirs) are not applicable to the application site.

Natural and Built Heritage

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

In terms of impact on listed buildings there are no listed buildings within the application site or within a reasonable proximity to the application site. It is therefore considered that the application site is sufficiently far removed from historic buildings within the area to have any significant impact upon them.

HED (Historic Monuments) has reviewed the proposal and has advised that excavations in advance of the development of Junction One uncovered a number of prehistoric archaeological sites, including two Bronze Age houses (ANT 050:186), and archaeological remains dating to either the Bronze Age or the early medieval period. The early medieval period is also represented by a rath (ANT 050:004) which was located in the site now occupied by the Tesco Distribution Warehouse.

HED advise that the recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site.

Historic Environment Division (Historic Monuments), however, has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

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.

The applicant has submitted a series of reports in support of their application, including:

- DOC 05 - Preliminary Ecological Impact Assessment.

The ecologist highlights within the PEA that the stream corridor along the western boundary line provides vital commuting and foraging habitat for bats. Bats are a European Protected Species under the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The ecologist has assessed the trees on and bordering the site to have negligible Bat Roost Potential (BRP), NED are content that should the proposal require the felling of boundary trees, this is unlikely to have a significant impact to bats. NED agree with the ecologist's recommendation that excessive outdoor lighting should be directed away from the stream corridor to the west.

NED note that birds were recorded on site within the grass including snipe which is a ground nesting bird. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. NED therefore advise that care should be given and that site clearance/preparation should be undertaken outside the bird breeding season which occurs from 1st March to 31st August, or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.

The ecologist recorded evidence of commuting and foraging otters along the stream corridor. Otters are a European Protected Species and are subject to a strict level of protection. The ecologist did not record any evidence of otter holts or places of refuge along the stream. NED are content the proposal is unlikely to have a significant impact on otters and have included advice should evidence of otter be discovered on site. NED welcome the buffer along the stream corridor to reduce any potential disturbance to otters.

Badgers and their places of refuge are protected at all times under the terms of the Wildlife (Northern Ireland) Order 1985 (as amended). The ecologist did not record any evidence of badger or badger setts on site. NED are therefore content the proposal will not have a significant impact to badgers. NED also notes from the PEA that evidence of rabbits has been recorded within the site. Therefore, the applicant should be aware of the protection afforded to all animals under the Welfare of Animals Act (Northern Ireland) 2011.

With regard to impact on designated sites, the application site is hydrologically linked to the following national, European, and international designated sites:

- Lough Neagh and Lough Beg Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended);
- Lough Neagh and Lough Beg SPA, which is designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended);
- Lough Neagh ASSI which is declared under the Environment Order (Northern Ireland) 2002.

Both NED and the Council's Shared Environmental Service (SES) have been consulted with regard to the impact on designated sites. NED and 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.

NED advise that they have no significant concerns with regard to potential impacts on designated sites while SES advise that following an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation proposed. NED also advise that conditions are required to ensure that the proposal will not have an adverse effect on the integrity of any European Site. Conditions to this effect are included below to ensure that there is no adverse impact on the integrity of any European Site.

Having regard to the SES advice, it is considered that the Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service.

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

Road Safety, Traffic, Parking and Transport Issues

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

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

Applicable policies include: -

- Policy AMP 1- Creating an Accessible Environment;

- Policy AMP 2 -Access to Public Roads – Permission will be granted for a development involving access to a public road where it will not prejudice road safety or significantly inconvenience the flow of traffic;
- 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.

In terms of Policy AMP 1 the site is accessed from Fergusons Way and from Plasketts Close. The car park is designed to include 4 No. disabled parking bays while internally the warehouse will have a level access with a lift providing access to the first floor offices. The workshop has level access and internally has a disabled toilet and canteen at ground floor level. It is therefore considered that the proposal is compliant with Policy AMP1.

With regard to Policy AMP 2, DfI Roads has no objection to the access arrangements as proposed by the applicant and as such, it is considered that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic and accords with policy AMP2 of PPS3 and also the policy provisions of PPS 4.

Policy AMP 7 of PPS 3 requires developments 'to provide adequate car parking' having regard to the Parking Standards. The Transport Assessment Form (TAF) (Document 06) submitted with the proposal indicates that this proposal will be served by parking in excess of the parking standards normally required. Table 1 below is extracted from the TAF and provides an overview of the parking required and that proposed by the applicant.

	Car Parking	HGV Parking	Cycle Parking
PPS 3 Parking Requirements	29 x car parking spaces required	29 x HGV Parking spaces required	7 x cycle spaces required
Proposed Parking Provision	44 x car parking spaces provided	30 x HGV parking spaces provided	20 x cycle parking spaces provided.
Parking summary	15 car parking space above PPS 3 requirements	1 HGV parking space above PPS 3 requirements	13 Cycle parking spaces above PPS 3 requirements

The proposed site plan (Drawing No. 02) illustrates formal parking for 44 No. car spaces including 4 No. disabled spaces adjacent to the general office, 30 No. lorry parking spaces are provided in the form of perimeter parking and dock levellers/loading bays.

DfI Roads has indicated no concerns with the parking arrangements. In terms of car parking design, the parking is located on the eastern periphery of the site. Additional landscaping is proposed along the perimeter of the site which in time will provide adequate screening for the car park. Overall, it is considered that adequate parking has been provided while the design, layout and landscaping to accompany the proposals for car parking are acceptable.

Crime and Personal Safety

Criterion (L) of Policy PED 9 of PPS 4 requires that the site is designed to deter crime and promote personal safety. The site is bounded by the Plaskets Close on the southernmost side and by Fergusons Way on the eastern most side of the application site and is defined by 2.4m high ibex fencing. These boundaries are defined by 2.5m paladin fencing which wraps around the application site to provide site security, with vehicle access gates. The northern boundary adjacent to Kilbegs Business Park is also defined by 2.4m high Ibex fencing while the western most boundary adjacent to Plaskets Burn watercourse is to be defined by a 1.8m high close boarded fence. Both the main entrance and HGV entrance to the site are from enclosed gated areas ensuring that the site is designed to deter crime.

The proposed development has been design to prevent crime and ensure personal safety.

Movement Pattern

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

The TAF (Document 06) indicates that the site is within convenient walking distance to both the A26 carriageway which is a key public transport corridor served by Translink bus service and Antrim Bus and Rail Station for access to train services. The TAF further indicates that the site will be served by Translink public transport with bus stops located on the A26 carriageway providing access to bus services 120, 218 and 573 which is a 16-minute walking distance from this application site. Intercity travel by train can be accessed at Antrim Bus and Rail Station which is a 33 minutes' walk distance from the site. In terms of cycling there is no specific infrastructure in the vicinity, with cycle access achieved via the public road network.

With regard to walking routes the TAF indicates that with the proposed development being close to Antrim Town Centre, it will be well served by pedestrian facilities with public footways supported and controlled crossings at major road junctions, well lit by street lighting are located on the surrounding public road network. The TAF further states that this safe network of footways will support pedestrian movements of future staff and customers of this new commercial development which is likely to influence tier travel choices favouring walking combined with public transport travel over travel by car for commuter journeys to and from the application site.

Based on the information provided it is considered that the Criterion (i) of Policy PED 9 of PPS 4 and Policy AMP1 of PPS 3 has been complied with.

Emissions and Effluent

A further criteria (f) of Policy PED 9 of PPS 4 requires that the proposed development is capable of dealing satisfactorily with any emission or effluent. Having regard to the storage and distribution nature of the proposal, it is unlikely that there will be any significant emissions or effluent from the proposed development beyond noise and disposing of foul sewage. EHS has raised no concerns on this matter.

With regard to potential effluent the applicant proposes to dispose of foul sewage by a temporary package treatment plant to discharge to a watercourse until such times as they can gain a connection to the NI Water network. NI Water and NIEA Water Management Unit have indicated that they have no objections to the use of a temporary package treatment plant.

NI Water Infrastructure

NI Water has indicated that an Odour Encroachment Assessment is required to determine the compatibility of these proposals with the existing operation of the Wastewater Treatment Works as the site is located within the Wastewater Treatment Work's 400m odour consultation zone boundary. This is considered to be an unreasonable request by NIW in light of the EHS's response to the proposal. Having regard to the nature of this proposal and the location of the office element of the development it is considered that the proposed development site is sufficiently far removed from the Waste Water Treatment Works to ensure that there is no unacceptable impact on the operation of the existing Waste Water Treatment Works or the proposed development. In addition, the applicant has been made aware of the issue.

NI Water advise that a high level assessment has indicated potential network capacity issues. This establishes significant risks of detrimental impact to existing customers causing reduced pressure and potential water supply outages. For this reason, NI Water is recommending connections to the public water supply network are curtailed and that the applicant will need to apply to NIW for a Water Impact Assessment to see if any mitigating measures are required to allow for connection. This matter is considered to be outside of the requirements of planning and is addressed under a separate legislative procedure.

With regard to waste water the application form states foul sewage will discharge to a temporary treatment plan (septic tank) in response to ongoing network capacity issues with the NI Water system. It is noted that the applicant has applied for a Wastewater Impact Assessment which is currently being processed by NI Water Solutions Team. Subject to successful outcomes from the Solution Engineers Report NI Water may be able to approve a connection to the public wastewater network, however, in the interim period the applicant has proposed a temporary solution to address this concern. Having regard to the nature of the proposal it is considered that the proposed temporary treatment plant is acceptable subject to a series of conditions governing its decommissioning once a connection to the mains system becomes available.

NIEA Water Management Unit recommended a condition that no development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to Discharge has been granted under the terms of the Water (NI) Order 1999 as the applicant is to provide a temporary package treatment plan until such times as they can connect to the NI Water network.

Economic Impacts

In terms of employment, TyreCall currently employs 30 people, including warehouse/driver operatives, admin staff and management at 12 Kilbegs Road. Given ongoing expansion of the business the applicant indicates that it is intended to

deliver an additional 30no. staff to the company operations, and these will be based at the application site. In addition, it is estimated that the proposal will generate 20 construction jobs.

The applicant has indicated that the proposed development represents an investment within the Borough of circa £6 million.

CONCLUSION

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

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

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. If during the development works, new contamination or risks are 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/landcontamination-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.

3. After completing the remediation works under Condition 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with 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/landcontamination-how-to-manage-the-risks>.

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

4. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02 date stamped 22-03-2023 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. Following the development hereby approved becoming operational the proposed development noise levels shall not exceed 46.2dB LAr, daytime and 43.5dB LAr, night-time at the closest noise sensitive receptor.

Reason: In the interests of residential amenity.

7. The existing natural screenings of the site, as indicated on Drawing No: 07/1 date stamped received 17/05/2023 shall be retained at a minimum height of 3 metres and trees within the hedgerow retained at a minimum height of 6 metres and allowed to grow on, unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council prior to their removal. The compensatory planting scheme shall be carried out as agreed.

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

8. All retained trees and hedgerows shall have root protection zones protected from construction works and shall be protected in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction-Recommendations.

Reason: to ensure continuity of the biodiversity value afforded by existing trees.

9. The proposed landscaping indicated on Drawing 07/1 date stamped received 17-05-2023 shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained thereafter at a minimum height of 2 metres for hedging and 4 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

10. The building hereby approved shall not become operational until either a main sewerage connection is agreed with NI Water or the development is served by a temporary package sewage treatment plant sited at the location indicated on Drawing No. 09 date stamped received 08-06-2023.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site and to ensure appropriate infrastructure is in place to serve this development.

11. Except as otherwise agreed in writing with the Council the package treatment plant shall be installed in accordance with specification indicated on Drawing No. 08 date stamped 17/05/2023 and Doc No. 10 date stamped 17/05/2023.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site and to ensure appropriate infrastructure is in place to serve this development.

12. The package plant shall be decommissioned and the development connected to a public sewer within six months of the Council notifying the applicant that the waste water treatment plant has been upgraded, or within such extended period as the Council may agree in writing. The package plant shall be removed, and the land it occupied shall be reinstated in accordance with a scheme to be agreed in writing with the planning authority, within six months of the development being connected to a public sewer.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site and to ensure appropriate infrastructure is in place to serve this development.

13. A clearly defined buffer of at least 10m shall be maintained between the location for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and any surface water drain and Plasketts's Burn traversing the western red line boundary.

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

14. Prior to and for the duration of all works a silt barrier will be installed and maintained along the western boundary. The full details of the silt barrier shall be agreed in writing with the Council prior to any development commencing on site.

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

15. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council. The POW shall provide for:

- a. The identification and evaluation of archaeological remains within the site;
- b. Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- c. Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- d. Preparation of the digital, documentary and material archive for deposition.

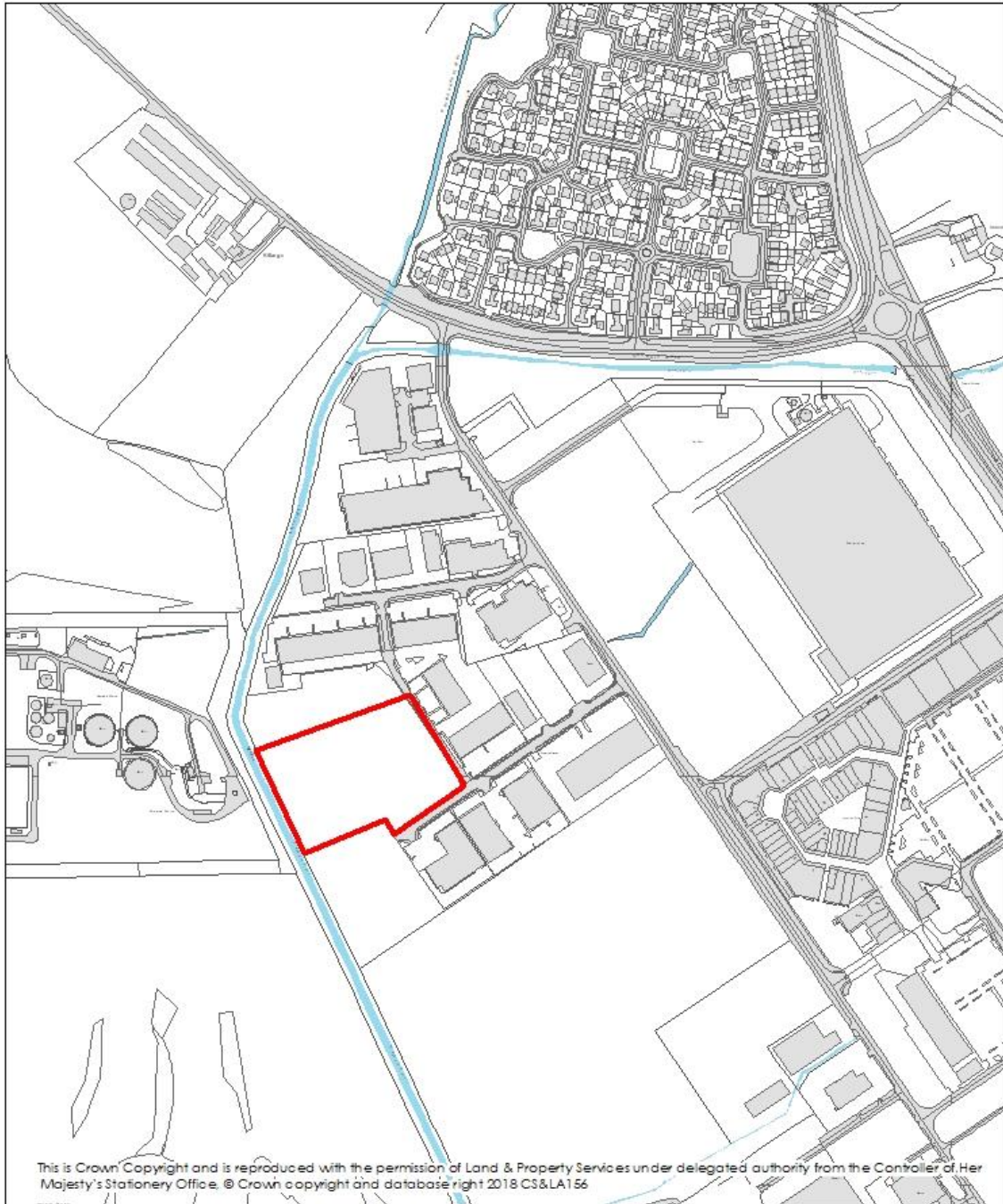
Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

16. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 15.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

17. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 17. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.



Site Location Plan

Application Reference: LA03/2023/0193/F

0 45 90 180 270 Metres



Proposal: Erection of storage distribution warehouse depot with ancillary office accommodation, access and parking provision and all other associated site works to include for hard and soft landscaping works along with provision of a temporary wastewater treatment system.

 Site boundary



Location: Lands adjacent and 30 metres north of No. 14 Plasketts Close, Fergusons Way, Kilbegs Industrial Estate, Antrim

COMMITTEE ITEM	4.6
APPLICATION NO	LA03/2023/0258/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed extension to Diageo Baileys Global Supply facility to support production demand. The extension will include additional warehouse capacity, staff facilities, solar PV and associated external plant equipment. Increase in staff car parking. EV charging points, trailer bays, improved site access, associated landscaping, external lighting columns and all associated site works.
SITE/LOCATION	Diageo Baileys Global Supply, 2 Enterprise Way, Newtownabbey, BT36 4EW
APPLICANT	Diageo Baileys Global Supply
AGENT	Ove Arup & Partners Limited
LAST SITE VISIT	06/06/2023
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk	
SITE DESCRIPTION	
<p>The proposed application site is located within the settlement limit of Metropolitan Newtownabbey on existing employment lands. Specifically, the site is located at 2 Enterprise Way, Newtownabbey and is approx. 5.39 Hectares (13.33 Acres). The site is predominantly flat, standing at 133m Above Ordnance Datum (AOD).</p> <p>The current site is bound to the north by the Mallusk Road and M2 motorway. To the west of the site is Enterprise Way, with industrial units adjacent. To the east is the industrial facility Canyon Europe and to the south is a fence line separating Diageo and the application site. A steep bank of approx. 4 metres bounds the site to the south with the Royal Mail Distribution Centre.</p> <p>The footprint of the existing site is 9,041m². In general, the site is an area of hard standing, with small strips of maintained grass around the perimeter. Access to the site is via Enterprise Way.</p> <p>The existing Diageo site includes a production area (processing area, powder area, bottling hall and glass/packing), cooling towers, warehouse, onsite car parking and security hut, an energy centre, offices and staff facilities. The site also contains an effluent treatment plant, water abstraction boreholes and associated water treatment facility and sprinkler tanks for firefighting purposes within the curtilage.</p>	

The planning application boundary for the site includes the existing facility and the application site, taking the overall site area to 7 hectares (17.4 Acres). The perimeter of the site is heavily vegetated, limiting views into the site.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2022/0501/PAN

Location: Diageo Baileys Global Supply, 2 Enterprise Way, Newtownabbey, BT36 4EW

Proposal: Proposed extension to Diageo Baileys Supply facility to support production demand. Extension will include additional warehouse capacity, staff facilities and associated plant equipment. Increase in staff car parking, trailer bays, upgraded internal site access, associated landscaping, external lighting columns and all associated site works.

Decision: PAN Acceptable.

PLANNING POLICY AND GUIDANCE

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

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

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

Belfast Urban Area Plan (BUAP): The application site is located within the settlement limit of the Belfast urban area. The plan designates the application site as being within an area for 'Industry and Commerce'. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The plan zones the site as being Existing Employment lands under Policy designation MNY 19. The Plan offers no specific guidance on this proposal.

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

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

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

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

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

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

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

PPS 18: Renewable Energy: sets out planning policy for development that generates energy from renewable resources. This PPS is supplemented by PPS18 Best Practice Guidance and the document Wind Energy Development in Northern Ireland's Landscapes.

CONSULTATION

Council Environmental Health Section (EHS) - No objections.

Council Shared Environmental Services (SES) - No objections subject to conditions.

Northern Ireland Water - No objections.

DfI Roads - No objections subject to conditions.

DfI Rivers - No objections.

DfC Historic Environment Division Historic Monuments (HED:HM) - No objections.

NIEA Natural Environment Division (NED) - No objections subject to conditions.

NIEA Industrial Pollution & Radiochemical Inspectorate Advise that the applicant will need to apply for a variation to this permit for the proposed development.

NIEA Regulation Unit - No objections subject to conditions.

NIEA Water Management Unit (WMU) - No objections subject to conditions.

Belfast International Airport (BIA) - No objections.

REPRESENTATION

Thirty (30) neighbouring properties were notified and one letter of objection has been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal <https://planningregister.planningsystemni.gov.uk> and the Council's website, under additional information.

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

- Road safety; and
- Increased traffic flows.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Rational for the Development
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Neighbour Amenity
- Compatibility with Adjacent Land Uses
- Flood Risk
- Natural and Built Heritage
- Road Safety, Traffic, Parking and Transport Matters
- Crime and Personal Safety
- Movement Pattern
- Emissions and Effluent
- NI Water Infrastructure
- Site Safety Control: COMAH, Hazardous Substance and Pollution Prevention Control (PPC)
- Aviation Matters
- Economic Impacts

Preliminary Matters

Environmental Impact Assessment

As the development falls within Categories 2, 10 (a) (Industrial estate development projects 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 May 2022 (ref: LA03/2022/0501/PAN). Circa 300 residents and businesses within a 250 metre radius of the site were provided with details of the proposed development and advised of the public consultation event to be held in the Corrs Corner hotel (21/06/2022) and an online consultation event.

Elected Members for the District Electoral Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. No comments or objections were received from members of the public during the consultation period. 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.

Rational for the Development

Diageo is a world leading premium drinks business, producing iconic global brands including Baileys, Guinness, Harp, Smirnoff and Johnnie Walker. In Northern Ireland, Diageo are a major investor, exporter, and employer within the local area, directly employing more than 320 staff at three sites and supporting hundreds of indirect jobs across the local supply chains.

This application relates to the Baileys Mallusk facility which opened in 2003 with a £40million investment. Its operation focuses on the production of Baileys and includes the bottling, labelling and storage of the product before distribution to domestic and international markets.

The facility's warehousing is currently approaching capacity and requires the development of new storage facilities to avoid bottlenecking in production, with new warehousing capable of storing both raw material and final products for distribution. The applicant indicates that the extension would see onsite logistics improved with additional loading bays and upgraded internal site access for the delivery and distribution of raw materials and final product.

Policy Context and Principle of Development

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

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

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

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. BUAP also indicates that the site is zoned for industry and commerce while dBMAP zones the site as part of a larger zoning for employment and industry policy ref. MNY 19, therefore, having regard to the location of the application site

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

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

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

- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 4 Planning and Economic Development
- PPS 15: Planning and Flood Risk.
- PPS 18: Renewable Energy;

Policy PED1 of PPS4 is entitled 'Economic Development in Settlements'. In respect of business, general industrial, storage and distribution uses, it states that they will be permitted in an area specifically allocated for such purposes in a development plan or in an existing or proposed industrial/employment area subject to certain provisions. As stated above, the application site is located on land zoned/allocated for Existing employment/industrial uses in the draft BMAP policy designation (MNY 19 – Mallusk Industrial Estate, Lands to the south of Antrim Road) and BUAP and as such it is considered that the principle of development is acceptable subject to complying with a number of planning and environmental criteria.

Design, Layout and Appearance

Criterion (j) of Policy PED 9 of PPS 4 requires the applicant to ensure the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity. The proposed extension to Diageo Baileys Mallusk is required to facilitate the evolving needs of the company's global operations. The proposed plan is to expand the current site footprint by an additional 7,477m².

As noted previously, the adjacent InvestNI lands are subject to development and are located within the red line planning application boundary. There is currently no access to the InvestNI site from Enterprise Way. The InvestNI site is approximately 1.6 ha in size and has become overgrown with scrub vegetation. The land is poorly drained with scrub/woodland along its southern boundary with the Royal Mail site.

The proposed development represents a continuation of the existing manufacturing processes at the Diageo Baileys Mallusk site. The current production areas will remain working throughout the construction phase.

Diageo have indicated that Baileys Mallusk will be net zero carbon by 2030. The existing site is already using 100% electricity sourced from renewables and the proposed building will have solar panels (200sqm) on the roof. Policy RE 1 of PPS 18 indicates that development that generates energy from renewable sources will be permitted where there will not be an unacceptable adverse impact on visual amenity and landscape character. Having regard to the location of the

development and the nature of surrounding land uses and the design of the building it is anticipated that there will be no significant effects on the landscape from the development as a whole, including solar panels to the roof. The proposed solar panels have been designed to sit almost flush with the roof pitch to reduce the overall visual impact, they will be dark in colour and constructed of low reflective glass anti-glare properties (Drawing No.02/1). The panels will not be readily visible on the building owing to the parapet walls.

The existing Diageo building is approximately 193m long, 40m wide and lies on a northeast, southwest axis. There is a single storey office block and double height energy centre positioned at the northern façade. To the eastern façade, associated process tankage and off-loading bays are located with a canopy above. The western façade (also canopied) is designated for distribution and dry good deliveries area. The southern façade has two plant rooms at first floor level.

The new extension will be 7,477m² and will comprise of a single storey building (11.6m) which will be rectangular in form. It will be approximately 132m long and 60m wide.

Proposed extension includes:

- New warehouse area: 6619m²
- New packaging area: 484m²
- New staff facilities: 260m²
- Side loading bays
- Roof plant
- Solar PV

The proposed drive-through loading area to the southwestern side of the site will be enclosed in the new building extension to avoid adverse weather conditions impacting loading operations. Two additional bays to facilitate containers reversing to offload glass are also proposed. The proposal retains three existing loading docks to the west side of the site.

It is considered that the new building extension will not detract from the main architectural features of the existing building, particularly its northern façade. This new facility is to be used as a warehouse and is treated in a more simplistic form, i.e. constructed with a flat roof to allow for the installation of solar panels. The building will not be taller than the existing building form and the wall panels will be in keeping with the existing grey and silver panelling.

In addition to the building extension, an additional hardstanding area of approximately 16,700m² will be provided primarily for internal site access and trailer parking. The site will retain and improve the existing entrance/ exit, with the internal access rationalised for clearer distinction between site visitors and staff.

The proposed external site details include:

- Rationalised internal access;
- 36 additional staff car parking spaces, bringing total to 103 spaces;
- 84 lorry/ trailer parking spaces;
- 4 Electric Vehicle charging points;
- Lighting columns and CCTV; and
- Landscaping

The proposed development will see an increase in warehousing capacity, resulting in the requirement for a greater number of trailer bays. There are currently 61 lorry trailer spaces on the existing site, most of which will be relocated with an additional 23 spaces added.

Similarly, staff car parking will increase by 36 spaces which will would bring the total upto 103 staff car parking spaces. The applicant indicates that the onsite car parking facilities often reach capacity during shift changes throughout peak production periods and these additional car parking spaces are being sought to address this constraint and for future proofing of the site. The proposed extension to the onsite lorry/staff parking is considered to be compatible with surrounding land uses.

A landscape plan is included with this application and has been developed to align with the biodiversity mitigation and recommendations presented in the accompanying ecology reports. The landscape plan aims to retain existing trees and vegetation located around the periphery of the site as much as possible and develop a quality landscaping scheme that will enhance the immediate environs of the development.

Overall the design, layout, appearance and landscaping of the proposed extension including its scale and massing are considered to be sympathetic to its surroundings and will sit comfortably within its local setting and the existing Diageo building.

Neighbour Amenity

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

The applicant has submitted a Noise Impact Assessment (Document No.11), Air Quality Assessment (Document No.07) and Contamination Assessments (Preliminary Risk Assessment (document No.03) & General Quantitative Risk Assessment (Document No.04). These assessments indicate that there is no significant impact on any neighbouring residential properties as a result of this proposal.

The noise climate around the proposed development site is dominated by road traffic noise arising from the M2 and Enterprise Way with some contribution from lorry movements and plant items which serve the existing facility and nearby industrial units. The closest sensitive receptors to the site have been identified as the residential property to the north of the site on Burneys Lane, the residential property to the east of the site within the Canyon Europe site and the residential properties to the south of the site on Hollybrook Park.

The proposed development has the potential to increase the number of vehicles and HGVs within the nearby road network. An assessment of the operational road traffic noise were undertaken in line with the methods and guidelines presented in CRTN and DMRB LA 111, and the conclusion of the assessment is that the impacts are assessed as not significant.

In order to assess potential adverse impacts arising from the operation of the proposed industrial noise sources, a three-dimensional noise prediction model has been constructed. An assessment in line with BS4142 concludes that the rating level

does not exceed the background sound level by more than 5dB at the residential receptors. Background sound level +5dB has been agreed with the Council's Environmental Health Section (EHS) as the threshold level for this assessment, and as noted in the BS4142 standard, an exceedance of +5dB over measured background is necessary to trigger an adverse impact. Based on this rationale, the effects associated with the operation of the facility are assessed as not significant.

With regard to contamination, the applicant has submitted Contamination Assessment, Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) Document No. 03 & 04'. The PRA identified a low proportion of potentially contaminative land uses and features within or in the vicinity of the area of the proposed development. The GQRA undertaken in 2022 included soil and groundwater sampling and chemical testing to confirm the risks associated with land contamination arising from the above-mentioned sources with respect to the proposed development.

The chemical testing results informed the risk assessments with respect to human health and environmental receptors. Based on the proposed development plans, most of the site will be covered in hardstanding with small areas landscaped. The refined conceptual model has identified no risk from soils or groundwater on site to pose a risk to human health or environmental (water) receptors. Excavations on the site are not likely to encounter the groundwater within the weathered basalt.

The Tier 1 Human Health Risk Assessment recorded one heavy metal (nickel) within the natural ground (weathered basalt). No other exceedances of the assessment criteria were identified throughout the vicinity of the site. The GQRA states that it is understood that the site surface will be hardstanding or structures. Therefore, no unacceptable risks to the site end users have been identified and no further action is required. If the proposals change to include areas of soft landscaping with site won materials, then a revised assessment should be carried out.

The report concludes that the risks on the site to receptors during both the construction and operation phase are negligible, therefore no further action is necessary. Both EHS and NIEA Regulation Unit (RU) have reviewed the applicant's Contamination Assessments and agree with its conclusions. Both EHS and NIEA (RU) provide standard contamination conditions. It is concluded that there are no significant contamination risks to nearby sensitive receptors as a result of this proposal.

Compatibility with Adjacent Land Uses

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

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

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

Further to site inspection and having regard to the nature of this proposal, it is considered that there are no sensitive industrial enterprises in this area that would be significantly impacted upon as a result of this development, it is also unlikely that the proposed development will have a significant impact on the future operation of any existing or proposed uses within this immediate area or prejudice their future operations.

Flood Risk

PED 9 (d) of PPS 4 requires that development is not located in an area at flood risk and will not cause or exacerbate flooding. PPS15 reinforces this position with a series of Policies for the applicant to adhere to.

DfI Rivers Planning Advisory Modelling Unit (PAMU) has considered the proposal in line with the SPPS and Planning Policy Statement 15 Planning and Flood Risk. DfI Rivers has considered the applicant's Flood Risk & Drainage Assessment. Section 5 of the submitted Flood Risk Assessment states 'It is noted that part of the shown 1% AEP flood extents fall within the red line boundary for the proposed development, however, no additional development is proposed in this location with existing ground levels being retained.' The drainage consultant indicates that the depth of flooding shown on the DfI Rivers Fluvial Depth map for the 1% AEP event is within the 0 to 0.3m depth banding which is the lowest banding used and the modelling methods will not take into consideration road drainage infrastructure which may alleviate the issue. Further, the topography of this area means that flooding is likely to remain on Enterprise Way rather than entering the proposed development due to a circa 800mm level difference from the channel line at the edge of Enterprise Way to the fence line forming the boundary of the site. The finished flood level of both the existing and proposed building is a further circa 1.5m higher than the site entrance and therefore it is highly unlikely that any flooding from the culvert will impact on the building.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. A culverted undesignated watercourse traverses the western and northwestern portion of the site. The site may be affected by other undesignated watercourses of which DfI Rivers have no record. Under 6.32 of the Revised Policy PPS 15 FLD 2, it is essential that an adjacent working strip is retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. DfI Rivers has advised the maintenance strip over culvert drawing shows the development to be suitably distanced from the culverted watercourse with the required maintenance strip in place.

DfI Rivers has reviewed the Drainage Assessment (DA) provided by the applicant and while not being responsible for the preparation of the DA, accepts its logic and has no reason to disagree with its conclusions. The DA has provided a drainage design that demonstrates that the issue of out of sewer flooding will be managed by attenuating the 1 in 100-year event within the proposed drainage network and safely disposed of at limited rate supported by relevant correspondence from DfI Rivers (Schedule 6 consent). If this was achieved it would satisfy the requirement under PPS 15, FLD 3 to provide adequate measures to mitigate the flood risk from the development to elsewhere. DfI Rivers advises that compliance with the DA is included in any planning decision.

Overall, it is considered that there is no significant flood risk associated with this development.

Natural and Built Heritage

PED 9 of PPS 4 requires development proposals to not adversely affect features of the natural or built heritage. In terms of impact on listed buildings there are no listed buildings within the application site or within proximity of the application site that may be impacted upon by this development.

With regard to archaeology and cultural heritage HED (Historic Monuments) HED (Historic Monuments) has assessed the application and on the basis of the information provided and is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Therefore, it is considered that there are no significant archaeological concerns with the proposal.

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 that 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.

The applicant has submitted a series of reports in support of their application, including:

- DOC 09 - Flood Risk and Drainage Assessment
- DOC 10 - Outline Construction Environmental Management Plan
- DOC 11 - Preliminary Ecological Appraisal (PEA)
- DOC 13 - Habitats Regulation Assessment stage 1 screening
- DOC 14 - Bat Survey
- DOC 14 - Breeding Bird Survey
- DOC 16 - Priority Species Management Plan (PSMP): Cinnabar Moth

NIEA Natural Environment Division (NED) has considered the impacts of the proposal on Designated Sites and other natural heritage interests (Habitats, and Protected Species and, on the basis of the information provided, has no concerns subject to conditions relating to the adherence to the Construction Environmental Management Plan.

NED has considered the proposal and highlights contamination of aquatic environment and associated habitats via sedimentation hydrocarbon spills and leachate from building materials as a potential impact on Designated Sites.

The P1 Form (date stamped, 6th April 2023) outlines that foul sewage will be connected to the mains network, whilst surface water will discharge to a culverted watercourse. The culverted watercourse enters Lough Neagh c. 20km downstream via Blackwater Drain, Ballymartin River and Six Mile Water, thus creating a hydrological connection between the site and Lough Neagh ASSI, and Lough Neagh and Lough Beg SPA/Ramsar.

The Flood Risk and Drainage Assessment (date stamped, 6th April 2023) and the Maintenance Strip Drawing (Drawing No. 21; date published, 19th May 2023) outline that the existing drainage system will be modified slightly, whilst new surface water collection drains will be constructed to serve the proposed development. Surface water will discharge into the culverted watercourse at an existing cascade chamber via an attenuation tank, hydrobrake and penstock. Surface water which drains from the new lorry parking area will pass through an oil interceptor prior to entering the attenuation tank.

The Outline Construction Environmental Management Plan (DOC 10 date stamped, 6th April 2023) details numerous pollution prevention measures to be employed during the construction and operational phases, including the use of grit traps, bunded areas, and buffers between storage areas and the watercourse. NED advise that unless there is a substantial change to the CEMP, NED are content that if it is implemented it is unlikely to cause any significant impacts on the protected sites.

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

SES advise that following an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation proposed. SES advise that this conclusion is subject to a mitigation condition, requiring the submission of a final Construction Environmental Management Plan (CEMP) to be submitted and agreed with the Council and NIEA Water Management Unit prior to works commencing on site. This condition is considered necessary to ensure that there is no adverse impact on the integrity of any European Site.

Having regard to the SES advice, it is considered that the Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service.

With regards to ornithology, as part of the Preliminary Ecological Appraisal (DOC11), an extended Phase 1 Habitat survey was conducted on 26 April 2022, with a follow-up survey on 14 March 2023. The proposed site was found to have suitable habitat for breeding birds, scattered scrub and broadleaved plantation woodland and subsequently 3 Breeding Bird Surveys (DOC14) were carried out between April and June 2022.

There were 26 bird species recorded during the 3 visits, with 6 species showing signs of breeding within the proposed development site. The species recorded in the survey

area are typical assemblage of birds associated with scrub. NED finds that there are no significant ornithological issues associated with this proposal, however, recommend that, should approval be granted, a number of measures are taken to minimise threats to breeding birds and maintain the availability of nest sites. These will be included in any future decision notice should planning permission be forthcoming.

NED also provide comment on other natural heritage interests based on the submitted PEA. NED acknowledge that none of the habitats recorded within the application site correspond to a NI Priority Habitat. NED are content that based on the information submitted in the PEA that no NI Priority Habitats are considered likely to be significantly impacted as a result of the proposal.

NED are content that boundary woodland and scrub habitat is to be retained, as shown on Drawing No.09 Proposed Site Landscape Plan (date stamped 06/04/2023).

From the Bat Survey Report submitted, NED do not consider the application site to offer significant foraging or commuting habitat for bats, with the presence of existing lighting likely to act as a deterrence for higher activity levels, and low connectivity as noted by the ecologist likely to limit the value of vegetation/woodland habitat on this site.

NED acknowledge that a Priority Species Management Plan (PSMP) has been submitted given the presence of the Cinnabar Moth *Tyria jacobaeae* identified within the application site. NED are content with the measures and management approach noted in the PSMP and consider that the compensatory habitat proposed will be of benefit to the local population of Cinnabar moth, with a minimum area of compensatory habitat equating to 0.12ha, versus a 0.0621ha proposed loss of ragwort cover. NED are content that Drawing No.09 Proposed Site Landscape Planning (date stamped 06/04/2023) shows indicative areas of proposed compensatory habitat for Cinnabar Moth.

Road Safety, Traffic, Parking and Transport Matters

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

One letter of objection has been received raising concerns with regard to road safety and increase in traffic as a result of this proposal. Concern has been raised with regard to the Junction of Mallusk Road and Enterprise Way, as it is claimed that the sight line onto Mallusk Road is impeded by the display of car vehicles while the car sales/garage also off-loads cars from transporters directly onto the Mallusk Road close to the junction with Enterprise Way which force cars onto the opposite side of the road. DfI Roads consultation response indicated that they have no safety concerns with regard to visibility splays at the junction of Enterprise Way and Mallusk Road. It is also noted that the objection primarily relates to the impact of a nearby car sales/garage parking and unloading vehicles on the public road and not the

proposed development. This is a matter outside the remit of this application to consider and address.

The application site will be accessed via the existing Enterprise Way access point which serves the existing facility. This access point is to be upgraded as part of this application. DfI Roads has no objection to the access arrangements as proposed by the applicant and as such, it is considered that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic.

The TAF outlines the travel characteristics of this development and indicates that the existing site receives between 40-70 private car arrivals per day depending on whether the facility is in peak production or not. For this assessment, the applicant indicates that an average of 55 private car vehicles to the site per day has been assumed and 68 HGV arrivals per day during peak production periods.

The Transport Consultant states that depending on the business needs/ demand, the extension of the development will operate a maximum three 8-hour shift patterns during peak production times as listed below.

- 07:00 – 15:00;
- 15:00 – 23:00; and
- 23:00 – 07:00.

During non-peak production periods the site will revert to the existing two 8-hour shift patterns and exclude the 23:00 – 07:00 shift.

The Transport Consultant indicates that in either scenario, peak times for traffic will occur during the shift changes, with staff arriving before the shift change and staff exiting from a completed shift. It is expected that traffic will have a uniform distribution at the shift change hour and therefore the three peak hours will be: -

- 06:30 – 07:30;
- 14:30 – 15:30; and
- 22:30 – 23:30.

Traffic surveys were undertaken within the vicinity of the site at the Hightown Road/Mallusk Road and Scullions Road/Mallusk Road junctions which identified an AM peak period of 08:15-09:15 and PM peak period of 16:30-17:30. Therefore the Transport Consultant concludes that any new development vehicle trips will occur outside these periods and hence not have any impact on the road network during peak background traffic periods.

With regard to the transport impacts including network capacity and potential infrastructure upgrades to accommodate this development, the TAF anticipates that the proposed development will not have a significant impact on the surrounding road network and as such no infrastructure improvements are proposed. However, to provide assurance on the capacity of the network, the Transport Consultant states that a junction analysis exercise has been carried out on the three junctions in the vicinity of the development. Whilst peak traffic movements associated with the proposed development occur outside the background peak traffic periods of 08:15 – 09:15 and 16:30 – 17:30, the junctions have been assessed during these periods to provide an indication of capacity.

Both the Hightown Road/ Mallusk Road and Mallusk Road/ Enterprise Way junctions have indicated that there is spare capacity during the typical background AM and PM peak periods.

With respect to the Scullions Road/ Mallusk Road junction, the PM peak has been shown to have spare capacity, whilst the AM peak currently operates at overcapacity. Subsequently, a sensitivity test was conducted to identify the impact of an increase of traffic volumes. The test identified that a nominal increase of 30 two-way flows, equivalent to 50% of new staff movements, would not further decrease capacity and nil detriment would occur. Having regard to the information provided and the consultation response from DfI Roads it is considered that there is unlikely to be a significant impact on the surrounding road network as a consequence of this development.

The proposed development will see an increase in warehousing capacity, resulting in the requirement for a greater number of trailer bays. There are currently 61 lorry trailer spaces on the existing site, most of which will be relocated with an additional 23 spaces added.

Similarly, staff car parking will increase by 36 spaces which will would bring the total upto 103 staff car parking spaces. The applicant indicates that the onsite car parking facilities often reach capacity during shift changes throughout peak production periods and these additional car parking spaces are being sought to address this constraint and for future proofing of the site. The proposed extension to the onsite lorry/staff parking is considered to be compatible with surrounding land uses.

The car parking will be laid out with areas of planting between the parking and the perimeters of the site in order to soften the impact of the parking and enhance the visual amenity of the site for staff and visitors. The parking areas will not be readily visible from outside of the application site owing to the topography of the site and existing vegetation cover. In the round it is considered that adequate and appropriate car parking has been provided for this development.

Overall, the site is accessible by a wide variety of excellent modes of sustainable transport, as evidenced by the footpath and road links to the wider cycle and walking network in the area. Whilst it is anticipated that the majority of journeys to and from the site will be via car, the site benefits from sustainable transport options should users wish to avail of them. In accordance with policy AMP8 (a) and (c), safe and convenient cycle access and links to cycle networks are available within close proximity to the application site while DfI Roads has been consulted on this application and advises that there are no significant concerns with the proposed development subject to conditions. Notwithstanding the objectors concerns, it is considered that there are no significant concerns with regard to access, parking and road safety as a result of this proposal.

Crime and Personal Safety

Criterion (L) of Policy PED 9 of PPS 4 requires that the site is designed to deter crime and promote personal safety. The site is bounded by an existing estate road on the western side. The applicant proposes a 2.5m chain-link and galvanised steel post fence along the western boundary and a 3.0m galvanised fence along the northern boundary of the site. Fencing is already in existence at 2.5-3m in height along all

perimeters of the site, this is softened to some extent by existing and proposed landscaping and graded embankments. Vehicle access gates along the western boundary adjacent to Enterprise Way provide for means of access for staff customers and HGVs.

It is considered that the design and arrangement of the building and parking areas ensures that the proposed development has been designed to prevent crime and ensure personal safety.

Movement Pattern

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

The Transport Assessment Form (Doc 05) indicates that footways are of sufficient width and are provided on the highway network surrounding the site. The infrastructure surrounding the site includes dropped kerbs and tactile paving, crossing points, improving the safety of crossing for the visually and mobility impaired. In addition, the applicant has proposed a Travel Plan (Doc 06) measures encouraging, staff and visitors will be encouraged to visit the site by sustainable means.

The site is located approximately a 20-minute cycle from the nearest connection to the NCN Route 93 which provides direct access in to Belfast and towards Newtownabbey. There is an existing bicycle parking hut on site which houses approx. 10 bicycles. The proposal is to provide space for 18 bicycles, and this exceeds the requirement of 15 spaces as outlined in the DoE Parking Standards for the footprint of the existing and proposed development.

The site is located within 140m of the Enterprise Way bus stop for Metro 1e/1j Services which provide frequent services to Belfast City Centre. The Metro 1e/1j "City Centre-Roughfort" provides 2-3 services in either direction per hour. The Mayfield Link bus stop, situated approximately 0.5 miles from the proposed development site, is also serviced by Metro 1f "City Centre-Mayfield-Blackrock" which provides 2-3 services per hour in either direction. Metro services 13a/b/c and 14a/b/c "City Centre-Cloughfern-Hydepark" also operate within the vicinity of the proposed development with Scullions Road as the nearest bus stop to the site, situated approximately 0.7 miles from the proposed development site. This service also provides 2-3 services in either direction per hour. There are no rail services within the vicinity of the proposed development site.

The TAF concludes by stating that since the site already has excellent accessibility to public transport services, no alterations or enhancements are proposed, other than promotion through the Travel Plan, should be required.

In terms of meeting the needs of people whose mobility is impaired the applicant indicates within the Design and Access Statement that inclusive access has been allowed for in the confines of the existing building with level access where possible. In the new warehouse this will be for access predominantly for forklifts and as such would be considered exempt from inclusive access requirements. Inclusive

directional signage is to be provided where appropriate, while the proposed building will have level access. There also will be oversized entry doors provided.

Emissions and Effluent

A further criteria (f) of Policy PED 9 of PPS 4 requires that the proposed development is capable of dealing satisfactorily with any emission or effluent. It is not anticipated that there will be any significant emissions from the building beyond loss of heat and noise generated within the building. The applicant has provided a number of reports including Contamination Reports (Docs. 03 & 04), Transport Assessment Form (Doc 05) Air Quality Impact Assessment (Doc 07), Noise Impact Assessment (Doc No. 08), a Flood Risk and Drainage Assessment (Doc.09) which conclude that there is no significant emission or effluent associated with this development.

The Noise Assessment (Doc No. 08) advises that there is no significant noise nuisance associated with this development. The assessment further indicates that during peak production which takes place from June to December, staff work in two shift patterns (approximately 48hr week per shift). Production runs on a 24 hour/day basis from 0700 Monday to 0700 Friday. Through the course of the construction period, it is planned that the existing facility will continue to operate at this capacity. Post construction it is proposed that the facility can run on a 24/7 basis as business needs may require. EHS has raised no concerns with regard to potential noise emissions, contamination or air quality from the proposed site and as such it is considered that there is unlikely to be any significant emissions from this site.

It is anticipated that there will be no significant effluent associated with a proposal of this nature with NI Water offering no objections to this proposal while NIEA Water Management Unit has indicated no significant concerns to impacts on water quality subject to the provision of a final Construction Environmental Management Plan to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.

Site Safety Control: COMAH, Hazardous Substance and Pollution Prevention Control (PPC)

The applicant has prepared a review of the potential for major accidents and disasters under the COMAH Directive as part of the planning application. They advise that Baileys Mallusk has no requirement for a Hazardous Substance Consent and is not a registered COMAH site under the COMAH Regulations (NI). The proposed development does not impact this status.

With regard to Pollution Prevention Control (PPC) Permits, 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. 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; and
- 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. The relevant expertise and statutory responsibility for pollution control rests with the relevant pollution control authority(ies), in this instance the Northern Ireland Environment Agency (NIEA).

Diageo Baileys Global Supply hold a Part A permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013, effective from the 16 May 2005, to operate a drink manufacturing installation. Diageo has discussed this proposed development with the Inspectorate and has been made aware that they will need to apply for a variation to their PPC permit. The determination of this variation application will include an assessment of the possible effects of the proposed changes (including waste production) on risks to the environment from the permitted installation.

Aviation Matters

The application site is within 17km to Belfast International Airport. The proposal has been examined from an aerodrome safeguarding aspect. Belfast International Airport has been consulted and has no objection to the proposal. As such, the proposal complies with Criteria (a) of Policy RE 1 in that the proposal will not have an unacceptable impact on public safety.

Economic Impacts

The applicant has indicated that the proposal represents a capital investment of £26mn in the Borough while it is estimated that the economic benefits of the project include: 100 construction jobs and 30-35 post construction jobs.

CONCLUSION

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

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

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

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

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

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

3. After completing any remediation works required under Condition 2 and prior to occupation of the development, a verification report shall be submitted to and agreed with the Council. This report shall be in accordance with Land Contamination Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and be completed by a competent person.

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

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

4. Prior to development proceeding, all site investigation and geotechnical boreholes must be fully decommissioned and in line with SEPA guidance document Good practice for decommissioning redundant boreholes and wells (UK Groundwater Forum) available at: <https://www.sepa.org.uk/media/34618/decommissioning-redundant-boreholes-andwells.pdf>

Verification for the decommissioning shall be provided to the Council for agreement.

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

5. The photovoltaic panels hereby approved shall be non-reflective glass or non-reflective coated.

Reason: in the interest of public safety.

6. The drainage for the proposed development shall be carried out in accordance with DOC 09 Flood Risk and Drainage Assessment date stamped 06/04/2023 and in accordance with Drawing No. 21 date stamped 24/05/2023.

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

7. The existing natural screenings of the site, as indicated on drawing No. 09/1 date stamped received 27/06/2023 shall be retained thereafter at a minimum height of 2 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape and to prevent adverse impacts on protected species.

8. The proposed landscaping indicated on drawing No. 09/1 date stamped received 27/06/2023 shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained thereafter at a minimum height of 2 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape and to prevent adverse impacts on protected species.

9. Prior to works commencing a final Construction Environmental Management Plan (CEMP) shall be submitted by the appointed contractor for agreement with the Council.

The final CEMP must be site specific and include all necessary mitigation measures for the construction phase of the development. The mitigation measure approved final CEMP shall be adhered to and implemented in full throughout the construction phase in accordance with the approved detail.

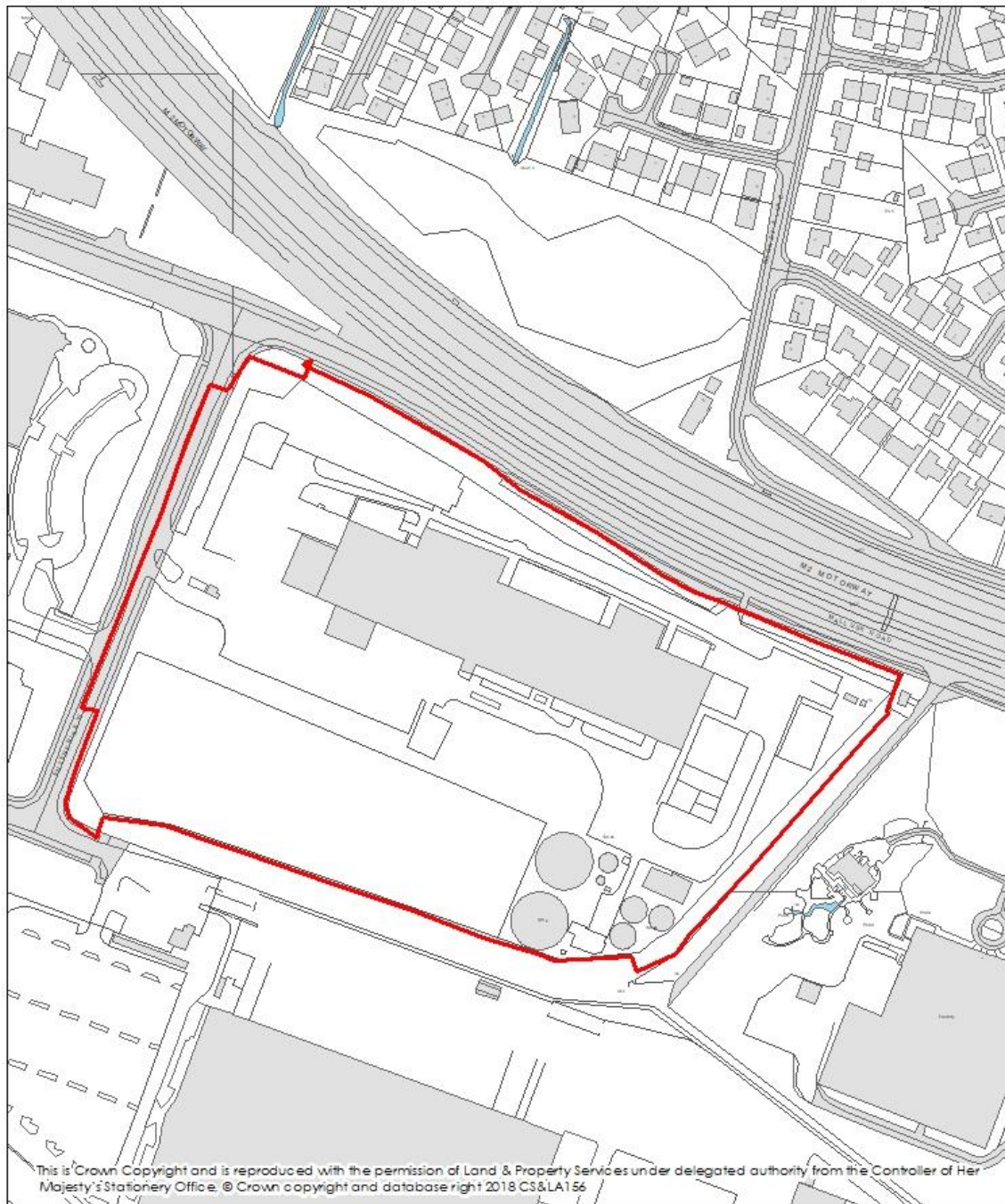
Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

10. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 06/1 date published 27/06/23 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.

11. 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.



Site Location Plan

0 15 30 60 90 120 Metres



Application Reference: LA03/2023/0258/F

Proposal: Proposed extension to Diageo Baileys Global Supply facility.

Location: Diageo Baileys Global Supply, 2 Enterprise way, Newtownabbey BT36 4EW

 Site boundary



COMMITTEE ITEM	4.7
APPLICATION NO	LA03/2022/1036/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed replacement storage shed associated with an existing filling station and shop, associated car parking and site works
SITE/LOCATION	179 Moneynick Road, Toome, Antrim
APPLICANT	Mr John McCorley
AGENT	CMI Planners Ltd
LAST SITE VISIT	July 2023
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</p>	
SITE DESCRIPTION	
<p>The application site is located on lands at 179 Moneynick Road, Toome, which is outside of any development limits identified in the adopted Antrim Area Plan 1984 – 2001.</p> <p>The application site is commonly referred to as Moneynick Service Station and contains a single storey shop, petrol pumps and overhead canopy, a detached single storey restaurant building, a storage building and areas of hardstanding surrounding these buildings. Neither the petrol filling station nor the restaurant are currently operational. The restaurant building has secured planning permission for a change of use to office accommodation. Both the petrol filling station and the restaurant buildings are positioned close to the Moneynick Road. The storage building to be replaced is located at the northwestern corner of the application site.</p> <p>The southern boundary of the application site is contiguous with the Moneynick Road and is defined by ranch style wooden fencing with two (2) vehicular access points. The northern boundary is defined by a 2-3-metre-high hedgerow. The western and eastern boundaries are defined by vertical wooden board fencing that is approximately 1.8 metres in height. Fencing of a similar height and material encloses an area of land around the building to the northwestern corner of the application site. The topography of the application site is generally flat with a gentle upward slope moving north-eastwards.</p> <p>The area surrounding the application site is predominantly agricultural, with a series of three linear dwellings and outbuildings fronting the Moneynick Road which are located immediately east of the application site.</p>	

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2022/1024/F

Location: 179 Moneynick Road, Antrim, BT41 2QZ

Proposal: Change of Use from restaurant to office accommodation

Decision: Permission Granted: 10/02/2023

Planning Reference: LA03/2017/0285/LDE

Location: Rear yard of 177 Moneynick Road

Proposal: A commercial vehicle repairs yard and storage yard in association with a vehicle repairs business

Decision: Appeal Dismissed: 12/06/2017

Planning Reference: T/2013/0217/F

Location: Adjacent to 175 & 177 Moneynick Road

Proposal: Change of use from domestic garage to vehicle repairs workshop (retrospective application)

Decision: Appeal Withdrawn: 05/03/2014

Planning Reference: T/2004/1095/F

Location: Moneynick Service Station, Moneynick Road, Toomebridge.

Proposal: Proposed Demolition of Existing Shop and Erection and of Supermarket.

Decision: Permission Granted: 28/06/2005

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 development limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to condition

Department for Infrastructure Rivers – No objection

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

Belfast International Airport – No objection

REPRESENTATION

Six (6) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Expansion of an Established Economic Development Use in the Countryside
- Design and Appearance and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Natural Heritage
- Access, Movement and Parking

Policy Context and Principle of Development

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

Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must

be made in accordance with the Plan unless material considerations indicate otherwise.

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development. One of these is for industry and business uses in accordance with PPS 4 'Planning and Economic Development'.

Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. The preamble of PPS 4 states that for the purposes of the PPS, economic development uses comprise industrial, business and storage and distribution uses, as defined in Part B 'Industrial and Business Uses' of the Planning (Use Classes) Order (Northern Ireland) 2015. Policy PED 2 of PPS 4 is entitled 'Economic Development in the Countryside'. The policy headnote refers the reader to Policy PED 3 'Expansion of an Established Economic Development Use in the Countryside'.

In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained within both PPS 4 and the following PPSs which provide the relevant regional policy context for consideration of the proposal:

- PPS 2: Natural Heritage;
- PPS 3: Access, Movement and Parking;
- PPS 15: Planning and Flood Risk; and
- PPS 21: Sustainable Development in the Countryside

Within this policy context, it is considered the principle of a replacement storage building on the site would be acceptable subject to the development complying with the relevant policy provisions of the SPPS and PPS 4 as well as meeting other

requirements in accordance with regional policy and guidance, which are addressed in detail below.

Expansion of an Established Economic Development Use in the Countryside

Within the agent's 'Supporting Statement', Document 01 date stamped 21st February 2023, it is stated that the proposed storage shed shall be used for storage associated with the petrol station shop and storage for the applicant's own private purposes. However, the description of development does not refer to the applicant's personal storage requirements. Furthermore, the submitted Floor Plan, Drawing Number 03 date stamped 12th December 2022, provides no indication that the floor space is to be internally subdivided to serve both the business and the applicant's private storage needs. For these reasons, it is considered that the development proposal relates solely to the provision of storage space for the established petrol station business at this location.

Policy PED 3 of PPS 4 states that 'the expansion of an established economic development use in the countryside will be permitted where the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise.' It continues to state that 'proposals for expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on site. Where it is demonstrated that this is not possible, new buildings may be approved provided they are in proportion to the existing buildings and will integrate as part of the overall development.' The policy also states that 'any new extension or new building should respect the scale, design and materials of the original buildings on the site and any historic or architectural interest the original property may have.'

As noted above, the policy head note of Policy PED 3 states that 'proposals for expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on site.' Within the agent's Supporting Statement there is no explanation provided as to why this development proposal for the expansion of the established business cannot be accommodated through the re-use or extension of the existing buildings, including the storage shed at the rear of the site where the new storage building is proposed to be sited. This is contrary to the policy provisions of Policy PED 3 of PPS 4. Although the agent has not sought to explain why the development proposal cannot be accommodated through the reuse or extension of existing buildings on site, it is noted that the policy provides scope for new buildings to be approved, 'provided they are in proportion to the existing building(s) and will integrate as part of the overall development.'

The application site contains three (3) buildings; the petrol station shop, the café (which has secured planning permission for a change of use to office provision) and the existing storage shed at the rear of the site. The proposed storage shed is 8.7 metres in height, 16 metres in width and 48.6 metres in length, which equates to 777.6sqm of floor space.

The existing petrol station shop is 4.5 metres in height, 14 m in width and 21 metres in length, which equates to 294sqm of floor space. The proposed storage shed is approximately 265% larger than the existing petrol station shop with respect to floor space provision, almost twice as high, and more than twice the length of the existing shop building.

The restaurant building is 4.5 metres in height, 12.5 metres in width and 20.5 metres in length, which equates to 256.25sqm of floor space. The proposed storage shed is approximately 303% larger than the restaurant building with respect to floor space provision, almost twice as high, 3.5 metres wider and more than twice the length of the existing restaurant building.

The existing storage shed measures 5.5 metres to the ridge and is 7.7 metres in length and 7.7 metres in depth, which equates to 59.29sqm of floor space. The proposed storage shed is approximately 1312% larger than the existing storage shed with respect to floor space provision. The proposed storage shed is approximately 1.5 times as high, more than twice as deep and almost seven times longer than the existing storage building.

On the basis of the statistical analysis set out above it is considered that when compared to the existing buildings on site the proposed storage shed is significantly higher, wider and longer than the existing buildings on site and would provide a quantum of floor space grossly in excess of the existing individual buildings on the application site.

When the proposed storage shed is compared to the total quantum of floor space provided by the existing buildings combined, the floor space of the proposed storage building equates to approximately 28% more than those existing buildings, which is considered a substantial increase.

For the reasons set out above it is considered that the proposed storage shed is neither in proportion to the existing buildings nor does it respect the scale of those buildings, which is contrary to the policy provisions of Policy PED 3 of PPS 4.

The proposed storage shed is proposed to be sited at the rear of the petrol station complex and will occupy the full width of the application site in this area. The proposed storage building is significantly higher and longer than the existing buildings on the site. Given the critical views of the site from both directions along the Moneynick Road, the proposed storage building will be out of proportion with the existing buildings, prominent and conspicuous in the landscape and will fail to adequately integrate as part of the overall development. As such, the proposal is contrary to the policy provisions of Policy PED 3 of PPS 4.

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

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 it is of an appropriate design. Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of the area. Policy PED 3 of PPS 4 also refers to the impact of the proposal not causing harm to the rural character or appearance of the local area.

As stated above it is considered that the development proposal will not adequately integrate as part of the overall development because the proposed storage building is out of scale and proportion with the existing buildings and shall be prominent and conspicuous in the landscape. It is considered that the proposed storage shed is

unacceptable because the design of the building is inappropriate for the site and locality and the application site is unable to provide a suitable degree of enclosure for the building to integrate.

Policy PED 3 states that 'in all cases, measures to aid integration into the landscape will be required for both the extension and the existing site.' It is noted that on the proposed Block Plan, Drawing Number 02/3 date stamped 31st May 2023, that there is reference to proposed tree and hedgerow planting and a landscape schedule is provided. This information however, does not appear on the proposed Site Layout drawing, other than indicating that the existing trees will be retained. Although no tangible landscaping details have been provided for the purposes of assessment, it is considered that any new landscaping would take several years to mature to such a degree that it may offset the failure of the development proposal to integrate into the landscape.

For the reasons set out above it is considered that the scale of the development proposal shall harm the rural character and appearance of the local area, which is contrary to the Policy provisions of Policy PED 3 of PPS 4 and Policy CTY 14 of PPS 21.

Neighbour Amenity

The nearest sensitive residential receptors to the application site are located at No. 177, No. 175 and No. 173 Moneynick Road, which are located approximately 50 metres, 80 metres and 100 metres respectively from the location of the proposed storage building.

It is noted that in its consultation response the Council's Environmental Health Section has offered no objection to the development proposal. It is considered that the development proposal is sufficiently far removed from nearby sensitive residential receptors that a significant adverse impact to the residential amenity of those residents by reason of noise nuisance and general disturbance will not occur.

Flood Risk

The planning application was accompanied by a Drainage Assessment (DA), Document 02 date stamped 21st February 2023, which describes the proposed drainage arrangements serving the development.

The DA states that the application site is subject to neither fluvial nor pluvial flooding and that overland flow will be directed towards and captured by the drainage network proposals. Attenuation will be provided to control the flow of surface water to brown field run-off rates and will be accommodated via a network of oversized pipes and a hydro-brake flow control device to limit storm water output. Discharge will be to an undesignated watercourse to the northwestern corner of the application site at a rate of approximately 55 litres per second and shall discharge into the Ivy Burn, some 380 metres north of the application site.

In its consultation response DfI Rivers concluded that whilst it is not responsible for the submitted DA it accepts its logic and has no reason to disagree with its conclusions.

For the reasons set out above it is considered that the development is not likely to be at risk of being flooded or at risk of exacerbating flooding elsewhere. As such, the

development proposal is considered to be compliant with the relevant policy provisions of the SPPS and PPS 15.

Natural Heritage

DAERA Natural Environment Division (NED) was consulted in respect of the Northern Ireland Bio-Diversity Checklist and Bat Roost Potential Survey, Document 03 date stamped 21st February 2023, which accompanied the application.

In its consultation response NED stated that the retention of hedgerows is a welcome feature of the development proposal as it provides suitable habitat for commuting and foraging birds and bats and that the retention of these hedgerows will assist in maintaining the biodiversity value of the application site. Additionally, NED notes that it is content that the development proposal shall not have an impact upon bats, and stated that badgers are not present on, or within 25 metres of, the application site. NED concludes by stating that it has no objections to the development proposal subject to the inclusion of planning conditions, which relate to the retention of existing planted elements and that precautions shall be put in place to protect nesting birds.

For the reasons set out above it is considered that the development proposal complies with the relevant policy provisions of the SPPS and PPS 2 and is therefore acceptable.

Access, Movement and Parking

With reference to the submitted Block Plan, Drawing Number 02/3 date stamped 31st May 2023, it is noted that visibility splays of 4.5 metres x 160 metres shall be provided at both the vehicular entrance and exit points. It is noted that on the submitted Block Plan the legend refers to the relocation of the field hedgerow and a post and wire fence to be located behind the required visibility splay at the vehicular access on the western side of the application site. On the eastern side of the application site, the provision of the required visibility splays requires the low level brick wall defining the road side boundary of the dwellings at No.177 and No.175 to be re-built behind the visibility splays.

The agent was requested to confirm the accuracy of the statement of ownership within the P1 Planning Application Form and whether requisite notice is required to be served upon landowners on either side of the application site to facilitate the provision of visibility splays at each of the two vehicular entrances. The agent verbally confirmed that he is content that the applicant owns and/or controls all the lands necessary to carry out the development, and he is content that his statement within the Supporting Statement, Document 01 date stamped 21st February 2023, is accurate.

The block plan indicates that sixty-five (65) car parking spaces are to be provided, which includes three (3) car parking spaces in close proximity to the petrol station shop for those whose mobility is impaired. In its consultation response DfI Roads, has offered no objections to the development proposal, subject to the inclusion of planning conditions, which relate to the provision of the visibility splays prior to the commencement of any operations associated with the development proposal and also that the gradients of the access are within a set standard.

For the reasons set out above it is considered that the development proposal complies with the relevant policy provisions of the SPPS and PPS 3 and is therefore considered acceptable.

Other Matters

With reference to the criterion based tests of Policy PED 9 of PPS 4 that have not been referred to directly or indirectly within the main body of the report it is considered that the development proposal is compatible with surrounding land uses and does not adversely affect features of the natural or built heritage. Additionally, no effluent or emissions are associated with the development proposal and there are no outdoor areas of storage that require to be screened via the provision of landscaping. As the site is located within the countryside, it is not practicable to achieve a movement pattern, which fully supports walking, however the site is located approximately 1 mile from Toomebridge.

CONCLUSION

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

- The principle of the development has not been established as it has not been demonstrated that the development proposal can be accommodated through the reuse or extension of existing buildings;
- The design and appearance of the buildings is considered unacceptable due to its size, scale and proportions being out of keeping with existing buildings on the site;
- The development would appear prominent and would not integrate into the local landscape;
- The proposal would have a detrimental impact on the character and appearance of the local area;
- There are no significant residential amenity issues;
- There are no natural heritage issues;
- Access, movement and parking arrangements are acceptable;
- There is no flood risk associated with the development proposal; and
- There are no objections from interested third parties.

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 policy provisions contained in the Strategic Planning Policy Statement and Policy PED 3 of PPS 4, Planning and Economic Development, in that it has not been demonstrated that the development proposal could be accommodated through the reuse or extension of existing buildings on site and the proposed building is not in proportion with existing buildings.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement, Policies PED 3 and PED 9 of PPS 4, Planning and Economic

Development, and Policies CTY 1, CTY 13 and CTY 14 of PPS 21, Sustainable Development in the Countryside, in that the proposal does not respect the scale of original buildings and the design of the building is inappropriate for the site and locality; the site is unable to provide a suitable degree of enclosure for the proposal to integrate sympathetically as part of the overall development; and measures to aid integration into the landscape have not been provided.



Site Location Plan

Application Reference: LA03/2022/1036/F

Location: 179 Moneynick Road, Antrim, BT41 2QZ

Proposal: Proposed replacement storage shed associated with an existing filling station and shop, associated car parking and site works.

0 80 160
Metres

 Site boundary



COMMITTEE ITEM	4.8
APPLICATION NO	LA03/2023/0430/F
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retention of upgraded extraction system to support the manufacturing of construction materials (retrospective)
SITE/LOCATION	Unit 3B, Norfill Business Park, Antrim, BT41 4LD
APPLICANT	Errigal Commercial Developments Ltd
AGENT	TSA Planning
LAST SITE VISIT	26/06/2023
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 at Unit 3B within the Norfill Business Park, within the development limit of Antrim Town as defined by the Antrim Area Plan 1984-2001 (AAP).</p> <p>The site is located on the edge of a large industrial estate and hosts an existing industrial unit with neighbouring commercial units are located to the north and east. Castlewater Gardens residential housing development is situated to the south and Castlewater Woods residential development is located to the west of the application site. The western site boundary is defined by a 2-metre-high close boarded fence, whilst the Steeple Burn Watercourse and a mature tree line defines the south of the site.</p> <p>The application site is located within a predominately industrial area, surrounded by similar light industrial land uses.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/0554/F Location: Unit 3B, Norfill Business Park, Randalstown Road, Antrim, BT41 4LD Proposal: Retention of upgraded extraction system to support manufacture of construction materials Decision: Application Withdrawn</p> <p>Planning Reference: T/2005/0431/F Location: Antrim Business Park. Randalstown Road, Antrim Proposal: Light Industrial -Class 4- Extension to Existing Industrial Unit. Decision: Permission Granted</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: the application site is located within the settlement limit of Antrim as designated by the Plan, which offers no specific policy or guidance pertinent to this proposal.

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

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

CONSULTATION

Environmental Health Section: No objection subject to conditions

REPRESENTATION

Fourteen (14) neighbouring properties were notified of the development proposal. Nine (9) letters of representation have been received from nine (9) notified properties.

The letters of representation are available to view at the Northern Ireland Planning Portal <https://planningregister.planningsystemni.gov.uk>.

A summary of the key points of the objections raised are provided below:

- Noise pollution from the development; and
- Risk to public health from emitted particles.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Access, Movement and Parking

Policy Context and Principle of Development

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

The Antrim Area Plan 1984 - 2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to the determination of the proposal. The application site is located within the settlement limit for Antrim Town. There are no specific operational policies relevant to the determination of the application in the plan.

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

The development proposal seeks planning permission for the retention of an upgraded extraction system to support the manufacturing of construction materials at Unit 3B Norfill Business Park, which hosts Errigal Commercial Developments. The host building is an existing industrial unit. Paragraph 16.5 of the AAP refers to 'Industrial Locations' and states, 'Consideration will be given to appropriate industrial uses on unzoned lands provided the proposals are compatible with existing adjoining land uses or proposed land uses e.g., vacant factory floorspace is available at the former British Enkalon plant.'

The retention of the extraction system is clearly ancillary to the existing use of the building and is therefore it is considered that its retention is acceptable subject to all other policy and environmental considerations being met.

Scale, Massing, Design and Appearance

Policy PED 9 of PPS 4 requires that the site layout and building design are of high quality and assist with the promotion of sustainability and biodiversity.

The extraction unit is located to the rear of the existing industrial unit and is in operation intermittently throughout the day, between 08:00-17:00 from Monday to Friday. Within the existing unit, timber sheets are cut to meet various technical product specifications, such as the processing of plywood sheets, for the internal dry lining processes such as doorframes etc.

The extraction unit is 3 metres in height and 10 metres in length and is located to the rear of the industrial unit. The design and appearance of the development is typical of this type of extraction unit associated with industrial units. Taking into account the

context of the site and the surrounding area, it is considered that the proposal will not be viewed as dominant, nor will it have a significant detrimental impact on the visual amenity of the surrounding area.

As the extraction unit is located within the premises of an existing industrial estate, the proposal is considered to be compatible with the surrounding land uses and is considered to comply with Policy PED 9 of PPS 4. The scale of the extraction unit is proportionate to the scale and massing of the existing buildings within the wider Enkalon Industrial Estate, and it is considered that given the surrounding development that the proposal would not significantly harm the character or appearance of the area.

Neighbour Amenity

Policy PED 9 of PPS 4 requires that the proposal will not harm the amenities of nearby residents and that no noise nuisance is created.

Nine (9) letters of representation have been received from nine (9) notified properties, which raised concerns regarding noise and the impact on human health, and their direct impact on the residential dwellings within Castlewater Gardens and Castlewater Woods.

A Dust Mitigation Plan, Document 02, date stamped 5th June 2023 and a Noise Impact Assessment, Document 03, date stamped 5th June 2023 accompanied the application, and was forwarded to the Council's Environmental Health Section (EHS) for its comments. The Noise Impact Assessment, states that the extraction unit is only used at certain times during the opening hours of the business (08:00-17:00 from Monday to Friday). Some noise is expected from the extraction unit, however this is considered to be at a low level, associated with the daily requirements and functioning of the industrial unit and is not expected to arise at unsociable hours.

EHS responded with no objections to the development subject to the inclusion of mitigation measures to ensure the amenity of nearby residential properties is not compromised. EHS is of the opinion that the amenity of nearby sensitive receptors can be protected, subject to the attachment of noise and dust control conditions should planning permission be forthcoming.

In relation to the possible impact on human health, no evidence has been presented to suggest human health will be adversely impacted by this proposal. In addition, EHS raised no concerns relating to the proposal on health grounds.

Access, Movement and Parking

Policy PED 9 of PPS4 requires that the existing road network can safely handle any extra vehicular traffic and that adequate access arrangements, parking and manoeuvring areas are provided. DfL Roads was not consulted, as the proposal does not affect the existing access or parking arrangements, which are located to the north of the site.

CONCLUSION

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

- The principle of development is considered acceptable;
- The scale and design of the proposal is considered appropriate;

- The subject development will not unduly affect the amenity of neighbouring residents; and
- The proposal will not have a detrimental impact on the access, movement and parking within the site.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

Reason: This is a retrospective application.

2. The extraction system shall not operate outside the following times: 08:00–17:00 hours Monday- Friday.

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

3. Within 2 weeks of the date of this decision notice an acoustic silencer/duct attenuator, capable of achieving at least 15dB attenuation, shall be fitted to the extraction system and shall be retained for the lifetime of the development thereafter.

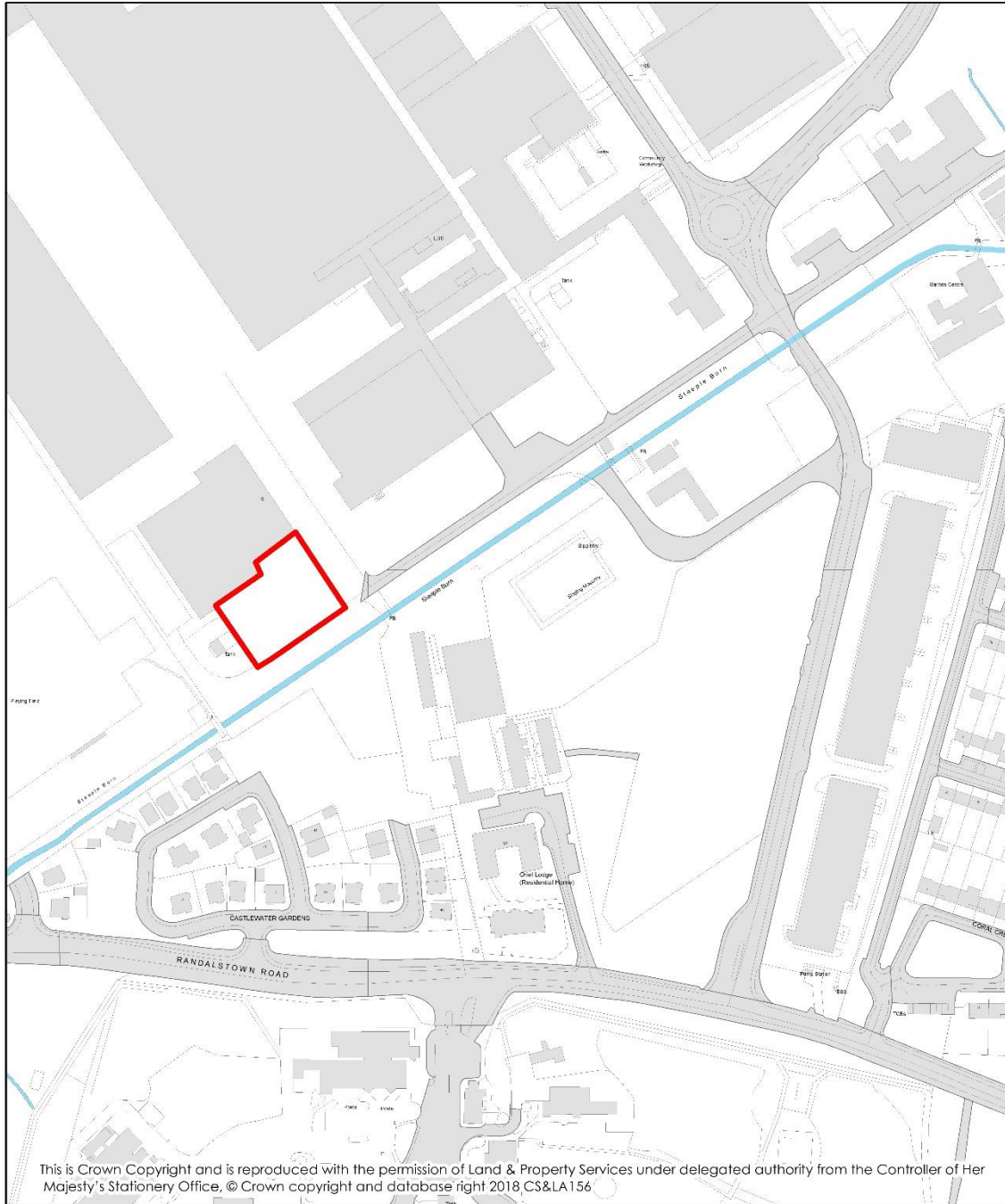
Reason: In order to protect amenity at nearby noise sensitive receptors.

4. Within 2 weeks of the date of this decision notice a 3.2-metre-high acoustic barrier shall be installed along the (southern and western) rear and side elevations of the extraction unit as outlined within Figure 9 of the Noise Impact Assessment, Document Number 03, date stamped 5th June 2023. The barrier shall have a surface weight density of not less than 47.5kg/m², be of solid construction, (i.e., no holes or gaps present for sound to pass through) and if it is a fence, it shall be of the ship-lapped design.

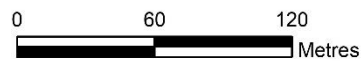
Reason: In order to protect amenity at nearby noise sensitive receptors.

5. The development hereby approved shall operate in line with the Dust Management Plan, Document Number 02, date stamped 5th June 2023.

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



Site Location Plan



Application Reference: LA03/2023/0430/F

 Site boundary

Proposal: Retention of upgraded extraction system to support the manufacturing of construction materials (retrospective)

Location: Unit 3B, Norfill Business Park, Antrim, BT41 4LD



COMMITTEE ITEM	4.9
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 southeastern and southwestern boundaries are mostly defined by 3-5-metre-tall leylandii hedging and the northwestern 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 northeastern boundary is defined by close board timber fencing. The topography of the application site is split level, with the southeastern portion sitting approximately 2 metres below the northwestern 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 northwestern 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 southeastern 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 southwestern portion of the southeastern 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 northwestern portion of the application site, with a similar land level to the Staffordstown Road. It is acknowledged that the northeastern 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 southwestern 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 southwestern 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 northeastern 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 northeastern 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 northeastern 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 southeastern 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 northeastern 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.

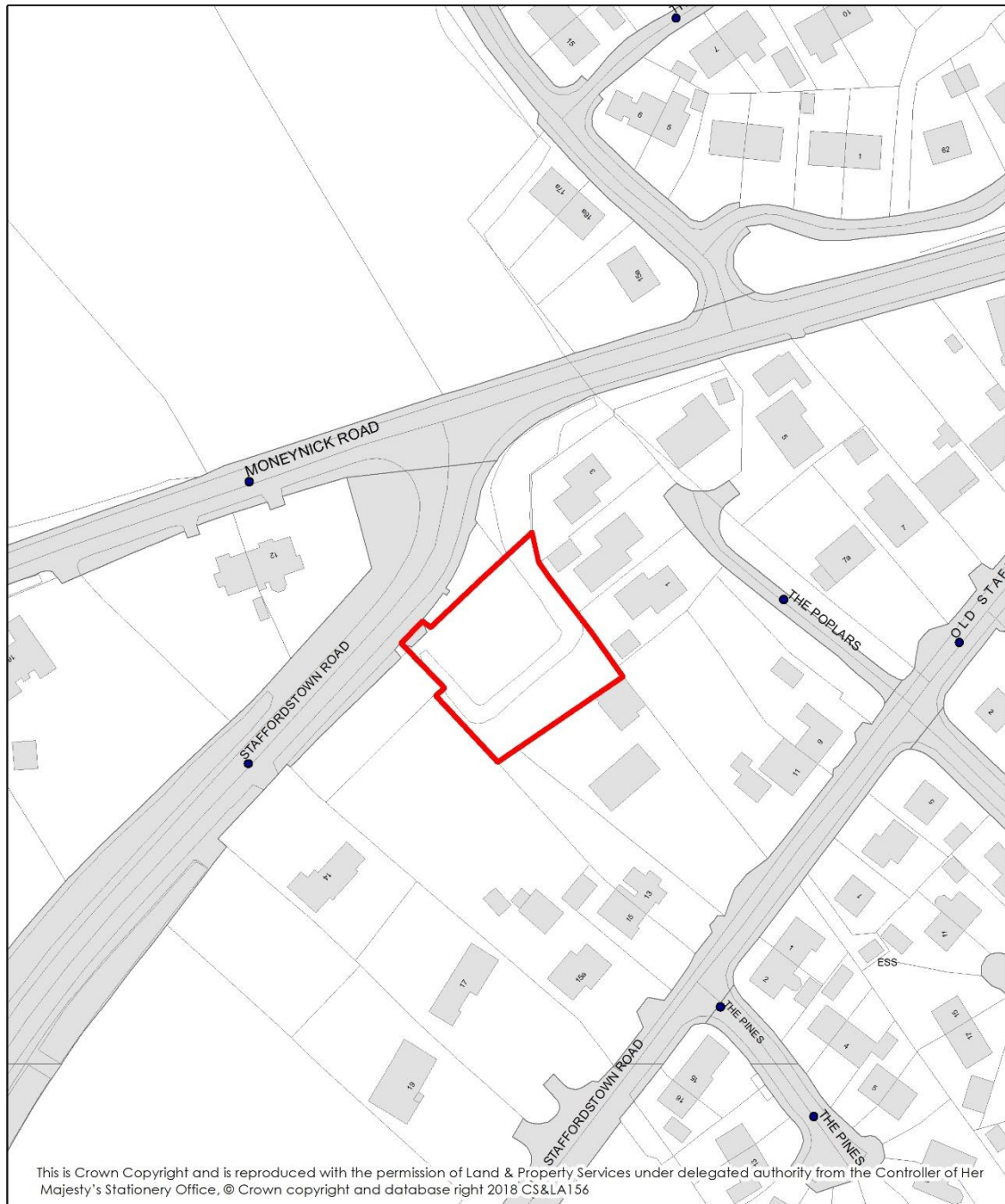
Further objections raised issues that the proposal may result in the devaluation of neighbouring property and that the sectional drawings do not accurately represent the dwellings within The Poplars. Firstly, the devaluation of the surrounding property, whilst it is unlikely to occur as a result of this 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	
<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>	

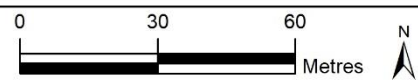


Site Location Plan

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	4.10
APPLICATION NO	LA03/2022/0824/F
DEA	MACEDON
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed shed for keeping of vintage vehicles and garden mowers and equipment.
SITE/LOCATION	67 Whitehouse Park, Newtownabbey, BT37 9SH
APPLICANT	Mr and Mrs Robert McMichell
AGENT	Tumelty Planning Services
LAST SITE VISIT	18 th October 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 67 Whitehouse Park, Newtownabbey which is located within the settlement limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site contains a two storey detached dwelling and a single storey detached garage. Parking provision is provided to the front elevation of the property with amenity space located to the rear elevation. It is noted that under planning application Ref: LA03/2019/0516/F, permission was granted for an extension to the existing curtilage, incorporating a large area to the rear of No.63 and No.69 Whitehouse Park. The extended area is at a significantly lower ground level in relation to the dwelling and the adjacent properties and sits approximately 9m lower. The area is currently planted out in grass, and is accessed via an internal laneway. A Right of Way is located along the eastern boundary of the site, providing access to No.69, 71 and 73 Whitehouse Park.</p> <p>The proposal is to be located within the extended curtilage of the dwelling and is to be positioned within the eastern corner of the site. With regards to boundary treatments to this area, the northern aspect is defined by a post and wire fence, the eastern and southern boundaries by 2m high palisade fencing, and there is a post and wire fence to the southwestern/western boundary.</p> <p>The application site is located within a predominantly residential area comprising of various house types and designs. The land beyond the southeastern boundary provides a subway under the M5 Motorway, with the Gideon's Green area of open space being located along this boundary. The M5 Lagoon Local Landscape Policy Area is also located nearby.</p>	

RELEVANT PLANNING HISTORY

Planning reference: LA03/2019/0649/F
Location: 67 Whitehouse Park, Newtownabbey
Proposal: Proposed garden decking
Decision: Permission Refused (18.03.2020)

Planning reference: LA03/2019/0516/F
Location: 67 Whitehouse Park, Newtownabbey
Proposal: Extension to curtilage of dwelling to provide garden
Decision: Permission Granted (27.01.2020)

Planning reference: LA03/2018/1067/LDE
Location: Land to the rear of (and SE of) 67 Whitehouse Park, Newtownabbey
Proposal: Extension to curtilage
Decision: Permitted Development (30.01.2019)

Planning reference: U/2008/0478/F
Location: 67 Whitehouse Park, Newtownabbey
Proposal: Erection of detached double garage
Decision: Permission Granted (23.09.2009)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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.

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

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

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

CONSULTATION

Department for Infrastructure Rivers- No objection, subject to a number of informatives.

Belfast City Airport- No objection.

The Councils Environmental Health Section- No objection, subject to a condition.

REPRESENTATION

Nine (9) neighbouring properties were notified of the application and one (1) letter of objection was received from a property which was not neighbour notified. The objection letter questions the circumstances of the ownership of the land.

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

- Issue with how the land was obtained by the applicant.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- 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. 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. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

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

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

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

Scale, Massing, Design and Appearance

The application seeks full planning permission for a proposed shed for the keeping of vintage vehicles, garden mowers and equipment.

Following the initial submission, the agent was contacted and requested to submit information as to why this size and scale of a garage was required for domestic purposes. The agent subsequently submitted Document 01, titled 'Supporting Statement' listing the applicant's motorised vehicles and vintage vehicles which were to be stored within the building.

The proposed building is to be located within the extended curtilage of No.67 as approved under Ref: LA03/2019/0516/F, and is positioned within the easternmost corner of the site. The building is to measure 20m in length, 15m in width, with a maximum ridge height of 4.8m. A roller shutter door measuring 4m in height is located to the front elevation of the building, with a doorway entrance located to the side elevation. The proposal is to be finished in grey rendered blockwork to the lower half, green argiclad metal to the upper half and roof, and green metal doors. Domestic buildings of this size, scale and design are not typically acceptable given that they are not subordinate to the existing dwelling, nor are the proposed external finishes in conformity with the existing dwelling.

It is accepted that there is a significant ground level difference between the roadway along Whitehouse Park and the proposed building with views of the proposal being restricted by the intervening buildings within Whitehouse Park and the topography of the site. There will be a view of the roof of the proposed building from the M5 Motorway, however, this view will be fairly limited given the speed of traffic on the motorway.

While many of the houses along the eastern side of Whitehouse Park back onto Gideons Green, they have considerable garden depths of over 100 metres and views into their rear amenity space are protected by mature landscaping. The southeastern boundary of the application site, however, along its boundary with Gideons Green is fairly open and exposed which allows open views into the application site and of the proposed building.

When viewed from Gideons Green there is a steep drop in levels between the applicant's existing dwelling (No.67) and the proposed building of approximately 6 metres. In addition, there is a separation distance of 65 metres between the two buildings. As stated previously the other dwellings in Whitehouse Park have considerably large garden depths with limited development to the rear. When viewed from Gideons Green the proposed building would read as a separate entity to the other buildings in Whitehouse Park and would appear as a building of significant scale close to the public paths in Gideons Green.

It is considered that the proposed building is of a significant size which is not of a domestic scale, its design and scale has an industrial appearance which is uncharacteristic of the other existing outbuildings in Whitehouse Park and it would fail to cluster sensitively with the applicants dwelling. Overall, it is considered that the proposed development is unacceptable.

Neighbour Amenity

It is not considered that there will be any detrimental impacts to neighbouring properties by way of overlooking, overshadowing, loss of light or dominance given the 67m separation distance to the nearest neighbour property, alongside the significant ground levels differences which would exist between the finished floor level of the proposed building and the existing floor level of the neighbouring dwellings (approximately 9m).

Impact on Trees

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality because there are no trees affected by the proposed development.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space will remain within the curtilage of the domestic property for recreational and domestic purposes. The proposal does not impact upon the existing parking provision for the domestic property.

Other Matters

DfI Rivers were consulted regarding the proposal and responded 18th October 2022.

Their response indicated that a portion of the application site lies within the 1 in 200 coastal floodplain. Development within the Q200 floodplain is not considered acceptable unless it can be demonstrated that a proposal is an exception listed under FLD 1 of PPS 15.

The proposal has been deemed to be an exception under 'minor development' and therefore a Flood Risk Assessment was requested from the agent in order for Dfl Rivers to make an assessment. The agent subsequently submitted Document 02 titled 'Flood Risk Assessment for LA03/2022/0824/F' date stamped 09 May 2023. Dfl Rivers were consulted regarding the document and responded 30th May 2023 accepting its logic and having no reason to disagree with its conclusions. Dfl further comment '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'. As the statutory consultee has no objections to the proposal, the Council has no reason to refuse the proposal based upon PPS15.

One (1) objection letter was received from a property not located within the neighbour notified area questioning how the land is within the applicant's ownership. This matter is not a relevant planning matter, however, it is noted that the entire application site is outlined in red meaning that the applicant has indicated that it is on their ownership. How the lands were acquired is not a material to the assessment of the planning application.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the proposal are not considered acceptable;
- The proposal will not unduly affect the privacy or amenity of neighbouring properties;
- The proposal will not have a detrimental impact on trees or the environmental quality of the area;
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes. Parking provision levels are not impacted upon as a result of the proposal; and
- Dfl Rivers have no concerns regarding the proposal, subject to the attachment of informatives.

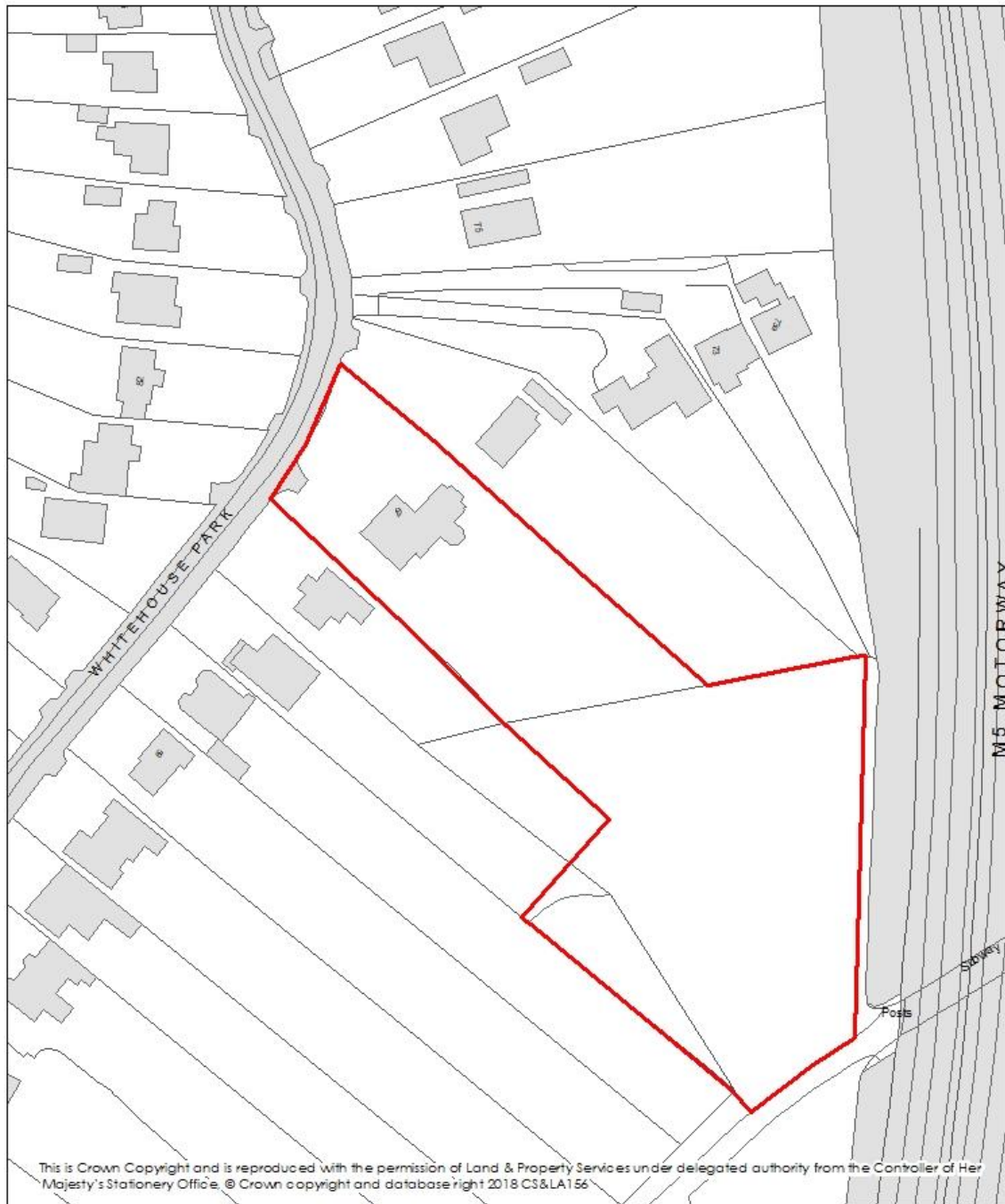
RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Criteria (a) of Policy EXT1 of the Addendum to Planning Policy Statement 7, Residential Extensions and Alterations, in that the siting of the building away from the existing dwelling, its scale, massing, design and external materials of the proposal are not sympathetic with the built form of the existing property and are uncharacteristic of the area.
2. The proposal is contrary to the policy provisions of Policy EXT1 (Para's 2.9-2.11 of justification and amplification) of the Addendum to Planning Policy Statement 7 Residential Extensions and Alterations, in that the proposal would, if permitted,

constitute a self-contained unit of accommodation in addition to the existing dwelling.



Site Location Plan

Application Reference: LA03/2022/0824/F

Proposal: Proposed shed for keeping of vintage vehicles and garden mowers and equipment

Location: 67 Whitehouse Park, Newtownabbey, BT37 9SH

0 25 50
Metres



 Site boundary



COMMITTEE ITEM	4.11
APPLICATION NO	LA03/2023/0318/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Conversion of existing building to ancillary residential accommodation associated with existing dwelling
SITE/LOCATION	17 Grange Road, Nutts Corner, Crumlin
APPLICANT	Mr & Mrs D Smyth
AGENT	Nigel Coffey
LAST SITE VISIT	30 th June 2023
CASE OFFICER	Michael Ward Tel: 028 903 40434 Email: michael.ward@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 in the countryside, beyond any settlement limit as defined in the Antrim Area Plan 1984-2001.</p> <p>The application site comprises an irregular portion of land located on the southern side of Grange Road. The application site contains a single storey dwelling set back approximately 50 metres from the public road with a one and a half storey garage and attached sunroom set behind. A stable block is located in the southeastern corner of the site, additionally a vernacular style single storey basalt stone building also occupies the southeastern corner of the site.</p> <p>The topography of the site rises gradually to the southeast from the road and then plateaus. The site is accessed via an existing laneway from Grange Road which serves No.17 Grange Road. The site can also be accessed via an existing laneway which cuts through the front garden of No.17. The area around the replacement dwelling features hardstanding.</p> <p>The front boundary is defined by a wing pillared entrance to No.17 and 1-metre-high fencing interspersed with tall mature trees. Tall mature trees line the northeastern and southeastern boundaries, with post and wire fencing defining the northwestern boundary, 2-metre-high fencing defines the common boundary between No.15 and No.17.</p> <p>During the site visit it was noted that development had commenced on site as a roof had been installed on the subject building.</p> <p>The surrounding area comprises agricultural fields with dispersed detached dwellings. Public views of the application site are limited given the topography of the land and the existing boundary treatments.</p>	

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2021/0768/F

Location: 50m SW of 11D Grange Road, Crumlin

Proposal: Erection of domestic stable block, tack room, feed and equipment store including ancillary siteworks.

Decision: Permission Granted

Decision Date: 16/09/2021

Planning Reference: LA03/2021/0580/F

Location: 20m SW of 17 Grange Road, Crumlin

Proposal: Replacement dwelling (removal of condition 2 from planning approval LA03/2019/0720/RM regarding demolition of existing building).

Decision: Permission Granted

Decision Date: 09/06/2021

Planning Reference: LA03/2019/0720/RM

Location: 17 Grange Road, Nutts Corner, Crumlin

Proposal: Erection of replacement dwelling, garage and associated siteworks

Decision: Permission Granted

Decision Date: 31/10/2019

Planning Reference: LA03/2018/1026/O

Location: 17 Grange Road, Nutts Corner, Crumlin

Proposal: site for replacement dwelling, garage and associated siteworks

Decision: Permission Granted

Decision Date: 30/01/2019

Planning Reference: T/2005/0494/F

Location: 17 Grange Road, Nutts Corner, Crumlin

Proposal: New garage- enlarged from previous approval T/2002/0739/F

Decision: Permission Granted

Decision Date: 11/12/2005

Planning Reference: T/2002/0739/F

Location: 17 Grange Road, Nutts Corner, Crumlin

Proposal: Detached garage

Decision: Permission Granted

Decision Date: 07/11/2002

Planning Reference: T/2000/0432/O

Location: Rear of 17 Grange Road, Nutts Corner, Crumlin

Proposal: site for replacement dwelling, garage and associated siteworks

Decision: Permission Refused

Decision Date: 21/12/2000

Planning Reference: T/1991/0061/O

Location: Grange Road, Nutts Corner, Crumlin

Proposal: Site of Dwelling

Decision: Permission Granted

Decision Date: 28/04/1991

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: The application site is located outside any defined 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.

PPS6: Planning, Archaeology and the Built Heritage: sets out planning policy and guidance for the protection and conservation of archaeological remains and features of the built heritage

CONSULTATION

DFI Roads - No objection

Environmental Health Section - No objection

Historic Environment Division- No objection

NI Water- No objection, subject to conditions

REPRESENTATION

One (1) neighbouring property has been notified. One (1) letter of representation has been received.

A summary of the key points raised are provided below:

- Concerns that the application is unsuitable for a dwelling given previous history.

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context & Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Other Matters

Policy Context & Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

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

- (e) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- (f) the proposal does not unduly affect the privacy or amenity of neighbouring residents;

- (g) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- (h) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

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

The proposal seeks permission for the conversion of an existing building to ancillary residential accommodation associated with the existing dwelling. In all cases the Council must be satisfied that the proposed accommodation will remain ancillary to the main residential property and careful consideration will be given to the impact of the proposal on neighbouring dwellings.

The subject building was previously accepted for an offsite replacement dwelling and garage under planning approval Ref: LA03/2018/1026/O, and the subsequent Reserved Matters application which was approved on the 31/10/2019. Condition No.02 of LA03/2019/0720/RM states:

'The construction of the dwelling hereby permitted, including the clearing of topsoil, shall not commence until the existing building, coloured green on Drawing No.01 bearing the date stamp 29th August 2019 is demolished, and all rubble and foundations have been removed.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.'

However, planning permission Ref:LA03/2021/0580/F sought the removal of this condition in order to retain the existing building. This application was approved on the 9th June 2021 and the condition varied. Condition No.02 of LA03/2021/0580/F states:

'The existing building coloured green on Drawing No.01, bearing the date stamp 02 June 2021, shall not be used for human habitation or for any other purpose without the prior grant of planning permission from the Council.

Reason: To prevent an accumulation of dwellings on the site and to enable the Council to consider any future use of the building proposed.'

The subject application relates to the use of the subject building as ancillary accommodation associated with the host dwelling (No.17). It is critical to note that the fabric of the subject building was somewhat dilapidated as evidenced within the previous applications and substantial works have been carried out to the building to make it structurally habitable without the benefit of planning permission.

It is acknowledged there may be occasions when it is necessary to provide ancillary accommodation to provide additional living space to meet a variety of personal and domestic circumstances such as accommodation for elderly parents. Paragraph 2.9 of Addendum to PPS7 states for accommodation to be ancillary, it must be subordinate to the main dwelling and its function supplementary to the use of the existing residence. The purpose of this is to ensure the use of the building as part of

the main dwelling. Such additional accommodation should normally be attached to the existing property and be internally accessible from it, although a separate doorway access will be acceptable.

Although further supporting documentation was requested, on this occasion no information was provided as to why the relaxation of this policy would be appropriate. The agent has also failed to demonstrate how an extension to provide for ancillary accommodation on the main dwelling would not be practical.

Annex A of Addendum to PPS7 further indicates that ancillary uses that could practically and viably operate on their own will not be acceptable and additional living accommodation should demonstrate dependency on the existing residential property. Ancillary uses should provide limited accommodation and shared facilities, for example kitchens should be physically linked internally to the host property.

It is considered that the proposed building will be able to function as an independent unit as it is located approximately 35m to the rear of the host dwelling. As such, the building is not physically linked to the host dwelling and a domestic garage sits between the subject building and the main dwelling. Drawing No.04 date stamped 20th April 2023 indicates that the building would serve a living room area, kitchen, utility room on the ground floor along with X2 first floor bedrooms and a shower room. It is considered that the proposed internal layout of the building exhibits the characteristics for independent living and that the accommodation by reason of its size and facilities could practically and viably operate on its own and it is not considered to be ancillary to the main dwelling. In addition, the site can also be accessed via an existing laneway which cuts through the front garden of No.17, which solely provides access to the subject building.

As a result of the aforementioned reasons it is considered the proposed building would be able to function as an independent unit and fails to comply with the ancillary accommodation as set out in the PPS7 Addendum.

Scale, Massing, Design and Appearance

The proposal is for the conversion of existing building to ancillary residential accommodation associated with the existing dwelling. The proposal makes use of an existing vernacular building within the curtilage of the application site.

The subject building measures some 12.4m in length by 6.3m in height and is single storey in nature. The subject building is subordinate to the host dwelling and is located some 35m to the rear of the host dwelling in the southeastern corner of the application site.

The building will be finished in a stone finish as existing (black basalt) and will feature a pitched roof. Furthermore, the proposal will use the existing door and window openings with X4 windows at the front elevation and X3 windows at the rear. One window and a bi-folding door will be added to the rear elevation. The existing window on the first floor northwestern elevation will be bricked up. A number of Velux roof lights will also be set within the roof line of the building, to the front and rear elevations. The finishes proposed do not detract from the vernacular quality of the building and it is located approximately 90m away from the public road and is hidden from public view.

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

Neighbour Amenity

It is considered that there are no significant neighbour amenity impacts in relation to the closest neighbour which is No.17 as the proposal is adequately screened by existing boundary treatments comprising a 2m high fence. Furthermore, the adjacent gable elevation features a blank gable with no windows proposed.

Consequently, it is considered that the proposed development will not create any significant impact on the amenity of any neighbouring properties in relation to dominance, overlooking or a loss of light.

Impact on Trees and Environmental Quality of this Area

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

Amenity Space, Parking and Manoeuvring

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

Other Matters

The objector raised concerns that the proposal would not be deemed suitable for a replacement dwelling due to the planning history on site. Planning policy for replacement dwelling (CTY 3 of PPS21) would not allow a building which has already been replaced to be eligible for a replacement building again. The current proposal however, relates solely to the use of the building for ancillary living accommodation and not as a standalone self-contained unit.

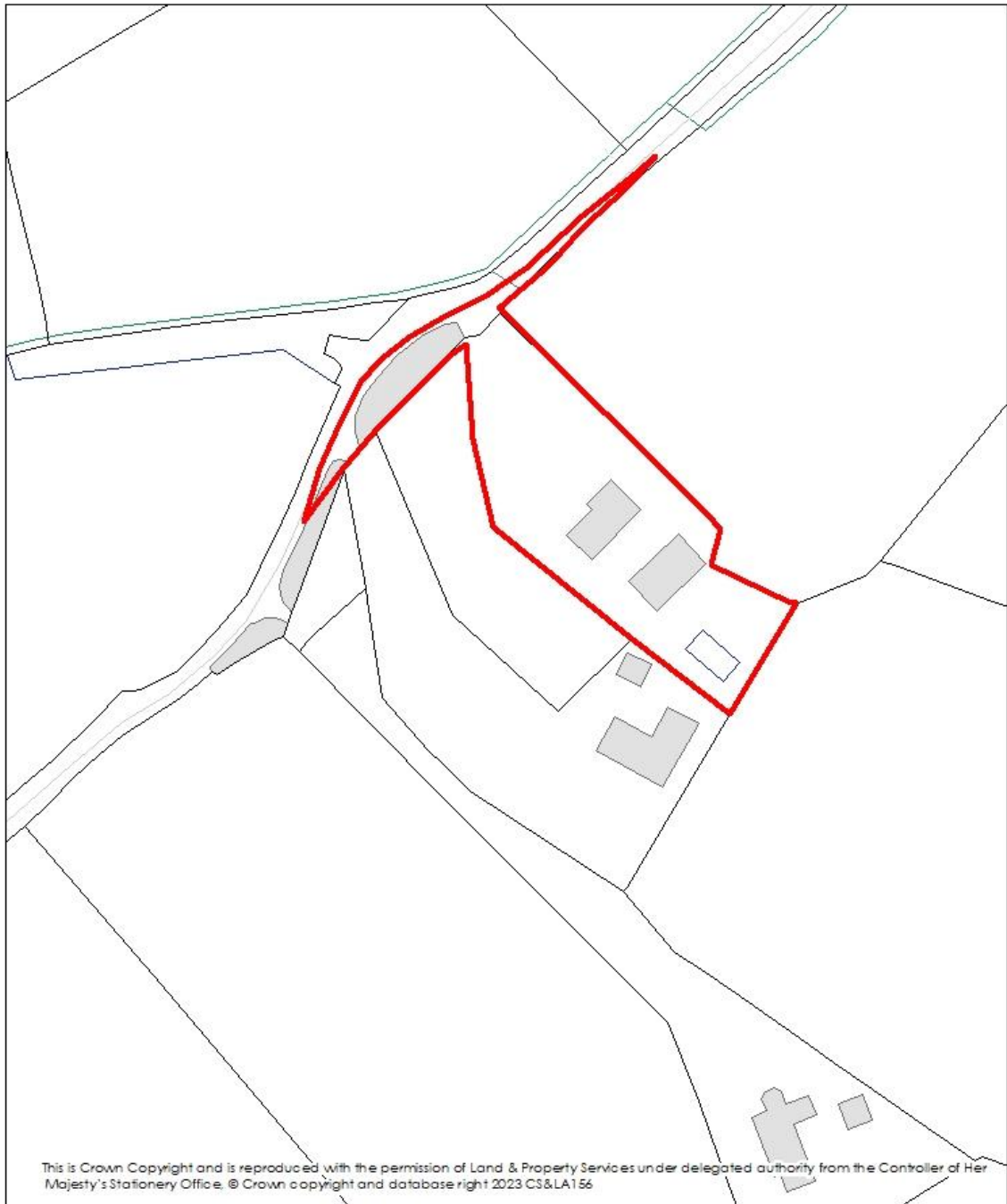
The application site lies within the zone of influence for an archaeological monument. Historic Environment Division (HED) were consulted on the application and offered no objections. Given that the application is within the existing curtilage of the dwelling, it is considered that the proposed development would have no impact on these archaeological features in compliance with PPS 6.

CONCLUSION

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

- The principle of the development is not considered acceptable;
- The scale, massing, design of the proposal is considered acceptable;
- The impact on the character of the area is considered acceptable;
- There is no significant impact on the amenity of any neighbouring properties;
- There is no impact upon trees nor the environmental quality of the area;
- There remains sufficient amenity space and room for parking; and manoeuvrability within the curtilage of the dwelling.

RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASON FOR REFUSAL	
<p>1. The proposal is contrary to the policy provisions of Policy EXT1 (Para's 2.9-2.11 of justification and amplification) of the Addendum to Planning Policy Statement 7 Residential Extensions and Alterations, in that the proposal would, if permitted, constitute a self-contained unit of accommodation in addition to the existing dwelling.</p>	



Planning Application Reference: LA03/2023/0318/F

Location: 17 Grange Road, Nutts Corner, Crumlin, BT29 4TE

Proposal: Conversion of existing building to ancillary residential accommodation associated with existing dwelling

Scale: 1:1250



Site Location



COMMITTEE ITEM	4.12
APPLICATION NO	LA03/2023/0316/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of stable and riding area for personal use
SITE/LOCATION	50m NW of 5C Ballyquillan Road, Crumlin, BT29 4DD
APPLICANT	Caroline Newell
AGENT	Jeffrey Morrow
LAST SITE VISIT	30 th 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 Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 50m to the northwest of 5c Ballyquillan Road, Crumlin. This is a countryside location as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site forms a rectangular shape and is a corner portion of a wider agricultural field. The site is accessed via an agricultural entrance, which adjoins an existing shared laneway that serves a number of additional dwellings. The application site bounds No. 5c Ballyquillan Road to the southwest. The southeastern (roadside) boundary is defined by a mature hedgerows measuring approximately 2-3m in height. The northeastern and southwestern boundaries are defined by a post and wire fence, with the northwestern boundary currently undefined.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/0893/F Location: 5c Ballyquillan Road, Crumlin, BT29 4DD Proposal: Proposed expansion of existing bed and breakfast/retreat and spa accommodation to include three pods, two cabins incorporating canopy covered open space, barbeque hut, dining dome as well as new car parking area, landscaping, fencing and all other associated works amended information) Decision: Withdrew (16.11.2022)</p> <p>Planning Reference: LA03/2021/1071/F Location: 5c Ballyquillan Road, Crumlin, BT29 4DD Proposal: Retrospective application for glamping accommodation in lieu of glamping pods approved under LA03/2020/0219/F associated with existing bed and breakfast accommodation Decision: Permission Granted (30.12.2021)</p>	

Planning Reference: LA03/2020/0554/LDE
Location: 5c Ballyquillan Road, Crumlin, BT29 4DD
Proposal: Certificate of Lawful Use (existing) for the ancillary use of two bedrooms to provide bed and breakfast accommodation at No.5 Ballyquillan Road
Decision:

Planning Reference: LA03/2020/0219/F
Location: 5c Ballyquillan Road, Aldergrove, Crumlin, BT29 4DD
Proposal: Proposed glamping pod accommodation with the existing bed and breakfast accommodation
Decision: Permission Granted (11.05.2021)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

PPS 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 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.

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 Rivers- No objection, subject to informatives.

Department for Communities Historic Environment Division - No objection.

Department for Infrastructure Roads- No response

REPRESENTATION

Seven (7) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and 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 full planning permission for the erection of stable and riding area for personal use.

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 outdoor sport and recreational uses should be assessed in accordance with PPS 8 Open Space, alongside the additional Policy requirements of Policies CTY 13 and CTY 14.

The proposal includes an outdoor arena and associated stable buildings, the applicable Policy framework for the application to be assessed against includes PPS 8 Open Space, Policy OS 3 Outdoor Recreation in the Countryside. A previous appeal (Reference 2012/A0057) indicates that proposals under Policy OS3 do not have to specifically relate to public use, and private use recreation is acceptable as long as it meets the policy requirements. The application site forms a section of a wider agricultural field which is currently grassland. The proposal is not considered to result in the loss of the best and most versatile agricultural land, and is not considered to negatively impact upon nearby agricultural activity. An existing mature hedgerow along the roadside is to be retained. The proposal is for private use; therefore, it is not expected that public safety would be prejudiced as result of the development. Furthermore, given the domestic nature of the proposal, it is not considered necessary for the proposal to provide additional facilities for people with disabilities.

It is considered that the principle of development has been established for the proposal. The application is to be assessed the additional requirements of Policies CTY 13 and CTY 14.

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.

As indicated above the application site is located along a shared laneway which serves a number of dwellings. A mature roadside boundary treatment provides a sufficient level of screening to the site whereby limited views of the proposal will be achieved. A condition requiring the retention of this boundary treatment will be attached if the proposal is deemed acceptable. The proposed stables building measures approximately 6.5m in length and 4m in width, with a height of 3.8m. The building is to be constructed in timber boards with the roof finished in tin cladding. The size and scale of the building is considered acceptable and of an appropriate scale to the local area and landscape.

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 proposed building is located within an agricultural field and northwest of the No.5c Ballyquillan Road, which contains a dwelling and garage which fronts onto the laneway. Further to the southwest is an existing industrial/agricultural style building which also fronts onto the shared laneway. The justification and amplification of the policy explains that a ribbon of development does not necessarily have to be served

by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked. There are three existing buildings to the southwest of the application site which forms an existing ribbon of development along a shared laneway. The application building would further add to this existing ribbon of development along the private shared laneway, resulting in the detrimental impact on the rural character of the area. The built form along this stretch of laneway would extend to 105m in length. The agent was contacted regarding this matter and offered the opportunity to submit amendments.

The agent responded that the applicant runs a Spa facility at their premises and that the positioning of the stables closer to the dwelling would spook the horses. The agent also noted that the applicant wished to provide a quiet area for their family to enjoy the horses away from the dwelling. It is noteworthy that an application (Reference LA03/2022/0893/F) was previously submitted seeking an expansion of an existing bed and breakfast/retreat and spa accommodation to include three pods. This application was withdrawn and it is noted that no planning permission has been granted for a spa facility to operate from the premises.

The positioning of the stable building in the agricultural lands to the rear of the dwelling would reduce the spread of development further into the open countryside, and instead consolidate it with the existing built form which the proposal is to remain ancillary to. The positioning of the building 35m further west than the existing garage structure will result in the detrimental impact on the rural character of the area and therefore the proposal is considered contrary to CTY 14 of PPS 21.

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 approximate 80m separation distance to the nearest neighbouring property.

Other Matters

HED were consulted regarding the application due to its proximity to a scheduled monument (ANT055:250). HED, having assessed the application, is content that the proposal is satisfactory to the SPPS and PPS 6 archaeological policy requirements. It is considered that the proposal will not have an adverse impact on any features of importance to archaeology or built heritage.

DfI Rivers were consulted regarding the application and responded with no objections subject to the attachment of a number of informatives.

DfI Roads were consulted regarding the application and have not responded to date, however, given the level of existing development along the laneway, a stable block associated with a residential dwelling is unlikely to give rise to any additional road safety concerns.

CONCLUSION

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

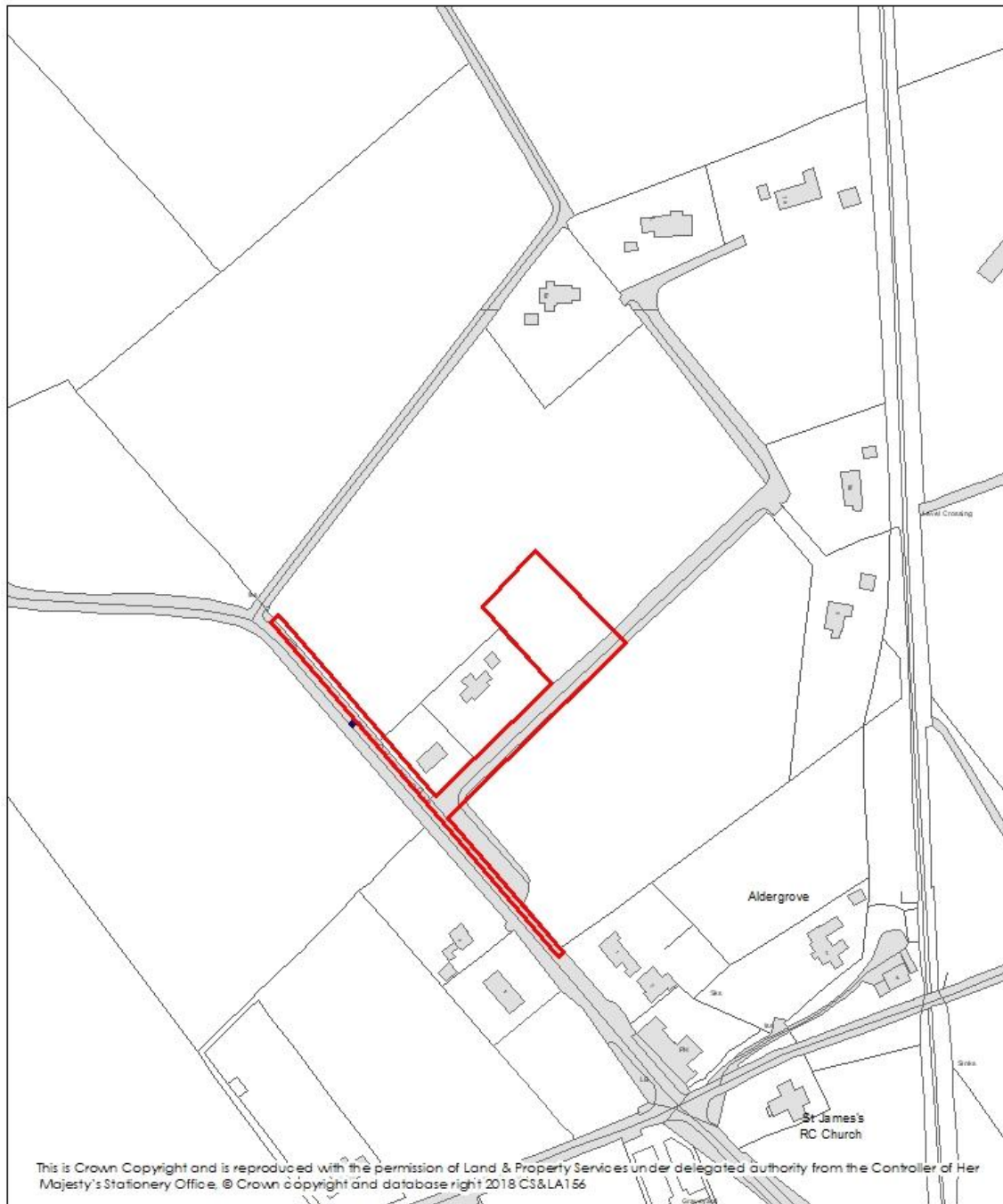
- The principle of the development can be established under the policy requirements of CTY 1 of PPS 21 and OS3 of PPS.

- The proposal would integrate appropriately with the surrounding landscape.
- The proposed stable building would add to a ribbon of development, and is therefore contrary to CTY 14 of PPS21.
- There are no concerns in relation to neighbour amenity.
- There are no concerns in relation to road safety, flood risk, or built heritage.

RECOMMENDATION	REFUSE PLANNING PERMISSION
-----------------------	-----------------------------------

PROPOSED REASON FOR REFUSAL

- | |
|--|
| <ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the building will add to an existing ribbon of development. |
|--|

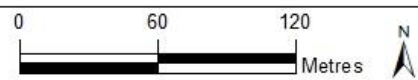


Site Location Plan

Application Reference: LA03/2023/031 6/F

50m NW of 5c Ballyquillan Road,
Aldergrove, Crumlin, BT29 4DD

Erection of stable and riding area for personal use.



Site boundary

1:2,500



COMMITTEE ITEM	4.13
APPLICATION NO	LA03/2023/0387/RM
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE RESERVED MATTERS
PROPOSAL	Erection of Dwelling and Garage
SITE/LOCATION	25m North of 28C Drumsough Road, Randalstown, BT41 2NW
APPLICANT	Mr Patrick Mullan
AGENT	Slemish Design Studio Architects
LAST SITE VISIT	9 th March 2023
CASE OFFICER	Michael Ward Tel: 028 903 40434 Email: michael.ward@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 approximately 25m north of No.28C Drumsough Road, Randalstown which is located in the open countryside, beyond any settlement limit as defined in the Antrim Area Plan 1984-2001. The site is directly adjacent to and accessed off the Drumsough Road.</p> <p>The application site is an agricultural field of a rectangular shape with a small stable building (Ref: T/2011/0310/F) located in the eastern quadrant of the application site. The topography of the site is relatively flat. The northern site boundary is defined by a belt of mature fir trees measuring approximately 10 metres in height while the rear (western) site boundary is defined by mature vegetation with approximate heights of 6 metres. The front site boundary is also defined by mature vegetation with approximate heights of between 6-8 metres and the southern boundary is comprised of a 1-metre-high post and wire fence. The application site is well screened when travelling southbound along the Drumsough Road, however, the site is exposed when travelling in a northerly direction. The railway line and the Milburn River run parallel to the application site on the opposite side of the public road.</p> <p>The surrounding location is rural in character, however, the immediate area is considered to be built up due to the presence of several road frontage dwellings positioned to the south and north of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2011/0310/F Location: Approx. 50m South East of 30 Drumsough Road, Randalstown Proposal: Proposed building to provide 2 No. stables/tack room/ covered dunghill and external sand riding area and associated external works Decision: Permission Granted (05/04/2012)</p> <p>Planning Reference: LA03/2020/0457/O Location: 25m North of 28C Drumsough Road, Randalstown, BT41 2NW</p>	

Proposal: Site of dwelling and detached domestic garage
Decision: Permission Granted (11/11/2020)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

CONSULTATION

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

NI Water - No objection

Environmental Health Section- No objection

Historic Environment Division- No objection

REPRESENTATION

Five (5) neighbouring properties were notified with one (1) letter of representation received.

A summary of the key points raised are provided below:

- Concerns with the siting of the dwelling
- Concerns with the extent of the rear return and its adherence to the outline planning informative
- Overlooking and a loss of privacy
- Concerns with maintenance of proposed boundary treatments
- Drainage

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

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 & 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.

The principle of development for a dwelling and garage was established on the site under planning permission Ref: LA03/2020/0457/O which was granted on 11th November 2020. The current Reserved Matters application was submitted on the 18th

May 2023 and is therefore a valid application for consideration. It is considered that the proposal meets with the necessary conditions of outline planning permission Ref: LA03/2020/0457/O, and therefore the principle of development has been established subject to meeting all other relevant planning and environmental considerations. The main issues to consider include design, layout, appearance, neighbour amenity, access and landscaping.

Scale, Massing, Design and Impact on Character of 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. The proposal must therefore meet the requirements of Policy CTY 13 of PPS 21 with regards to integration & design.

The proposed dwelling is setback approximately 28 metres from the roadside and is orientated to face towards the east, fronting the public road. The dwelling comprises two storeys, with a single storey projection to the south. Both elements of the dwelling are rectangular in shape, with the overall layout of the dwelling encompassing an "L" shape. The height of the dwelling is approx. 7.9 metres; the single storey element is subordinate in height to the main two-storey element.

The proposal is screened by 10-metre-high fir trees to the north, with mature vegetation of varying heights also providing an element of screening to the front and rear boundaries. The interspersed mature trees to the rear provide a backdrop and visual linkage for the development when travelling in a southerly direction along Drumsough Road, however the southern boundary is exposed and open to critical views when travelling in a northerly direction along the Drumsough Road.

Paragraph 5.67 of PPS21 states that successful rural designs are based upon simple shapes and forms of traditional buildings and simplicity of design which will help to enhance the appearance of a new building. The proposed dwelling has a contemporary design which fails to sit well in this rural landscape. The proposed dwelling features two low monopitched roofs which visually draw the eye and provide a suburban appearance to the proposed dwelling. In particular, the monopitched roofs which visually draw the eye and the two storey balcony element which will dominate the approach along Drumsough Road when travelling northbound.

It is also noted that the windows on the proposal maintain a horizontal emphasis in contrast to the vertical emphasis which predominates in the surrounding area. Whilst it is considered that these will be largely screened from public view due to the existing boundary treatments at the front, northern and rear elevations, the northern gable elevation which is exposed to the most critical public views features four first floor windows and two ground floor windows. Windows with a horizontal emphasis are generally unacceptable in the rural environment. Whilst 'Building on Tradition' may indicate that more contemporary styles of dwellings are acceptable in the rural area, it must also be acceptable in the context of the site and the surrounding rural area, which the proposed design is not. It is considered that the proposal is out of character for this rural area and the row of dwellings it sits within.

Regarding the proposed finishes, the vast expanse of grey/black brick is suburban in appearance and would introduce an inappropriate style of material to a rural area

where the common materials are exemplified by simple render/dash, stone cladding and red brick. It should be noted that the design guidance "Building on Tradition" within paragraph 2.8.5 caveats that materials illustrated in the traditional and contemporary design pages should reflect and/or complement its context. In this regard, the use of this finish is not reflective of the surrounding context. Therefore, for the reasons outlined above, the proposal fails to comply with criterion e of CTY13 in relation to the design of the proposal.

The surrounding rural area features a mixture of two storey and single storey dwellings which are generally vernacular in appearance, with pitched roofs and a simple architectural style and layout. The proposed dwelling should have a simple rural form in keeping with the existing dwellings along the Drumsough Road. In comparison, No's 28C and 28B are traditional style, single storey dwellings with accompanying development to the side and rear. No.30A to the rear is a 1.5 storey dwelling with broken up side projections featuring render and basalt finishes. No.30 to the north is a single storey bungalow. It is considered that the design of the building is incongruous for the site and its locality and fails to reflect and respect the existing character of the buildings situated immediately to the south of the application site. The boundary to the application site on approach from the north is exposed and increases the prominence of the design when taken in context with its immediate surroundings.

The agent has outlined in Document 01 (Date received 21/7/2023) titled "Statement of Case" that it would seem unreasonable to assess the overall integration strategy on the basis that the southern boundary is exposed. It is considered that whilst the application site is adequately screened from the north and the front of the application site by existing boundary treatments, however, critical views of the proposal would be obtainable on approach from the south and that the proposal would be read in context with the surrounding dwellings from this viewpoint. The agent has also put forward the view that a similar style of dwelling was approved in another local authority area in Northern Ireland and has used this as precedence within their supporting statement. The Council are not bound by the decisions of another planning authority and the dwelling referred to by the agent may have been appropriate in the context of the receiving environment in that case. The agent also contests that "if there is an integration issue given the lack of screening from one vantage point, then why was this not addressed upon approval of the outline with a relevant condition". Whilst the site provides a level of integration, the design of the dwelling is considered to be unacceptable when taken in the context of the site and the surrounding area.

The agent has indicated in Drawing No.01 that the proposed access gates will be located 5.0m away from the public road. Finishes include: white painted smooth render, grey/black brick blue, Upvc windows, with anthracite grey/black doors and windows. A patio area will be located to the front and rear of the dwelling.

Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or erode the rural character of an area. Paragraph 5.76 states that one building by itself can have a significant effect on an area if poorly sited or designed and would be unduly prominent, particularly in more open and exposed landscapes. As outlined earlier in the report, the design of the proposal is considered inappropriate for its site and locality and would result in an erosion of the existing rural character.

The objector raised concerns regarding siting and the proposed depth of the two storey elevation, however, no siting condition was imposed at outline stage. The depth of the two storey element measures approximately 24.7 metres. The planning informative imposed on outline permission Ref:LA03/2020/0457/O states that the external gable depth should be should not exceed 9 metres and only 7 metres in sensitive locations. However, an informative is generally for guidance purposes and does not carry the same weight as a planning condition.

It is considered that the design of the proposed dwelling is inappropriate to its rural setting and does not have regard to local distinctiveness due to the form and appearance of the dwelling in the context of its surroundings. The proposal fails to meet the policy provisions set out in the SPPS and Policy CTY13 of PPS21.

Neighbour Amenity

The objector (No.28C) is located approximately 14 metres to the south of the application site and they raise a number of concerns in relation to the potential for overlooking from the first floor bedroom windows on the southern gable elevation. Whilst it is acknowledged that there will be limited views into the first floor bedroom window of No.28C Drumsough Road and their most private amenity space (first 3-4m of the rear garden), these views will be less than significant as there is an adequate separation distance of approximately 31 metres from any first floor window. In relation to the potential for overlooking from the rear patio area, it is acknowledged that there is adequate separation distance of approximately 15 metres.

No.30A Drumsough Road is located immediately to the rear of the application site. Whilst the existing boundary treatments, comprising mature vegetation of approximately 6-8m in height, do provide a level of screening, it is considered that an adequate separation distance of approx. 40 metres exists which significantly reduces the potential for any overlooking from this elevation.

It is considered that there are no significant neighbour amenity impacts in relation to neighbour No.30 Drumsough Road due to existing boundary treatments comprising 10m high fir trees.

Consequently, it is considered that the proposed development will not create any significant impacts on the amenity of any neighbouring properties.

Access and Parking

Access to the application site is to be gained from an existing laneway onto the Drumsough Road. DfI Roads were consulted regarding the application and responded with no objections to the proposed means of access, subject to conditions relating to visibility splays and access gradient. It is considered that the proposal complies with Planning Policy Statement 3 'Access, Movement & Parking'.

Other Matters

The objector raised a number of concerns in relation to the proposed boundary treatment at the southern boundary comprising a low level hawthorn hedge. The objector has requested that a height restriction is to be imposed on any forthcoming planning approval. The height of the boundary will be approximately 4.5 metres in height as indicated on Drawing No.01 date stamped 18th May 2023. However, the

boundary proposed is entirely within the curtilage of the application site and any future maintenance issues are a civil matter between the relevant parties.

The objector also raises a number of concerns with regards to drainage into the sheugh at the rear of the property and the location of the wastewater discharge plant which could increase saturation. The objector feels this is further exacerbated due to the hardstanding on the proposed patio area. However, it is considered that the level of hardstanding proposed fails to meet the threshold for a Drainage Assessment. If planning permission is forthcoming, an informative will be included advising the applicant of the need to ensure that adequate drainage measures are put in place.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The scale, massing, design of the proposal is not considered acceptable;
- The impact on the character of the area is not considered acceptable;
- There is no significant impact on the amenity of any neighbouring properties;
- There is no impact upon trees nor the environmental quality of the area;
- There remains sufficient amenity space and room for parking and manoeuvrability within the curtilage of the dwelling.

RECOMMENDATION

REFUSE RESERVED MATTERS

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design of the building is inappropriate for the site and its locality.



Planning Application Reference: LA03/2023/0387/RM

Scale: 1:1250



Location: 25M North of 28c Drumsough Road Randalstown,
BT41 2NW

 Site Location

Proposal: Erection of dwelling and garage



PART TWO

OTHER PLANNING MATTERS

ITEM 4.14

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS JULY 2023

A list of planning decisions issued by Officers during July 2023 under delegated powers, together with information relating to planning appeals is **enclosed** for Members' information.

Two (2) appeals were dismissed during July 2023 by the Planning Appeals Commission (PAC) in relation to LA03/2021/0224/F (2021/A0165), proposed replacement garage at 37 Abbey view, Muckamore and LA03/2022/0154/F (2022/A0088) erection of single story replacement agricultural style shed to west of site and new replacement timber fencing to front of site (retrospective development) at 168 Doagh Road, Ballyclare; copies of these decisions are **enclosed**.

One (1) appeal was allowed by the PAC in July in relation to LA03/2020/0891/O (2021/A0151), site for one detached dwelling (one and a half storey and single detached garage) at garden to rear of No.16 Lenamore Drive, Jordanstown, and a copy of the decision is also **enclosed**.

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.15

P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT JULY 2023

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). Three (3) PANs were registered during July 2023 the details of which are set out below.

PAN Reference:	LA03/2023/0506/PAN
Proposal:	Mixed use development comprising Class B business uses and sui-generis uses.
Location:	50 Moira Road, Crumlin, BT29 4JL.
Applicant:	The Auction Yard Ltd, 50 Moira Road, Crumlin, BT29 4JL.
Date Received:	5 July 2023.
12 week expiry:	27 September 2023.

PAN Reference:	LA03/2023/0539/PAN
Proposal:	Extension to existing school and other ancillary/associated works.
Location:	Fairview Primary School, Hillmount Ave, Ballyclare.
Applicant:	Education Authority, 40 Academy Street, Belfast.
Date Received:	28 July 2023.
12 week expiry:	20 October 2023.

PAN Reference:	LA03/2023/0542/PAN
Proposal:	Extension to existing school and other ancillary/associated works.
Location:	Antrim Primary School, 31 Station Road, Antrim.
Applicant:	Education Authority, 40 Academy Street, Belfast.
Date Received:	28 July 2023.
12 week expiry:	20 October 2023.

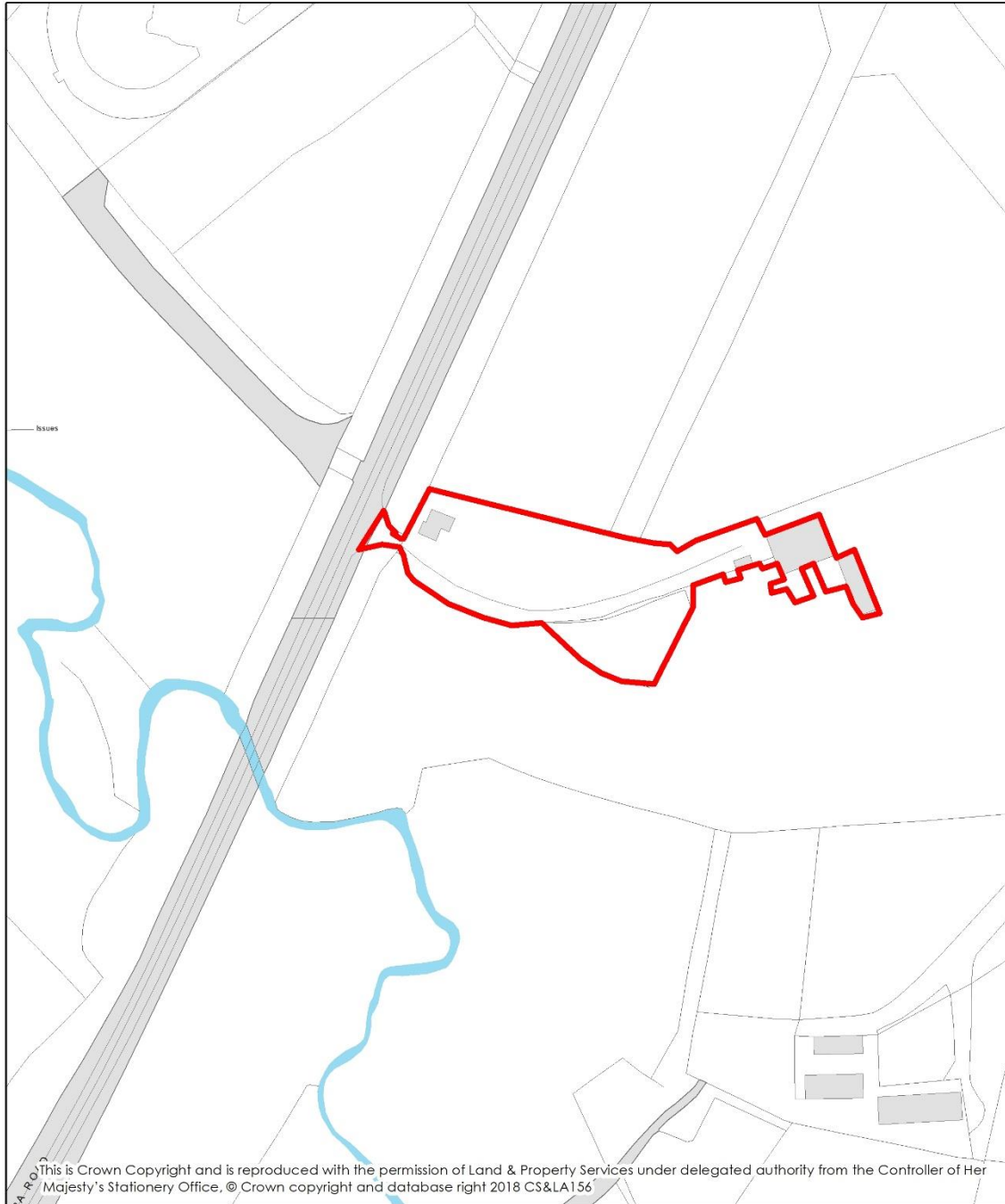
Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a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

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

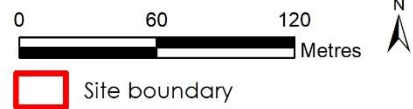


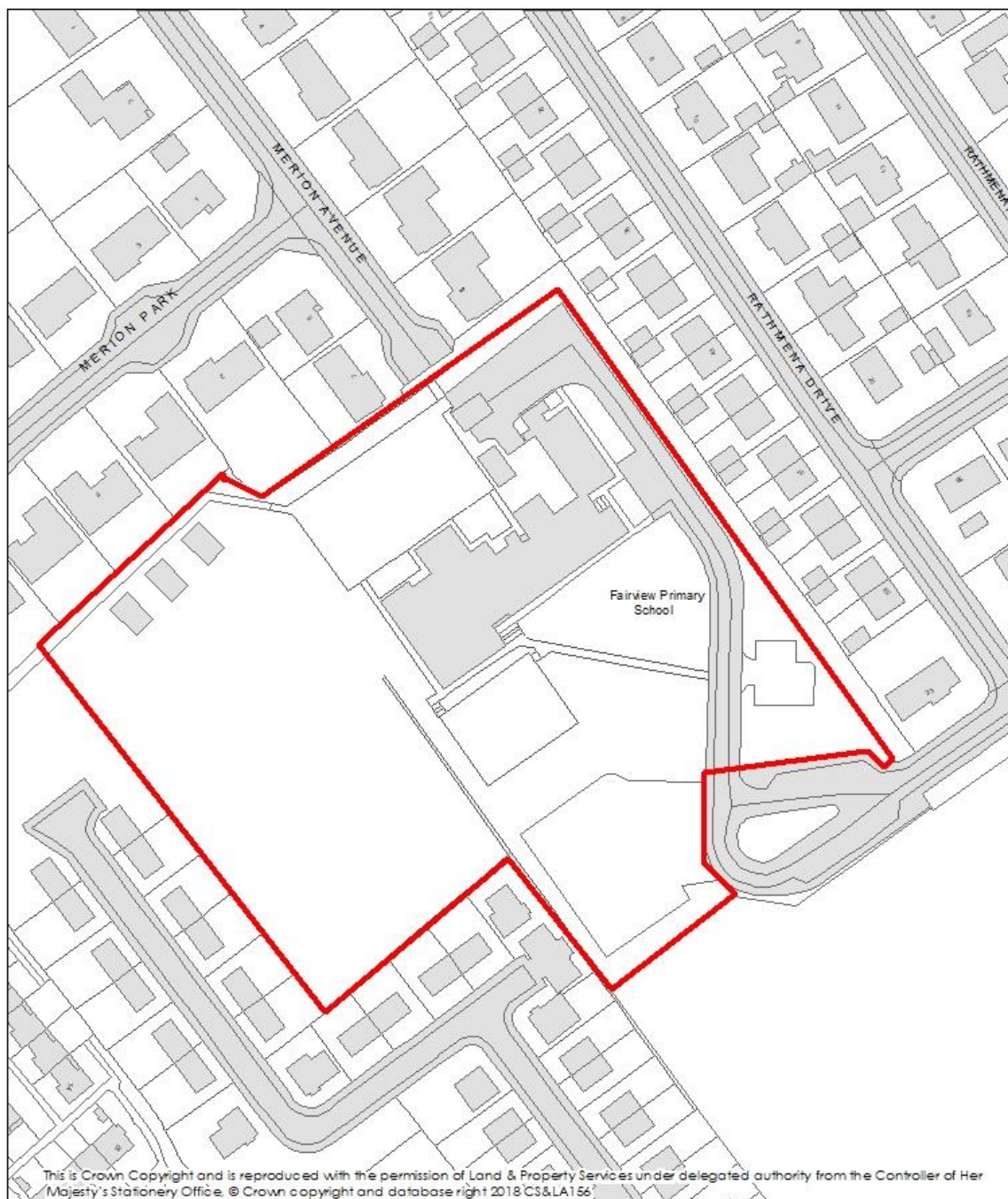
Site Location Plan

Application Reference: LA03/2023/0506/PAN

Location: 50 Moira Road, Crumlin, BT29 4JL

Proposal: Mixed use development comprising
Class B business uses and sui-generis uses



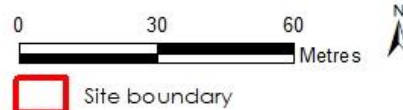


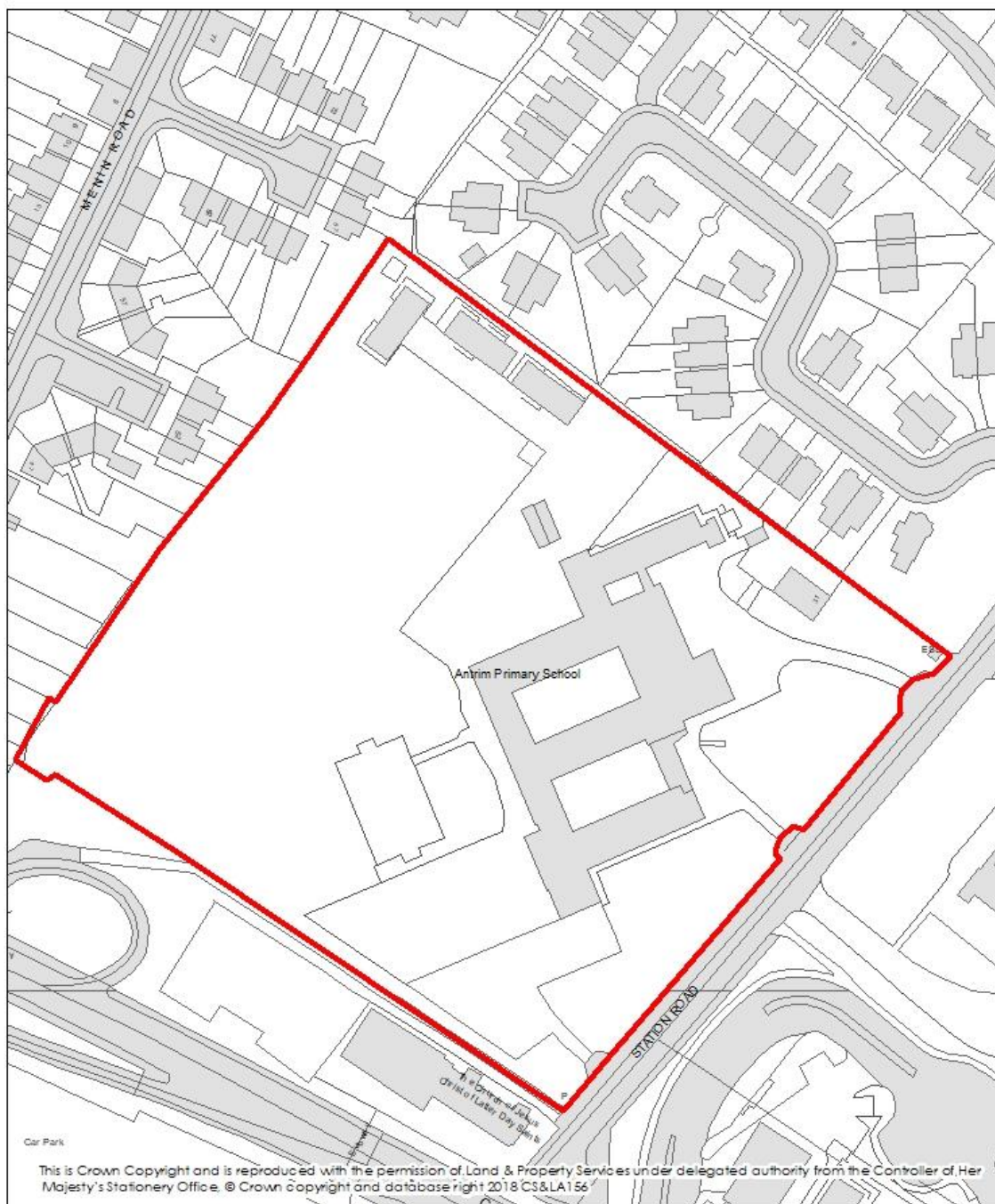
Site Location Plan

Application Reference: LA03/2023/0539/PAN

Location: Fairview Primary School, Hillmount Avenue, Ballyclare
BT39 9HS

Proposal: Extension to existing school and other ancillary/ associated works.



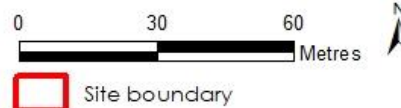


Site Location Plan

Application Reference: LA03/2023/0542/PAN

Location: Antrim Primary School, 31 Station Road, Antrim
BT41 4AB

Proposal: Extension to existing school and other ancillary/ associated works.



ITEM 4.16

P/PLAN/83 NORTHERN IRELAND STATISTICS AND RESEARCH AGENCY (NISRA) PLANNING STATISTICS – ANNUAL STATISTICAL BULLETIN 2022/2023 FOR THE PERIOD APRIL 2022 TO MARCH 2023

The annual Northern Ireland Planning Statistics 2022/23 Statistical Bulletin produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI) were released on 6 July 2023, a copy of which is **enclosed**.

The Annual Bulletin advises that key events during the last 2 years have impacted on both planning activity and processing performance in 2022/23. The factors identified include the continued and varying restrictions put in place due to the coronavirus (COVID-19) pandemic, that during January and February 2022 the Northern Ireland Planning Portal was inaccessible for a period of time and a significant change in IT system within planning in December 2022. ASRB, DfI indicate all these factors should be borne in mind and recommend caution when interpreting figures and making comparisons with other time period and performance across Councils.

The figures show that during the period from April to March 2023, the total number of planning applications received in Northern Ireland was 11,217, a decrease of eighteen percent on the previous year. This comprised of 11,072 local and 144 major applications.

During 2022/23 a total of 732 new applications were received by the Council, a decrease of 175 from the previous year. Whilst this pattern of decrease was also experienced by all Councils in Northern Ireland, Antrim and Newtownabbey Borough Council were the fourth ranked Council to experience the least decreased of new applications.

Major Planning Applications

Figures show that from April 2022 to March 2023 the Council processed 16 Major planning applications a 100 percent increase in comparison to the previous year. Across all Planning Authorities in NI the average processing time for major applications during 2022/23 was 57.8 weeks, the Council performance exceeded this achieving an average processing time of 52.1 weeks.

Local Planning Applications

Average processing time for local applications during 2022/23 was 19 weeks, the Council performance exceeded this achieving an average processing time of 13.4 weeks. The Council was one of only three Councils to achieve the statutory target of 15 weeks during 2022/2023.

Enforcement

The Bulletin provides no update in relation to performance against the statutory Enforcement target in relation to conclusion of cases within 39 weeks. An update will be reported to Members when this information is available.

In relation to enforcement, the figures published remain provisional and may be subject to revision. DfI figures indicate that the Council opened 332 Enforcement case during 2022/23 and closed 360 closed. The Councils is continuing to reduce the proportion of our live enforcement cases that have been ongoing for over 2 years,

this is currently sitting at 14% in comparison to almost 16% at 31 March 2022. The Council has the lowest proportion of cases over 2 year old across all Planning Authorities.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.17

P/PLAN/1 PLANNING IMPROVEMENT PROGRAMME (PIP) UPDATE

The Permanent Secretary for the Department for Infrastructure, Dr Julie Harrison, has written to all Councils with an update on the Planning Improvement Programme (enclosed) and has emphasised the important role all Councils have to play in this process. A copy of the programme, including work stream leads, has also been attached alongside governance arrangements and a list of membership of the Planning Improvement Project Board (enclosed).

Each Council will take forward a number of matters at the local level as set out in the attachments. Officers are currently preparing a draft Antrim and Newtownabbey Planning Improvement Programme for Members' consideration which will incorporate areas identified at the local level alongside the Strategic PIP with central government. As part of the Strategic PIP, it been proposed that the Council will lead an event with statutory consultees in relation to improving the Local Development Plan process in order to assist in the implementation and delivery of the Strategic PIP.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.18

P/FP/LDP 1 LOCAL DEVELOPMENT PLAN STEERING GROUP MINUTES AND LOCAL POLICIES PLAN PREPARATORY STUDIES

The most recent meeting of the Local Development Plan Steering Group took place on 4 August 2023. A copy of the minutes is **enclosed**.

Members are reminded that at the July Planning Committee, a Local Development Plan Quarterly Update was presented which identified some of the key work areas which Officers are undertaking in preparation for the Local Policies Plan.

One of these work areas involves the development of an evidence base in relation to the topic of 'Homes', which will support key decisions made as part of the Local Policies Plan. This evidence will provide the background for engagement with Elected Members in relation to housing zonings and planning guidance for the next stage of the Local Development Plan and ultimately the evidence base, which will be subject to public consultation and Independent Examination, in relation to the Council's approach to housing at the Local Policies Plan Stage.

It is now the intention of Officers to bring forward a detailed work programme regarding delivery. It is intended that workshops will be held with Elected Members as the evidence base develops.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.19

P/FP/LDP/001 MID AND EAST ANTRIM BOROUGH COUNCIL (MEABC) - LOCAL DEVELOPMENT PLAN 2030 - DRAFT PLAN STRATEGY UPDATE

Members are advised that on 2 August 2023 correspondence was received from Mid and East Antrim Borough Council (MEABC) regarding an update to their Local Development Plan, draft Plan Strategy (copy enclosed).

This correspondence advised that MEABC is now in receipt of a Direction from the Department for Infrastructure (under Section 12 of the Planning Act (Northern Ireland) 2011) regarding adoption of its Plan Strategy and also the Planning Appeals Commission Report into the Independent Examination of the MEABC Local Development Plan.

The correspondence also advises that prior to the adoption of the Plan Strategy a number of documents were being made available for public consultation, until 1 September 2023. These include a draft Habitats Regulation Assessment; Sustainability Appraisal; draft Equality Screening Report; and Rural Needs Impact Assessment.

All documents were made available on 4 August 2023 on the MEABC website and can also be accessed during office hours at the MEABC Planning Office.

It is proposed that Officers review these final draft documents and respond to MEABC in due course.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.20

P/PLAN/1 NORTHERN IRELAND AUDIT OFFICE (NIAO) PLANNING FRAUD RISKS

Members are reminded that a report was presented to Planning Committee regarding the Guide on Planning Fraud Risks published by the Northern Ireland Audit Office in March 2023.

Following a review by the Planning and Internal Audit teams and in line with the guidance provided by the NIAO it is proposed that a self-assessment form be completed by all those in the Council who are involved in any way in the planning process.

This will provide the baseline understanding of the level of awareness of the controls that are in place across the planning process and enable the development of an appropriate training and communication plan to ensure the Councils risk in relation to Planning Fraud continues to be adequately mitigated.

It is proposed that the self-assessment form will be issued to all Members of the Planning Committee by the end of August with a return date stated.

RECOMMENDATION: that the self-assessment form as outlined be progressed.

Prepared by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

ITEM 4.21

P/PLAN/1 DEPARTMENT FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS (DAERA) CALL FOR EVIDENCE ON IMPACTS OF AIR POLLUTION ON THE NATURAL ENVIRONMENT

The Department for Agriculture, Environment and Rural Affairs (DAERA) has launched an eight-week Call for Evidence on its Future Operational Protocol to assess the impacts of air pollutants, such as ammonia, on the natural environment; the Call for Evidence closes on 15 September 2023.

The recent consultation on the draft Ammonia Strategy was part of this programme of work and responses to the consultation are currently being considered by DAERA. The Call for Evidence is the next step in this programme of work.

DAERA, in its role as the appropriate nature conservation body in Northern Ireland, has a duty to provide advice to planning authorities and other competent authorities on the potential impacts of air pollution, including ammonia, from plans and projects on designated sites and protected habitats. The Northern Ireland Environment Agency (NIEA) performs this function for terrestrial/freshwater environments, on behalf of DAERA; this advice is provided through the use of an Operational Protocol.

Stakeholders are invited to submit additional evidence that will contribute to the development and delivery of a scientifically robust, evidence-informed, Operational Protocol to protect our natural environment and ensure sustainable development of our agriculture sector. More information is available at <https://www.daera-ni.gov.uk/future-operational-protocol-a-call-for-evidence>

Members may wish to respond on a corporate, individual or party political basis.

Members' instructions are requested.

Prepared by: Sharon Mossman, Deputy Director of Planning & Building Control

Approved by: Majella McAlister, Deputy Chief Executive & Director of Economic Development and Planning

PART ONE
DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE