



12 January 2022

Committee Chair: Councillor S Flanagan  
Committee Vice-Chair: Alderman F Agnew  
Committee Members: Aldermen – P Brett, T Campbell and J Smyth  
Councillors – J Archibald-Brown, H Cushinan, R Lynch,  
M Magill, N Ramsay, R Swann and B Webb

Dear Member

**MEETING OF THE PLANNING COMMITTEE**

A meeting of the Planning Committee will be held in the **Linen Suite, Mossley Mill on Monday 17 January 2022 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

**For any queries please contact Member Services:**

Tel: 028 9034 0048 / 028 9448 1301  
[memberservices@antrimandnewtownabbey.gov.uk](mailto:memberservices@antrimandnewtownabbey.gov.uk)

## **AGENDA FOR PLANNING COMMITTEE – January 2022**

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

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

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

### **PART ONE - Decisions on Planning Applications**

- 3.1 Planning Application No: LA03/2021/0684/O  
'Loughlands' Proposed development of 6no. detached dwellings and garages at Lands between No. 72 and No. 76 Kingsmoss Road, Newtownabbey
- 3.2 Planning Application No: LA03/2021/0824/F  
2 no. two storey semi-detached houses at 15 Orpins Mill Road Ballyclare
- 3.3 Planning Application No: LA03/2020/0614/O  
Residential development site at 1 St. Quentin Avenue, Carnmoney Glebe, Newtownabbey
- 3.4 Planning Application No: LA03/2021/1039/O  
New dwelling and garage (infill site) at 20m East of, 11 Cogry Road, Ballyclare
- 3.5 Planning Application No: LA03/2021/1049/O  
Infill dwelling at 60m North of 51 Thornhill Road, Antrim
- 3.6 Planning Application No: LA03/2021/1029/F  
Retrospective change of use from shop unit to 2 no. ground floor flats (1 No 1P/1B unit and 1 no. 2P/1B unit) to include internal alterations to existing building at 4 Hightown Road, Glengormley, Co Antrim
- 3.7 Planning Application No: LA03/2021/0616/O  
Site for dwelling on a farm at 50m North-West of 10A Kilcross Road, Nutts Corner, Crumlin
- 3.8 Planning Application No: LA03/2021/0867/O  
Site for infill dwelling at 35m South-West of 6 Randox Road, Crumlin

3.9 Planning Application No: LA03/2021/0387/F

Change of use to car electrics workshop utilising farm buildings at 50 Ballylagan Road, Ballyclare

**PART TWO – Other Planning Matters**

3.10 Delegated Planning Decisions and Appeals December 2021

3.11 Proposal of Application Notifications

3.12 NI Planning Statistics 2021-22 Second Quarter Bulletin July-September 2021

3.13 Local Development Plan Quarterly Update

3.14 Department for Infrastructure Practice Note on Unauthorised EIA Development.

4. Any Other Business

**PART TWO – Other Planning Matters – In Confidence**

3.15 Planning Enforcement Report 2021-22 – Second Quarter

**PART ONE – Decisions on Enforcement Cases – In Confidence**

3.16 Enforcement Case: LA03/2021/0230/CA

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE  
PLANNING COMMITTEE ON 17 JANUARY 2022**

**PART ONE**

**PLANNING APPLICATIONS**

<b>COMMITTEE ITEM</b>	<b>3.1</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0684/O</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	'Loughlands' Proposed development of 6no. detached dwellings and garages
<b>SITE/LOCATION</b>	Lands between No. 72 and No. 76 Kingsmoss Road, Newtownabbey
<b>APPLICANT</b>	Miss E. McClean
<b>AGENT</b>	English & Drummond
<b>LAST SITE VISIT</b>	5th August 2021
<b>CASE OFFICER</b>	Ashleigh Wilson Tel: 028 903 Ext 340429 Email: <a href="mailto:ashleigh.wilson@antrimandnewtownabbey.gov.uk">ashleigh.wilson@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the settlement limits of Kingsmoss as defined in the draft Belfast Metropolitan Area Plan (published 2004), Newtownabbey Area Plan and Belfast Urban Area Plan.</p> <p>The application site is positioned between Nos. 72 and 76 Kingsmoss Road. It is a roadside site, sitting slightly below the level of the adjacent public road and is relatively flat. A wooden fence and sparse hedging define the southern and eastern boundaries of the application site, with more mature trees and hedging along the northern and western boundaries. Watercourses bound the site to the south and east.</p> <p>The surrounding area is characterised by single storey and two storey detached dwellings of differing designs.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2017/0242/O  Location: Lands between Nos. 72 &amp; 76 Kingsmoss Road, Newtownabbey  Proposal: Loughlands – Proposed development of 6no. detached dwellings and garages  Decision: Permission Granted (24th July 2018)</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): the application site falls within the development limits of Kingsmoss. The settlement limit has been drawn to prevent further development along the Ballyrobert Road and Kingsmoss Road, to prevent encroachment into the open countryside and to prevent coalescence with Ballyrobert to the north.

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

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

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

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

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

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

## CONSULTATION

**Council Environmental Health Section** – No objection

**Northern Ireland Water** – No objection

**Department for Infrastructure Roads** – No objection, subject to conditions

**Department for Infrastructure Rivers** – No objection

**DAERA: Water Management Unit** – No objection

**DAERA: Natural Environment Division** – No objection

## REPRESENTATION

Eight (8) neighbouring properties were notified and nine (9) letters of objection have been received from six (6) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- The application site is part of a SLNCl and the proposal would have an impact on wildlife including birds and bats.
- Impact on drainage and waste water evacuation.
- Overlooking (Nos. 70, 72, 67 and 69).
- Loss of light (Nos. 70 and 72).
- Impact on character of the area.
- Impact on road safety.
- Loss of hawthorn and tree hedge area to be removed to provide access.
- Flooding.

## 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
- Flood Risk
- Access, Movement and Parking
- Nature Conservation
- 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) is also a material consideration in this application.

The application site lies within the settlement limit of Kingsmoss in both Plans and is not zoned for any specific purpose. The proposal was previously granted under planning application LA03/2017/0242/O and this permission expired on 23rd July 2021. The principle of housing is considered acceptable on this site provided it meets with other relevant planning policy and guidance.

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

The Regional Development Strategy (RDS) and Planning Policy Statement 7: Quality Residential Environments both encourage the reuse of urban land, however, this is caveated by stating that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas and that schemes should be sensitive in design terms to people living in the area and to local character.

Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1; the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity'.

It is considered that the application site can accommodate six residential units of a design and layout, with sufficient landscaping and amenity space areas that will demonstrate a quality and sustainable residential environment and without having a significant impact on the character and appearance of the area.

Policy LC1: Protecting Local Character, Environmental Quality and Residential Amenity of the second Addendum to PPS 7 deals with the issue of density within residential areas. It states that the proposed density should not be significantly higher than that found in the established residential area. Objections have been received regarding the density of the proposed development and concerns raised that the proposal represents overdevelopment of the application site. Generally, density is considered to be a calculation of dwellings per hectare. Based on this calculation, the density of the proposed site is fifteen (15) dwellings per hectare, compared to eight (8) dwellings per hectare opposite the application site and thirteen (13) dwellings per hectare to the immediate northeast. In this regard, it is not considered that the density is significantly higher than the established residential area.

### **Neighbour Amenity**

Policy QD 1 of PPS 7 states that new development should not create conflict with adjacent land uses and that there should be no adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Objections have been received regarding overlooking and overshadowing.

The application site is bounded on three sides by existing residential properties; No. 70 and No. 72 Kingsmoss Road to the northeast, No. 76 Kingsmoss Road to the southwest



and No. 427A Ballyclare Road to the southeast. Although the proposal involves the removal of hedges along the front to provide the access, it is considered that appropriately, designed dwellings will not result in an adverse impact on the residential amenity of any neighbouring property and adequate separation distances as recommended in Creating Places can be achieved.

### **Flood Risk**

DfI Rivers has identified no designated watercourses within the application site, however, the site may be affected by an undesignated watercourse of which DfI Rivers has no record. Due to letters of objection relating to the potential for flooding a condition was previously added requiring that additional information relating to drainage details should be submitted as part of the Reserved Matters application which has been repeated.

### **Access, Movement and Parking**

It is proposed to access the development onto the Kingsmoss Road. DfI Roads has considered the proposed access arrangement for the development and has offered no objection to the development subject to conditions. The letters of objection were forwarded to DfI Roads for comment and it was confirmed that these has been considered. It was confirmed that any approved design must comply with DCAN 15 Vehicular Access Standards and Parking Standards and that the final design will include a footway along the site frontage. Further detailed plans will be required as part of any subsequent Reserved Matters submission.

### **Nature Conservation**

Objectors raised concerns regarding the potential for the proposed development to impact upon wildlife including bats and birds in the immediate vicinity of the application site. Objectors have also raised an issue regarding the removal of the roadside hawthorn hedge and trees to provide the access and have stated that in previous planning approvals, a condition was imposed restricting the removal of existing hawthorn hedges.

A disused railway runs along the northeastern boundary of the site and this corridor has been identified as a Site of Local Nature Conservation Importance (SLNCl). A Biodiversity Checklist and Ecological Constraints Appraisal has been submitted.

It is noted from the Biodiversity Checklist that the site is surrounded by hedgerows, with one along the northeastern boundary, bordering the *Dismantled railway at Kingsbog Crossing* SLNCl, with a mature tree that has been deemed to be of moderate bat roost potential. There are no plans to suggest that this tree is to be removed, however, if this tree is proposed for felling, further emergence/re-entry surveying may be required. While there is suitability for foraging bats, the corridors suitability for commuting and roosting is limited. However, any additional light proposed must be directed away from boundary vegetation as there is a potential for lighting to impact foraging bats. Bats are a European Protected Species under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and are subject to a strict level of protection. Due to the legal protection afforded to bats, a precautionary approach is adopted and a condition can be added with regards to lighting.

The boundary vegetation on site may support breeding birds. All wild birds and their nests are protected under the Wildlife (Northern Ireland) Order 1985 (as amended), known as the Wildlife Order. NED thus advises that any removal vegetation on site 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 and an informative can be added regarding this aspect.

A section of hedgerow may need to be removed in order to gain access from the Kingsmoss Road. The mitigation measures proposed in regards to habitat enhancement outlined on page 20 of the Ecological Constraints Appraisal is welcomed.

The Council has considered, in consultation with NIEA, Natural Environment Division (NED) the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns with the proposed development subject to recommendations.

### **Other Matters**

Objections have been raised with regards to drainage and the management of sewage from six dwellings as the application site is marshy and often subject to large areas of standing water. The applicant has rebutted these comments. The P1 application form indicates that surface water will be disposed of via soakaways and that foul sewage will be disposed of via septic tank.

DAERA is the regulatory body responsible for granting consent to discharge. 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 / locations whether to underground stratum or waterway. This information can only be fully assessed when a discharge consent application (deemed complete) has been received by NIEA. If discharge consent is not granted the applicant may seek to requisition a sewer connection from NI Water and a condition has been added to state that no development shall 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. DAERA Water Management Unit has been consulted and has raised no objection to the proposal however, has recommended the applicant refer to standing advice. DfI Rivers has also been consulted and has raised no objection to the proposal. The agent has confirmed that the development is less than 1000 square metres and therefore a Drainage Assessment is not required at this stage. A condition can be imposed to ensure drainage details are submitted as part of any subsequent Reserved Matters application.

### **CONCLUSION**

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

- The principle of housing on the application site is acceptable;
- It is considered the proposed development will not result in an unacceptable impact on the character and appearance of the area;
- It is considered the proposal would not have an unacceptable impact on the residential amenity enjoyed by existing residents

RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION
<b>PROPOSED CONDITIONS</b>	
	<p>1. Application for approval of the Reserved Matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates: -</p> <ul style="list-style-type: none"> <li>i. The expiration of a period of 5 years from the grant of outline planning permission; or</li> <li>ii. The expiration of a period of 2 years from the date hereof.</li> </ul> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.</p> <p>Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.</p> <p>3. Full particulars, detailed plans and sections of the Reserved Matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.</p> <p>Reason: To enable the Council to consider in detail the proposed development of the site.</p> <p>4. Full drainage details shall be submitted as part of the Reserved Matters to indicate all attenuation matters to show that the pre-construction surface water run-off does not exceed the post construction surface water run-off.</p> <p>Reason: To ensure the development proposal has a satisfactory drainage system.</p> <p>5. The existing mature ash tree in the northern section of the site as highlighted in green and all other existing boundary trees and shrubs, as indicated in orange on drawing Number 01 date stamped 5<sup>th</sup> July 2021 shall be permanently retained. The existing boundary trees shall be allowed to grow on and shall be maintained at a minimum height of 3 metres while the mature ash tree shall be maintained at a height of not less than 10 metres. A detailed plan showing their retention shall be submitted as part of any reserved matters application.</p> <p>Reason: To minimise the impact of the proposal on the biodiversity of the site including protected species.</p> <p>6. A lighting scheme shall be submitted as part of the reserved matters. No site clearance or development activity shall commence until the lighting scheme has been agreed in writing by the Council. The lighting scheme shall show no direct lighting of the northern boundary of the site and bat friendly lighting throughout the remainder of the site.</p>

Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected species.

7. A plan showing the retention of the open watercourse along the southern boundary shall be submitted as part of the Reserved Matters, this plan shall show temporary newt fencing 5 metres from the watercourse and shall be installed prior to commencement of any construction activities and shall remain in place until all construction activities are complete. No construction activities including storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. shall be carried out within the 5m buffer.

Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected species.

8. A scale plan at 1:500 shall be submitted as part of the Reserved Matters application showing the access to be constructed in accordance with the attached form RS1.

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

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

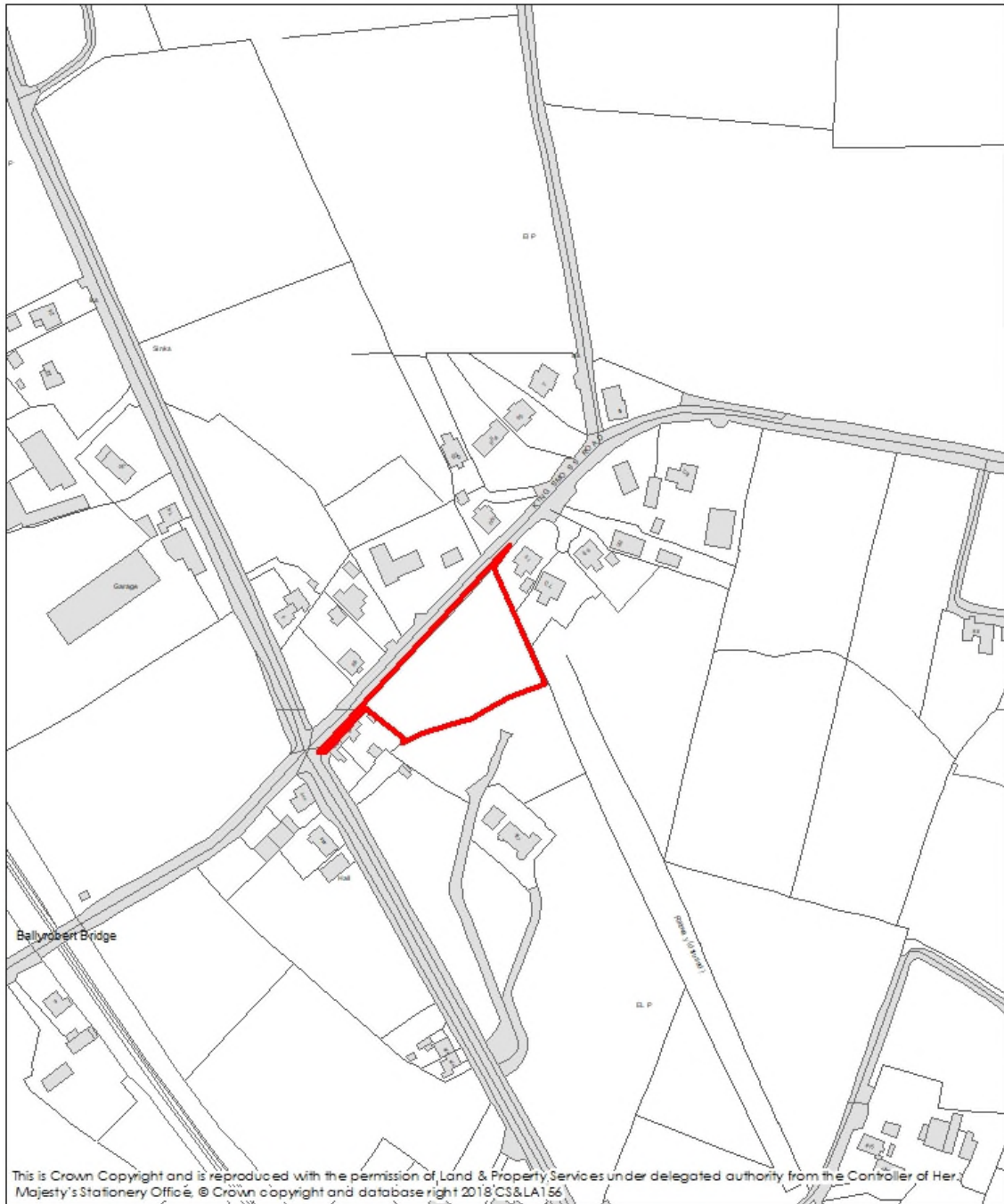
Reason: To ensure the dwellings integrate into the landform and to ensure the residents privacy is not adversely affected.

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

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

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

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




**Site Location Plan**

Application Reference: LA03/2021/0684/O

Loughlands' - Proposed development of 6no detached dwellings and garages (Renewal of LA03/2017/0242/O)

Lands between 72 & 76 Kingsmoss Road, Newtownabbey



 Site boundary



<b>COMMITTEE ITEM</b>	<b>3.2</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0824/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	2 no. two storey semi-detached houses
<b>SITE/LOCATION</b>	15 Orpins Mill Road Ballyclare BT39 0SX
<b>APPLICANT</b>	PCG Structures Ltd
<b>AGENT</b>	RJ Studio
<b>LAST SITE VISIT</b>	24 <sup>th</sup> September 2021
<b>CASE OFFICER</b>	Glenn Kelly Tel: 028 903 40415 Email: <a href="mailto:Glenn.kelly@antrimandnewtownabbey.gov.uk">Glenn.kelly@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at No.15 Orpins Mill Road, Ballyclare which is located within the rural area outside any settlement limit as defined within the draft BMAP (2004).</p> <p>The site is currently defined by a two-storey detached dwelling (No.15 Orpins Mill Road), a small stone store, a parking area to the front of No.15 and the existing side garden of No.15, in which is the proposed location of dwellings.</p> <p>The northwestern and southwestern boundaries are defined by mature hedging approximately 2m in height. The southeastern boundary is defined by the side wall of an adjacent large corrugated metal structure/shed. The eastern boundary fronts onto a private laneway.</p> <p>Surrounding uses consist of dwelling Nos.17 and 19, a pair of semi-detached dwellings to the north and what the agent has identified as a commercial warehouse to the southeast. A large agricultural shed lies on elevated land immediately southwest of the site close to where the dwellings are proposed.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
No relevant planning history	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area Plan: The application site is located outside any settlement limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

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

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

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** – Noise and odour assessment required.

**Department for Infrastructure Roads**- No objection.

**Department for Infrastructure Rivers** – No objection.

## **REPRESENTATION**

Six (6) neighbouring properties were notified and two (2) letters of objection have been received from two (2) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Traffic increase
- Splays ownership
- Not an infill opportunity
- Out of keeping with character of area
- Noise and odour

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

### **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, however, the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP (2004) are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process.

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

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

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

- (a) The gap site is within an otherwise substantial and continuously built up frontage;
- (b) the gap site is small sufficient only to accommodate up to a maximum of two houses;



- (c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- (d) the proposal meets other planning and environmental requirements.

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the applicant proposes the infilling of a side garden area with 2no. semi-detached dwellings. The applicant proposes that a gap site exists along a private laneway off Orpins Mill Road.

The agent has outlined on drawing No.02 date stamped 13<sup>th</sup> August 2021 and by email dated 26<sup>th</sup> August 2021, that a continuous and substantial built up frontage around the site consists of dwelling Nos. 15, 17 and 19 (incorrectly labelled 05, 07 and 09 on drawing 02), 2no. stone sheds (one close to the entrance of Orpins Mill Road coloured brown and the other 11m further south along the laneway coloured blue) and a large warehouse shed immediately east of the siting of the proposed dwellings.

The proposed pair of dwellings are to be set in the garden space between No.15 and the existing warehouse/shed. It is considered first and foremost that there is no natural gap to fill on the application site. When turning into the lane off Orpins Mill Road there is the store immediately to the right sitting along the lane, then immediately beyond this is the front garden and parking area associated with No.15 Orpins Mill Road which itself is set back approximately 16m from the laneway. Then immediately after the front of No.15 is a metal gate approximately 1.5m in height which privatises the remainder of the lane. Just past the gate is the store coloured blue on drawing 02 and beyond this is the warehouse/shed. It is considered there is no clear gap between any of these buildings to provide justification for a dwelling under policy CTY 8 of PPS 21. Instead the proposal "shoehorns" the proposed dwellings within an existing garden space intended for amenity purposes relating to No.15 Orpins Mill Road.

Policy CTY 8 also defines what constitutes a substantial and continuously built up frontage. This is defined as a line of 3 or more buildings along a road frontage without accompanying development to the rear. The applicant argues that Nos.17 and 19 Orpins Mill Road form part of the frontage along the laneway, however a site visit confirms that these two dwellings are accessed directly from Orpins Mill Road, with an access approximately 10m northwest of the access to the laneway which forms part of this application. Therefore, these dwellings do not share a frontage with the site and cannot be considered part of an existing ribbon of development for the purposes of this policy. The stone shed coloured brown on drawing No.02 does have a frontage along the laneway subject to this application as does No.15 Orpins Mill Road, therefore, both these buildings contribute to a potential ribbon. However, the security gate in place short of the stone shed coloured blue on drawing No.02, discounts that building and the warehouse/shed beyond and the gate removes any shared access along the laneway and becomes private property. Therefore, there are only two buildings that front onto the laneway and therefore the proposal fails to

demonstrate a substantial and continuously built up frontage contrary to Policy CTY 8.

The second element of policy CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Notwithstanding the fact that the principle of development has not been established and there is no substantial and continuously built up frontage, the remaining elements of policy will be considered. The concept drawing No.02 shows how a pair of semi-detached dwellings could be accommodated on the site. The site has a total front width of 16m. It is considered that no more than two dwellings could reasonably be placed on a site of this width.

The third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. The two buildings accepted as being part of the shared laneway with the application site are No.15 Orpins Mill Road and the stone building coloured brown on drawing No.02. No.15 has a frontage of approximately 12m whilst the stone building has a frontage of approximately 16m. Comparatively, each of the proposed dwellings will have a maximum frontage width of 6.5m. This is significantly less than the surrounding buildings and would be noticeable to users of the laneway. Therefore, it is considered that the proposal also fails to respect the existing development pattern along the laneway frontage.

Overall, it is considered that the proposal does not comply with Policy CTY 8 in that there is not considered to be a substantial and continuously built up frontage at this location, the gap is not considered to constitute a small gap site and the resultant frontage for a dwelling within the application site would be substantially narrower than any other nearby dwelling/building and would therefore not respect the existing development pattern along the shared laneway.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

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

Notwithstanding the fact that the proposal fails to establish a principle of development, the design of the scheme will be assessed. The proposal is for 2no. semi-detached dwellings which have a maximum height of 8.3m above ground level which is comparable to nearby dwellings. The dwellings are relatively simple in design with white rendered walls, and concrete slates to the roof. The dwellings bear little resemblance to Nos.15-19 Orpins Mill Road, however due to their "set-back"

location and stores and sheds to the east and south, it is not considered that the design would significantly impact the mix of design in the area.

It is considered that the parking arrangements proposed on drawing No.02 fails to comply with part (d) of Policy CTY 13 in that these ancillary works do not integrate with their surroundings. Six car parking spaces are provided to the front of the site to accommodate the parking for the proposed two dwellings and the existing dwelling at No.15 also. These spaces are arranged in a communal fashion outside of the likely curtilages of the proposed and existing dwellings. This parking arrangement creates a suburban type parking arrangement that does not reflect the rural setting and is therefore unacceptable.

With regards Policy CTY 14 it is considered that the proposal would fail part (b) as the approval of the application would result in suburban style build up; and it would fail part (c) as the proposal does not respect the traditional pattern of settlement exhibited in the area in relation to frontage width and plot size (the site has a narrower frontage than other buildings sharing a frontage along the laneway). It would also create a ribbon of development, failing part (d); and the impact of proposed car parking, would be also detrimental to the rural character which would fail part (e).

It is considered that for the reasons outlined above that the proposal fails to meet the requirements of the SPPS and Policies CTY 8, CTY 13 and CTY 14 of PPS 21. An objection letter has been received stating that they do not consider the proposal to be an infill opportunity nor do they believe it is of appropriate design for the location. Having considered these points above, the Council must concur with these observations and therefore significant weight is added to these points in the final decision making process.

### **Neighbour Amenity**

In the introduction to the SPPS, the need to safeguard residential environs is highlighted. This includes preventing undue impact on residential amenity by way of noise, pollution, air quality, loss of light or any other consideration planning authorities identify.

With only one neighbouring residential property to the site being No.15 Orpins Mill Road, the northwestern elevation is the critical one. With only one upper floor window proposed on this elevation which serves a bathroom, it is considered there will be no impact upon neighbouring amenity in relation to overlooking. However, there are concerns in relation to the provision of amenity space. At present, it would appear that No.15 Orpins Mill Road has a small rear garden and a sizeable side garden totalling approximately 250m<sup>2</sup>. Through the development of the site for two dwellings that figure would be reduced to approximately 60m<sup>2</sup> in the area outlined as "amenity space" by the agent on drawing No.02. This is a dramatic reduction and falls short of the minimum guidance set out within the Department's guidance booklet "Creating Places" of 70m<sup>2</sup>. In addition to this each of the two dwellings proposed also only have approximately 45-50m<sup>2</sup> of rear amenity space also well below the average figure of 70m<sup>2</sup> proposed for a family home such as these semi-detached dwellings.

The Council has also assessed the impact upon this issue if only one dwelling were to be placed on site. However, to match the scale and orientation of nearby dwellings, No.15 would stand to lose at least as much amenity space, therefore the proposal would still be considered unacceptable.

The Council's Environmental Health Section (EHS) was consulted on the proposal and has responded seeking additional information in relation to noise and odour. This relates both to the agricultural shed immediately to the southwest of the site and the commercial premises approximately 70m south of the site. These reports were not requested from the applicant given that the principle of development was not established and therefore it would not be appropriate to put the applicant to extra expense.

Having considered the above, it is deemed that the proposal if approved, would have a detrimental impact on adjoining property No.15 by way of loss of amenity space and a lack of information to prove there would be no harmful effects upon future residents of the properties in terms of odour or noise. Therefore, the proposal is deemed contrary to the SPPS in terms of impact upon residential environs.

Objection letters received also raise issues with the potential impact of noise and odour upon future residents of the site. These issues have been discussed above and the report draws the same conclusions as insufficient information has been received to determine they would not be significantly at detriment to noise and odour issues.

#### **Movement, Access and Parking**

Access to the site will be taken via an existing laneway access from Orpins Mill Road and leads to parking in front of No.15 Orpins Mill Road. Dfl Roads was consulted on the proposal and has responded with no objections subject to conditions. However, as considered previously within the report, it is considered the proposed parking arrangements are unsuitable for a new house/s in the countryside.

Objections raised concerns with additional traffic entering Orpins Mill Road from the proposed development and the potential dangers from lack of views. Dfl Roads has not raised this concern and is satisfied that there are no obvious road safety concerns. Concern was also raised over land ownership, Certificate A has been signed indicating ownership of all required lands by the applicant. If this proves not to be the case this would be a civil matter to be dealt with outside the planning system.

#### **CONCLUSION**

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

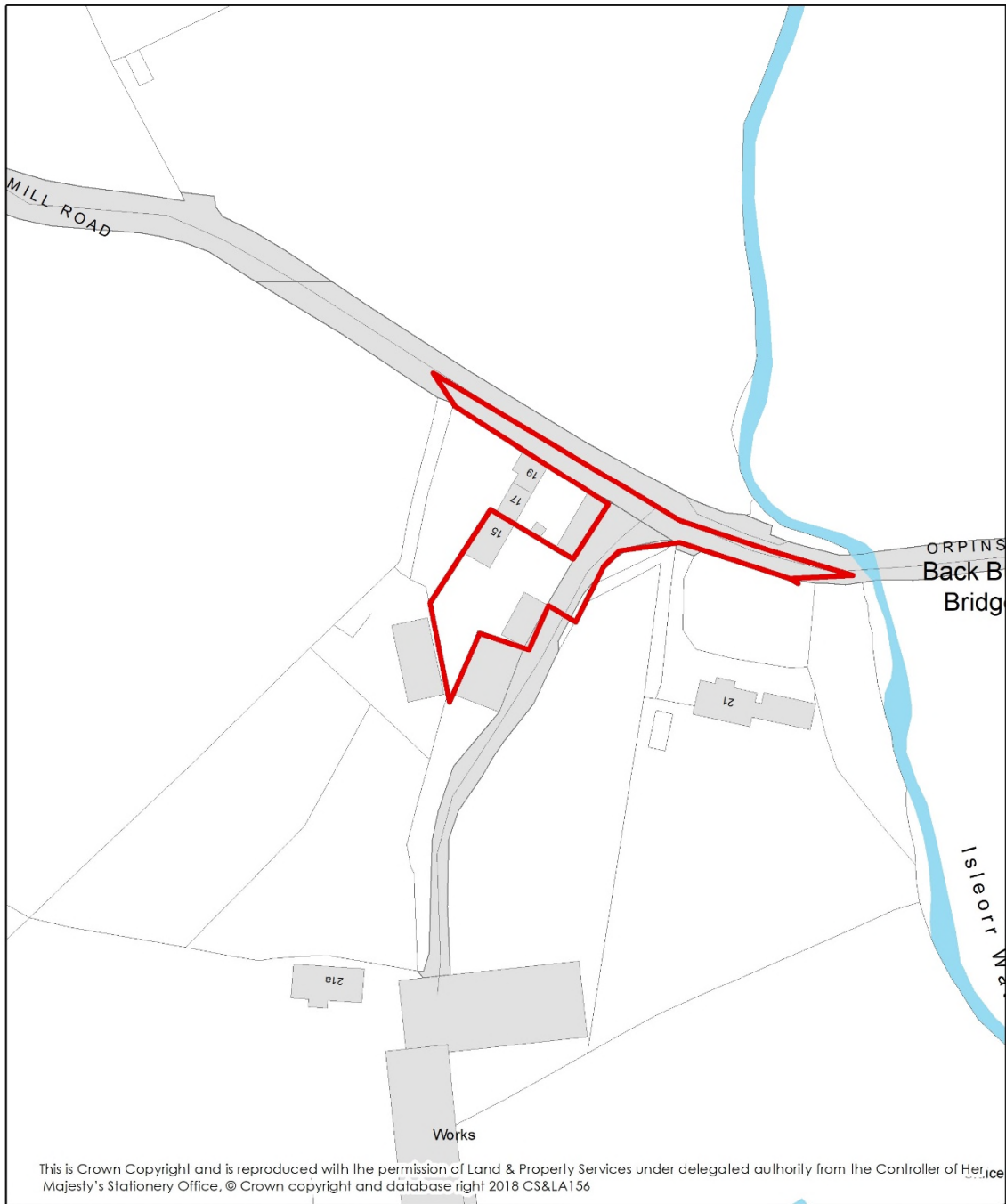
- The principle of the development cannot be established as the proposal does not comply with the policy requirements of CTY 8 of PPS 21;
- The proposal fails to comply with part (d) of Policy CTY 13 and part (e) of PPS 14 in that the parking layout does not integrate with their surroundings;
- The proposal will result in a ribbon development and in a suburban style build-up of development contrary to CTY 8 and CTY 14;
- The proposal is contrary to the SPPS as it will cause harm to the neighbouring property at No.15 by way of loss of amenity space and the future residents of the proposed dwellings may suffer from the adverse effects of noise and odour;

- There are no road safety concerns with the proposal.

<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
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<b>PROPOSED REASONS OF REFUSAL</b>
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1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage that includes a line of 3 or more buildings.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed ancillary parking works do not integrate with their surrounds and would harm the character of the area.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build-up of dwellings and not respect the existing pattern of development.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement, in that if approved, the development would lead to the unsatisfactory reduction in amenity space of No.15 Orpins Mill Road; and fails to provide an acceptable level of private amenity space for future residents of the proposed properties.
5. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement, in that, insufficient information has been provided to establish there would be no harm upon future residents of the proposed dwellings by way of odour or noise.

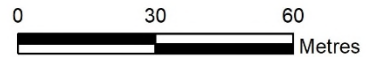


**Site Location Plan**

Application Reference: LA03/2021/0824/F

2no. infill dwellings

Site between 15 Orpins Mill Road and existing warehouse



<b>COMMITTEE ITEM</b>	<b>3.3</b>
<b>APPLICATION NO</b>	<b>LA03/2020/0614/O</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Residential development site
<b>SITE/LOCATION</b>	1 St. Quentin Avenue, Carnmoney Glebe, Newtownabbey, BT36 6EN
<b>APPLICANT</b>	Heritage Developments (NI) Ltd
<b>AGENT</b>	Alan Patterson Design LLP
<b>LAST SITE VISIT</b>	14th August 2020
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:alicia.leathem@antrimandnewtownabbey.gov.uk">alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at 1 St Quentin Avenue which is unzoned lands within the settlement limit of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP), the draft Newtownabbey Area Plan (dNAP) and draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site comprises a residential dwelling, No. 1 St. Quentin Avenue and its associated side garden. The application site is a corner site and fronts onto both St. Quentin Avenue and Glebe Road West. The topography of the site is flat and access to the site is currently achieved via an existing access arrangement from St. Quentin Avenue. The application site is defined by a low level wall inset with leylandi trees along the southern boundary. Mature trees and a hedgerow define the eastern boundary, the northern boundary is defined by the gable wall of No. 3 St. Quentin Avenue whilst the western boundary is defined by entrance pillars and a mature hedgerow.</p> <p>The site is located within a residential area with a mix of house types and styles. Ashwood Nursing Home is located to the immediate east of the application site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
No relevant history.	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

Newtownabbey Area Plan and its associated Interim Statement and the 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 as defined by the Belfast Urban Area on unzoned lands.

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

Draft Belfast Metropolitan Area Plan: The application site is located within the settlement limit of Metropolitan Newtownabbey on unzoned lands.

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 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 objections

**Northern Ireland Water** – Substantive Response

**Department for Infrastructure Roads-** No objections



**Department for Communities Historic Environment Division – No objections**

**DAERA NIEA – No objections**

### **REPRESENTATION**

Twenty-Six (26) neighbouring properties were notified, and six (6) letters of objection have been received from four (4) properties. The full representations made regarding this proposal is available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Access arrangement and impact on road safety, pedestrians using footpaths, and increase in traffic;
- Light nuisance;
- Overshadowing/loss of light;
- Overlooking from the dwelling and the proposed access;
- Impact on the character of the area due to density and loss of trees;
- Loss of view;
- Impact of construction works from noise, general disturbance and hazardous materials;
- Impact on health;
- Apartment blocks referred to;
- Devaluation of property.

### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Design, Layout and 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The proposal seeks outline planning permission for the erection of a residential development. The application site lies within unzoned lands within the settlement limit of Metropolitan Newtownabbey as defined within the BUAP, dNAP and dBMAP. The application site previously formed part of the garden associated with 1 St. Quentin Avenue.

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

Given the site is located within an established residential area and not zoned for any particular use within BUAP, dNAP or dBMAP the principle of housing on this site is considered to be acceptable subject to the development complying with all other policy and environmental considerations.

#### **Layout and Impact on Character and Appearance of the Area**

The Strategic Planning Policy Statement emphasises 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 QD 1 of PPS 7 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 QD 1 goes on to state that all proposals for residential development will be expected to conform to nine criteria.

In addition, paragraph 7.08 of supplementary planning guidance document 'Creating Places' advises that it will not be acceptable to increase building density by simply 'cramming' development. The layout of the proposed residential development is therefore a key factor in determining the acceptability both in terms of its contribution to the amenity of the local neighbourhood and wider streetscape.

The application site comprises of a parcel of land that forms the garden area associated with No. 1 St. Quentin Avenue. The proposal seeks outline planning permission for the erection of a residential development and as such limited details have been provided. However, a Concept Plan, Drawing Number 06 date stamped 17th December 2020, provides an indicative footprint of two plots, each hosting one dwelling and garage respectively. One dwelling is located at the junction of St Quentin Avenue and Glebe Road West (Plot 1) whilst the other dwelling fronts onto Glebe Road West (Plot 2). The proposed dwelling on Plot 1 takes the form of an L shape dwelling in order to allow for a dual frontage design onto both St. Quentin Avenue and Glebe Road West with a garage set to the rear. The dwelling on Plot 2 takes the shape of a rectangular footprint located centrally within the site with a detached garage set back to the side and rear. A paired access arrangement branching off to provide two individual accesses is proposed onto Glebe Road West and provision for two in-curtilage parking spaces is achievable.

Policy QD 1 also requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance 'Creating Places' advises that as an average a provision of 70sqm per house, or greater is acceptable. 'Creating Places' goes on to state that 'for any individual house, an area of less than around 40sqm will generally be unacceptable'. The proposal provides greater than 70sqm of private amenity space on both Plot 1 and Plot 2, whilst the subdivision of the plot significantly reduces the private amenity space of 1 St. Quentin Avenue; the proposal provides approximately 80sqm of private amenity space. It is accepted that the provision of private amenity space is above the threshold stipulated within 'Creating Places'.

Overall, it is considered that the indicative Concept Plan, Drawing Number 06 date stamped 17th December 2020, demonstrates that two suitably designed dwellings could be accommodated within the application site whilst creating a quality and sustainable residential development. Careful consideration should be given to the design details, landscaping, access arrangement at Reserved Matters stage.

### **Impact on the Character and Appearance of the Area**

Policy QD 1 also requires that development respects the surrounding context and is appropriate to the character of the area. In addition, the Addendum to Planning Policy Statement 7 'Safeguarding the Character of Established Residential Areas' is applicable as the application site is located within an established residential area and does not fall within any of the exceptions. Policy LC 1 of the Addendum requires that the pattern of development is in keeping with the overall character and environmental quality of the established residential area. Letters of objection raised concerns that the proposal would be out of character for the area in relation to the dwellings, it would result in the removal of trees and the increase in housing density.

The application site is located within a predominately residential area and is a corner site fronting onto Glebe Road West and St. Quentin Avenue. Glebe Road West hosts a number of residential developments taking the form of a linear form of development fronting onto Glebe Road West with a network of smaller residential areas and cul-de-sacs branching off. Ashwood Nursing Home abuts the eastern boundary of the site and a mix of detached and semi-detached dwellings with different styles and appearances make up the development pattern along Glebe Road West. The application site is a break in the development form along Glebe Road West.

St. Quentin Avenue has a more uniform pattern of development with the dwellings being more of a similar design and appearance. It is considered that the proposal is not at odds with the existing pattern of development in that a similar arrangement exists to the west of the site with a dwelling located at the opposite side of St. Quentin Avenue. The proposal will result in the removal of an existing low-level wall and row of leylandii trees and will open the site up to more critical views; however, the development of the site with two detached dwellings within this residential environment will not be out of keeping with the existing character of the area.

Policy LC 1 of the addendum to PPS7 deals with the issue of density within residential areas. In relation to density, the existing pattern of development exhibits that of a spacious suburban development. The application site is significantly larger than the

surrounding plots and the subdivision of the site will not result in a significantly higher density than that found in the wider residential area.

### **Neighbour Amenity**

Criterion (h) of Policy QD1 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. In this case as outlined above the proposed dwelling is located in close proximity to existing residential dwellings to the north and west along St. Quentin Avenue, to the south along Glebe Road West, and to the east along Ashgrove Road. Paragraph 7.21 of supplementary planning guidance 'Creating Places' advises that adequate spacing needs to be provided between buildings for privacy purposes and where the development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking. Letters of objection raised concerns in relation to overlooking, overshadowing and light nuisance and general disturbance from construction works.

As outlined above the application site is the result of a subdivision of the plot hosting No. 1 St. Quentin Avenue, therefore the northern boundary of the proposed dwellings will abut the southern boundary of the existing dwelling at Nos. 1 and 3 St. Quentin Avenue. The orientation of the proposed dwelling on Plot 1 will have a gable-to-gable relationship with No. 1 St. Quentin Park with a separation distance of approximately 7 metres. The rear amenity space associated with the dwelling on Plot 2 will extend to the common boundary with No. 3 St. Quentin Park with a separation distance of 11 metres from the rear wall of the proposed dwelling to the common boundary.

Ashwood Nursing Home abuts the eastern boundary of the application site and the proposed dwelling on Plot 2 has a gable-to-gable relationship with the nursing home and has a separation distance of approximately 9 metres. A band of mature trees defines this common boundary. Additionally, dwellings are located opposite the site along Glebe Road West, and at No. 2 St. Quentin Avenue. The proposed dwellings will have a front-to-front relationship with the properties opposite and are separated by the existing road network.

It is acknowledged that some level of overlooking is unavoidable within urban areas. Taking into consideration, the separation distances, the orientation of the proposed dwellings, the relationship with the existing dwellings and the existing boundary treatment it is considered that an appropriately designed scheme could be achieved on the site at reserved matters stage that would prevent any significant negative impacts on the neighbouring properties in terms of overlooking or overshadowing.

In relation to the impact of light nuisance on properties opposite the site from vehicles entering and exiting the proposed properties. This arrangement is similar to that found within the wider residential area and will not cause significant impacts on the amenity of the neighbouring properties. General nuisance from the construction works will be for a temporary period only and will normally be carried out during daytime hours and therefore will not cause significant impacts. The storage of hazardous materials from the construction works should be in accordance with the developer's health and safety requirements.

### **Disposal of sewerage and surface water**

Consultation was carried out with Northern Ireland Water (NIW) who initially indicated that Whitehouse Waste Water Treatment facility was unavailable to serve this proposal due to capacity issues. NIW has indicated that it can consider proposals in one of three instances: like for like development; extant previously approved development; and where the development will offer a reduced loading on the sewer network, which may include storm separation and/or attenuation and that the developer may wish to carry out a Waste Water Impact Assessment (WWIA)

The applicant engaged with NIW which subsequently provided a Solutions Engineer Report, Document 03 date stamped 10th November 2021. This report detailed that two options were available to the developer in this instance: Option 1 is a proposal to offset the storm water within the site whilst Option 2 relates to storm offsets outside the site. NIW indicates that the preferred option is Option 1, however, both options are caveated to say that further investigation is required. Following the receipt of the Solutions Engineer Report re-consultation was carried out with NIW who responded advising storm attenuation within the site is assessed as part of the Article 161 agreement. NIW went on to indicate that where the sewers within the proposal serves two or more properties the developer must enter into an Agreement for Adoption of Sewers under Article 161 of the above Order. Sewers must be designed to meet the criteria as set out in the current Sewers for Adoption Northern Ireland specification. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised by NIW.

NIW also indicated that the above information should be conditioned on the granting of any subsequent planning permission.

### **Access, Movement and Parking**

As outlined above the indicative Concept Plan, Drawing Number 06 date stamped 17th December 2020, indicates a paired access arrangement branching off to provide two individual accesses via Glebe Road West and the provision for two in-curtilage parking spaces is achievable. Letters of objection raised a number of concerns in relation to road safety, the increase in traffic and the impact on pedestrians utilising the footpath particularly from the adjacent nursing home. Consultation was carried out with DfI Roads who raised no objections on road safety grounds. It is considered that the proposed access arrangement taking directly from Glebe Road West is similar to the existing access arrangements along this road. The details of the access arrangement are Reserved Matters details that can be addressed through any subsequent application.

### **Other Matters**

A letter of objection also raised concerns in relation to devaluation of property. With respect to concerns regarding the devaluation of existing neighbouring property, the perceived impact of a development upon neighbouring property values is not generally viewed as a material consideration to be taken into account in the determination of a planning application. In any case no specific or verifiable evidence has been submitted to indicate what exact effect this proposal is likely to have on property values. As a consequence, there is no certainty that this would occur as a direct consequence of the proposed development nor would any indication that such an effect in any case be long lasting or disproportionate.

Accordingly, it is considered that that this issue should not be afforded determining weight in the determination of this application.

Letters of objection also raised concerns on the impact of individuals' health from the proposed apartment scheme. The proposal is for two residential units and not for an apartment complex. Notwithstanding this 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, the Council's Environmental Health Section was consulted on the proposal and has indicated no objection on health grounds.

Additionally, concerns were raised in relation to the loss of a view. The loss of a view is not generally considered to be a material planning consideration. Additionally the application site is located within an urban environment with the existing views being predominately of residential properties.

### **CONCLUSION**

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

- The principle of the development is acceptable;
- The layout of the proposed residential development is acceptable;
- The proposal respects the existing pattern of development and is in keeping with the overall character and appearance of the wider residential area;
- The design and layout will not create conflict with the adjacent neighbouring properties both along St Quentin Avenue or Glebe Road West;
- The impact on the existing sewer network can be mitigated.

### **RECOMMENDATION**

### **GRANT OUTLINE PLANNING PERMISSION**

### **PROPOSED CONDITIONS**

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

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

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

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

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

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

4. The total number of dwellings to be erected shall not exceed two (2).

Reason: In order to create a sustainable residential environment, to safeguard the amenities of neighbouring properties and ensure adequate parking and amenity areas is provided.

5. The Reserved Matters application shall be in accordance with the Concept Plan, Drawing Number 06, date stamped 17th December 2020. The dwelling located on the western section of the site shall have a dual frontage onto St. Quentin Avenue and Glebe Road West and the dwelling located on the eastern section of the site shall have a frontage onto Glebe Road West.

Reason: To ensure that the development creates a quality housing environment and provides a high standard of residential amenity.

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

Reason: In the interest of visual amenity.

7. At Reserved Matters stage a landscaping scheme shall be submitted to and approved by the Council which shall show the retention of the existing vegetation along the eastern and western boundaries and the location, numbers, species and sizes of trees and shrubs to be planted relevant to all other areas of the site.

The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

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

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

8. Prior to the commencement of development works on the site the developer shall enter into an Agreement for Adoption of Sewers under Article 161 of the above Order. Sewers must be designed to meet the criteria as set out in the current Sewers for Adoption Northern Ireland specification. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

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

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



**Application Reference LA03/2020/0614/O**

1 St Quentin Avenue,  
 Carrmoney Glebe,  
 Newtownabbey,  
 BT36 6EN

Residential Development Site

Scale: 1:1250 



Antrim and  
 Newtownabbey  
 BOROUGH COUNCIL



<b>COMMITTEE ITEM</b>	<b>3.4</b>
<b>APPLICATION NO</b>	<b>LA03/2021/1039/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	New dwelling and garage (infill site)
<b>SITE/LOCATION</b>	20m East of, 11 Cogry Road, Ballyclare
<b>APPLICANT</b>	Mr Paul Blair
<b>AGENT</b>	RJ Studio
<b>LAST SITE VISIT</b>	5 <sup>th</sup> November 2021
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located between the dwellings at No. 7 and No. 11 Cogry Road. It lies outside of any settlement limit designated in the draft Belfast Metropolitan Area Plan (published September 2004) and is therefore within the countryside. The application site comprises a relatively narrow strip of land which is part of a wider agricultural field which lies further to the northwest. The site's northeastern boundary in common with No. 7 is defined with ranch style fencing with a hedgerow on top, the southwestern boundary in common with No. 11 is defined with post and wire fencing with hedging behind and the roadside boundary is defined with hedging. The land rises gradually in a northwesterly direction away from the Cogry Road. The area is characterised mostly by interspersed single storey detached dwellings on large plots.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/1980/0398 Location: Rashee Road, Ballyclare Proposal: Farm Dwelling Decision: Permission Granted</p> <p>Planning Reference: U/1978/0370 Location: Site between 9 – 11 Cogry Road, Ballyclare Proposal: Bungalow Decision: Permission Granted</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted</p>	

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

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

Draft Newtownabbey Area Plan and draft Belfast Metropolitan Area Plan: The application site is located outside any settlement limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

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

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

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

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

## **CONSULTATION**

**Council Environmental Health Section – No Objection**

**Northern Ireland Water – No Objection**

**Department for Infrastructure Roads- No Objection**

## **REPRESENTATION**

Seven (7) neighbouring properties were notified and four (4) letters of representation have been received from one (1) property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

The main points raised in these representation are outlined below-

- There are no overriding reasons as to why this development is necessary in the rural area.
- There is no substantial and continuously built up frontage.
- The proposal would see the loss of an important visual break.
- The proposal would result in a suburban style build up and would be contrary to Policy CTY 14.
- The development pattern is not appropriate for the area.
- The proposal is contrary to CTY 13 in that there is not a suitable degree of enclosure and will have to rely on new landscaping for integration purposes.
- Impact on the boundary hedging at No. 7.
- Spacing of dwelling inappropriate and close to No. 7.
- Concern in relation to number of new dwellings that have recently been constructed in this rural area.
- Concerns re. proximity of the development to neighbouring septic tank.

### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Design and Appearance
- Neighbour Amenity
- Design, Layout and Appearance of the Area
- Other Matters

#### **Policy Context and Principle of Development**

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

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

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

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

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

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

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

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case, the application site comprises part of a larger field between No. 7 and No. 11 Cogry Road. It is considered that these two dwellings (No. 7 and No. 11) present a frontage onto the Cogry Road. It is noted that both of these dwellings have domestic garages. The garage at No. 11 is located behind the dwelling and to the side. There are limited views of this garage from the public road and it appears wholly subordinate and ancillary to its associated dwelling house. Thus considered it would not be deemed that this garage represents its own frontage to the road.

The garage at No. 7 is larger than that at No. 11 but remains subordinate to its associated dwelling house. It is set behind the building line of the dwelling and to the rear of an elongated grassed area which forms part of the front garden of the property. It does not have its own access and would also not be considered as

having its own frontage to the Cogry Road. It is noted that there are also two dwellings (No. 15 and No. 17) which are located approximately 110 metres to the northwest of the application site. These dwellings are accessed via a long private laneway and are on plots which are set back approximately 140 metres from the Cogry Road. These dwellings would not be considered to have a frontage to the road.

Overall, it is concluded that there are only two buildings (No. 7 and No. 11) along the relevant stretch of the Cogry Road that have a road frontage and therefore there is no substantial and continuously built up frontage and subsequently no 'gap site'. The proposal does not comply with criteria (a) of Policy CTY 8.

Criteria (b) requires that the gap site be small enough only to accommodate a maximum of two dwellings. Although as noted above there is no 'gap site' in accordance with the policy criteria, it is considered nonetheless that the plot of the application site would be sufficient only to accommodate a maximum of one dwelling.

Criteria (c) requires that the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size. In this case, the plot size is smaller and narrower than those already prevalent in the area. There is a distance of approximately 34 metres (building to building) between Nos. 7 and 11 and these dwellings have a staggered relationship. The plot frontage of the application site measures approximately 23 metres (narrowing back toward the rear). Although the site is smaller than others in the surrounding area; a dwelling and garage on the application site would not be likely to offend or alter the development pattern in terms of siting and plot size. It should be noted that this application is for outline planning permission only and thus only an indicative site layout and house type have been submitted (Drawing 02 bearing the date stamp 21 October 2021). If granted, full consideration of size, scale and siting would be given at the reserved matters stage of the application. It is considered that only a small, single storey dwelling would be accepted on the application site given the size of the site.

Other planning and environmental considerations will be discussed below but given that there is considered to be no substantial and continuously built up frontage along the relevant stretch of the Cogry Road, the proposal is contrary to criteria (a) of Policy CTY 8. The proposal has been considered against other potential policy provisions such as Policy CTY 2a but fails to meet the policy criteria. The principle of a new dwelling and garage on the application site therefore cannot be established as there are no overriding reasons as to why this development is necessary in the rural area.

### **Design, Layout and Appearance of the Area**

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

As the application seeks outline permission, full and proper details to include, scale, siting and design have not been provided. The agent has however submitted an indicative site plan – Drawing No. 02 bearing the date stamp 21 October 2021. This plan indicates that the proposed dwelling would be single storey, and sited in line with the neighbouring dwelling at No. 11. The proposed garage is to the rear of the dwelling closer to the neighbouring dwelling at No. 7.

As noted above, the application site is located within a small gap between the dwelling at No. 7 and No. 11. It is bound on both sides by these dwelling houses and by existing hedgerows. A hedgerow also defines the site's roadside boundary. Given that the application site is bound so closely by the two neighbouring dwellings and given the presence of the boundary hedging it is considered that an appropriately designed dwelling could be accommodated on the application site in line with the policy provisions required by Policy CTY 13.

Policy CY14 advises that a new building in the countryside will not be acceptable where; it results in a suburban style build-up of development when viewed with existing and approved buildings or it creates or adds to a ribbon of development. In this case, given that the application site does not qualify to be considered as an infill site accepted under Policy CTY 8 and does not meet any other potentially relevant policy criteria for a dwelling in the countryside, it is considered that a dwelling on the application site would result in an unnecessary suburban style build up of development in this rural area. It is also considered that the infilling of this critical green gap along the road frontage at the Cogry Road would create a ribbon of development. Both the suburban style build up and the creation of ribbon development would have a detrimental impact on the existing rural character of the area and thus the proposal is considered to be contrary to Policies CTY 8 & 14.

### **Neighbour Amenity**

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, it is considered that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

### **Access and Parking**

Access is to be taken via an existing laneway which serves two dwellings at No. 15 and No. 17. DfI Roads has been consulted in relation to the application and have responded to advise that they have no objection subject to conditions.

### **Other Matters**

Most of the matters highlighted within the representation have already been addressed in the main body of this report. This section will address matters that have not yet been discussed.

Firstly, concerns have been raised in relation to the proximity to No. 7 and its septic tank. Although no detailed plans have been received in relation to the siting of the proposed dwelling given that this application is for outline planning permission; it is considered that an appropriately designed dwelling could be accommodated on the application site without any significant impacts on the dwelling at No. 7. The applicant should take into consideration the location of any existing sewerage infrastructure when putting forward any definitive siting and design proposals, but this

would be considered as a civil matter that should be resolved by the involved parties.

The representations also relay concerns in relation to the number of new dwellings that have recently been constructed in this rural area. Each application is assessed on its own individual merits therefore, any application for a residential dwelling in the countryside will be assessed against the appropriate rural planning policy namely PPS 21.

### **CONCLUSION**

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

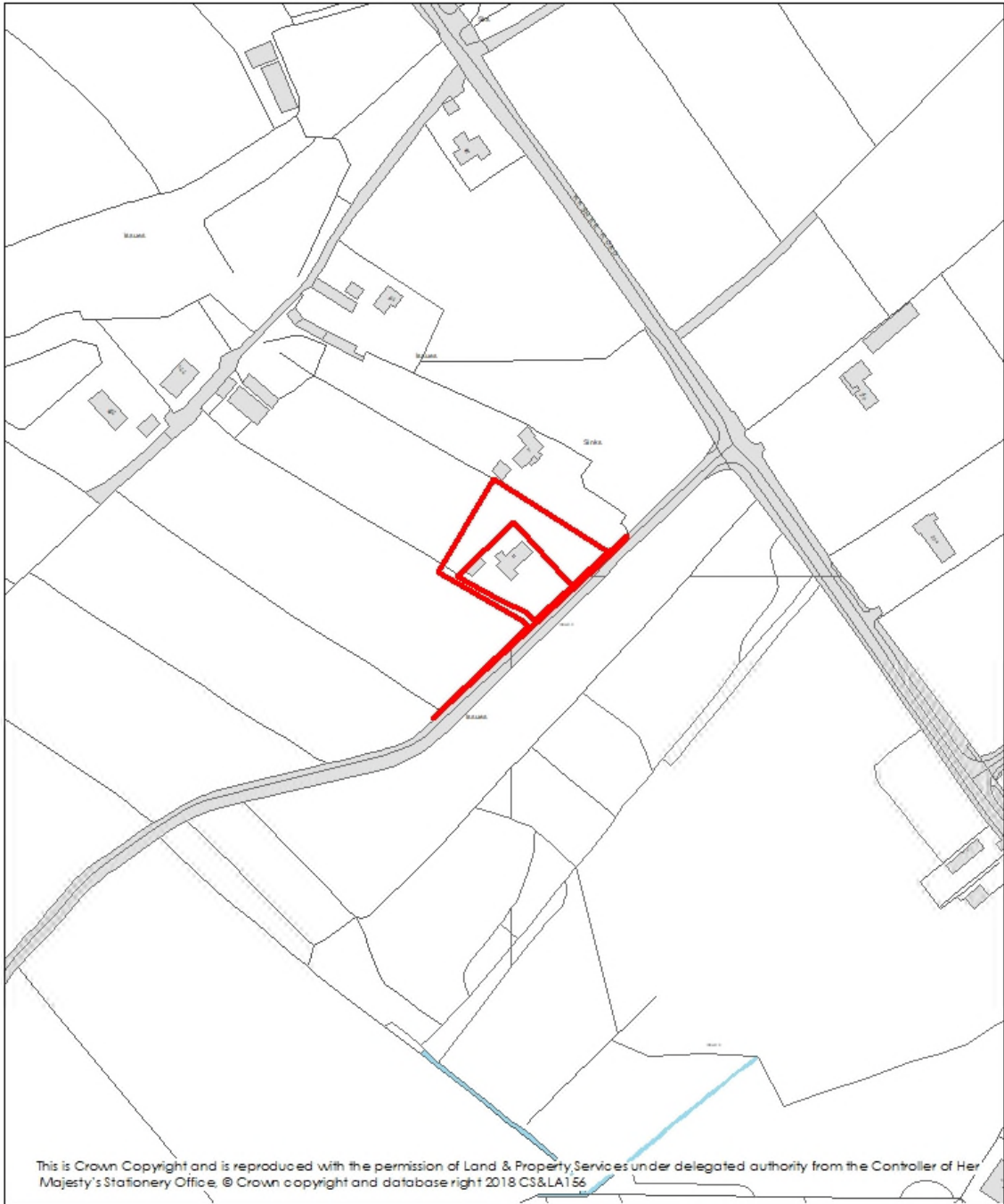
- The principle of the development is not acceptable;
- An appropriately designed dwelling could be integrated into the surrounding rural environment;
- The proposal would result in a detrimental impact on the character of the area;
- An appropriately designed dwelling on the application site would not have any significant impact on neighbouring amenity.

### **RECOMMENDATION**

**REFUSE OUTLINE PLANNING PERMISSION**

### **PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with CTY8 of PPS21 as there is no substantial and continuously built up frontage surrounding the application site.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a build-up and ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.

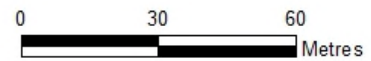


### Site Location Plan

Application Reference: LA03/2021/1039/O

Location: 20m East of 11 Cogry Road, Ballyclare

Proposal: New Dwelling and Garage (Infill site)





<b>COMMITTEE ITEM</b>	<b>3.5</b>
<b>APPLICATION NO</b>	<b>LA03/2021/1049/O</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Infill dwelling
<b>SITE/LOCATION</b>	60m North of 51 Thornhill Road, Antrim
<b>APPLICANT</b>	Brendan McQuillan
<b>AGENT</b>	Park Design Associates
<b>LAST SITE VISIT</b>	10 <sup>th</sup> December 2021
<b>CASE OFFICER</b>	Dani Sterling Tel: 028 903 40438 Email: <a href="mailto:dani.sterling@antrimandnewtownabbey.gov.uk">dani.sterling@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located 60 metres north of 51 Thornhill Road, Antrim and within the rural area outside any designated settlement limits as defined in the Antrim Area Plan (1984-2001).</p> <p>The application site comprises a section of maintained grass land located at the roadside with planted sapling trees and a section of a wider agricultural field to the northeast. The topography of the site rises in an easterly direction and therefore the site is positioned higher than the public road.</p> <p>The northern boundary shared with No. 51a Thornhill Road is defined by a mature belt of vegetation and trees varying in height between 3-4 metres. The eastern boundary and the eastern section of the southern boundary are undefined as the site is cut out of a larger agricultural field. The remaining western section of the southern boundary is shared with No. 51 Thornhill Road and is defined by a 1.5-2 metre hedgerow. The western boundary lies adjacent to a section of the front garden associated with No. 51a that extends to the front of the application site and is defined by a post and wire fence.</p> <p>The application site is accessed from an existing gate off the Thornhill Road which is located along the western boundary and an existing track leads to the application site which runs adjacent to the gable of neighbouring dwelling No. 51.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2016/0959/F Location: 40m South of 53 Thornhill Road, Antrim, BT41 2LG Proposal: New dwelling and associated garage on a farm Decision: Permission Granted (09.05.2017)</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 outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

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

## CONSULTATION

**Council Environmental Health Section** – No objection.

**Northern Ireland Water**- No objection.

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

**Historical Environmental Division** – No objection.

## REPRESENTATION

Five (5) neighbouring properties were notified and no letters of representation have been received.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

### **Policy Context and Principle of Development**

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

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

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

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

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the

policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

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

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the application site comprises part of a larger agricultural field where the proposed house is to be located which is set back from the public road by 40 metres. The front section of the application site towards the roadside edge comprises a grassed area planted with sapling trees which provides the access point and frontage of the application site to the public road. The application site is located between No. 51 Thornhill Road to the south and a recently constructed farm dwelling No. 51a Thornhill Road approved under LA03/2016/0959/F to the north.

The agent has stated within Drawing 01 date stamped 27<sup>th</sup> October 2021 that the buildings providing the substantial and continuously built up frontage are those dwellings coloured yellow. However, it is noted that no subsequent illustration was provided on Drawing 01 date stamped 27<sup>th</sup> October 2021 to demonstrate this pattern of development. It is considered that the substantial and continuously built up frontage can be made up of dwellings No. 53 Thornhill Road and an associated outbuilding to the north, No. 51a Thornhill Road and No. 51 Thornhill Road and therefore a substantial and continuously built up frontage does exist.

The second element of Policy CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. The agent has stated within Drawing 01 date stamped 27<sup>th</sup> October 2021 that the gap between No. 51 and No. 51a can only accommodate 1 dwelling.

In this case No. 53 Thornhill Road has a frontage width of approximately 29 metres, No. 51a has a frontage width of approximately 100 metres and No. 51 Thornhill has a frontage width of approximately 53 metres. Therefore, in this case the overall average plot frontage width along this ribbon of development is approximately 60.6 metres.

The justification and amplification text at paragraph 5.34 of policy CTY8 is clear that the gap is between dwellings or other buildings, and not the frontage of the application site. Therefore, in this case the gap between dwellings No. 51a and dwelling No. 51 measures approximately 92 metres. Therefore, it is considered that the proposal meets element 'b' of this policy as the overall gap is considered to be a small gap sufficient to accommodate only a maximum of two (2) dwellings as per the policy requirements of CTY8.

The third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. As stated above for the purposes of CTY 8 criterion (a) and (b) it is accepted that the gap represents a small gap within a substantial and continuously built up frontage. The agent has identified within Drawing 01 date stamped the 27th October 2021 that the application site represents a roadside frontage width of approximately 15 metres.

In this case the neighbouring dwelling No. 51a to the north of the application site represents an anomaly in that the frontage of this dwelling extends a significant distance of approximately 100 metres. It is acknowledged that the frontage of the site represented by No. 51A is the same as the domestic curtilage approved under the original approval LA03/2016/0959/F and therefore it is accepted that the entirety of this distance represents the frontage to No. 51a. It is further noted as a result of No. 51a's extensive frontage that this creates a parcel of land between the public road and the proposed siting for a dwelling within the application site which therefore restricts the availability of space between the curtilage associated with No. 51a and No. 51 to create an appropriate frontage for the proposed dwelling. This subsequently leaves only a frontage width of 15 metres to serve the application site which is significantly smaller than any of the other dwellings making up the substantially and continuously built up frontage at this location. As a result of the narrow plot frontage a dwelling is proposed to be sited back from the public road into a neighbouring agricultural field. A dwelling at this location would be sited adjacent to the gable of No. 51A but would be set substantially further back from the roadside comparatively to No. 51.

It is considered that the proposal does not comply with Policy CTY 8 in that the resultant frontage for a dwelling within the gap between No. 51a and No. 50 Thornhill Road would not respect the existing development pattern along this ribbon of development. The justification and amplification section of Policy CTY 8 further states that gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality help to maintain rural character. Therefore, it is considered that as the proposal is not an exception to ribbon development and that the development of a dwelling at this location would be detrimental to the visual amenity and character of its countryside setting and is therefore not appropriate.

Overall, given due consideration to the average plot width of some 60 metres, the application site's plot width of approximately 15 metres would be distinctly at variance with the average plot width along the Thornhill Road plot frontage. Therefore, it is not considered that a dwelling at this location would not be reflective of the character of area and therefore the proposal is contrary to criterion (c) of CTY 8.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

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

As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling.

Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. The proposed location for a dwelling is set back from the road edge by 40 metres, however, the lands at this location rise in an easterly direction away from the public road and therefore the land levels are higher.

In this case the application site lacks established natural boundaries to the eastern boundary and sections of the western and southern site boundaries. Despite this the northern section is landscaped by established mature vegetation and trees and the western section of the southern boundary is defined by a mature hedgerow. In addition, as noted above the front garden area associated with neighbouring dwelling No. 51A extends across almost the entirety of the parcel of land to the front of where the proposed dwelling is to be located within the application site and as a result the roadside boundary of No. 51A is sufficiently planted out with mature hedging approximately 1.5 metres in height, which would help to integrate a dwelling at this location from the public vantage points.

Critical long distance views of the application site are difficult to achieve when travelling to the site from a northerly direction along the Thornhill Road given the screening provided by the existing dwellings at No. 53 and No. 51a and associated outbuildings coupled with existing boundary treatments. Similarly, on approach to the site from a southerly direction, the existing established mature landscaping defining the domestic curtilage of No. 51 prevents long critical views of the site being achieved from this direction. Therefore, critical views of a dwelling at this location would only be achieved upon passing the frontage of the application site. Although there is a rise in topography from the public road, critical views are considered to be fleeting. It is therefore accepted that a dwelling within the application site, subject to an appropriate ridge height restriction and a suitable planting scheme could be sensitively integrated into the application site.

Policy CTY 14 of PPS 21 indicates that a new building will be unacceptable where it would be unduly prominent in the landscape, results in a suburban style build-up of development and does not respect the traditional pattern of development. Proposals that also create or add to a ribbon of development will also be unacceptable. As mentioned above the proposal has not been identified as an exception to ribbon development as the application site proposes a plot frontage that does not respect the existing pattern of development represented along this section of Thornhill Road which would lead to a suburban style build-up of development. The proposal has not been identified as an exception to ribbon development policy set out in Policy CTY 8. It is considered therefore that the

proposal will result in a detrimental change to the rural character and is therefore contrary to Policy CTY 14 of PPS 21.

It is considered that for the reasons outlined above that the proposal fails to meet the requirements of CTY 14 of PPS 21.

### **Neighbour Amenity**

A proposed dwelling within the application site as indicatively demonstrated on Drawing No. 01 date stamped 27<sup>th</sup> October 2021 is set further back from the public road comparatively to the adjacent neighbouring dwelling No. 51 Thornhill Road, which may create some neighbour amenity concerns with regards to privacy and overlooking. However, it is noted that this adjacent dwelling is under the ownership of the applicant.

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, it is considered that a dwelling could be appropriately designed within the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon

### **Movement, Access and Parking**

Consultation was carried out with DfI Roads and it is considered that the applicant is able to provide the visibility splays required by DfI Roads. It is deemed that the proposed access will not prejudice road safety or cause a significant inconvenience to traffic.

### **Other Matters**

The application site is located within an area designated by a number of Archaeological Site and Monuments (ANT044:073, ANT044:079, ANT044:080, ANT044:078). These areas identified as the Archaeological Site and Monument mentioned above are described within the Department for Communities Sites and Monuments Records as being the general area where a univallate rath and souterrain may have existed.

In this regard, Historical Environmental Division were consulted and HED (Historic Monuments) has assessed the application and are content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Therefore, there is not considered to be any significant archaeological impacts as a result of the development and the proposal is considered acceptable in this instance.

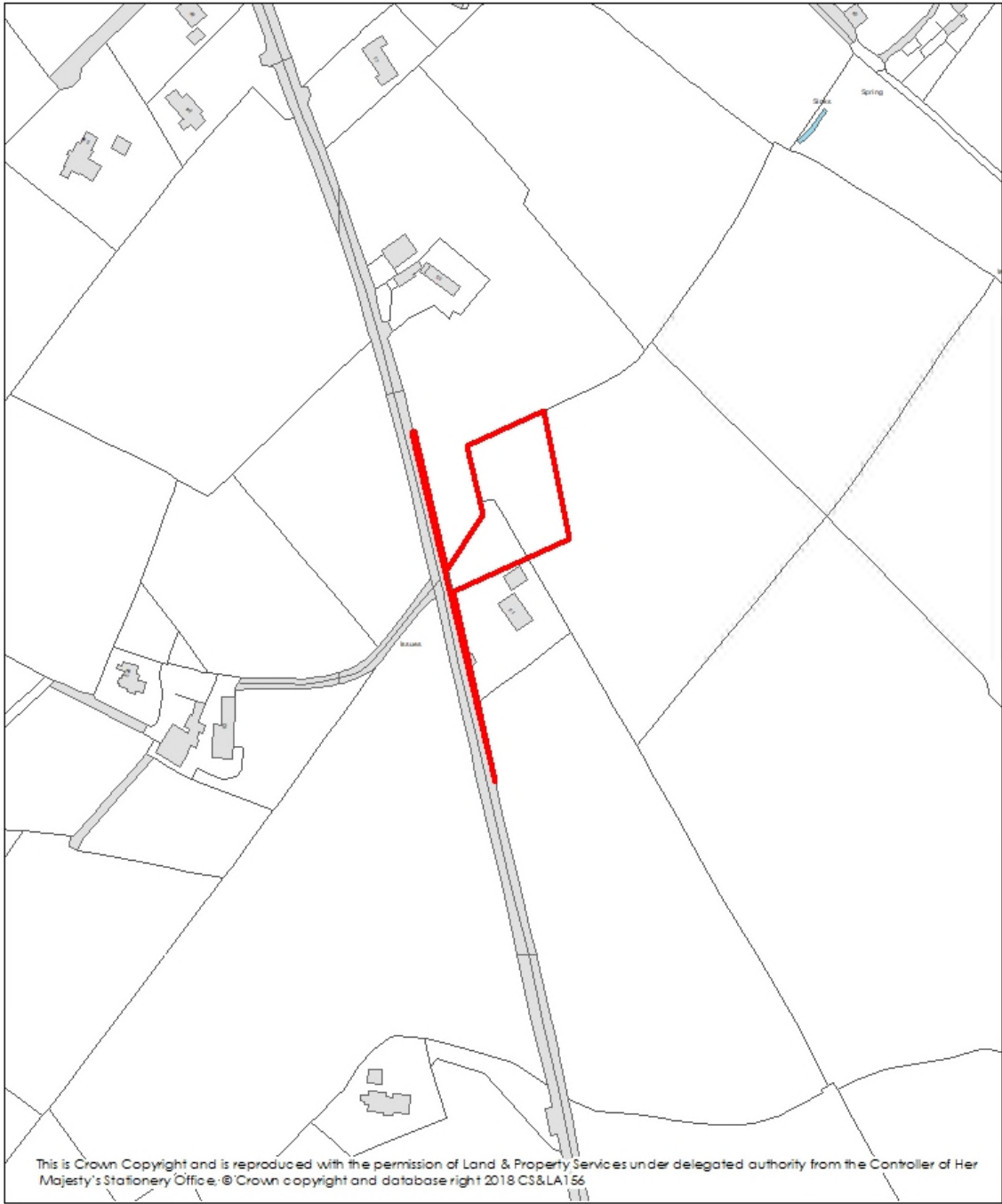
## **CONCLUSION**

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

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

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL	
<ol style="list-style-type: none"> <li data-bbox="193 302 1436 526">1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a frontage onto the public road that would respect the existing pattern of development.</li> <li data-bbox="193 548 1436 772">2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in a ribbon of development that would create a suburban style build-up of dwellings which would not respect the existing pattern of development.</li> <li data-bbox="193 795 1436 969">3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.</li> </ol>	



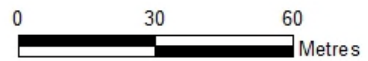


**Site Location Plan**

Application Reference: LA03/2021/1049/O

Location: 60m North of 51 Thornhill Road, Antrim

Proposal :Infill Dwelling



<b>COMMITTEE ITEM</b>	<b>3.6</b>
<b>APPLICATION NO</b>	<b>LA03/2021/1029/F</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Retrospective change of use from shop unit to 2 no. ground floor flats (1 No 1P/1B unit and 1 no. 2P/1B unit) to include internal alterations to existing building
<b>SITE/LOCATION</b>	4 Hightown Road, Glengormley, Co Antrim, BT36 7UA
<b>APPLICANT</b>	Mr Thomas Donaghy
<b>AGENT</b>	HR Jess Ltd
<b>LAST SITE VISIT</b>	14 <sup>th</sup> December 2021
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:alicia.leathem@antrimandnewtownabbey.gov.uk">alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the development limits of Metropolitan Newtownabbey and within the Local Centre of Glengormley, as designated in draft Belfast Metropolitan Area (dBMAP).</p> <p>The site is located at No. 4 Hightown Road, a two storey, mid-terrace building with a red brick frontage, two front doors and windows, above which are two roller shutters, all on the ground floor. There are two further windows on the first floor of the building, which has an external wall finish of pebble dash. To the front of the application site is an area of hardcore that extends along the frontage of both Nos. 2 and 6 Hightown Road which is currently used for car parking.</p> <p>As the application site is in the Local Centre of Glengormley, the surrounding land uses are a mix of retail, financial and professional services.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2020/0099/F Location: 4 Hightown Road, Glengormley Proposal: Retention of change of use from shop unit to 2 no. ground floor flats (1 no 1P1B unit and 1 no. 2P1B unit) to include internal alterations to existing building Decision: Permission Refused (20.08.20)</p> <p>Planning Reference: LA03/2020/0627/LDE Location: 2D Hightown Road, Glengormley Proposal: Retrospective change of use from residential commercial to residential. Decision: Consent Granted</p> <p>Planning Reference: U/2010/0281/F Location: 4 Hightown Road, Glengormley Proposal: Change of Use from 1 no. shop unit to 2 no. hot food units</p>	

Decision: Application Withdrawn

### **HISTORY ON ADJACENT SITE**

Planning Reference: LA03/2020/0627/LDE

Location: 2D Hightown Road, Newtownabbey, BT36 7UA

Proposal: Retrospective change of use from commercial to residential

Decision: Consent Approved (13.01.21)

### **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 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 Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the urban village of Glengormley.

Draft Belfast Metropolitan Area Plan (dBMAP): The application site is located within the Local Centre limit of Glengormley.

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 response to date

**Northern Ireland Water** – Objection

**Department for Infrastructure Roads**- No objections

#### **REPRESENTATION**

Fourteen (14) neighbouring properties were notified, and no (0) 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
- Private Amenity
- Neighbour Amenity
- Disposal of sewerage and surface water
- Other Matters

##### **Preliminary Matters**

A similar proposal on the application site LA03/2020/0099/F appeared in front of Planning Committee in August 2020, in that instance the application was refused. The current application differs in relation to the provision of private amenity space which is considered below. Additionally it is noteworthy that a Certificate of Lawful Development was approved on the adjacent property in the intervening period under application LA03/2020/0627/LDE.

##### **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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft

Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

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

The application site falls within the settlement limits of Metropolitan Newtownabbey in the BUAP, dNAP and dBMAP. The provisions of the BUAP would not preclude the change of use of the shop unit to 2 no. ground floor flats, however, dBMAP identifies the application site as also being within the boundaries of the Local Centre of Glengormley (reference MNY 28). Glengormley Local Centre has been identified as an area of existing traditional local shopping that provides customers with accessible convenience and non-bulky comparison goods close to where they live.

Notwithstanding the differing designations between dBMAP and BUAP, the site is within an existing area of retailing. Paragraph 6.276 of the SPPS states that planning should retain and consolidate existing local centres as a focus for local everyday shopping and ensure their role is complementary to the role and function of the town centre. However, in this instance given the size and scale of proposal this will result in the loss of a small amount of retail space on the ground floor, its overall impact on the vitality and viability of the Centre is not considered to be significant.

The principle of residential development is therefore considered to be acceptable subject to the development complying with all other policy and environmental considerations.

#### **Layout and Impact on Character and Appearance of the Area**

Planning Policy Statement 7: Quality Residential Environments (PPS 7) encourages the reuse of urban land however, this is caveated by stating that overdeveloped and unsympathetic schemes will not be acceptable and that schemes should be sensitive in design terms to people living in the area and to local character.

PPS7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity'. This Policy states that all proposals for residential development will be expected to conform to a number of criteria.

The first criterion (a) 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. Policy LC 2 in the Addendum to PPS 7 requires the development to maintain or enhance the form, character and architectural features, design and setting of the existing building.

As noted above, the application site is the middle building in a terrace of three, with the buildings being two storey in height. The proposal occupies the ground floor of the building and has an internal floor space of approximately 95 square metres. This has been divided between the two residential units, with one occupying a floorspace of 43.56 square metres and the second 50.56 square metres. Criterion (c) of Policy LC 2 requires that the original property has a gross internal floorspace of greater than 150 square metres gross. There is an exception to this requirement however, where the building to be converted is located in a designated city or town centre, along key and link transport corridors or is adjacent to main public transportation nodes. The site is located close to the junction of the A6 Antrim Road which is a key transport corridor and the exception to the policy would apply in this instance. The reduced floorspace of the original building in this instance is acceptable, given its location within the Local Centre of Glengormley and given that it is adjacent to an arterial route. When assessed against the minimum floorspace standards for residential accommodation as set out in Annex A of the Addendum to PPS7, the units are shown to be marginally above the minimum space standards and are therefore considered acceptable.

Whilst the majority of the works needed to carry out the change of use have already been carried out without the benefit of planning permission, there remains other works to be carried out which are mostly internal. The previous glazed shop front has been partially blocked up, resulting in two front doors and three windows serving living rooms windows with a bathroom window and two doors serving bedrooms to the rear elevation. As the rear doors serve as the only means of natural light to the bedrooms, then should planning permission be granted, a condition needs to be included on any decision notice requiring that 50% of the door is finished in opaque glazing. This will ensure that satisfactory natural light will be available to the bedrooms.

The finishes of the proposed building are indicated on Drawing 03 date stamped 21st October 2021 as being render finish to match the existing building, it was evident on inspection that the lower section of the building to the front elevation was finished in red brick. Given the contradiction with the proposed plans and also that the remainder of this row of terrace properties has a render finish, if planning permission is forthcoming a condition should be imposed requiring the building to be finished in render. The overall size, scale and massing of the building has been unaffected by the proposal and remains appropriate for the site and area.

### **Private Amenity**

As stated in Policy LC 2 of the Addendum to PPS 7, amenity space is an essential part of the character and quality of the environment of residential properties. In addition, criterion (c) of Policy QD1 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided within 'Creating Places: Achieving Quality in Residential Developments'. The Creating Places design guide recommends that the appropriate level of provision should be determined by having regard to the particular context of the development, and in the case of apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. The size of these areas should range from a minimum of 10 sqm per unit to around 30 sqm per unit.

Drawing No 02 date stamped 21st October 2021 indicates two areas of private amenity space to the rear of the property both equating to 10sqm. One of the areas is also located immediately to the rear of No. 2 Hightown Road and sits directly beneath the bathroom window associated with this property. As such it is considered that this area is not private and additionally will have a detrimental impact on the amenity of No 2 Hightown Road. A further area of amenity space, measuring 12sqm of floorspace is provided to the front of the application building which looks out onto the Hightown Road. This proposed area of open space runs adjacent to the footpath and an area of hardstanding utilized for car parking with metal railings defining the boundary. Consequently, this frontage area merely serves to provide a landscaped setting for the apartments and is neither usable nor private as it is open onto and is directly overlooked by the pedestrian footpath along the Hightown Road which has a high level of pedestrian activity and therefore cannot be counted as an area of private amenity space. Although the application site is within walking distance to the Lillian Bland Pavilion, this cannot offset the fact that the proposal fails to provide the minimum standard of private amenity space. It is considered that the lack of a suitable form of private amenity space demonstrates the restricted and cramped nature of the site and results in overdevelopment.

For the reasons set out above the proposal fails to comply with criterion (c) of QD 1 of Addendum to PPS 7 in that the proposal does not provide adequate provision of private open space in the overall design and layout of the development.

### **Neighbour Amenity**

Criterion (h) of Policy QD1 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. In this case as outlined above the proposed forms a row of terrace properties located along the Hightown Road. The building at No. 2 Hightown Road is located directly to the east of the application site. An area of private amenity space associated with the proposed residential units is located directly to the rear of the neighbouring property (No. 2 Hightown Road) and sits directly below a bathroom window.

Additionally, 2 car parking spaces which are proposed to serve the development are located directly in front of No. 2 Hightown Road, this area was indicated to form part of the private amenity space associated with No. 2 Hightown Road as indicated within approval for a Certificate of Lawful Development LA03/2020/0627/LDE. Notwithstanding the fact that the provision for car parking is located on an area that has consent be utilized as private amenity, the impact of the car parking located directly in front of the adjacent property with two windows serving the living area will result in a significant negative impact on the amenity of No.2 Hightown Road. The level of noise, disturbance and light nuisance coming from traffic entering and leaving the site for two residential units will be significant and unacceptable to the amenity of the future occupants.

For these reasons it is considered that the proposal fails to meet criterion (h) of policy QD 1 in that the design and layout will create conflict with the adjacent neighbouring property.

### **Disposal of sewerage and surface water**

Consultation was carried out with Northern Ireland Water (NIW) who initially indicated that Whitehouse Waste Water Treatment facility was unavailable to serve this proposal due to capacity issues. NIW has indicated in general that it can consider proposals in one of three instances: like for like development; extant previously approved development; and where the development will offer a reduced loading on the sewer network, which may include storm separation and/or attenuation and that developers may wish to carry out a Waste Water Impact Assessment (WWIA)

Given that the scheme in principle is considered unacceptable due to the lack of amenity space and the impact on neighbouring properties, it was considered that it would not be prudent for the applicant to incur unnecessary costs in developing a solution in relation to the NIW capacity issues.

As there are no suitable means for sewage disposal from this site, the proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would cause harm to an interest of acknowledged importance, namely sewage disposal.

### **Other Matters**

#### Access and Road Safety

DfI Roads was consulted in relation to the application and no road safety concerns have been raised with the proposed access arrangements.

### **CONCLUSION**

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

- The principle of residential development in a Local Centre is acceptable;
- An appropriate level of private amenity space has not been provided;
- The development will have an adverse impact on the amenity of neighbouring residents;
- There are no suitable means for sewage disposal from this site

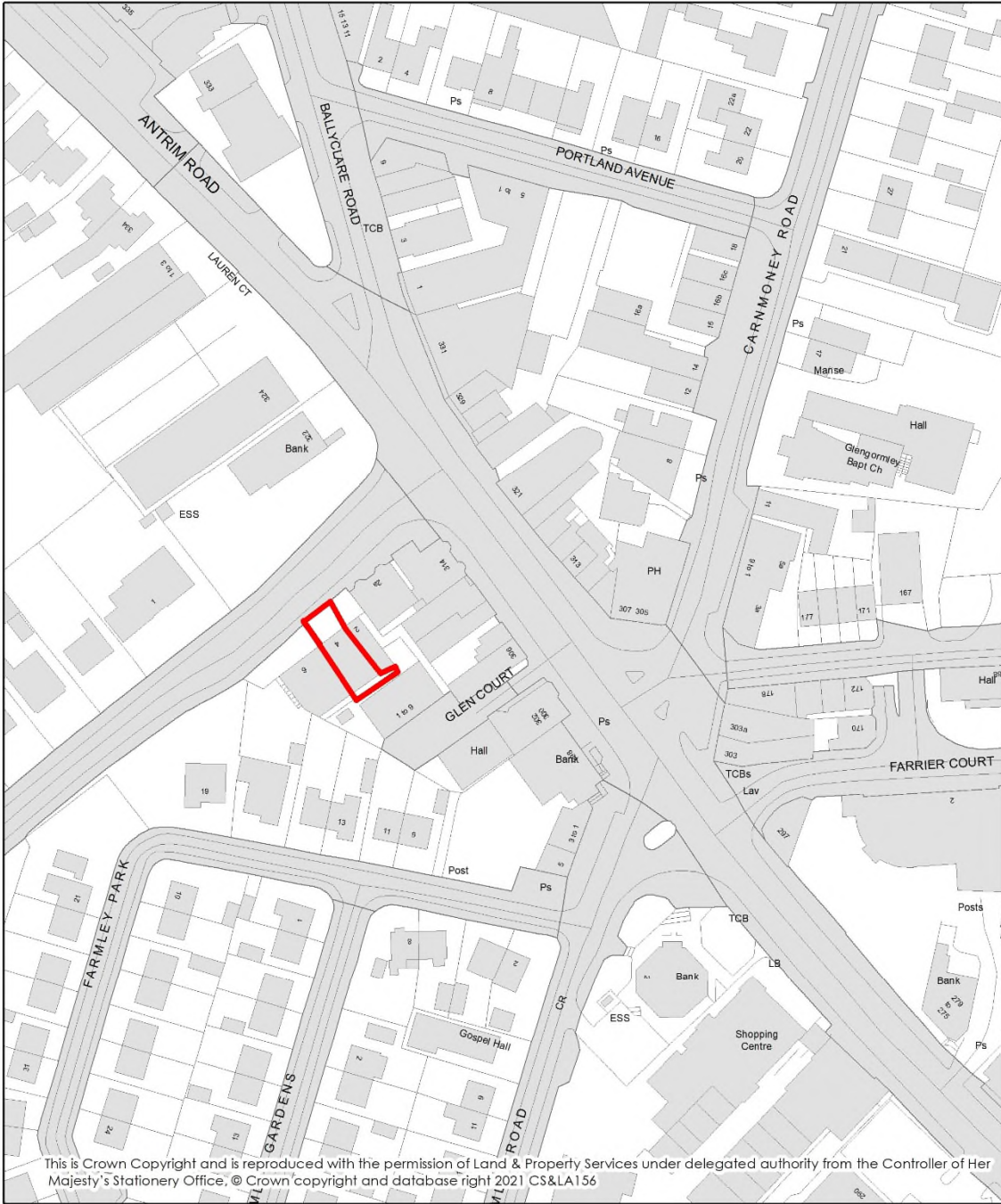
### **RECOMMENDATION**

### **REFUSE PLANNING PERMISSION**

### **PROPOSED CONDITIONS**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' in that the proposed development represents an overdevelopment of the site as there is inadequate provision of private amenity space and the proposal will have an adverse impact on the amenity of proposed residents in terms of the overlooking, light nuisance, noise and general disturbance.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would, if permitted, cause harm to an interest of acknowledged importance, namely sewage disposal, as it has not been demonstrated there is a satisfactory means of dealing with sewage associated with the development.







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**Application Reference LA03/2021/1029/F**

4 Hightown Road, Glengormley  
Co Antrim, BT36 7UA

Retrospective change of use  
from shop unit to 2 no. ground  
floor flats (1 No 1P/1B unit and  
1 no. 2P/1B unit) to include internal  
alterations to existing building

Scale: 1:1250

**Antrim and  
Newtownabbey**  
BOROUGH COUNCIL

<b>COMMITTEE ITEM</b>	<b>3.7</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0616/O</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Site for dwelling on a farm
<b>SITE/LOCATION</b>	50m North-West of 10A Kilcross Road, Nutts Corner, Crumlin
<b>APPLICANT</b>	Alwyn Minford
<b>AGENT</b>	Park Design Associates
<b>LAST SITE VISIT</b>	5th August 2021
<b>CASE OFFICER</b>	Ashleigh Wilson Tel: 028 903 Ext 340429 Email: <a href="mailto:ashleigh.wilson@antrimandnewtownabbey.gov.uk">ashleigh.wilson@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at Kilcross Road, Nutts Corner and is within the rural area as defined in the Antrim Area Plan 1984 – 2001.</p> <p>The site forms part of a larger agricultural field set back some 115 metres from the public road. The southeastern boundary of the application site is defined by a low post and wire fence with newly planted shrubs. This boundary abuts the applicant's sons dwelling at No. 10A Kilcross Road. The northwestern and southeastern boundaries are undefined. The northeastern boundary is defined by existing vegetation.</p> <p>The development proposal includes a new access off the Kilcross Road, extending along the northern side boundary of No. 14 Kilcross Road which is defined by a 1.8 metre wooden fence. The access then wraps around the rear, western boundary of No. 14 Kilcross Road, defined by a 1.8 m wooden fence and extends along the rear of No. 12 Kilcross Road before turning in an easterly direction and running parallel with the applicant's sons access to the dwelling at No. 10A Kilcross Road.</p> <p>The area is rural in character with a number of dispersed rural dwellings along the Kilcross Road.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: T/2004/0761/O Location: 100m North of, 10 Kilcross Road, Nutts Corner, Crumlin Proposal: Site of dwelling and garage Decision: Permission Granted (06.12.2004)</p> <p>Planning Reference: T/2007/0194/RM Location: 100m North of 10 Kilcross Road, Nutts Corner, Crumlin Proposal: Single dwelling Decision: Permission Granted (31.07.2007)</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 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.

## CONSULTATION

**DAERA** – No objection

**Council Environmental Health Section** – No objection

**NI Water** – No objection

**DfI Roads** – No objection, subject to condition

## REPRESENTATION

Four (4) neighbouring properties were notified, and one (1) letter of representation has been received. The full representations made regarding this proposal are available to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Lack of need for the proposal as the dwelling is for the applicant's daughter who does not work on the farm.
- The dwelling is sited to "cluster" with No. 10A which is a standalone dwelling and does not form part of the established group of buildings on the farm.
- The proposal does not utilise an existing laneway, rather proposes a new access not connected to the farm house.
- Drawings are not to scale.
- Request for further details regarding detailed design.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

### **Policy Context and Principle of Development**

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

The Antrim Area Plan 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 determination of the proposal. The application site is outside any settlement limit defined in the AAP and is located within the countryside. No specific zoning is applied to the site within the plan and no specific mention is made of this type of 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. One such document is Planning Policy Statement 21 'Sustainable Development in the Countryside'.

Policy CTY 1 of PPS 21 sets out the types of development that are considered to be acceptable in principle in the countryside. These include a dwelling on a farm in accordance with Policy CTY 10. The SPPS contains a Regional Strategic Policy entitled 'Dwellings on Farms'. Of relevance to this application, the SPPS replaces the

definition of agricultural activity given in paragraph 5.39 of the Justification and Amplification to Policy CTY 10. In line with the transitional arrangements set out in the SPPS, any conflict between the retained policy and the SPPS is to be resolved in favour of the SPPS.

A letter of objection questions the need for this dwelling pointing out that the proposal is for the applicant's daughter who does not work on the farm. However, the policy for a dwelling on a farm does not require a 'need', rather a farmer may apply for a dwelling every 10 years providing the proposal complies with planning policy which has been considered below.

Policy CTY 10 of PPS 21 sets out three criteria which proposals for farm dwellings must satisfy. Criterion (a) requires the farm business to be currently active and established for at least 6 years. In this case DAERA Countryside Management Branch has confirmed that the applicant has an active farm business which has been established for at least 6 years and for which Single Farm Payments (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri Environmental Schemes are claimed. It is therefore considered that the proposal satisfies the requirements of this criterion.

Criterion (b) requires that no dwellings or development opportunities out-with the settlement limits should have been sold off from the farm holding within 10 years from the date of the application and this provision applies from 25th November 2008. The policy goes on to say that planning permission granted under this policy will only be forthcoming once every 10 years. For the purposes of this policy "sold-off" means any development opportunity disposed of from the farm holding to any other person including a member of the family. The applicant has confirmed in Question No. 05 on the PIC form accompanying the application that no dwellings or development opportunities have been sold-off from the farm holding since 25th November 2008.

A history search of the farm maps show two planning applications submitted within the applicant's farmlands and details are indicated above within the 'planning history' section. The applicant's agent has confirmed that these applications were for the applicant's son's dwelling at No. 10A Kilcross Road and were granted for the applicant on their farm holding. This dwelling was transferred by the applicant to their son prior to November 2008 and was more than 10 years ago. The applicant has confirmed via email that no dwellings or development opportunities have been sold from the farm. It is therefore accepted that no development opportunities have been sold off the farm within the last ten (10) years. It is considered that the application meets the relevant policy requirements identified under criterion (b).

The third criteria states that any farm dwelling should be visually linked or sited to cluster with an established group of buildings on a farm; in this case the proposed farm dwelling is located adjacent to and northwest of the applicant's son's dwelling.

A letter of objection points out that the dwelling is sited to "cluster" with No. 10A which is a standalone dwelling and does not form part of the established group of buildings on the farm. The applicant contends that the applicant's son's dwelling is a 'building on the farm' as the applicant's son works on the farm. Evidence has been submitted to demonstrate this and the applicant's herd book has been submitted to

indicate that this is a sizable farm and therefore without any evidence to disprove this, it has been accepted.

Criterion (c) of Policy CTY 10 goes on to expand that exceptionally consideration may be given to an alternative site elsewhere on the farm provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either, demonstrable health and safety reasons or verifiable plans to expand the farm business at the existing building groups. The applicant has advised that the application site is the only suitable site on the farm for a dwelling as the area immediately adjacent to the farm buildings to the northwest of the farm buildings is not suitable as it would be adjacent to an existing manure pit. This was checked and verified on site and through google imagery which indicates it has been there for a significant time. The Council's Environmental Health Section also advised that as this manure pile is an outside odour source and isn't contained in any way it could cause odour complaints in the future, even with family members. The applicant's son's house at No. 10A Kilcross Road was granted planning approval as a dwelling on the farm under planning approval T/2004/0761/O. The site location plan for this application (Drawing No. 01, date stamped 15th June 2004) refers to this 'existing silage clamp and dung pit' and the applicant's son's dwelling was allowed in the position slightly separated from the existing farm buildings.

The applicant's supporting information also refers to plans to expand the farm and while there are no 'verifiable' plans through the submission of a planning application or commencement of development, an email from the applicant's agent states that the materials have been purchased for this and that the building could be erected under permitted development. The supporting information also refers to the lands in front (east) of the farmyard that there are no suitable sites as the land falls significantly down towards the road and there is an existing pond to the southeast. The land to the rear is also not suitable as this would involve driving through the existing working farmyard to access the site. Taking all of the above into consideration, the siting of the proposed dwelling is considered acceptable.

Criterion (c) of Policy CTY 10 also indicates that where practicable access to the dwelling should be obtained from an existing laneway. It has been raised through a letter of objection that the proposal does not utilise an existing laneway, rather proposes a new access not connected to the farmhouse. The applicant's supporting statement has indicated that in this case the use of the existing laneway is not feasible and therefore the proposal indicates a new and separate access. There are currently two existing accesses serving this cluster of development. The proposed access arrangement would be the third laneway serving the one cluster of development for this farm. In weighing up all of the above, it is considered that this matter alone would not warrant refusal on the principle of development and it is considered that, on balance, the principle of development is acceptable.

#### **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 - Integration and Design of Buildings in the Countryside states that a new building will be unacceptable where it would be a prominent feature in the landscape and as such would not integrate. Policy CTY 13 of PPS 21 also states that planning permission will

be granted for a dwelling in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design.

In this case the application site is set back some 115 metres from the main road and is set behind two existing dwellings, Nos. 12 and 14 Kilcross Road and is adjacent to No. 10A Kilcross Road. Although the topography of the land rises off the road and the boundaries to the side and rear of the site are not well defined, there are limited views of the application site due to the existing development and vegetation to the front (northeast) of the site. The surrounding development is predominantly single storey or 1½ storey dwellings with the applicant's son's bungalow adjacent (No. 10A) with a 5.5 metre ridge height. Therefore, it is considered that a dwelling with a modest ridge height would have sufficient integration levels to allow it to blend unobtrusively into the landform and not have a detrimental impact on the rural character of the area.

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

A close boarded fence is proposed to the rear of Nos. 12 and 14 Kilcross Road in order to mitigate the impact of vehicular traffic accessing the application site. The use of close boarded fencing to help mitigate the impact, is considered to be a suburban design solution and would be an unacceptable feature in the rural area. The use of such a design feature would be detrimental to the character of the area and is considered unacceptable.

### **Neighbour Amenity**

The site is located within a rural area, and it is considered that a dwelling on the site could be designed to ensure the proposal will not result in an unacceptable impact on the amenity of any residential properties in the area. The Council's Environmental Health Section has been consulted and has no objection to the proposal.

However, the applicant's supporting statement has indicated that in this case the use of the existing laneway is not feasible and the proposal indicates a separate access to the application site. The proposal includes a new access off the Kilcross Road along the northern side boundary of No. 14 Kilcross Road which is defined by a 1.8-metre-high wooden fence. The access then wraps around the rear, western boundary of No. 14 Kilcross Road, defined by a 1.8 m wooden fence and extends along the rear of No. 12 Kilcross Road before turning in an easterly direction and running parallel with the applicant's son's access to the dwelling at No. 10A Kilcross Road.

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

It is considered that, due to the lack of any existing significant boundary treatment with Nos. 12 and 14 Kilcross Road, that the proposed access arrangement would have an unacceptable impact on the residential amenity of these properties. These

properties have relatively short garden depths and the noise and disturbance from cars travelling along the side and rear of these residential properties within such close proximity is considered unacceptable and contrary to the SPPS.

**Access Arrangement**

A new access is proposed from Kilcross Road to serve the proposed dwelling. DfI Roads has been consulted and has no objection to the proposal, subject to conditions. It is considered the proposal complies with PPS 3 'Access, Movement and Parking'.

**Other Matters**

Belfast International Airport

The proposal seeks outline permission and BIA therefore would have insufficient information to comment on the likelihood of the proposed development having an impact on aircraft safety. The types of details required such as landscaping are required to be submitted at Reserved Matters stage. However, given the location of the application site it will be necessary to consult BIA at Reserved Matters stage when further details of the proposed dwelling have been provided.

Request for further detailed drawings

It has been raised through letters of objection that the submitted drawings are not to scale and requests have been made for further details regarding the house type etc. The application seeks outline permission only and is seeking permission in principle at this stage. Therefore, the only drawing required to assess the proposal is a site location plan (Drawing 01/1, date stamped 22nd October 2021) which is noted to scale at 1:2500. The objector has been contacted and advised of the above and advised that if the application for outline permission were to be granted, then further 'Reserved Matters' details such as a 1:500 access plan and scaled drawings indicating house type and amenity areas would be required to be submitted and neighbouring properties would be notified again at that stage.

**CONCLUSION**

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

- The principle of development is considered acceptable;
- It is considered a dwelling on this site will not have a detrimental impact on the character and appearance of the area; and
- The proposal is considered to result in adverse impacts on neighbouring properties as a result of the proposed access arrangements.

**RECOMMENDATION**

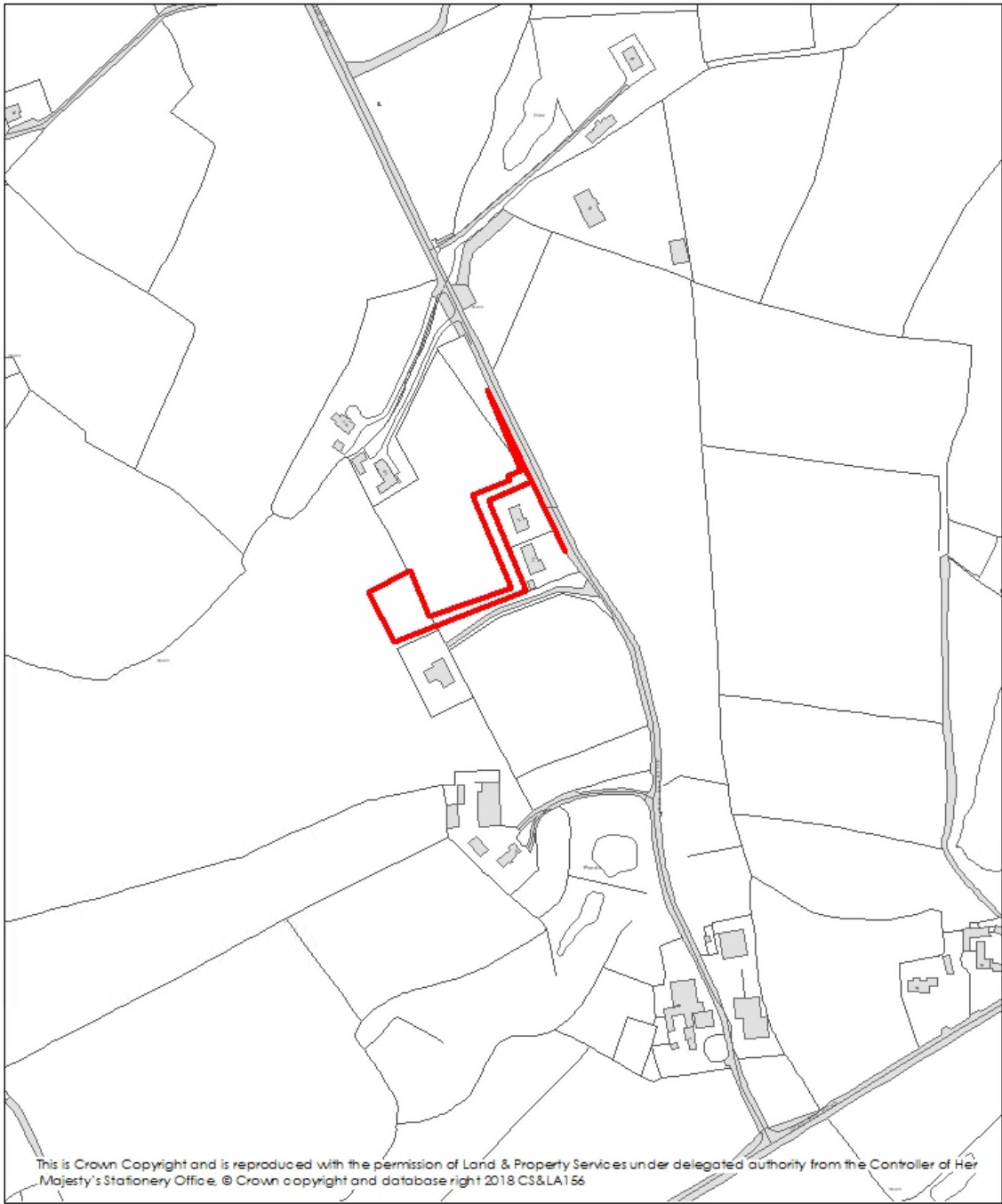
**REFUSE OUTLINE PLANNING PERMISSION**

**PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement as the development, if approved, would have an unacceptable impact on the residential amenity of existing residents at Nos. 12 and 14 Kilcross Road by reason of noise and disturbance resulting from the proposed access arrangements.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed close boarded fencing,



would, if permitted, not respect the character of the surrounding area and would read as a suburban design in the rural area.




**Site Location Plan**

Application Reference: LA03/2021/0616/O

Site for dwelling on a farm

50m North-West of 10A Kilcross Road, Nutts Corner, Crumlin



 Site boundary



<b>COMMITTEE ITEM</b>	<b>3.8</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0867/O</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Site for infill dwelling
<b>SITE/LOCATION</b>	35m South-West of 6 Radox Road, Crumlin
<b>APPLICANT</b>	Brian Smith
<b>AGENT</b>	Park Design Associates
<b>LAST SITE VISIT</b>	06 October 2021
<b>CASE OFFICER</b>	Simon Russell Tel: 028 903 40427 Email: <a href="mailto:simon.russell@antrimandnewtownabbey.gov.uk">simon.russell@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located in a rural area and outside of any settlement limits identified within the Antrim Area Plan 1984-2001, approximately 1.5 miles northeast of Crumlin.</p> <p>It is located approximately 35m southwest of No. 6 Radox Road, which is a minor road accessed off the main A52 Nutts Corner Road. The application site comprises part of a larger parcel of land upon which the applicant, operated a family run garden supply business called 'Radox Sectional Buildings' which was set up by the applicant in 1975 as 'Landscape and Garden Services', later becoming 'Radox Sectional Buildings'.</p> <p>At the time of site inspection, the application site comprised a relatively flat area of gravel hardstanding containing a number of buildings, each set on an area of concrete slab foundation, associated with applicant's former family-run garden supply business.</p> <p>The northwestern rear boundary is defined by a 1.1-metre-high post and wire fencing. A line of tall trees, ditch and a small stream set in front, defines the northern, northwestern and northeastern common boundaries with No.6. These trees help screen views of the site when travelling in a southerly direction along the Radox Road. A pedestrian access to No.6 Radox Road is taken off the middle of the northern boundary.</p> <p>The southern and southwestern boundaries are defined by a 1.0-metre-high white picket fence (southwestern), the rear elevation of an office building (southern). The southeastern boundary is defined by a 1.1-metre-high D rail (3 bar) wooden fence set on a grass roadside verge which abuts an internal lane which provides access into the application site. A telegraph pole and electricity line traverses the application site.</p>	

The buildings within the application site include the following:

- A rectangular single storey office block abutting the southern boundary;
- A single storey rectangular garden shed with a low 'A' type pitched roof located along the northern boundary of the site;
- Two further garden sheds were set the rear of the site, one in the northwestern corner and the other in the northern corner, separated by a rectangular slab foundation which previously housed a garden shed. The shed in the northwestern corner was in a considerable state of disrepair, with its sectional door missing.

There were a number of rectangular slab foundations throughout the middle and northeastern corner of the site, upon which formerly housed garden sheds and greenhouses associated with the garden supplier business.

At time of inspection, the site was partially overgrown with moss, with evidence of a number of demolished sheds which had been stockpiled throughout the site. Access is currently via an existing pillared gated entrance (southwest of the application site) taken off the Radox Road. An overgrown internal access road runs parallel with the Radox Road providing access to the application site. An oblong-shaped parcel of land, laid out in grass, abuts the southern boundary and lies parallel to the internal access lane. An old rectangular metal sign advertising '*Compton – Leofric-Mayfair-Newspace Buildings*' is set on this area of grass fronting onto the existing access point.

The lands immediately abutting the application site to the south/southwest comprises part of the wider lands associated with the applicant's garden supply business. This includes an area of gravel hardstanding with two garden sheds set upon it, each of which sit on a concrete slab foundation. There were a number of concrete slab foundations scattered throughout this part of the site, upon which appeared to house former garden sheds. There was also evidence of demolished sheds which had been stockpiled throughout the wider site. Outline planning permission for an infill dwelling was granted planning permission by the Council in September 2019 for an infill dwelling on this part of the site, referred to as '*lands 55 metres south-west of No.6 Radox Road...*'.

A further three (3 no.) garden sheds had been erected to the south of this, each on an area of gravel hardstanding set on a southeasterly orientation abutting an oblong-shaped area of grass. A review of Google Earth imagery indicates that this part of this grassed area had been recently laid with gravel hardstanding, upon which two (2 no.) of the above-mentioned garden sheds had been set upon, with the third shed being placed immediately to the southwest of these, abutting the most southerly boundary of the applicant's overall site.

The application site is bounded on its northwestern and northern boundaries by agricultural lands and No.6 Radox Road respectively, a single storey detached dwelling owned by the applicant. The surrounding area comprises dispersed detached rural dwellings bounded by agricultural lands. Dundesert Gospel Hall lies on the opposite side of the road to the northeast, with the Dundesert River to the southeast. The main A52 Nutts Corner Road lies to the south of the site which has a number of roadside dwellings.

### RELEVANT PLANNING HISTORY

Planning Reference: LA03/2019/0634/O  
Location: 55m South-West of 6 Randox Road, Crumlin  
Proposal: Site for infill dwelling.  
Decision: Permission Granted (23.09.2019)

Planning Reference: T/1981/0105  
Location: 6 Randox Road, Crumlin.  
Proposal: Office and store.  
Decision: Permission Granted (22.06.1981)

Planning Reference: T/1976/0151  
Location: Randox Road, Crumlin  
Proposal: Greenhouse Show Site  
Decision: Permission Granted (04.08.1976)

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

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

## CONSULTATION

**Council Environmental Health Section** – No objections.

**Department for Infrastructure Roads** – No objections subject to condition.

**DfI Historic Environment Division – Historic Monuments** – No objections.

**DfI Rivers** – Additional information required (Flood Risk Assessment required).

**Northern Ireland Water** – No objections.

**Department for Infrastructure Roads**- No objections.

**UK Crown Bodies - Defence Infrastructure Organisation – Land Management Services & Disposals NI** - No objections.

**Belfast International Airport** – Unable to determine at outline stage. Require further consultation at RM stage.

## REPRESENTATION

Two (2) neighbouring properties were notified and no letters of objection 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;
- Integration and Impact on Character and Appearance of the Area;
- Neighbour Amenity;
- Access;
- Archaeological and Built Heritage;
- Impacts on Flooding: and
- 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 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 outside any settlement limit defined in the AAP and is located within the countryside. No specific zoning is applied to the site within the plan and no specific mention is made of this type of 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. One such document is Planning Policy Statement 21 'Sustainable Development in the Countryside'. Taking into account the transitional arrangements of the SPPS, retained PPS 21 is contained in document 'Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house, the application seeks outline planning permission for an infill dwelling. The applicant's Supporting Statement contends that the proposal meets with the policy requirements of CTY 8 of PPS 21 which relates to the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8.

Whilst the main thrust of Policy CTY 8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

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

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In the agent's Supporting Statement (Document No.01) they have indicated that the buildings which make up the substantial and continuously built up frontage are the dwelling at No.6 Radox Road, an office building and a garage/shed (within the red line boundary of the application site) and a further four (4 no.) garages which lie to the south.

The agent has also indicated these buildings marked in yellow on the Site Location Map (Drawing No.01 refers).

- Building Nos.1 - 4 – Comprise rectangular single storey garden sheds with a low 'A' type pitched roof associated with the applicant's garden shed supply business set on an area of gravel hardstanding; and

Within the application site:

- Building A - A rectangular single storey office block abutting the southern boundary; a single storey shed with a low 'A' type pitched roof located in the northern part of the site;
- Building B - A single storey rectangular garden shed with a low 'A' type pitched roof located along the northern boundary of the site;
- Two additional garden sheds are also set to the rear of the site, one in the northwestern corner and the other in the northern corner, separated by a rectangular slab foundation which previously housed a garden shed. The shed in the northwestern corner is in a considerable state of disrepair, with its sectional door missing. The agent has rightly not counted these buildings as they are set behind Buildings A and B.

The Council, in its policy assessment for the 2019 application, accepted that the buildings that made up the substantial and continuously built up frontage comprised the two storage shed buildings associated with the 'existing business' to the southwest. At the time of site inspection in October 2021, one of these buildings had been demolished and removed from this part of the site, leaving the building, now referred to as Building 4, on site.

The agent has quoted three (3) other approvals (LA03/2020/0450/O, LA03/2020/0110/O & LA03/2017/0602/O) for infill dwellings across the Borough in an attempt to bolster their argument that the garages on site should count as 'buildings' for the purpose of the policy test. However, no determining weight has been given these approvals given that they relate to detached garages associated with residential dwellings and not commercial stock (garden sheds) associated with a business.

A review of Google imagery and World Imagery Wayback since the grant of planning permission in September 2019 and the receipt of the current planning application suggests that a number of sheds to the south of the application site (Buildings 1-3 refers) have been recently relocated to the lands to the south of the application site in an attempt to artificially create future infill opportunities for the applicant. A planning history search has revealed that these sheds do not benefit from planning permission, nor has the applicant sought to regularise these structures through a Certificate of Lawfulness. On this basis, Buildings 1-3 have therefore been discounted from this policy assessment.

Furthermore, Google Imagery and World Imagery Wayback indicate the two sheds which were previously located in front of the office building/immediately to the southeast, as indicated on yellow on stamped approved Drawing No.01 associated with LA03/2019/0634/O have been removed within this intervening period in what would appear to be in an attempt to create an infill opportunity applied for under the current application.

With regards to the shed located to the south of the application site, referred to as Building 4 for the purposes of this report, the agent has highlighted the surrounding



planning history (on the area of land immediately abutting the current application site to the south) upon which an infill dwelling was previously granted planning permission under LA03/2019/0634/O in September 2019.

Whilst the planning history of the adjoining site is a material consideration, it is important to note that the site context, including the status of the business has changed in the intervening years since the granting of this planning permission in 2019. The agent contends that their client's commercial business, although negatively impacted by the COVID pandemic, still remains operational, with their client's intention to sell off their remaining stock on site (i.e. the garden sheds) to customers. However, no quantifiable evidence has been submitted to substantiate this claim. Although the agent has indicated in Question No.04 on the P1 form that the present use of the lands is '*commercial premises, selling sectional buildings*', a recent Google internet search of the business indicates that the business in question, '*Radox Sectional Buildings*' is '*permanently closed*'; with no details of the business found on Companies House Register to prove to the contrary. The site inspection indicates that the state of disrepair of the sheds and the condition of the office building on site would suggest that the business has not been operational for a considerable period of time.

Having considered the extant planning history associated with the business at this location (T/1976/0151 and T/1981/0105/F), less determining weight has been given to the fact the business is not operational at this time. Applying the test of abandonment principles, including the judgement from the Court of Appeal in *Hughes v Secretary of State for the Environment [2000]*, as well as the lack of time bound planning conditions attached to the extant permissions in the event of the cessation of commercial operations at the site, it is reasonable to conclude that the applicant could recommence commercial operations associated with their business at this location at any given time in immediate future.

Notwithstanding this, the extant planning history associated with the business at this location granted planning permission for the office and a store only (T/1976/0151 and T/1981/0105/F refers); and not for the retention of the garden sheds other than for commercial purposes, i.e. for the sale to third parties. It is reasonable to conclude that given the nature of the business, these sheds are stored on the land and relate to a use of land, rather than operational development. Once sold, the building(s) would be dismantled on site by the business and then transported to the purchaser's lands/site/premises. It is considered that these garden sheds are temporary in nature, and it is reasonable to conclude that they are leftover stock associated with the business. As such, these sheds (excluding the office building) are considered to relate to a use of land rather than operational development, their siting is unauthorised and unlawful and therefore cannot be counted as any of the three buildings for the purposes of the policy assessment under CTY 8.

The planning history of the adjacent site with regards to the infill approval granted under LA03/2019/0634/O is a material consideration in the determination of this application. However, the 'buildings' (garden sheds) used in the policy assessment under that application included stock associated with the commercial business. Notwithstanding whether the business was operational or not at the time of the assessment, it is considered that these buildings for the reasons stated above, are not permanent structures and should have been discounted as any one of the three

buildings in the policy assessment under CTY 8 of PPS 21. The argument of permanency is validated given that one of these sheds used in the policy assessment for LA03/2019/0634/O has since been removed from its original position on site. This single example of how an infill proposal was dealt with should not lead to the conclusion that all such proposals should be dealt with in the same way. As such, less determining weight has been given to this planning permission in the determination of the current proposal. Furthermore, in order to help create the resulting gap for the current application, the two sheds which were located immediately to the southeast of the office building, as indicated in yellow on stamped approved Drawing No.01 associated with LA03/2019/0634/O, have since been demolished in the intervening period since the granting of this permission in September 2019 and receipt of the current application on 27 August 2021. The recent removal of some of the sheds throughout the site, as well as the positioning of the sheds (Buildings 1-3) in the southern part of the adjacent site, suggests that the applicant is attempting to create two (2) more infill opportunities.

It is therefore considered that the garden sheds, referred to as Buildings 1-4 and Building B, cannot be considered as one of the three buildings for the purposes of this policy assessment under CTY 8 of PPS 21. As such, it remains that the application site is not part of an otherwise substantially built up frontage for the purposes of CTY 8 as there are not three (3) or more buildings along this road frontage. The proposal subsequently fails criterion (a) of the policy.

The second and third elements of Policy CTY 8 requires that the gap site is small and sufficient only to accommodate up to a maximum of two houses and that the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size. The only existing building with a frontage to the road is No.6 Radox Road which cannot establish an average frontage width.

The justification and amplification text at paragraph 5.34 of Policy CTY 8 is clear that the gap is between houses and other buildings, and not the frontage of the application site. An analysis of the gaps between the buildings identified by the agent that they consider make up the substantially and continuously built up frontage included the following:

- Gap between shed (Building 1) and shed (Building 2) measuring approximately 20 metres;
- Gap between shed (Building 2) and shed (Building 3) measuring 3 metres;
- Gap between the shed to the south (Building 3) and shed (Building 4) measuring approximately 15 metres;
- Gap between the office building (Building A) and the shed (Building B) measuring approximately 13 metres;
- Gap between the office building (Building A) and the shed to the south (Building 4 refers) measuring approximately 18.5 metres; and
- Gap between the shed (Building B refers) and the dwelling at No.6 Radox Road measuring approximately 14.8 metres.

Notwithstanding this, it is already argued that the sectional buildings on the site are not authorised operational development and do not form lawful buildings.

It is noted that in an attempt to match the building lines of the adjacent dwelling to the northeast (No.6 Radox Road) and the indicative footprint of the dwelling approved to the south under LA03/2019/0634/O, the agent has had to move the proposed footprint of the dwelling forward of the resulting gap (Drawing No.01 refers). The policy does not however, allow for the infilling of gaps between planning approvals and the policy only allows for the assessment of buildings and not proposed buildings.

It is noted that there is a linear pattern of development approximately 335 metres to the southeast of the site (Nos.29 – 33 Nutts Corner - odd nos.). However, this pattern of development is considered distinctive and separate to the pattern of development immediately surrounding the application site. Similarly, the cluster of development along the Radox Road, located approximately 455 metres to the northwest (Nos.7, 8, 8A, 9 and 11 Radox Road), is too far removed to be read with the existing pattern of development immediately surrounding the application site

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

#### **Design, Layout, Integration and Impact on Character and Appearance of the Area**

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

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout of the dwelling. Irrespective of the design and siting of the proposed dwelling, there would be a strong visual linkage with the existing buildings and the proposed dwelling, resulting in additional ribbon development along this stretch of the Radox Road.

Whilst the site benefits from a linear belt of trees along its northern boundary, which helps screen views of the application site on approach along the Radox Road when travelling in a southerly direction, it is considered that the lack of established natural vegetation cover along its northwestern, southern and southeastern boundaries means that a dwelling on this site will fail to visually integrate. Satellite imagery obtained from World Imagery Wayback indicates that the tall leylandii trees which previously ran along the roadside boundary of No.6 Radox Road, have been cut down in their entirety between July and August 2020 and replaced with new hedgerow planting, which has been planted immediately behind the existing fence line. The agent has indicated on Drawing No.01 that this existing fence and the entrance pillars which line the roadside boundary to the front of No.6 will need to be removed to provide the required visibility splays. Given the proximity of the newly planted hedging to the existing fence line, it is considered that this hedgerow will also be compromised to facilitate the required visibility splays for the proposed

development. The intervening sheds to the southwest of the application site are also considered temporary structures and therefore cannot be relied on in the future to aid integration of the proposal.

The removal of a portion of the roadside boundary in front of No.6 Radox Road and the lack of established natural vegetation cover along the site's northwestern, southern and southeastern boundaries, would mean that even a modest dwelling would fail to integrate to a satisfactory level. Any development would primarily rely on the planting of new landscaping for integration. If permitted it is considered that the proposal would fail to meet criteria (b) and (c) of Policy CTY 13.

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. It is considered that a dwelling on this site would be visually linked with the existing buildings to the north/northeast and southwest of the site and would lead to a build-up of development in the area when read with other existing development. The resultant roadside dwelling abutting the Radox Road would effectively create a line of ribbon development. This form of ribbon development is suburban in character and uncharacteristic of this rural area and therefore should be avoided given the dispersed settlement pattern that currently exists along the Radox Road.

The proposed site has critical views from the adjacent public road (Radox Road) when travelling in a northerly direction and; together with the absence of long established boundaries along its northwestern, southern and southeastern boundaries, fails to provide a suitable degree of integration. If permitted, the proposal would add an additional dwelling along this section of the Radox Road which would result in a suburban style build-up of development and add to a ribbon of development.

Therefore, for the reasons outlined above it is considered that the proposal fails to meet the requirements of the SPPS and Policies CTY 8, CTY 13 and CTY 14 of PPS 21.

### **Neighbouring Amenity**

As the application is for outline planning permission, no specific details of a house type or design have been submitted. Although the existing buildings on either side of the proposed dwelling within the application site are associated with a commercial business, consideration must be given to any potential impact upon the amenity of any future residents associated with single storey dwelling approved under LA03/2019/0634/O on the adjacent site abutting the southern boundary of the application site.

No Reserved Matters has yet been submitted by the applicant, however this outline application does not expire until 23 September 2022, and as such, due consideration must be given to the indicative siting of the single storey dwelling approved under this application and the proposed siting of the dwelling applied for under the current application.

An overlay of these drawings indicates that, if the Council were minded to approve a similar sized single storey dwelling in the indicative location shown, this would result in an approximate separation distance of only 7 metres. This is not considered

characteristic of the development pattern in the immediate area. To adequately address overlooking with this reduced separation distance, as well as the lack of established boundaries between these sites, consideration would need to be given to further mitigation measures such as new planting, as well as attaching a planning condition restricting windows on the southwestern elevation at ground floor level.

Given the appropriate separation distance from the proposed dwelling and No.6 Randox Road, as well as the intervening mature vegetation which lines the northern common boundary, it is not considered that there will be any unacceptable impacts upon the amenity or privacy of residents at this property.

### **Access**

The proposal seeks to construct a new access onto Randox Road. DfI Roads were consulted on the application and offered no objections to the principle of this scheme subject to compliance with the RS1 form at Reserved Matters stage should planning permission be forthcoming.

### **Archaeology and Built Heritage**

The application site lies in close proximity to a number of archaeological assets. Historic Environment Division (HED) were consulted on the application and offered no objections to the proposal.

### **Impacts on Flooding**

DfI Rivers was consulted on the application and have advised that a designated watercourse under the terms of the Drainage (Northern Ireland) Order 1973 and known to Rivers Agency as the 'Randox Road Drain' traverses the southeastern portion of the site. A designated watercourse is located in close proximity to the southeastern boundary of the site and is known to DfI Rivers as the 'Dundesert River'. An undesignated watercourse bounds the northeastern boundary of the site.

DfI Rivers have advised that the Strategic Flood Map (NI) indicates that part of the site lies within the 1 in 100-year fluvial flood plain and have requested that the applicant carry out a Flood Risk Assessment (FRA) to verify the extent of the flood plain from the watercourses. DfI Rivers have advised that Policy FLD 1 of PPS 15 development will not be permitted within the 1 in 100-year flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy.

However, this FRA has not been requested from the applicant as the principle of development has not been established and to prevent any unnecessary expense to the applicant. As a precautionary approach, the proposal is contrary to Policy FLD 1 of PPS 15 in that, all sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the proposed development.

### **Other Matters**

Belfast International Airport was consulted on the application and advised that they will need to be re-consulted at Reserved Matters stage. If the Council were minded to approve this application, consideration should be given to the inclusion of a planning informative on any decision notice advising the applicant that any

landscaping scheme included in the proposal should not increase the risk of bird strikes to aircraft operating at the aerodrome.

## **CONCLUSION**

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

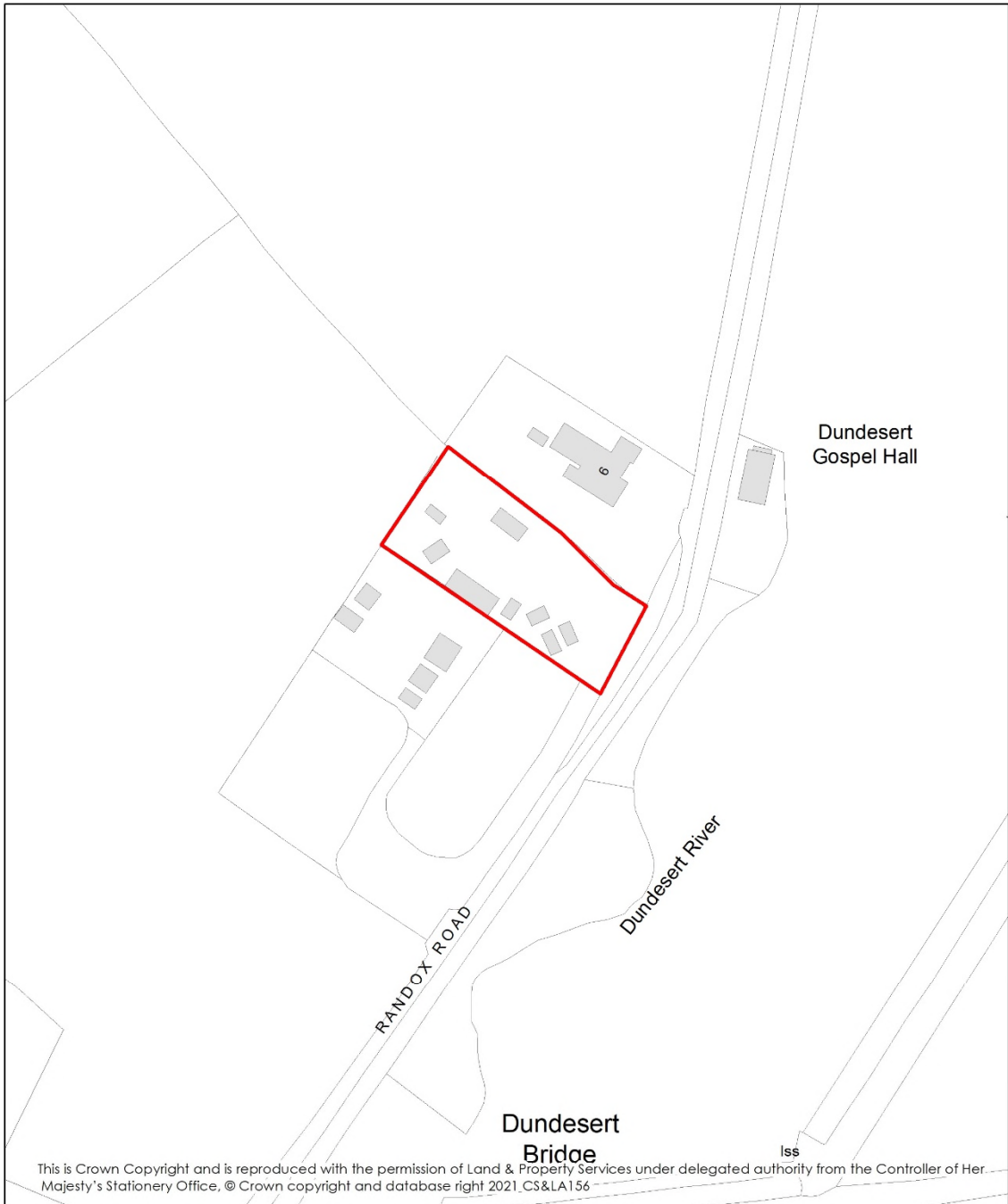
- The principle of development cannot be established as the proposal fails to fulfil the policy requirements of the SPPS and policies CTY 1 and CTY 8 of Planning Policy Statement 21;
- The site lacks established natural boundaries to integrate the proposed dwelling to a satisfactory level;
- The proposal constitutes ribbon development that will cause a detrimental change to and further erode the character of the area; and
- No evidence has been submitted that the proposed development could not be located in a settlement;
- All sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

## **RECOMMENDATION**

**REFUSE OUTLINE PLANNING PERMISSION**

## **PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that that a dwelling on this site, if permitted would fail to integrate into the countryside.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that it fails to meet the provisions for an infill dwelling and would, if permitted, result in the creation of ribbon development resulting in a suburban style build up when viewed with the existing buildings along the Radox Road.
5. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15 in that all sources of flood risk to and from the proposed development have not been identified and it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.



**Location Map**

Reference: LA03/2021/0867/O

Location: 35m South-West of 6 Randox Road, Crumlin

Proposal: Site for infill dwelling

 Site Boundary



<b>COMMITTEE ITEM</b>	<b>3.9</b>
<b>APPLICATION NO</b>	<b>LA03/2021/0387/F</b>
<b>DEA</b>	<b>BALLYNURE</b>
<b>COMMITTEE INTEREST</b>	<b>ADDENDUM TO COMMITTEE REPORT</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>

<b>PROPOSAL</b>	Change of use to car electrics workshop utilising farm buildings.
<b>SITE/LOCATION</b>	50 Ballylagan Road, Ballyclare BT39 9QR
<b>APPLICANT</b>	Noel McAlister
<b>AGENT</b>	JWA Design
<b>LAST SITE VISIT</b>	18 <sup>th</sup> June 2021
<b>CASE OFFICER</b>	Dani Sterling Tel: 028 903 40438 Email: <a href="mailto:dani.sterling@antrimandnewtownabbey.gov.uk">dani.sterling@antrimandnewtownabbey.gov.uk</a>

**Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal [www.planningni.gov.uk](http://www.planningni.gov.uk)**

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

This addendum relates to application LA03/2021/0387/F which was presented at the November 2021 Planning Committee as a refusal.

The following refusal reasons were recommended: -

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 Paragraph 6.73 of the SPPS and Policy CTY 11 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the proposed farm diversification business would not be run in conjunction with the agricultural operations on the farm.

The application was subsequently deferred at Planning Committee to allow an opportunity for the applicant/agent to submit further evidence and information with regards to the ownership and farming activities carried out at the farm holding. As outlined in the previous Committee Report it was established that the applicant's relative, Matthew McAlister, intends to run the proposed auto-electrics business at the farm holding and therefore the additional information has been provided by Matthew McAlister in this case and not the applicant.

Document No.01 date stamped the 6<sup>th</sup> December 2021 and Document No. 02 date stamped the 9<sup>th</sup> December 2021 along with a number of additional documents and maps confirming the addition of 'Matthew McAlister' as a named keeper under the Flock/Herd ID and the farm business ID.

Document No. 01 date stamped the 6<sup>th</sup> December 2021 provides a detailed breakdown of the farming activities currently carried out on the farm holding by Mr.



Matthew McAlister and future plans to upgrade the current facilities. The letter outlines that recent activities on the farm including the purchase of ewes and a ram in order to begin lambing next spring. In addition, bee colonies are kept on site and general maintenance on the farm including fence, gate and wall repairs has taken place. Document 01 further outlines that in order for sufficient improvements to be made to the farm that the proposed auto-electrics business is required to enable Matthew McAlister to be on site permanently to carry out farm duties, particularly during lambing season. In addition, the provided information outlines that the proposed auto-electric work shop is a benefit to the rural community due to Matthew McAlister specialising in the electric of agricultural machinery, which would reduce the need for agricultural machinery passing through urban areas. The document concludes that the future of the existing farm business is dependent on the approval of the auto electrics business at this location.

Document 02 date stamped 9th December 2021 further outlines the current circumstances of the farm holding and why the farm lands have been let out in conacre. It is noted that this intends to change over time with all lands relating to the farm holding as demonstrated on accompanying farm maps Drawing 04 date stamped 19<sup>th</sup> April 2021 to be subsequently farmed by Matthew McAlister. This document further reiterates the need for the auto-electrics business on site to enable the overall running of the farm at all times.

As stated within the headnote of Policy CTY 11 and paragraph 6.73 of the SPPS states that planning permission will be granted for a farm diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. In simple form, farm diversification largely intends to diversify income that was previously only generated from traditional agricultural practices. Therefore it is considered that in this instance the proposal represents a back to front approach with regards to CTY 11 of PPS21.

In this case the proposed auto-electrics business appears to be required in the first instance before the appropriate running of the farm holding can be carried out. It is not considered that CTY 11 is intended to be interpreted in this manner, whereby the primary income is first generated by the proposed diversification business and the secondary income is that generated by agricultural practices and the active farming of the land.

The majority of lands associated with the farm business are currently let out in conacre due to the personal circumstances of the applicant who is the owner of the farm holding. Although some lands have remained under the applicant and the general maintenance of such lands has been carried out, it does not deflect from the previous issue at hand, that the additional information submitted has not sufficiently demonstrated that the proposal does not represent an opportunity for a third party family member, not actively engaged in farming or connected to the agricultural workings of the land to form a new business in the countryside under the guise of a farm diversification proposal.

With the exception of a confirmation letter from DAERA that an amendment to the Herd/Flock Registration Details had occurred on the 29th November 2021 which included 'Matthew McAlister' as a named keeper, no other substantiated evidence has been provided that confirms the ownership of the farm holding is to be transferred over to the applicant's nephew and sufficient evidence has not been

provided to demonstrate that the applicant's nephew has engaged in actively farming the land.

It is considered that the previous refusal reasons have been sustained and a refusal is recommended.

### **CONCLUSION**

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

- Sufficient evidence has not been provided to demonstrate that the applicant's relative has been actively engaged in farming or connected to the agricultural workings of the land to justify the required need for a farm diversification proposal;
- The proposal is considered to be contrary to the purposes of CTY 11 as it represents a back to front approach in that the proposed auto-electrics business is required to subsequently enable the successful functioning of the farm business;
- It is considered the application remains unacceptable and the reasons for refusal are sustained from the November 2021 Planning Committee meeting.

### **RECOMMENDATION**

### **REFUSE PLANNING PERMISSION**

### **PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to Paragraph 6.73 of the SPPS and Policy CTY 11 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the proposed farm diversification business would not be run in conjunction with the agricultural operations on the farm.




**Site Location Plan**

Application Reference: LA03/2021 /0387/F

Change of use to car electrics workshop utilising farm buildings.

50 Ballylagan Road  
Ballyclare BT39 9QR



 Site boundary



**PART TWO**  
**OTHER PLANNING MATTERS**

### ITEM 3.10

#### P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during December 2021 under delegated powers together with information relating to planning appeals is enclosed for Members information.

One appeal was allowed by the Planning Appeals commission in December 2021. A copy of the decision is enclosed. The appeal was against conditions 2, 4 & 9 of planning approval LA03/2019/0361/F for residential development comprising 11 no 3 bedroom townhouses with associated car parking and landscaping (change of house types to that approved under application ref LA03/2015/0601/F) to include amended access detail, amended boundary detail/position and reduced site area at The Old Mill, 53 Mill Road, Crumlin.

**RECOMMENDATION: that the report be noted.**

Prepared by: Sharon Mossman, Deputy Director of Planning

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

### ITEM 3.11

#### P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT

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

<b>PAN Reference:</b>	LA03/2021/1051/PAN
<b>Proposal:</b>	Proposed 60no suite hotel extension with ground floor function room and rooftop spa, conservatory extension to existing hotel, circa 44no lodges and 44no apartments in 2no blocks, shepherd's huts/log cabins, associated countryside estate outdoor activities and associated car parking and landscaping. Also a green keeper's cottage and general manager's lodge
<b>Location:</b>	Hilton Hotel Paradise Walk Templepatrick BT39 0DD
<b>Applicant:</b>	Loughview Templepatrick Hotel Ltd
<b>Date Received:</b>	3 November 2021
<b>12 week expiry:</b>	26 January 2022

<b>PAN Reference:</b>	LA03/2021/1155/PAN
<b>Proposal:</b>	Proposed two storey extension to provide additional school accommodation, associated parking, landscaping and ancillary site works
<b>Location:</b>	Parkhall Integrated College Steeple Road Antrim BT41 1AF
<b>Applicant:</b>	Education Authority
<b>Date Received:</b>	3 December 2021
<b>12 week expiry:</b>	25 February 2022

<b>PAN Reference:</b>	LA03/2021/1156/PAN
<b>Proposal:</b>	Proposed erection of circa. 135 dwellings in a mix of detached, semi-detached, townhouse and apartment units with associated car parking, amenity space, open space, equipped children's play park, hard and soft landscaping, access arrangements and road infrastructure and associated site works
<b>Location:</b>	Lands encompassing Mayfield park between Mayfield Dale and Alderley Crescent and spanning Mayfield Link bound to the north by Mayfield High Street and Aylesbury Place to the east by 4-22 Mayfield Park (evens) and 34 and 37 Mayfield Road and to the south by 104 and 106 Hydepark Road Mallusk
<b>Applicant:</b>	South Bank Square Ltd
<b>Date Received:</b>	6 December 2021
<b>12 week expiry:</b>	28 February 2022

Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12-week period set down in statute, an

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

As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation to temporarily remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended and given the ongoing pandemic The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment No.2) Regulations (Northern Ireland) 2021 which came into effect on 1 October 2021, have temporarily amended The Planning (Development Management) Regulations (Northern Ireland) 2015 and therefore the temporary relaxation of pre-application community consultation requirements during Coronavirus emergency period now apply until 31 March 2022. As with the previous Regulations applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

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

**RECOMMENDATION: that the report be noted.**

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development & Planning

### ITEM 3.12

#### **P/PLAN/1 NISRA PLANNING STATISTICS 2021/2022 – SECOND QUARTERLY BULLETIN FOR THE PERIOD JULY TO SEPTEMBER 2021**

The second quarterly provisional planning statistics for 2021/22 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which is **enclosed**, were released on 16 December 2021.

The Quarterly Bulletin advises that both planning activity and processing performance in 2020/21 and the first half of 2021/22 were impacted by the restrictions put in place due to the coronavirus pandemic. It indicates that this should be borne in mind and caution taken when interpreting these figures and when making comparisons with other time periods and performance across Councils.

The figures show that during the period from July to September 2021, the total number of planning applications received in Northern Ireland was 3,344, a decrease of 16 % on the previous quarter but up over 2% on the same period a year earlier. The total number of decisions issued during this period was 3,257, down by nearly 6% over the quarter but up by over one third from the same period a year earlier.

During this first quarter period a total of 222 new applications were received by Antrim and Newtownabbey Borough Council. Over the year 6 Councils reported an increase in the number of applications received with the highest percentage increase in Antrim and Newtownabbey (22.7%). Over the year, 10 Councils reported an increase in the number of applications decided, with the highest percentage increase in Antrim and Newtownabbey (112.1%).

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council was within the 30-week target time in the first six months of 2021/22 for **Major** planning applications with an average of 22.2 weeks. This performance maintains last year's Major performance approval rate and ranks amongst the top three of the 11 Councils and also reflects well against the average processing time of 56.4 weeks across all Councils.

Over the year, ten of the 11 Councils reported an increase in the number of local applications decided, with the greatest increase in Antrim and Newtownabbey (111.4%). The DfI figures show that the Council took on average 13.2 weeks to process and decide **Local** planning applications during the first six months of 2021/22 against the statutory target of 15 weeks. This performance maintains the progress achieved in last year's local performance and ranks amongst the top three of the 11 Councils. It also reflects well against the average processing time of 16 weeks across all Councils.

In relation to enforcement, the DfI figures highlight that the Council's planning enforcement team took an average of 26.1 weeks during the first six months of 2021/22 to process 70% of enforcement cases against a target of 70% within 39 weeks. This compares favourably with the average processing time of 36.2 weeks across all Councils and in absolute terms there was a significant drop in the number of cases dealt with during the Quarter.



**RECOMMENDATION: that the report be noted.**

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development & Planning

### **ITEM 3.13**

#### **P/FP/LDP/1 LOCAL DEVELOPMENT PLAN, QUARTERLY UPDATE (Q3) OCTOBER TO DECEMBER 2021**

The Council's Local Development Plan (LDP) advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the third quarter (Q3) of the 2021-2022 business year (October to December 2021).

#### **Submission of the Draft Plan Strategy to the Planning Appeals Commission to Cause an Independent Examination**

Members are reminded that the previous quarterly update advised that whilst the Planning Appeals Commission (PAC) has not yet indicated any hearing dates for Independent Examination (IE), it is anticipated these will be confirmed in due course. To ensure the Council's preparedness for IE, Officers from the Forward Planning Team have commenced engagement with legal services and the consultants appointed during the plan preparation. Should confirmation of IE hearing sessions be received from the PAC, Members will be updated accordingly.

#### **Local Development Plan, Working Group Updates**

##### **(a) Belfast Metropolitan Area Spatial Working Group**

The most recent meeting of the Metropolitan Area Spatial Working Group took place virtually on 26 November 2021 hosted by Lisburn & Castlereagh City Council. The theme of the meeting was 'Planning and Climate Change' and items for discussion included an update from each council regarding individual DPS preparation, and policy approach to climate change and environmental resilience. Presentations were given to the group by representatives from Climate NI and the Department of Agriculture, Environment and Rural Affairs (DAERA) Climate Change Group, and the Council's Climate Change Officer regarding the Council's Climate Change Working Group.

A copy of the agreed previous minutes for the meeting which took place on 26 August 2021 are **enclosed** for information. The next meeting of the Working Group is due to take place in January, hosted by Ards and North Down Borough Council (date to be confirmed).

##### **(b) Coastal Forum Meeting**

The most recent meeting of the Department for Agriculture and Rural Affairs (DAERA)/ DfI Coastal Forum meeting took place virtually on the 2 December 2021, hosted by Ms. Fiona McCandless (DAERA) and Ms. Katrina Godfrey (DfI). Items for discussion included the groups Terms of Reference (TOR), agreed Work Programme, and approved Position Paper to inform Councils' consideration of coastal change when preparing LDPs – copies **enclosed** for information. A copy of this meeting's minutes is **enclosed** for information. The next meeting of the Working Group is due to take place in the New Year, hosted again by DAERA/DfI (date to be confirmed).

(c) The Department for Infrastructure (Transport), Strategic Transport Plans

A representative from DfI's Roads Transport Plans provided an update at the MASWG on 26 November 2021 regarding the latest plans coming forward. These include:

- (1) The Regional Strategic Transport Network Transport Plan (RSTNTP): The public consultation on the final draft RSTNTP is due to take place early in 2022;
- (2) The Belfast Metropolitan Transport Plan (BMTP): Consultants have now been appointed to prepare a draft BMTP. A project board meeting is due to take place early in 2022 to agree timescales and a programme of works.

(d) Neighbouring Councils

Members are reminded that both Mid and East Antrim Borough Council (MEABC) and Lisburn & Castlereagh City Council (LCCC) await a date from the PAC. Officers from the Council's Forward Planning Team will continue to engage with these Councils on strategic issues through the MASWG.

**RECOMMENDATION: that the report be noted.**

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

Agreed by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development & Planning

### ITEM 3.14

#### **P/PLAN/082 DFI LETTER – DEVELOPMENT MANAGEMENT PRACTICE NOTE UNAUTHORISED EIA DEVELOPMENT**

The Department for Infrastructure has written a letter (enclosed) to advise of a new practice note in relation to unauthorised Environmental Impact Assessment Development. The document is available to view at [www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn9a-unauthorisedeiadev-dec2021.pdf](http://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn9a-unauthorisedeiadev-dec2021.pdf).

The Practice Note is designed to guide planning authorities and their planning officers through the regulatory procedural requirements and legal principles relating to unauthorised Environmental Impact Assessment (EIA) development. The note deals primarily with both procedures and good practice. It forms part of a series of practice notes stemming from the Planning Act (Northern Ireland) 2011.

The report is for Members' information.

**RECOMMENDATION: that the report be noted.**

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development & Planning