

COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2025/0850/O
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Offsite replacement dwelling and garage (replacement of 17A Cloghogue Road, Toomebridge, Antrim, BT41 3PW)
SITE/LOCATION	35m south of 15 Cloghogue Road, Toomebridge, Antrim, BT41 3PW
APPLICANT	Mark Carey
AGENT	N/A
LAST SITE VISIT	3rd December 2025
CASE OFFICER	Alice Gallagher Tel: 028 903 40424 Email: alice.gallagher@antrimandnewtownabbey.gov.uk
<p>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/703470</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>At the April Planning Committee Meeting on 20th April 2026 Members agreed to defer the application until the May Planning Committee Meeting due to the applicants' personal circumstances to allow them to represent their application.</p> <p>The applicant was advised via email on 21st April 2026 that Members had agreed to defer the application for one month and that any additional information in support of the application should be submitted by 1st May 2026. The applicant submitted a further Rebuttal Statement (Document 05 date stamped 5th May 2026) on 5th May 2026, which provided comment relating to seven (7) of the refusal reasons.</p> <p>Refusal Reason 1 states that the proposal does not comply with criterion (a) of DM 18.7 of the ANPS in that the proposal is not sited within the established curtilage of the existing dwelling to be replaced and the offsite replacement does not provide any demonstrable landscape, heritage, access or amenity benefits.</p> <p>Refusal Reason 2 states that the proposal does not comply with criterion (b) of policy DM 18.7 of the ANPS in that the proposed dwelling would have a significantly greater visual than the existing building to be replaced.</p> <p>In relation to Refusal Reasons Nos. 1 and 2, the applicant has stated it was previously accepted under planning application Ref: T/2010/0164/F for a replacement dwelling at 17a Cloghogue Road that the existing curtilage was too restricted and meets the criteria for an offsite replacement as it has no room for expansion, very limited private amenity and no private access. The applicant is of the view that nothing has changed since the submission of the said application, therefore giving justification for the offsite location.</p>	

The former application was determined by a previous planning authority and the Planning Section considers that the proposal remains contrary to Criterion (a) of Policy DM 18.7 of the ANPS in that sufficient space does exist within the larger site curtilage to facilitate a replacement dwelling and the offsite replacement does not provide any demonstrable landscape, heritage, access or amenity benefits as required by criterion (a) of DM 18.7 of the ANPS. Additionally, it is considered that the proposal does not comply with criterion (b) of DM 18.7 of the ANPS as the proposed dwelling would have a significantly greater visual impact than the existing building to be replaced.

Refusal Reason 3 states that the proposal is contrary to Policy DM 18.12 of the ANPS as the subject building to be replaced has already been replaced.

In respect of Refusal Reason 3 the agent has stated that the dwelling has been rated by LPS as a dwelling for at least 10yrs and an application for a Certificate of Lawful Existing Use (CLEUD) under planning application Ref: LA03/2023/0333/CLEUD for the non-compliance with Condition 2 of planning application Ref: T/2010/0164/F for a replacement dwelling was certified in November 2023.

Condition 2 of planning application Ref: T/2010/0164/F states:

'The dwelling hereby permitted shall not be occupied until the existing building coloured green on the approved plan 02 date stamped 9 April 2010 is demolished, all rubble and foundations removed, and the site restored in accordance with the details on the approved plans.'

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

The dwelling referred to in Condition 2 is the subject dwelling. Although the CLEUD confirms non-compliance with Condition 2, it remains that the subject dwelling has already been replaced by the dwelling granted planning approval under planning application Ref: T/2010/0164/F. The proposal therefore does not comply with DM 18.12 of the ANPS, which categorically states:

'In those cases where the existing building is to be retained, it will not be eligible for replacement again. This includes situations where the building is immune from enforcement action because of non-compliance with a condition to demolish.'

Refusal Reason 4 states that the proposal does not comply with criterion (b) of Policy DM 18.7 of the ANPS as the proposed dwelling would rely on new landscaping for enclosure and integration.

In relation to Refusal Reason No. 4, the applicant advised that it was previously stated within the consideration of planning application Ref: LA03/2024/0481/O, "it is considered that a suitably designed dwelling with appropriate landscaping could integrate successfully on the application site." The applicant has stated that the site has mature boundaries on at least three (3) sides, that nothing has changed and that a suitably designed dwelling would still integrate.

The earlier application for a dwelling and garage on the application site was refused planning permission under planning application Ref: LA03/2024/0481/O in September

2024 and the Planning Appeals Commission (PAC) under appeal Ref: 2024/A0109 endorsed the Council's position that a dwelling on the application site would result in a detrimental change to the rural character of the area as it would result in a suburban style build-up when read with existing buildings. Additionally, the Planning Section considers that the proposal remains contrary to criterion (b) of DM 18.7 of the ANPS in that the proposal relies on new landscaping for enclosure and integration.

It is noted that the applicant has not provided any rebuttal comments in relation to Refusal Reason 5 or submitted additional information to demonstrate that the proposal would not extend the existing ribbon of development along the Cloghogue Road.

Refusal Reason 6 states that the proposal is contrary to Policies SP 8, DM 38 and SM 39 of the ANPS as insufficient information has been provided to demonstrate that the proposed dwelling would not negatively impact upon designated sites, priority habitats, protected species and other features of biodiversity interest.

In relation to Refusal Reason No. 6, the applicant has stated that no additional information was requested from the Council with regards to ecology and biodiversity matters but suggested a condition could satisfy this refusal reason.

It is noted that the applicant did not suggest any wording for such a condition, nor have they submitted any further information in relation to ecology. In the absence of further ecological information, and in light of concerns raised by DAERA Natural Environment Division (NED) in its consultation response dated 3rd December 2026 in relation to the accuracy of the submitted information, the Planning Section considers that a precautionary refusal reason is appropriate in relation to Policies SP 8, DM 38 and DM 39 of the ANPS.

Refusal Reason 7 states the proposal does not comply with criterion (d) of DM 18.7 of the ANPS as the proposed dwelling cannot be absorbed into an existing cluster through rounding off and consolidation and will significantly alter its existing character and visually intrude into the landscape.

In relation to Refusal Reason No. 7, the applicant has stated that the application is for a replacement dwelling and not a dwelling rounding off a cluster, and therefore this refusal reason should be removed.

As stated above, an application for a dwelling within an existing cluster on the application site was refused under planning application Ref: LA03/2024/0481/O (and planning appeal Ref: 2024/A0109). Policy DM 18D of the ANPS did not form part of the deliberations within the Planning Committee Report concerning the proposed replacement dwelling and it is accepted that Refusal Reason No. 7 was attached in error. As such Refusal Reason 7 has now been removed.

Refusal Reason 8 states that the proposed does not comply with criterion (b) of DM 18.7 of the ANPS as the proposed access arrangements would prejudice road safety and significantly inconvenience the free flow of traffic, people or goods.

In relation to Refusal Reason No. 8, the applicant has noted that DfI Roads has returned a consultation response stating it has no objection to the proposal. As per

the previous Addendum Report presented at the Planning Committee Meeting in April, this refusal reason has now been removed.

Finally, in the Rebuttal Statement (Document 05 date stamped 5th May 2026) the applicant has suggested they would welcome any siting or other conditions as the council sees necessary that satisfy the proposal. However, planning conditions are only applied when it would allow a development to be approved, when it would otherwise be refused. In this instance, as the subject dwelling has already been replaced, and because the principle of development cannot be established it is not considered appropriate to include a siting or any other planning condition.

CONCLUSION

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

- The principle of a replacement dwelling is not acceptable;
- The proposal relies on new landscaping for enclosure and integration;
- The proposal would result in a detrimental change of rural character through the extension of the existing ribbon of development;
- It is considered that the proposed dwelling would not compromise the amenity of neighbouring occupiers;
- The natural heritage impacts of the proposal have not been demonstrated;
- It is the applicant's responsibility to assess the flood risk at the application site and carry out appropriate mitigation if necessary; and
- It is considered that any impact on the neighbouring listed building could be mitigated by an appropriately sited and designed dwelling.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement paragraph 6.73 and fails to meet the provisions of Policy DM 18.7 of the Antrim and Newtownabbey Plan Strategy in that the proposal does not comply with Criterion (a) in that the proposal is not sited within the established curtilage of the existing dwelling to be replaced and the offsite replacement does not provide any demonstrable landscape, heritage, access or amenity benefits.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement 6.73 and fails to meet the provisions of Policy DM 18.7 of the Antrim and Newtownabbey Plan Strategy in that the proposal does not comply with criterion (b) as the proposed dwelling would have a significantly greater visual impact than the existing building to be replaced.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement paragraph 6.73 and fails to meet the provisions of Policy DM 18.12 of the Antrim and Newtownabbey Plan Strategy in that the proposal seeks the replacement of a building which has already been replaced.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement 6.73 and fails to meet the provisions of Policy DM 18.7 of the Antrim and Newtownabbey Plan Strategy in that the proposal does not comply with criterion (b) in that the proposal relies on new landscaping for enclosure and integration.

5. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement 6.73 and fails to meet the provisions of Policy DM 27.3 of the Antrim and Newtownabbey plan Strategy in that the proposal would result in a detrimental change of rural character through the extension of the existing ribbon of development along the Cloghogue Road.
6. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies SP 8, DM 38 and DM 39 of the Antrim and Newtownabbey Plan Strategy, in that insufficient information has been provided to demonstrate that the proposal would not negatively impact upon designated sites, priority habitats, protected species and other features of biodiversity interest.

COMMITTEE ITEM	3.2 - ADDENDUM
APPLICATION NO	LA03/2025/0403/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE FULL PLANNING PERMISSION
PROPOSAL	Demolition of part of fire damaged existing bar, restaurant, outbuildings and storage shed, and erection of 2no. buildings for scaffolding storage and training, 1no. office and welfare building and 1 no. security building.
SITE/LOCATION	401-403 Ballyclare Road, Newtownabbey, BT36 4TH
APPLICANT	Advanced NI Scaffolding Ltd
AGENT	HRJess Ltd
LAST SITE VISIT	4 th July 2025
CASE OFFICER	Harry Russell Tel: 028 903 40408 Email: harry.russell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal: https://planningregister.planningsystemni.gov.uk/application/700611</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Members, following the publication of the Planning Committee report, the applicant has submitted amended plans dated 15th May 2026. This has included an amended site layout plan (Drawing 04/5), amended landscape proposals (Drawing 11/4), and amended elevation drawing for Shed B (Drawing 09/2). The applicant has also submitted additional supporting information in the form of an Updated Supporting Planning Statement (Document 11), two Supporting Letters (Documents 12 and 14), and a Training Manual from the construction industry scaffolders record scheme (Document 13).</p> <p>The amended proposal has reduced the site area by approximately 900sqm. It also proposes further native species landscaping along the roadside boundary with the Ballyclare Road and reduces the ridge height of Shed B by 1m from 9.7m to 8.7m. The site area of the former bar/restaurant combined with site area approved under a previous approval for a storage building associated with the bar, Ref: LA03/2022/0843/F which served either hardstanding or buildings was approximately 3950sqm. The proposal increases the amount of site area serving either hardstanding or buildings to approximately 5800sqm (which amounts to an increase of approximately 47%). The area to be developed is also extended closer to the Ballyclare Road.</p> <p>DM 2.6 of the ANPS indicates the Council will support proposals for the redevelopment of an established rural enterprise or its for industrial or business use within the confines of the existing site subject to normal planning and environmental considerations. The redevelopment of the site in this instance, extends beyond the</p>	

confines of the existing site. The agent contends that within DM 2.6 of the ANPS the word site should be used to refer to the area within the red line of the application. However, it is considered the "confines of the existing site" referred to in DM 2.6 refers to the area where the established/previous business operated. The red line of the application site on the previous application (Ref: LA03/2022/0843/F) was larger, however, it included a curtilage restriction and the requirement for the proposal to be within the existing curtilage was not a planning policy requirement under the extant PPS 21 policy relating to an ancillary storage shed for an existing business. Therefore, the proposal is considered to be an extension to this site area. Notwithstanding this, the criteria to be met within DM 2.7 is engaged when the site area is to be increased or when the proposal involves new buildings. In this case the proposal includes new buildings and therefore the criteria within DM 2.7 of the ANPS is required to be met.

In respect of criterion (a) of DM 2.7, information has not been submitted which would indicate why a more suitable site was not feasible for operational or employment reasons. The application site is situated further away from the current workforce than where the companies website indicates the location of the business is (Valley Business Centre) and the site requires expansion to facilitate the proposed operations.

Two supporting letters, date stamped 15th May 2026 were submitted by the agent and are from Workforce Training Services and National Access & Scaffolding Confederation Limited. Both letters strongly support the applicant, Advanced Scaffolding NI, as a key partner in training, employment development, and industry growth. However, whilst these points are noted, the matters raised do not address concerns regarding the expansion of the site area, lack of integration, and impact on rural character. Pages 12-17 of the Training Manual submitted by the applicant (Document 13) sets out the Training Centre Requirements including site storage, security and training centre specifications. Likewise, to the supporting letters, this document does not adequately address policy criteria as to why such a facility could not be relocated to an alternative site where site expansion or new buildings are not required.

SP 1. 11 indicates that in the countryside, development proposals will be supported in principle where they accord with the relevant policies and/or designations of the LDP and are of a scale and nature appropriate to the location. Other development will only be permitted where there are overriding reasons why it is essential and could not be located within a settlement. In this case it is considered there are no overriding reasons why the development is essential and could not be located within a settlement.

As indicated above, replacement hedgerow is now proposed along the southwestern (roadside) boundary. The site in its current state is open to views along the Ballyclare Road for a stretch of approximately 200m. Whilst landscaping is proposed along this boundary, it will take a number of years for this vegetation to mature and provide adequate screening. Criterion (d) of DM 27.2 explicitly indicates that development in the countryside should not rely on the use of substantial new

landscaping for integration. No planting has also been proposed on the southeastern boundary of the application site.

Regarding the buildings themselves, Shed A has an unchanged ridge height of 6.8m and has a footprint of approximately 370sqm, whilst Shed B has a reduced ridge height of 8.7m, and has a footprint of approximately 480sqm. The agent has referred to the shed previously approved on the site, Ref: LA03/2022/0843/F and that this was of similar design and appearance to the proposed sheds. The shed as previously approved had a more modest size with a footprint of 200sqm and had a ridge height of 7.3m, lower than that of Shed B. Additionally, when this shed was approved, the mature roadside hedgerow (which has since been removed) substantially screened this building from the Ballyclare Road and there was a second belt of proposed new secondary planting in front of the shed.

In this instance, the site is open to extensive views and comprises a larger quantum of development and includes external storage of scaffolding and is industrial in appearance. Furthermore, the proposed 3m high rigid mesh fence which runs for 180m of the roadside boundary is proposed in front of (southwestern side) of the proposed hedging. Such an expanse of boundary fencing is generally not appropriate within a rural location and in this context, it has a detrimental visual impact upon the rural character of the area. Accordingly, the proposal remains out of character with respect to its rural context.

The agent has referred to the fire damaged restaurant and public house buildings within the site and how these form the context of the site. It is worth highlighting that the subject application only encompasses the single storey building of the former complex. The older two storey portion of the public house is the subject of a separate planning application currently under consideration, Ref: LA03/2025/0384/F for the part demolition, conversion and alteration of the existing building to form 2no. dwellings.

Accordingly, despite the additional information submitted by the applicant, the concerns with the application remain and the proposed refusal reasons remain, albeit additional clarification has been added to refusal reason 2 to address DM 2.7.

CONCLUSION

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

- The principle of development has not been established as the proposal is contrary to DM 2.6 and DM 2.7 of the ANPS;
- It is considered that the proposal given its size and design, would be a prominent feature at this location and would be out of character with the area and would fail to integrate into the surrounding landscape;
- The proposal is not considered to result in adverse impacts on neighbouring properties;
- The proposal is not considered to prejudice road safety; and

- Ecological concerns can be adequately mitigated.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to Paragraph 6.87 of the Strategic Planning Policy Statement Edition 2 and Policies SP 1.11 and DM 2 'Economic Development – Countryside' of the Antrim and Newtownabbey Plan Strategy in that there is no overriding reason why the proposal is essential within this rural location and cannot be located within a settlement.

2. The proposal is contrary to paragraph 6.88 of the Strategic Planning Policy Statement Edition 2; Strategic Policy SP 2.4 and Policy DM 2.6 and criterion (a) of Policy DM 2.7 of the Antrim and Newtownabbey Plan Strategy in that the redevelopment of the site is beyond the curtilage of the existing site and involves new buildings and it has not been demonstrated that relocation of the enterprise is not feasible for operational or employment reasons.

3. The proposal is contrary to paragraph 4.30 of the Strategic Planning Policy Statement Edition 2 and Policy DM 27 and criterion (c) of DM 2.7 of the Antrim and Newtownabbey Plan Strategy in that the development would have a detrimental impact on the rural character of the area due to the design and appearance of proposed development in the rural countryside.

4. The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement Edition 2 and Policy DM 27.2 of the Antrim and Newtownabbey Plan Strategy in that the site does not have the capacity to absorb a building of this scale, lacks integration and a suitable degree of enclosure; the development would create a prominent and obtrusive feature in the landscape; and relies on substantial new landscaping for integration purposes.