



3 December 2020

Committee Chair: Alderman T Campbell

Committee Vice-Chair: Councillor S Flanagan

Committee Members: Aldermen – F Agnew, P Brett and J Smyth
Councillors – J Archibald, H Cushinan, R Kinnear,
R Lynch, M Magill, R Swann and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A remote meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Tuesday 8 December 2020 at 6.00pm.**

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

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

Yours sincerely

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

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

PLEASE NOTE: refreshments will not be available.

For any queries please contact Member Services:

Tel: 028 9034 0048 / 028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – DECEMBER 2020

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: LA03/2020/0573/O
Site for a new residential dwelling with stables & garage on lands approx. 150m NE of 55 Millbank Road, Templepatrick
- 3.2 Planning Application No: LA03/2020/0599/O
Site for infill dwelling on land 30m South of 21 Ballykennedy Road, Nutts Corner, Crumlin
- 3.3 Planning Application No: LA03/2020/0597/O
Site for 1 no detached dwelling with associated site works on lands approx. 60m South of 92 Seven Mile Straight, Antrim

PART TWO – General Planning Matters

- 3.4 Delegated planning decisions and appeals November 2020
 - 3.5 Update from DfI re: Long term Water Strategy
 - 3.6 Review of Planning Scheme of Delegation
-
4. Any Other Business

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 8 DECEMBER 2020**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2020/0573/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for a new residential dwelling with stables & garage
SITE/LOCATION	Lands approx. 150m NE of 55 Millbank Road, Templepatrick,
APPLICANT	Patrick Doherty
AGENT	Larissa Jennings
LAST SITE VISIT	28 th September 2019
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 150 metres northeast of 55 Millbank Road, Templepatrick and within the countryside as defined within the draft Newtownabbey Area Plan and both versions of draft BMAP.</p> <p>The application site is a road frontage site which extends along the road by 54 metres with a depth of 40 metres. The topography of the site is flat with the surrounding topography rising from the northeast to the southwest. The boundaries to the application site are defined by mature hedgerow to the northeastern and western boundaries, low level sporadic hedging defines the eastern (roadside) boundary, whilst the southwestern boundary is defined by ranch style fencing. An existing agricultural access is located to the northeastern corner of the application site.</p> <p>The site is located within a rural area with the land use being predominately agricultural, there are a number of detached properties located within the immediate vicinity.</p>	
RELEVANT PLANNING HISTORY	
No relevant history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging</p>	

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections

REPRESENTATION

No neighbouring properties were notified as no occupied properties abut the application site. No letters of representation were 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
- Other Matters

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan,

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

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

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the countryside outside of any settlement limit.

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 the guidance 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 that will contribute to the aims of sustainable development. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. There are a number of cases when planning permission will be granted for an individual dwelling house. A supporting statement, Document 01 dated 24th August 2020 contends that the proposed development complies with CTY 6 – Personal and Domestic Circumstances, CTY 7 - Dwellings for Non-Agricultural Business Enterprises and CTY 8 – Ribbon Development.

CTY 6 – Personal and Domestic Circumstances

Policy CTY 6 of PPS 21 states that planning permission will be granted for a dwelling in the countryside where there are compelling and site specific reasons which are

related to the applicant's personal or domestic circumstances, subject to two criteria. Firstly, whether there is satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission was refused; and secondly that there are no alternative solutions available such as an extension to an existing dwelling or the conversion of an existing building.

Document 01 dated 24th August 2020 advises that the applicant and his family are horse breeders, which breed thoroughbred mares and have kept horses on the application site since 1991. The supporting information goes on to detail that it is essential that the horses have round the clock care and that there is someone on site 24 hours a day. Currently the horses are stabled at Old Coach Stables in Templepatrick. Additional information received from the stables advises that the applicants horses are standard bred and were in training on and off season from March 2020 until present. However, as the season ends on 24th October 2020, the horses will have to vacate the premises. The supporting information goes on to advise that the application site and adjacent lands will provide enough space for the horses, stables and family. It will allow the applicant to develop and re-establish their business without the additional ground rent and fees. No additional details were received in relation to the existing business, the number of horses that are kept or any details such as horse passports.

In addition, document 01 advises that due to financial hardships as a result of the current pandemic (COVID 19) the applicant is no longer able to reside at their current location and therefore have been left with no option but to apply for permission to build on family land. The information advises that the proposal is required to provide accommodation for the family and immediate family circle and that if unsuccessful there is a reasonable likelihood that the family would have to resort to 'roadside' living. Although the circumstances of the applicant are acknowledged, it is considered that the reasons given and the financial restrictions outlined are insufficient to set aside the requirements of CTY 6.

Additionally, criterion b of CTY 6 requires that there are no alternative solutions to meet the particular circumstances of the case. The supporting statement indicates that no alternative solutions in the form of an extension or conversion can be carried out as there are no buildings currently on the site. The applicant also contends that in order for a mobile home to be suitable this would require two mobiles due to the size of the family. No evidence has been submitted as to other options that the applicant has pursued, such as alternative available sites and existing dwellings for sale in both an urban and rural context and why these are not viable options.

It is considered that it has not been demonstrated that there are no alternative solutions to meet the particular circumstances of this case, it is considered that a new dwelling is not a necessary response to the particular circumstances of the case and it has not been demonstrated that genuine hardship would be caused if planning permission were refused. The proposed development fails to meet the requirements of policy CTY 6 of PPS 21.

CTY 7 - Dwellings for Non-Agricultural Business Enterprises

Policy CTY 7 allows for a dwelling in connection with an established non-agricultural business enterprise where a site specific need can be clearly demonstrated that

makes it essential for one of the employees to live at the site of their work. If a need is accepted the dwelling will require to be beside or within the boundaries of the business, it will need to integrate and will be subject to occupancy conditions.

In this case the applicant has outlined that the business relates to breeding and training of thoroughbred horses with specific reference to 'racehorses'. Supporting information goes on to state that due to the current pandemic of COVID 19 and subsequent logistical restrictions and financial implications, the way in which the business was run has now changed. The applicant advises that in order for the business to grow they require the space to carry out certain functions relating to the housekeeping of professional horses. The supporting statement also outlines that the horses require 24hr care and stipulates the individual professionals required to carry out this care, from stables hands to the groom and the trainer to the vet.

No established business exists on or near the application site, the applicant has not provided any additional details in relation to the current location of the business with the exception as to where some of the horses are currently stabled. Whilst the range of professionals necessary to care for horses of this standard is not disputed the applicant fails to demonstrate the need for this to take place on site and why the horses cannot continue be cared for at commercial stables. It is therefore considered that no established non-agricultural business enterprise exists on or near the application site making it essential for the applicant to live at this location. The proposal therefore fails the requirements of CTY 7.

CTY 8 – Ribbon Development

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 application site is a road frontage site, however, no established and continuously built up frontage exists along this stretch of the Millbank Road. The application site is bounded on both sides by agricultural lands. The closest dwelling is located approximately 110 metres to the southwest. The proposal therefore cannot be considered as a viable gap site, therefore failing the requirements of CTY8.

In summary as the proposed development does not comply with the policy criteria set out in either Policy CTY6, CTY 7 or CTY8, it does not represent one of the types of housing development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby

settlement. No overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement. The proposal therefore fails Policies CTY 1, CTY 2a and CTY8 of PPS 21.

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

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

The application seeks outline permission, however, details of the layout and the house type proposed have been provided and these have not been identified as being for information only and therefore must form part of the proposal. There are concerns in relation to the layout and ancillary works of the proposal. The proposed curtilage irrespective of the proposed stables is considered excessive. The large garden area to the front of the dwelling appears as an unnatural and suburban feature in the countryside. It is considered that the impact of the ancillary works are considered inappropriate for the rural context of the site and the surrounding area.

The application site benefits from mature planting along the northeastern boundary which helps to aid integration and mitigate views when travelling along the Millbank Road from the northeast. However, on approach from the southwest, the topography of the land falls away and the lack of mature boundaries along the southern boundary (currently defined by ranch style fencing) is unable to provide a suitable degree of enclosure for the proposed dwelling, stables and ancillary works to integrate into the landscape. It is considered that for the reasons outlined above that the proposal fails to meet the requirements of the SPPS and Policy CTY 13 of PPS 21.

The proposed design of the dwelling is also considered to be unacceptable, there is a lack of external finishes detailed on the plans. The building is shown to have 2 No. dormer windows projecting through the roof, external chimneys and large window openings, all of which are contrary to the design character of the area. In a similar vein the external finishes to the outbuildings have not been detailed either. The design of the building is considered contrary to the design requirements of Policy CTY 13 of PPS 21.

Neighbour Amenity

It is considered that given the separation distances shown on the submitted plans 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.

Other Matters

The access arrangement is onto the Millbank Road at an existing agricultural access. Consultation was carried out with DfI Roads who raised no objections to the proposal subject to compliance with the RS1 form at reserved matters stage.

The application makes reference within Document 01 dated 24th August 2020 that the application site currently comprises of an unauthorised residential use consisting of hardstanding and fencing to facilitate 5 No traveller pitches. No evidence of this

was found during the case officer's site visit. Irrespective of this no planning history or approvals exist on the application site.

During the course of the application, the agent was asked if there was any other information that the Council should be made aware of in relation to the applicant, their personal circumstances or any other matter. All relevant matters made known to the Council have been set out in the report above.

CONCLUSION

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

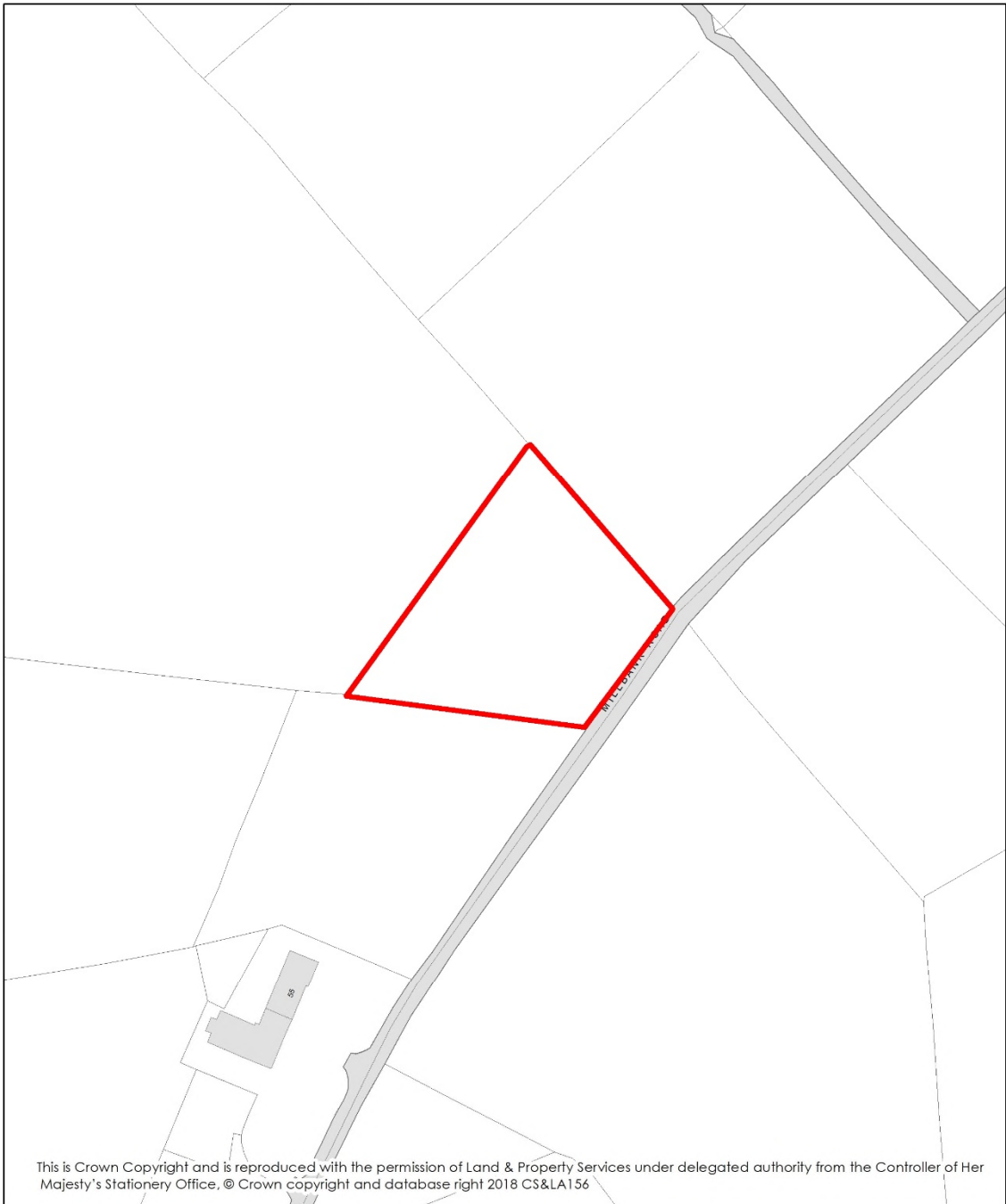
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1, CTY 6, CTY 7 and CTY 8 of PPS 21.
- The proposal is unable to provide a suitable degree of enclosure and will fail to satisfactorily integrate into the countryside, relying primarily on the use of new landscaping for integration.
- The impact of ancillary works is considered to be detrimental to the character of this rural area.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

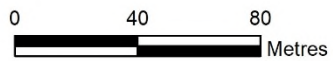
1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1, CTY 6, CTY 7 and CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for a new dwelling in accordance with Policies CTY6, CTY 7 and CTY 8 of PPS 21.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, in that:
 - the site lacks long established natural boundaries and relies on the use of new landscaping for integration;
 - the ancillary works proposed do not integrate with their surroundings and;
 - the proposed design of the dwelling is unacceptable.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 and of Planning Policy Statement 21, in that the proposal represents a suburban style layout with an extensive curtilage which would have a detrimental impact on the rural character of the area.



Location Map

Application Reference: LA03/2020/0573/O

Lands approx. 150m NE of 55 Millbank Road
Templepatrick



Site for a new residential dwelling with stables & garage

 Site Boundary

For Information Only



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2020/0599/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for infill dwelling
SITE/LOCATION	30m South of 21 Ballykennedy Road, Nutts Corner, Crumlin
APPLICANT	Finlay McBride
AGENT	Park Design Associates
LAST SITE VISIT	9 th November 2020
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 30 metres south of 21 Ballykennedy Road, Nutt's Corner and within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP)</p> <p>The application site is a road frontage site, extending along the frontage by approximately 40 metres with a depth of 60 metres at it widest point. The topography of the site is flat, the land use of the western section of the site is agricultural with 3 outbuildings located to the southeastern corner of the site. Access is achieved via an existing access serving 21 Ballykennedy Road. Boundaries to the site are defined by mature trees and hedging along the southern boundary, the northern boundary is defined by the access, the eastern boundary comprises a mix of mature trees and the existing outbuildings whilst the western boundary is defined by ranch style fencing.</p> <p>The site is located within a rural area with the land use being predominately agricultural. There are a number of detached residential properties located within the immediate vicinity.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1981/0085/O Location: Ballykennedy Road, Nutt's Corner Proposal: Site for farm retirement bungalow Decision: Permission Granted (22.05.1981)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections

Belfast International Airport – No objections

Historic Environment Division - No objections

REPRESENTATION

Two (2) neighbouring properties were notified; 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
- Other Matters

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

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

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

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

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

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

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

The first element of policy CTY 8 requires that a substantial and continuously built up frontage exists. The buildings that the agent contends make up the substantial and continuously built up frontage are indicated on Drawing No 01 dated 2nd September 2020. These include a building to the northern section of the site, an adjacent building known as 21 Ballykennedy Road and three other buildings located to the southwestern section of the site. The said buildings are accessed off the Ballykennedy Road by an existing driveway, although CTY 8 advises that a road frontage includes a footpath or private lane, in this case the access is not a laneway but merely an access driveway. The building to the northeast of No. 21 Ballykennedy Road has no defined curtilage and appears to form part of the curtilage of No 21. The remainder of the buildings, that being No. 21 and the buildings to the southeast of the application site do not have a frontage onto the Ballykennedy Road, rather they have an access onto it. A parcel of agricultural lands separates these buildings from the road. Furthermore No. 21 Ballykennedy Road is a mobile home that does not benefit from either planning permission or a CLUD and therefore cannot be included as part of the assessment.

Notwithstanding, that there is no substantial or built up frontage, the second element of policy CTY 8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Drawing No 01 annotates the footprint of the proposed dwelling between No. 21 Ballykennedy Road and the cluster of buildings to the southwestern corner of the site. Although not defined the proposed a plot has a frontage of approximately 25 metres, whilst the cluster of outbuildings has plot width of 17 metres, the unauthorised dwelling has a plot with of approximately 15 metres, whilst the building to the north although not having a defined curtilage has a width of 7 metres. The justification and amplification text at paragraph 5.34 is clear that the gap site is between houses or other buildings, as such for the purposes of policy the gap between the buildings at No. 21 and the cluster of buildings constitutes the gap site. The overall gap that exists between the said buildings measures 33 metres which could accommodate a maximum of two dwellings.

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 outlined above there is no continuous and built up frontage at this location. Notwithstanding that No. 21 Ballykennedy Road is a mobile home without the benefit of planning permission, the buildings indicated by the applicant are separated from the Ballykennedy Road by a parcel of agricultural lands. In addition, they are not individual plots with their own defined curtilages but rather appear as one cluster of buildings. As the application fails to fulfil to the policy requirements of CTY 8 in that there is no substantial and built up frontage and the proposal does not respect the existing pattern of development along this stretch of the Ballykennedy Road, there is no infill development opportunity in accordance with Policy CTY 8.

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

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and Policies CTY 13 and 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, however, an indicative layout has been provided, Drawing No. 01 indicates the footprint and layout of the proposed dwelling and the access arrangement.

Critical views of the site are limited to static views along the direct frontage of the application site. Views when travelling along the Ballykennedy Road in both directions are limited due to the existing buildings and mature trees and hedgerow along both the northern and southwestern boundaries. It is considered that a suitably designed dwelling with a low ridge height and siting condition would integrate into the landscape without eroding the rural character of the area.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, the block plan, Drawing No. 01 has been provided. 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.

Other Matters

The access arrangement utilises an existing access onto Ballykennedy Road. Consultation was carried out with DfI Roads who raised no objections to the proposal subject to compliance with the RS1 form at reserved matters stage should planning permission be forthcoming.

CONCLUSION

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

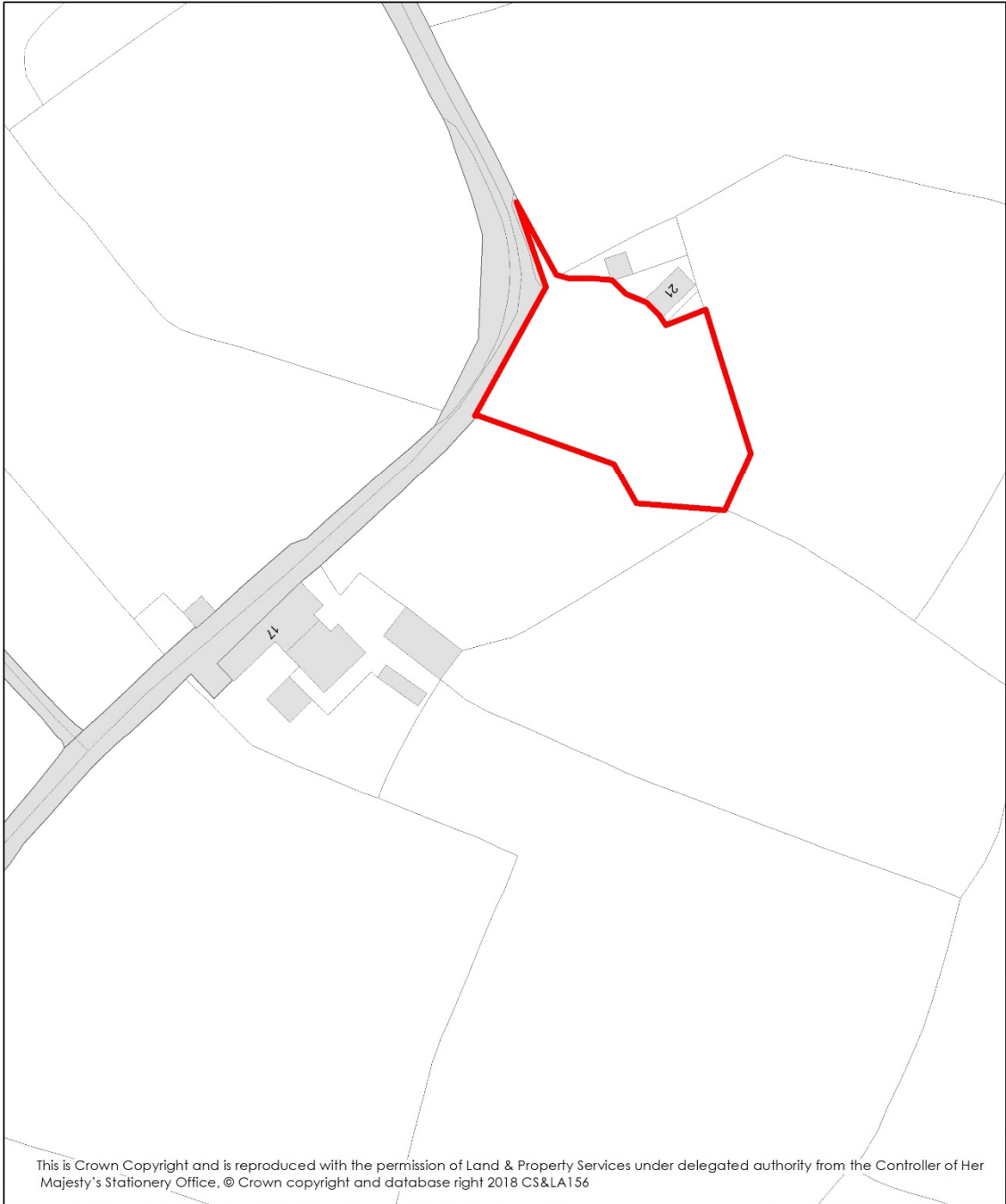
- The principle of the development cannot be established as the proposed dwelling is not located within a substantial and continuously built up frontage.
- A suitably designed dwelling with a low ridge height would satisfactorily integrate into this rural area.
- There are no issues with the proposed access arrangement and road safety.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21, in that it fails to meet with the provisions for an infill dwelling as the application site is not located within an otherwise substantial and continuously built up frontage.



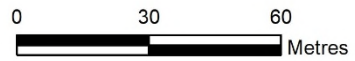
Location Map

Application Reference: LA03/2020/0599/O

30m South of 21 Ballykenedy Road
 Nutts Corner, Crumlin

Site for infill dwelling

 Site Boundary



For Information Only



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2020/0597/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for 1 no detached dwelling with associated site works
SITE/LOCATION	Lands approx. 60m South of 92 Seven Mile Straight, Antrim
APPLICANT	Brian Higgins
AGENT	NI Planning Permission
LAST SITE VISIT	9 th November 2020
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the countryside outside of any development limit as defined within the Antrim Area Plan (AAP).</p> <p>The application site is a triangular shaped road frontage site, measuring 90 metres along the road frontage with a depth of 38 metres at its widest point. The site is located approximately 80 metres to the southeast of No 89 Seven Mile Straight. The land use is currently agricultural with the topography of the site sitting at a lower level than the road. The northeastern boundary runs parallel to the roadside and is defined by ranch style fencing and sporadic hedgerow, the western boundary is defined by mature trees whilst the southern boundary is defined by a mix of mature trees and hedgerow. A small steel storage unit is located on the site with an existing agricultural access to the northern section of the site.</p> <p>The application site is located within the rural area with the land use being predominately agricultural, a number of dwellings are located within the immediate vicinity.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2010/0550/O Appeal Reference: 2011/A0134 Location: Lands approx. 60 Metres South of 92 Seven Mile Straight, Antrim, Proposal: Single storey detached dwelling and associated site works Decision: Permission Refused (12.05.2011) Appeal Dismissed (11.04.2012)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p>	

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

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- Additional information requested

Department for Communities Historic Environment Division – No objections

Belfast International Airport – No objections

Crown Bodies – No objections

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development which are acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. A supporting statement was submitted with the application Document 01 dated 13th November 2020, in which the applicant contends that the application site is acceptable in accordance with Policy CTY 2a – New Dwellings in Existing Clusters.

In respect of a dwelling within an existing cluster, paragraph 6.73 of the SPPS and CTY2a of PPS 21 refers to 'new dwellings in existing clusters' and states that provision should be made for a dwelling at an existing cluster of development which lies outside of a farm provided it appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the

existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside. Policy CTY2a goes further and requires in addition to the above criteria that the cluster of development consists of four or more buildings (excluding ancillary buildings) of which at least three are dwellings and the application site provides a suitable degree of enclosure and is bounded on at least two sides with the development in the cluster.

In this case the applicant has not indicated which buildings or land they consider to constitute a cluster of development. The nearest properties to the application site are No 87 and 89 which are located to the northwest and Nos 94 and 92 which are located to the north and east on the opposite side of the road. The properties to the west are separated from the application site by approximately 60 metres by an agricultural field. The access arrangement for No 94 on the opposite side of the road is directly opposite the application site, however, this dwelling is set back from the Seven Mile Straight by some 100 metres. It is accepted that the proposed dwelling lies outside of a farm, however, given the separation distance and the visual relationship there is no established cluster, in addition, the application site is not bounded on two sides with other development in the cluster.

The second element of CTY 2a, requires that the cluster appears as a visual entity in the local landscape. In the sites vicinity there are no buildings in sufficiently close proximity to form an 'existing cluster' of development. When travelling along the Seven Mile Straight in both directions the aforementioned properties are not read together and appear as separate and distinctive plots. The visual relationship of the surrounding buildings appears as a dispersed settlement pattern and not as a visual entity in the local landscape, the proposal therefore fails this element of CTY 2A.

Furthermore, as outlined above the policy requires that the cluster is associated with a focal point such as a community building or is located at a crossroads. In this instance the applicant contends that the focal points are a public house and Primary School, which acts as a community building for the local area. The closest Primary School is in Loanends, approximately 3 miles to the southeast, the Old Ballyrobin Road and Seven Mile Straight Crossroads is located approximately 600 metres to the southeast, a public house was previously located at this location. Neither of these focal points would be considered to be associated with the site given the spatial separation distances which exist. It is also evident that no other focal point exists within the immediate vicinity that the application site can be associated with.

As the proposed development does not comply with the policy criteria set out in Policy CTY2a, it does not represent one of the types of housing development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement. The proposal therefore fails Policies CTY 1 and CTY 2a of PPS 21.

Impact on Character and Appearance of the Area

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and policies CTY 13 and 14 of PPS 21. As the application seeks outline permission, no details have been provided regarding the proposed

design or layout of the dwelling, however, an indicative layout has been provided. Drawing No. 02 indicates the footprint and layout of the proposed dwelling and the access arrangement.

Critical views of the site are experienced when travelling along the Seven Mile Straight in both directions. When viewed from these perspectives any development on this road frontage site would link with other individual dwellings when travelling in transit, namely, Nos. 87, 89, 92 and 94. The resulting static and transient views would lead to a perception of unacceptable suburban style build up at this part of the road. It is accepted that due to the topography of the land, the application site sits at a lower level than the road, however this in itself would not overcome concerns in relation to the cumulative impact with surrounding development leading to a suburban style of build up along this stretch of the Seven Mile Straight.

Neighbour Amenity

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

Access, Movement and Parking

The proposed access arrangement is onto the Seven Mile Straight. Consultation was carried out with DfI Roads who requested additional information to show extended sightline provision. This information was not requested from the application as the principle of development has not been established and therefore to negate the need of unnecessary expense to the applicant.

CONCLUSION

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

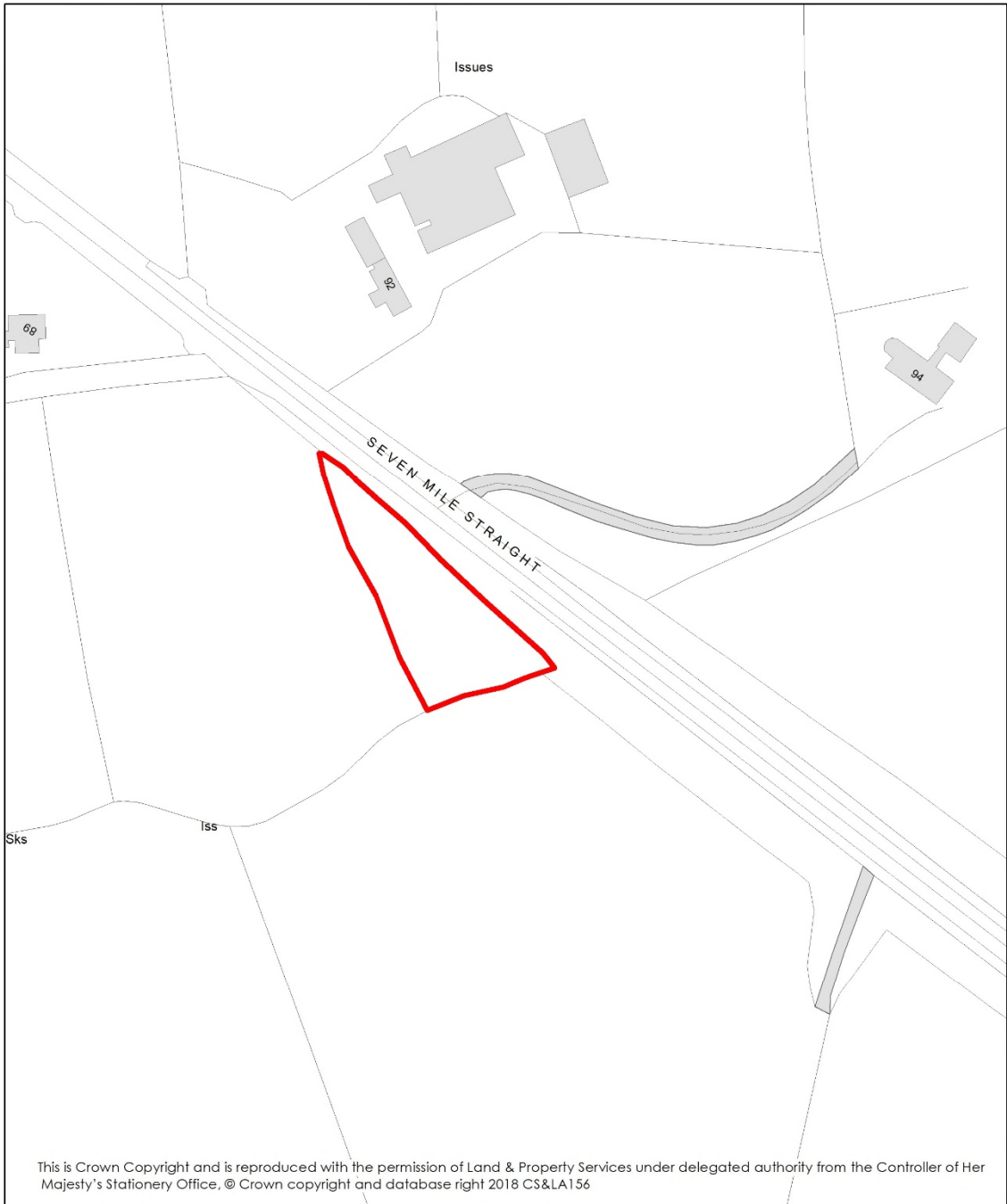
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policy CTY2a CTY 8 of PPS21.
- The proposal when viewed with existing development would result in a suburban style of build-up.
- It has not been demonstrated that an acceptable access arrangement can be achieved.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 1 and CTY2a of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for a new dwelling in an existing cluster in accordance with CTY2a of PPS 21.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 and of Planning Policy Statement 21, in that the proposal would result in a suburban style of build-up of development when viewed with existing buildings.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AMP 2 of Planning Policy Statement 3, Access, Movement and Parking, in that it has not been demonstrated that the required visibility splays can be achieved and that the proposal will not prejudice road safety.



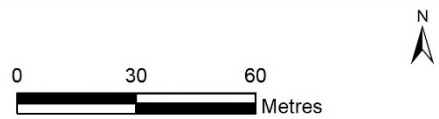
Location Map

Application Reference: LA03/2020/0597/O

Lands approx. 60m South of 92 Seven Mile Straight

Site for 1 no detached dwelling with associated site works

 Site Boundary



For Information Only



PART TWO

GENERAL PLANNING MATTERS

ITEM 3.4

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during November 2020 under delegated powers together with information relating to planning appeals is enclosed for Members information.

Members may wish to note that the following application deferred at the September Planning Committee meeting was issued by Officers during November.

APPLICATION NO	LA03/2019/0361/F
DEA	AIRPORT
PROPOSAL	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)
SITE/LOCATION	The Old Mill, 53 Mill Road, Crumlin
APPLICANT	Firestone Construction Ltd

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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

ITEM 3.5

P/PLAN/1 - SUSTAINABLE WATER – A LONG-TERM WATER STRATEGY FOR NORTHERN IRELAND (2015-2040) – FOURTH ANNUAL STRATEGY PROGRESS REPORT 2019-20

The Department for Infrastructure's Water and Drainage Policy Division has written to the Council (copy enclosed) to advise that the fourth Annual Strategy Progress Report on "Sustainable Water – a Long Term Strategy for Northern Ireland" has been published.

The Report (copy enclosed) highlights the programmes and plans that have been put in place to date to tackle and improve the areas of drinking water, flood risk, environmental requirements and water and sewerage services.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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

ITEM 3.6

P/PLAN/23 REVIEW OF PLANNING SCHEME OF DELEGATION

Members were advised at the September Committee meeting that the Council is required, under Planning Legislation, to review its Planning Scheme of Delegation (SOD) every three years. A meeting with Members subsequently took place on 19 October prior to that month's Committee meeting to inform this review.

As a consequence, the Planning Section, in conjunction with the Legal Services team, has now compiled the proposed changes to the current Scheme of Delegation which for ease of reference are highlighted in the **enclosed** document.

Whilst most of the changes proposed are relatively minor in nature Members attention is drawn to the following amendments, the majority of which were discussed at the meeting with Members:

- amending the requirement for planning applications made by employees of the Council to come before Committee which will now be limited to Senior Officers, Planning Section staff and their immediate families;
- clarifying that planning applications made by the immediate family of an elected Member will need to come before the Committee;
- confirming that any planning application that requires a legal agreement under Section 76 of Planning Act (Northern Ireland) 2011 needs to come before the Committee;
- delegating the service of various enforcement notices on an existing offender in relation to any further breach(es) of control in relation to the same site, or adjoining lands within the same ownership, in cases where formal action has already been taken by the Council;
- clarifying that the instigation of court action against the non-compliance with any formal Notices or action taken by the Council is a delegated matter;
- clarifying that the following matters are delegated to nominated Officers
 - The discharge of planning conditions;
 - The power to formulate the precise wording of decision notices following decisions made by the Planning Committee;
 - The power to provide draft conditions or reasons of refusal (as appropriate) to the Planning Appeals Commission on Non-Determination Appeals subject to the agreement of the Chair and Vice-Chair of the Planning Committee;

Please note that any revisions to the SOD agreed by the Council must, under Planning Legislation, be sent to the Department for Infrastructure for its agreement before the amended Scheme can take effect.

RECOMMENDATION: that the amendments to the Council's Planning Scheme of Delegation are approved and sent to the Department for Infrastructure for its agreement.

Prepared by: John Linden, Head of Planning

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