



15 April 2025

Committee Chair: Councillor J Archibald-Brown

Committee Vice-Chair: Councillor S Cosgrove

Committee Members: Aldermen – T Campbell and M Magill

Councillors – A Bennington, H Cushinan, S Flanagan,
R Foster, R Kinnear, AM Logue, R Lynch and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Wednesday 23 April 2025 at 6.00 pm.**

You are requested to attend.

Yours sincerely

A handwritten signature in black ink, appearing to be "Richard Baker".

Richard Baker, GM, MSc
Chief Executive, Antrim & Newtownabbey Borough Council

PLEASE NOTE: Refreshments will be available from 5.00 pm in the Café

For any queries please contact Member Services:

Tel: 028 9448 1301/ 028 9034 0107

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – 23 APRIL 2025

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: LA03/2024/0052/F

Housing development for 15no. social housing units (3 sets of semi-detached dwellings, 1no. detached bungalow and 2no. apartment blocks comprising 4 apartments in each) at approximately 10m east of 1 Glenview Park at junction with Glenville Road, Glenview Gardens and Glenview Park, Newtownabbey.

3.2 Planning Application No: LA03/2024/0798/F

6 no. apartments at 415 Antrim Road, Newtownabbey, BT36 5ED.

3.3 Planning Application No: LA03/2024/0905/O

Dwelling and garage on a farm at 115m north of 1 Corbally Road, Aldergrove, Crumlin BT29 4EB.

3.4 Planning Application No: LA03/2024/0357/F

Erection of 5no. dwellings (4no. semi-detached and 1no. detached replacing 4no. detached and change of house type as previously approved under LA03/2019/0667/F) at approximately 25m south-west of 11 Park Road, Newtownabbey, BT36 4QF.

3.5 Planning Application No: LA03/2025/0060/O

Infill Dwelling and garage at site between Nos. 25 and 27 approximately 20m west of 25 Old Ballybracken Road, Doagh, Ballyclare, BT39 0SF.

3.6 Planning Application No: LA03/2025/0116/S54

Dwelling (Variation of Condition 10 from planning approval LA03/2024/0710/O regarding ridge height of dwelling) at Lands 50m north-east of 7 Lower Size Hill Road, Ballyclare, BT39 9RP.

3.7 Planning Application No: **LA03/2024/0730/F**

Retention of household recycling centre, including storage areas, garage, offices, welfare facility, and associated lighting. Additional works include proposed drainage improvements, new security fencing to match the existing, replacement of existing bay walls with LEGO blocks, and the extension of the HRC area to accommodate 0.04 hectares of WEEE and glass storage at Craigmore Household Recycling Centre, Clonkeen Road, Randalstown, BT41 3JL.

PART TWO – Other Planning Matters

3.8 Delegated Planning Decisions and Appeals March 2025

3.9 Planning Fees Increase

3.10 NISRA Planning Statistics Third Quarter 2024/2025 Statistical Bulletin for Period October to December 2024: Provisional Figures

3.11 Upcoming Event for Councils Summer Placement for Planning Students, June-August 2025

3.12 Notification of Planning Appeals Commission Hearing into Planning Application LA03/2021/0940/F – Lough Neagh Sand Extraction

3.13 Department for Infrastructure, Developer Contributions for Wastewater Infrastructure, Public Consultation

3.14 Positive Planning Note – Swifts and Development

3.15 Request for Extension of Time to Submit Additional Information Ref: LA03/2024/0182/F

3.16 Any Other Relevant Business

PART ONE - Decisions on Enforcement Cases - In Confidence

3.17 Proposed Listing and Serving of Building Preservation Notice – In Confidence

3.18 Tree Preservation Order **TPO/2024/0009/LA03** – In Confidence

3.19 Enforcement Case **LA03/2024/0186/CA** – In Confidence

3.20 Enforcement Case **LA03/2024/0067/CA** – In Confidence

3.21 Enforcement Case **LA03/2022/0354/CA** – In Confidence

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2024/0052/F
DEA	MACEDON
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Housing development for 15no. social housing units (3 sets of semi-detached dwellings, 1no. detached bungalow and 2no. apartment blocks comprising 4 apartments in each)
SITE/LOCATION	Approximately 10m east of 1 Glenview Park at junction with Glenville Road, Glenview Gardens and Glenview Park, Newtownabbey
APPLICANT	BA Shaw Contractors
AGENT	JWA Design
LAST SITE VISIT	14 th February 2024
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal (https://planningregister.planningsystemni.gov.uk/application/682582)	
SITE DESCRIPTION	
<p>The application site is located at the junction of Glenville Road and Glenview Gardens, Newtownabbey on lands within the development limits of Metropolitan Newtownabbey in both the draft Belfast Metropolitan Area Plan 2004 and Belfast Urban Area Plan 2001. The application site is zoned for housing under dBMAP (zoning ref: MNY 02/17)</p> <p>The application site currently forms an area of vacant land overgrown with vegetation and surrounded by housing developments to its eastern, southern and western boundaries. To the north the site is separated from Glenville Park housing development by the Glenville Road.</p> <p>The topography of the site rises steadily from east to west, the site measures approximately 0.37 hectares in area and is defined on all sides by existing post and wire fencing. Whilst the immediate surrounding area consists of medium density housing developments, the site is situated approximately 400m northwest of the Shore Road which hosts a range of uses and services including retail, takeaways, restaurants and religious buildings.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0075/O Location: Lands between No. 2 Glenview Close and Glenwhirry Court Newtownabbey Proposal: Erection of care home with associated car parking Decision: Permission Granted (19/12/2017)</p> <p>Planning Reference: U/1983/0278 Location: Glenville Road, Whiteabbey</p>	

Proposal: Extension to factory
Decision: Permission Granted (30/08/1983)

Planning Reference: U/1975/0424
Location: Abbey Meat Packers, Glenville Road, Whiteabbey
Proposal: Erection of cold store, hide store and garage
Decision: Permission Granted (10/06/1977)

Planning Reference: U/1975/0312
Location: Glenville Road, Whiteabbey
Proposal: Dry good store, water storage tanks, new boundary wall and fence
Decision: Permission Granted (09/11/1976)

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

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

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

Draft Belfast Metropolitan Area Plan and Belfast Metropolitan Area Plan (published September 2004): The application site is located within the development limits of Metropolitan Newtownabbey and on lands zoned for housing under dBMAP under zoning reference MNY 02/17.

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

DfI Roads: No objection, subject to conditions

Environmental Health Section: No objection, subject to conditions

Northern Ireland Water Multi Units East: Refusal Recommended

DAERA: Regulation Unit: No objection, subject to conditions

DAERA: Water Management Unit: No objection, subject to conditions

DAERA: Natural Environment Division: No objection, subject to conditions

DfI Rivers: No objection, subject to condition

REPRESENTATION

Twenty-one (21) neighbouring properties were notified of the application and six (6) letters of objection have been received from four (4) notified properties.

The full representations made regarding the proposal are available to view on the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/682582>. The issues raised in the representation have been considered as part of the assessment of this application.

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

- Loss of privacy;
- Impact on human rights;
- Devaluation of existing properties;
- Safety and security concerns;
- Maintenance of access road;
- Loss of privacy;
- Allocation of dwellings;
- Noise and disturbance during the construction phase;
- Increased traffic generation and;

- Construction of new access.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Appearance and Layout
- Density
- Impact on Character and Appearance of the Area
- Public and Private Open Space
- Neighbour Amenity
- Flood Risk
- Access, Traffic and Manoeuvring
- Natural Heritage
- Land Contamination
- Sewage Disposal
- 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 application site is located within the urban settlement limit of Metropolitan Newtownabbey within the Belfast Urban Area Plan (BUAP) and in dBMAP. In Draft BMAP the site is zoned for housing under zoning reference MNY 02/17.

The application site falls within the development limit of Metropolitan Newtownabbey as identified in both the BUAP and draft BMAP and is zoned for housing under zoning reference MNY 02/17, therefore housing on this site would be acceptable provided the proposed development complies with regional planning policies and other environmental considerations.

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.

Justification was sought from the agent to determine if the proposal was in association with a registered social housing provider. A letter from the Northern Ireland Housing Executive (NIHE), Document 06, date stamped 6th March 2024, demonstrates a need for social housing in this area. It is outlined that as of September 2023, 118 applications were on the housing stress waiting list for Whiteabbey. NIHE has confirmed the need for the 14no. general needs units within this area. However, the scheme has been amended to include 3 sets of semi-detached dwellings, 1no. detached and 2no. apartment blocks comprising 4no. apartments in each. It is acknowledged that there is a need for social housing in this area.

Owing to the sites location and zoning it is considered that the principle of residential development is acceptable on the site, subject to the proposal complying with other relevant planning policy and guidance.

Density

Policy LC1 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. The level of density is reflective of other residential developments in the locality, including the apartment building directly adjacent to the site. Given the layout and density of existing neighbouring residential development, it is considered that the density of the proposed development will not result in an adverse impact on the character of this area.

Design, Appearance and Layout

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

Policy QD 1 of PPS7 promotes a high quality of design, layout and landscaping in all new housing developments to ensure more attractive and sustainable residential environments for present and future generations. Policy QD1 of PPS7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. Policy QD1 goes on to state that all proposals for residential development will be expected to conform to nine criteria. The design and layout of the proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhood and the wider streetscape.

The proposed development of 15no. social housing units is made up of 3 sets of semi-detached dwellings, 1no. detached bungalow and 2no. apartment blocks comprising 4no. apartments in each. The proposed access is to be taken from Glenview Park. Apartment block A is located to the west of the proposed entrance with a proposed car parking area and open space located east of the proposed entrance. 7no. dwellings and apartment block B are situated to the northeast of the site adjacent to and fronting on to Glenville Road, in a linear fashion. Six (6) of these semi-detached dwellings consist of 2no. bedrooms and the one (1) detached dwelling takes the form of a fully accessible 2no. bed bungalow. There are two (2) house types proposed and two (2) apartment block types which vary in design but

measure a maximum height of 8.8m from the roof pitch to ground level. It is considered the two-storey height of the proposed dwellings and apartment buildings is considered acceptable in this area with a mixture of two to three storey units.

The finishes of the proposed dwellings consist of facing brick walls with feature render bays with brick plinth, smooth grey concrete roof tiles and white PVC window and door frames. The finishes in the area consist of brick, render, dash and timber. Drawing No. 12/2, date stamped 20th August 2024 illustrates the variety of designs and materials used for the surrounding housing stock. Therefore, the proposed finishes are considered acceptable and will not appear out of character in this urban area.

In terms of layout and design Creating Places Guidance states at paragraph 7.11 that 'dwellings should be designed to present an attractive outlook onto existing and proposed roads.' It is noted that the application site is surrounded by public roads on three out of four sides, with a new estate road proposed within the middle of the site. The rear gardens of the 7no. dwellings abut the main Glenville Road. The potential concern for garden sheds etc. to be erected within this area abutting Glenville Road could be overcome by the use of a condition removing permitted development rights on any future grant of planning permission.

It is noted that apartment block B is located on a corner plot between Glenville Road, Glenville Gardens and the internal estate road along with the proposed area of open space to the south of the site and therefore should be designed with a triple aspect in order to help turn the corners within the development and provide frontages to the estate roads. It is noted that a number of dwellings within the immediate area, back onto and have blank gables onto Glenville Road.

Apartment block B fronts onto the internal estate road and the proposed area of open space and consists of two projections, adequate fenestration and two (2) ground floor doors. The gable elevation faces onto Glenville Gardens and presents an access door, ground floor bay window along with two other windows on the ground floor and two (2) first floor windows. This gable elevation is considered to adequately address the road. Although apartment block B presents the rear elevation to the Glenville Road, there are eight windows on this elevation and it is considered in this context that the building adequately addresses the road.

Apartment block A is located to the west of the proposed internal access road and is bounded by three (3) estate roads which it is required to adequately address. The apartment building fronts on to Glenview Park and provides a strong frontage to this road consisting of two (2) pedestrian doors, six (6) ground floor windows and eight (8) first floor windows along with two storey projections either side of the access doors. The gable elevation fronts on to the proposed internal access road and again provides a strong frontage to this road consisting of two projections, ground and first floor windows along with an access door. The rear elevation abuts the internal access road and faces on to an area of car parking and proposed dwellings. This elevation provides a strong frontage consisting of nine (9) ground and nine (9) first floor windows. Although this is a rear elevation it provides adequate fenestration in the context of this area to adequately address the road. Overall, it is considered that in the context of the area, the development has been designed with successful triple frontage elements on all house types to provide an adequate outlook to existing and proposed roads.

Creating Places indicates that to promote the quality of the residential environment and help enhance security from crime, it is always preferable that gardens should back onto each other rather than onto a common open space, rear access footpath or parking court. In exceptional cases, where rear boundaries are exposed to public areas, specific design measures, such as hedges and other planting of appropriate species or high-quality boundary wall treatments, will be necessary to provide security and privacy. The private amenity space associated with the dwellings abuts the main Glenville Road, and 1.2m metal estate fencing is proposed along the roadside elevation. In addition, a detailed planting scheme has been provided (Drawing 09/3, date stamped 3rd September 2024) indicating a proposed mature evergreen hedge of 2.4m high in order to enclose the rear private amenity space along with extra heavy standard trees of 4 – 6 metres planted along this northeastern boundary. The mature hedge to the northwestern boundary of the application site abutting the existing apartments is to be retained.

The 1.2m high estate fencing is also proposed along the southern and eastern boundaries to separate the site from the existing estate roads. 1.8m high timber fencing is proposed between the amenity spaces of each dwelling, however, this will be largely screened by the mature planting. Overall, it is considered that the design and appearance of the proposed scheme is acceptable and is in accordance with Policy QD 1 of PPS 7.

Impact on Character and Appearance of the Area

Policy QD1 of PPS 7 requires that the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale and proportions and massing. In addition, Addendum to PPS 7 Safeguarding the Character of Established Residential Areas as the site is located within an established residential area and does not fall within any of the exceptions. Policy LC1 of the addendum to PPS 7 requires that the pattern of development is in keeping with the overall character and environmental quality of the established residential area.

The application site is surrounded by medium density housing developments to its eastern, southern and western boundaries. To the north the site is separated from Glenville Park housing developments by the Glenville Road. The surrounding housing developments vary in design and scale with three (3) storey modern apartment blocks located to the west within Glenwhirry Court while the dwellings in Glenville Park take the form of terraced dwellings. The immediate surrounding dwellings within Glenview Gardens and Glenview Close consist of red brick two-storey semi-detached dwellings with front dormer windows.

The proposed development consists of 15no. social housing units, made up of 3 sets of semi-detached dwellings, 1no. detached bungalow and 2no. apartment blocks comprising 4no. apartments in each. It is thought that the development, when viewed in the context of the surrounding area in terms of density, design and scale, is considered to be acceptable and will not result in an adverse impact on the character of this established residential area.

Public and Private Open Space

Criterion (c) of Policy QD1 of PPS 7 requires that adequate provision is made for public and private open space. Guidance contained within 'Creating Places' expands on this and recommends that properties with 3 or more bedrooms have 70sqm or more private amenity space as an average across the development, with

a minimum of 40sqm on individual plots. In this case the rear private amenity space of the dwellings ranges from 100sqm to 56sqm, with an average of approximately 64sqm which is considered acceptable.

In the case of apartment developments, 'Creating Places' indicates that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens, which should range from a minimum of 10sqm to 30sqm per unit, within higher density areas the allocation of open space may be closer to the lower figure. Areas of communal open space are located to the north of apartment block B and to the west of apartment block A to provide 242sqm of amenity space, along with an area of communal open space to the east of the proposed access of 450sqm. Overall, approximately 86sqm of amenity space per unit is proposed. This figure is considered acceptable.

Policy OS2 of PPS 8 states that open space for public use is required for new residential developments of 25 or more units. In this case, the proposal is for fifteen (15) units and as such the provision of public open space is not a requirement. It is considered that the proposals comply with Criterion (C) of QD1 as adequate private open space provision has been achieved.

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. The application site is surrounded by residential neighbours to the east in Glenview Close and Glenview Gardens, to the south in Glenview Park and to the west in Glenwhirry Court.

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

Apartment block A and the 7no. dwellings have a maximum separation distance of approximately 19.6m with first floor opposing windows serving bedrooms and bedrooms, which is reduced to a minimum of 19.2m. The agent details that Creating Places offers guidance and the situation between the apartments and the dwellings is not opposing rear windows, however, it is accepted that there is a lesser expectation of privacy on a front-to-front relationship as these windows can be viewed from the public road or footpath. In this case both opposing front bedroom windows will be on new build properties and it is considered that a separation distance of 19.2m would not warrant a refusal of the application.

One (1) objector from No.4 Glenview Park raised concerns over a loss of privacy from the proposal. As noted above the proposal is set in close proximity to Glenview Park and approximately 18m southwest of No. 4 Glenview Park. It is noted that apartment block A has six (6) ground floor windows and eight (8) first floor windows which serve the living and kitchen areas on both floors of the apartments along with the communal stairwell. The existing dwellings in Glenview Park are positioned at an angle to the internal estate road and will not front directly on to the proposed apartment block therefore the windows are not directly opposing. However, it is

acknowledged that the proposed kitchen and living room windows on the first floor of apartment block A would have a higher occupancy than typical bedrooms on the first floor and some views may be evident. Nonetheless, in the context of the urban area, with the public road between and given the oblique angles, these windows are not directly opposing and on balance it is not considered that overlooking impact to this property would be significant.

Apartment block B is situated 14.8m northwest of No. 2 Glenview Close, the gable elevation of apartment block B consists of two (2) first floor windows which occupy the kitchen/living area and bathroom, the gable elevation of No. 2 Glenview Close has an obscure glazed window and there are limited concerns with regards to overlooking due to this.

The topography of the site rises steadily from the east of the site to the west and rises by a maximum of 3.49 metres in total. The apartment building to the west of the site in Glenwhirry Court is therefore set at a higher level than the application site and is 3 storeys in nature. The existing apartment building has a number of first and second floor windows, Apartment block A is situated approximately 14.8m southeast of the existing apartments in Glenwhirry Court, however, as no first-floor windows are proposed on the gable elevation of apartment block A there are no concerns with regards to overlooking in this instance. The detached bungalow labelled as house type A is situated within the northwestern corner of the site and is situated just 8m southeast of Glenwhirry Court, however, due to the nature of a bungalow no first floor windows are proposed on this dwelling and in addition an existing 3-4 metre high mature hedge is to be retained along the boundary separating these two sites so there are no concerns with regards to overlooking in this instance.

One (1) objector raised concerns relating to an increase in noise and disruption arising from the construction phase of the development. Although there is potential for noise nuisances during the construction phase of development, this should not arise outside reasonable times and would be temporary in nature. Given the context of development some noise and disturbance are to be expected, however, this is likely to be at a low level associated with the daily living requirements of the occupiers of dwellings. The Environmental Health Section of the Council has raised no objection to the proposal.

It is therefore considered that the proposal does comply with criterion (h) of Policy QD1 of PPS 7 in that the layout and design is considered to not have a detrimental impact on residential amenity,

Flood Risk

Policy FLD 3 of PPS 15 deals with flood risk outside floodplains and states that a Drainage Assessment will be required for all development proposals that exceed 10 dwelling units or more. Flood Maps (NI) has indicated that the site does not lie within any floodplain, however, a small portion of land in the middle of the site is subject to surface water flooding.

A Drainage Assessment, Document 05, date stamped 6th March 2024, Schedule 6 Consent to Discharge, Document 08, date stamped 23rd September 2024 and clarification to the Drainage Assessment, Documents 09 and 10, date stamped 17th December 2024 and 9th January 2025 respectively were submitted as the proposal is in excess of 10 units.

DfI Rivers and DAERA Water Management Unit have been consulted and have raised no objection to the proposal. DfI Rivers has indicated that whilst not being responsible for the preparation of the Drainage Assessment, it has no reason to disagree with its conclusions. The proposal is not considered to increase the risk of flooding to the application site or elsewhere and is considered to comply with PPS 15 in this regard.

Access, Traffic and Manoeuvring

Policy AMP 2 of PPS 3: Access, Movement and Parking requires that any development should not prejudice the safety and convenience of road users. Criterion (f) of Policy QD1 of PPS 7 requires that adequate and appropriate provision is made for car parking. Supplementary planning guidance document 'Creating Places' sets out the standards of parking spaces required.

Three (3) objectors have raised concerns over the impact the proposal would have on the existing internal estate roads in Glenview Park where the proposed access is located and the impact of increased traffic generation in this area. Based on the Parking Standards guidance document, the proposal would require 25no. parking spaces. 30no. spaces are provided for the site which is considered acceptable.

In addition, Document 02, Transport Assessment Form (TAF), date stamped 24th January 2024 outlines that the site is linked to the existing public footway network on Glenville Park which is well-lit by streetlights and will provide a safe route for pedestrians. The site is also described as being within easy walking distance of local amenities such as the Post Office, convenience store, hairdressers, takeaways and school etc. within Whiteabbey. Furthermore, the site is located off the Glenville Road and is within walking distance to the bus stops. The site is also within a 15-minute walk of Whiteabbey train station where there are regular rail services available.

Concerns were raised from four (4) objectors with respect to increased traffic in the surrounding area from the proposed scheme. While it is indicated within the submitted TAF the proposal will give rise to an expected 92 car vehicle movements per day, the surrounding area consists of existing housing developments including Glenview Park, Glenwhirry Court and Glenview Close. The introduction of fifteen (15) residential units in this location is not considered to give rise to any significant concerns in relation to increased traffic.

As outlined above, the proposal includes a new access taken from Glenview Park. Drawing Number 06/2, date stamped 28th August 2024 shows the proposed visibility splays associated with the new access along with the internal estate road. DfI Roads were consulted on the proposal and indicated that they are content with the access arrangements subject to conditions. The proposal is considered to comply with PPS 3 in this regard.

Natural Heritage

The site currently consists of overgrown vegetation which is to be cleared to accommodate the proposal. A Northern Ireland Biodiversity Checklist and Ecological Statement, Document 07, date stamped 3rd April 2024 was submitted which indicates that no habitat or ecological surveys are required. DAERA Natural Environment Division were consulted and are content that no further survey work is required.

Drawing Number 09/3 date stamped 3rd September 2024 indicates that the existing vegetation along the northwestern boundary is to be retained. Additional landscaping is proposed along the boundaries of the site, including mature high hedging to the northern boundary and additional trees to the eastern boundary. Additional planting is also proposed within the site including the areas of open space. Sufficient details have been indicated on Drawing Number 09/3 including the size and species of landscaping proposed.

It is considered that an appropriate level of landscaping is provided within the site. It is therefore considered that the proposal complies with PPS2: Natural Heritage and that the proposal will not negatively impact upon any protected species or habitat.

Land Contamination

The application site has previously been used as a factory and such uses have historically been known to be a possible source of contamination. An 'Updated Contamination Assessment and Remediation Strategy' Document 04, date stamped 24th January 2024 has been submitted alongside this application to address any contamination concerns. This report updates and utilises data from previous contamination assessments carried out for the site in 2017 as it is noted that there has been no significant change to the site. Additionally, it is noted that the surrounding land uses recorded during 2017 reconnaissance have remained unchanged.

The Preliminary Risk Assessment (PRA) identified a number of potential sources of contamination and a subsequent GQRA was carried out. The GQRA concluded that an unacceptable risk could be posed to human health. In response to the report, the consultant has recommended that in order to negate this risk, remediation measures across all proposed private gardens and areas of communal landscaping would be necessary as per Section 6 of the report.

Environmental Health Section and DAERA Regulations Unit have reviewed the submitted PRA and GQRA within Document 04 and are content that the proposal can operate without posing any unacceptable risk to environmental receptors, subject to the inclusion of conditions which are recommended at the end of this report.

Sewage Disposal

Northern Ireland Water has been consulted on the proposal and has responded recommending a refusal as the receiving foul sewer network in the area has reached capacity. The issue of a connection to the public sewer is a matter controlled by separate legislation, namely, Article 161 of the Water (Northern Ireland) Order 1999. The role of the planning system is not to duplicate the regulatory controls of other statutory bodies and matters which lie outside the control of planning should not form part of the decision-making process unless it is demonstrated that the development would result in adverse impacts on the environment. In this case the adverse impacts would arise from the development causing capacity issues to Waste Water Treatment Works resulting in an overloading of the system.

NI Water can make an assessment of whether the sewage infrastructure has sufficient capacity to cope with the development and then decide to grant or refuse consent to connect to the sewer. Provided that no development could commence until such times as the necessary Article 161 agreement was obtained then no adverse impacts would arise. This is a matter which could be negatively conditioned should planning

permission be forthcoming and therefore a reason for refusal on this issue could not be sustained.

In conclusion, the imposition of the recommended planning condition will ensure the proposed development has no significant risk of environmental harm and public disamenity including pollution, flooding and detrimental impact on existing properties.

Other Matters

A number of issues were raised through three (3) letters of objection.

Safety and Security Concerns

Concerns were raised with regards to existing anti-social behaviour from surrounding housing developments and the impact the proposal would have on this existing issue with regards to safety and security concerns. No evidence has been submitted to demonstrate that the proposal would lead to increased levels of anti-social behaviour, however, if at any time it is considered that anti-social behaviour is taking place at the site this should be reported to the business operator or the PSNI who can investigate.

Devaluation of Existing Properties

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

Impact on Human Rights

Articles 1 and 8 of the Human Rights Act 1998 are substantive rights enabling those affected by the planning process to reinforce their objections by stating that to allow such a development to proceed would infringe upon their human rights. Procedural guarantees associated with these substantive rights ensure that all victims are given the chance of a fair hearing. It is only in exceptional cases that personal circumstances may be relevant to planning decisions. While the convention puts the rights of the individual first these rights are paramount only where there is no justification in the public interest.

Paragraph 2.3 of the SPPS states that the planning system operates in the public interest of local communities and the region as a whole. It does not exist to protect the private interests of one person against the activities of another. In principle there is the opportunity for the social housing development at this location. Planning policy is developed, interpreted and applied in the public interest. Planning applications often encounter competing and conflicting private interests, in this case the various conflicting interests have both had the opportunity to make representations to the Council, through the processing of the planning application and ultimately through the consideration of the application by the Planning Committee.

It is considered that the recommendation to approve development is in compliance with planning policy, all parties to the application have been given a fair hearing, the points raised by them have been given proper consideration and the Councils obligations under the Human Rights Act have been fulfilled.

Allocation of Dwellings

Concerns were raised that the allocation of the dwellings should take into account local residents or those with links to the local area. As part of the planning process the Council considers the principle of development, determines if a site is suitable for residential development and assesses the specific development proposals. The Council has no remit in respect of who approved dwellings are occupied by following construction. As this application is for social housing, the allocation of the dwellings, if approved, would be managed by a registered social housing provider.

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy, then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

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

- The principle of development has been established on site and is considered acceptable;
- The design and layout of the proposal is considered to be acceptable and is in accordance with Policy QD 1 of PPS 7;
- The proposal is not considered to have a significant negative impact on neighbour amenity through overlooking and loss of privacy;
- The proposal is not considered to have a negative impact on the overall character or environmental quality of the established residential area;
- The proposal demonstrates that adequate provision has been provided for private amenity space;
- It has been demonstrated that there will be no significant flood risk as a result of the proposal; and
- It has been demonstrated that adequate access and parking arrangements can be achieved without prejudicing road and pedestrian users.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

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

2. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage

from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

Reason: To ensure adequate wastewater treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site.

3. No apartments shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council for the open space area indicated on Drawing Number 02/7, date stamped 1st April 2025. The plan shall set out the period of the plan, long term objectives, management, responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

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

4. The existing hedgerow and shrubs to the northwest of the site as hatched purple on approved Drawing Number 09/3, date stamped 3rd September 2024 shall be retained at a minimum height of 3.5m.

Reason: To ensure the maintenance of screening of the site.

5. The proposed planting shall be carried out in accordance with approved Drawing No. 09/3 date stamped 3rd September 2024. The planting shall be carried out within the first available season after occupation of the building hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

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

6. If within the lifetime of the development any tree, shrub or hedge, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

7. The development hereby approved shall not be occupied until the remediation measures as presented within the Remediation Strategy, at Section 6 of Document Number 04 date stamped 24th January 2024 has been fully implemented and verified to the satisfaction of the Council.

Reason: To control any risk to human health arising from land contamination.

8. There shall be no amendments or deviations from, the remediation and verification recommendations contained within the Remediation Strategy, at Section 6 of Document Number 04 date stamped 24th January 2024 without the prior written approval of the Council.

Reason: To control any risk to human health arising from land contamination.

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

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

10. Should an unacceptable risk to human health or environmental receptors be identified, a remediation strategy shall be submitted to be agreed with the Council before being implemented.

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

11. After completing the remediation works under Condition 10; and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

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

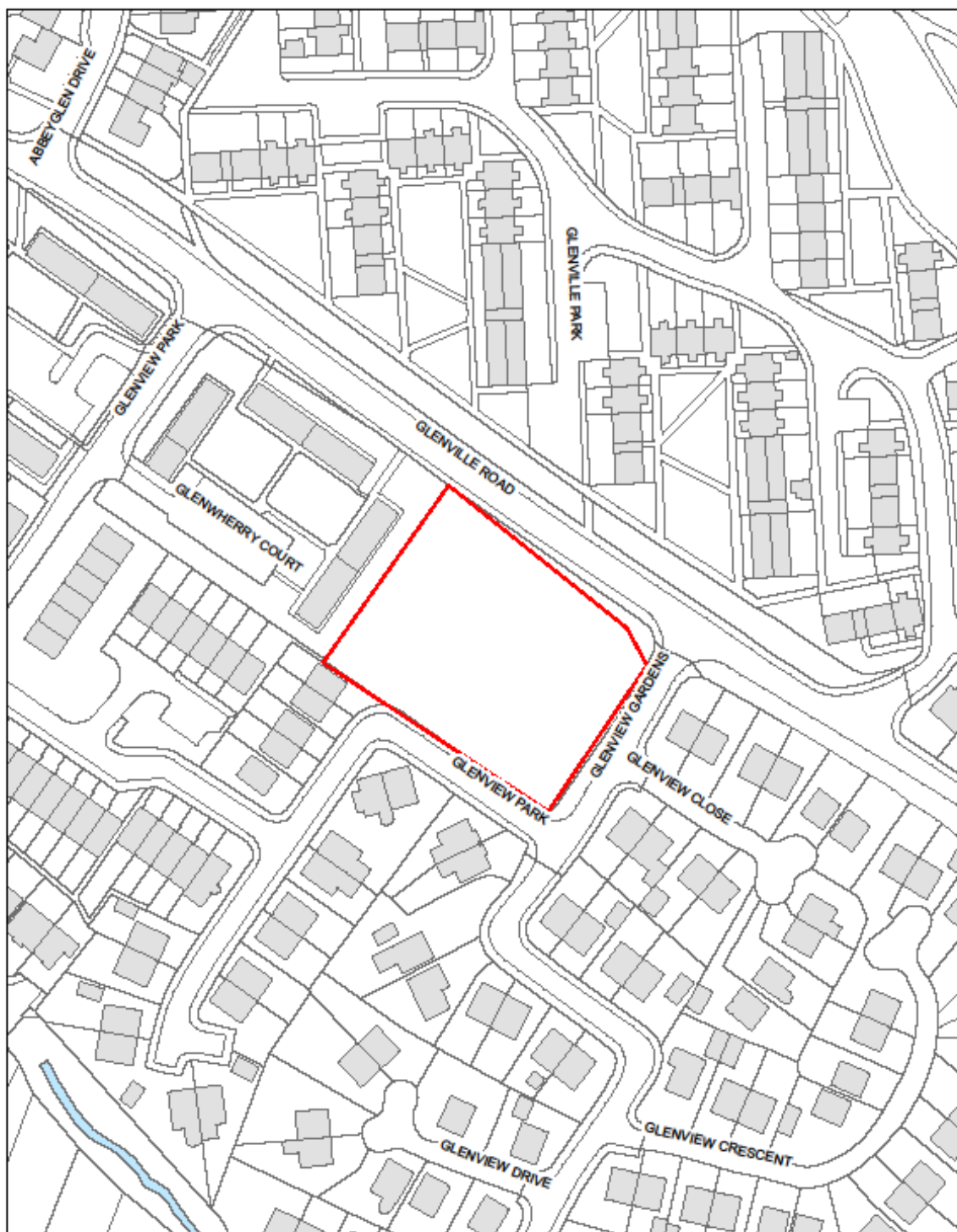
Reason: Protection of environmental receptors to ensure the site is suitable for use.

12. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on approved Drawing Number 07/2 date stamped 28th August 2024.

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

13. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on approved Drawing Number 07/2 date stamped 28th August 2024.

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



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Site Location Plan

1:1,250 

Reference: LA03/2024/0052/F

 Site Location



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2024/0798/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	PREVIOUS COMMITTEE DECISION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	6 no. apartments
SITE/LOCATION	415 Antrim Road, Newtownabbey, BT36 5ED
APPLICANT	PF Creagh Residential Property Developments
AGENT	PF Creagh Residential Property Developments
LAST SITE VISIT	30 January 2025
CASE OFFICER	Sairead de Brún Tel: 028 90340406 Email: sairead.debrun@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/694216	
SITE DESCRIPTION	
<p>The application site is located at No. 415 Antrim Road, Glengormley. The site is located within the development limits of Metropolitan Newtownabbey within the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan (published 2004).</p> <p>The site currently contains a single storey, detached dwelling with a pitched roof and a flat rooved, rear extension. The site has its own gated entrance located in the southeastern most corner of the site, with a vehicular driveway running along the eastern boundary and accessing a detached garage in the eastern corner. There is a garden area to both the front and rear of the dwelling.</p> <p>A mature hedge defines the front (southwestern) and roadside boundary of the site, and a number of mature trees are located along the rear (northeastern) boundary. The eastern boundary is defined partly by a low, yet mature hedge, with a small section of a 1.8-metre-high wall, and the gable wall of the detached garage. Along the western boundary is a 1.6 -1.8-metre-high brick wall, and a low hedge towards the front of the boundary.</p> <p>Residential properties are located either side of the application site; to the west is a two-storey apartment block (No. 417 Antrim Road), and to the east, a single storey, detached dwelling (No. 413 Antrim Road).</p>	
RELEVANT PLANNING HISTORY	
<p>Application Number: U/2008/0263/F Location: 417 Antrim Road, Newtownabbey Proposal: Demolition of existing house and erection of 6 No. new apartments and associated car parking Decision: Permission Granted Decision Date: 19 January 2009</p> <p>Application Number: U/2009/0067/F</p>	

Location: 417 Antrim Road, Newtownabbey
Proposal: Demolition of existing house and erection of 8no. apartments and associated car parking.
Decision: Permission Granted
Decision Date: 17 July 2009

Application Number: LA03/2023/0861/F
Location: 415 Antrim Road, Newtownabbey
Proposal: 6no. apartments
Decision: Permission Refused
Decision Date: 21 June 2024

PLANNING POLICY AND GUIDANCE

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

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

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

Belfast Urban Area Plan: The site is located within the settlement limits. The plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (2004): The application site is located within the settlement limits of Metropolitan Newtownabbey as designated by these plans. These plans offer no specific guidance on this proposal.

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

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

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

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

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas: sets out planning policy and guidance on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements.

CONSULTATION

Environmental Health Section – No objection

DfI Roads – No objection

NI Water – Refusal Recommended

REPRESENTATION

Nineteen (19) neighbouring properties were notified of the application and four (4) representations have been received from two (2) properties. The full representations made regarding this proposal are available to view online at the Planning Portal:

(<https://planningregister.planningsystemni.gov.uk/application/694216>)

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

- Overdevelopment of the site, excessive scale and massing;
- Impact on neighbouring amenity by way of overlooking, overshadowing, and dominance;
- Insufficient parking provided; and
- Impact of noise during construction.

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, Appearance and Impact on the Character of the Area
- Neighbour Amenity
- Private Amenity
- Access, Movement and Parking
- Other Matters

Preliminary Matters – Engagement with agent/applicant

- The agent was advised by way of email on 25 February 2025 that the Council had some concerns with the proposed development, in particular, its impact on the residential amenity of No. 413 Antrim Road.
- The Council received amended drawings on 02 March 2025. The entrance door and landing were repositioned, and the footprint of the proposed building was reduced to create a greater separation distance between the proposed building and No. 413 Antrim Road.

Policy Context and Principle of Development

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

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

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPSs which provide the relevant regional policy context for consideration of the proposal:

- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 7: Quality Residential Environment;
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas; and
- DCAN 8 - Housing in Existing Urban Areas

Within this policy context, it is considered the principle of housing development on the site is acceptable, subject to the development complying with the Plan's provisions for residential development, and the creation of a quality residential environment, as well as meeting other requirements in accordance with regional policy and guidance, which are addressed in detail below.

Design, Appearance and Impact on the Character of the Area

Policy QD 1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposed development will create a quality and sustainable residential environment. It goes on to state that all such proposals will be expected to conform to all of 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.

The proposed development takes the form of a two-storey apartment block, with three apartments on each floor, providing a total of 6no. apartments. The building has a straight mansard type roof, with an overall ridge height of 7.3 metres from finished floor level. There are essentially three sections to the building; the front section closest to the Antrim Road contains two apartments on both the ground floor and first floor; it has a rectangular footprint that steps out slightly to accommodate the bedrooms and bathroom. The rear section closest to Mossgrove Park has more of a square footprint, with one ground floor apartment and another on the first floor. Linking the front and rear parts of the building is a rectangular middle section, containing the entrance hall and an under stairs storage area on ground floor and a landing on the first floor. External finishes are noted as clay facing brick walls, dark grey, concrete interlocking roof tiles, and dark grey UPVC windows, doors, and rainwater goods.

The proposed apartment block will be accessed via a new vehicular entrance point onto the Antrim Road, with nine communal parking spaces to the front of the building, one of which is an ambulant space. An area of communal open space is shown to the rear of the apartment block, with a detached, single storey bike and bin store positioned along the northeastern boundary.

Although there are some commercial developments in the vicinity of the site, the application site is located in a predominately residential area along the Antrim Road. The surrounding development is dominated by single storey or two storey, detached and semi-detached houses. There is also a mix of gable and hipped rooves, with the prevalent material in the construction of these dwellings being red/brown facing brick; although there are some render and pebble dash external walls along this road. These existing buildings follow a strong building line, having been set back from the Antrim Road at the same distance. All these elements combined gives this section of the Antrim Road a well-defined sense of character, and the townscape 'grain' is clearly evident.

While the majority of the existing buildings are individual dwellings, there are some apartment developments within close proximity to the site; at No. 407 Antrim Road approximately 70 metres east of the site, and immediately adjacent to the site at No. 417 Antrim Road.

Policy QD 1 of PPS 7 requires the development to respect the surrounding context and be appropriate to the character and topography of the site in terms of layout, scale, proportions, massing, and appearance of buildings, structures, landscaped and hard surfaced areas. It is considered that the proposed development respects the surrounding context in terms of its density, position within the site, which follows existing building lines, and the use of external materials that are reflective of those existing in the surrounding area.

The design of the proposed development replicates the design of a number of dwellings in the locality of the site. The front elevation is similar in style to the adjacent apartment block at No. 415 Antrim Road, with its front projection and windows either side of this central section, whilst the larger picture type windows in the proposed building are clearly evident in the row of semi-detached dwellings on the opposite side of the Antrim Road.

The proposed building is slightly more elongated than both of the adjacent buildings at No. 413 and 417 Antrim Road, however, the frontage width is less than both these buildings, and an adequate separation distance to the common boundary has been achieved. It is considered that the scale, proportions and massing of the proposal respects the surrounding context and is appropriate to the character and topography of the site.

An area of hardstanding is shown to the front of the building to accommodate parking, and although the surrounding dwellings mostly have a grass garden to the front, there are some sites nearby with larger areas of hardstanding to the front. The proposal includes two small sections of soft landscaping in each corner of the site, and some new tree planting, which will help offset the visual impact of this expanse of hardstanding. The submission of a landscaping scheme and management plan could be conditioned if planning permission was to be forthcoming.

Overall, it is considered that this new apartment block is compatible with its neighbouring development in terms of design, scale and appearance and will not appear as incongruous in the surrounding area. It is therefore considered that the development is agreeable with criterion (a) of Policy QD 1 in PPS 7.

Neighbour Amenity

Criterion (h) of Policy QD1 states that the design and layout should not create conflict with adjacent land uses and there should be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise, or other disturbance.

Objectors raised concerns regarding noise disturbance during the construction period, and it is acknowledged that there may be some noise resulting from construction works, however, this noise will be limited to standard construction hours, and such disturbance will cease to be a concern on completion of the development.

The area immediately surrounding the application site is residential, and as the proposed land use for this application site is also residential, the new development of six apartments is not considered likely to create conflict with the adjacent land use. There is likely to be some increase in noise from cars and people within the site, however, given the number of units proposed this is not likely to be significant.

Well-designed layouts should, wherever possible, seek to minimise overlooking between dwellings and provide adequate space for privacy. To ensure there is no significant loss of amenity to adjoining dwellings, there must also be an adequate separation distance between new and existing developments. A number of objections have been received which state that the new apartment building will have an impact on their amenity by way of overlooking, overshadowing and dominance.

Creating Places advises that great care is needed in designs for a new apartment scheme that includes living rooms or balconies on upper floors, as this can cause a significant loss of amenity to adjoining dwellings, particularly where they are close to the boundaries of existing properties. Good practice indicates that a separation

distance of around 30 metres should be observed or, alternatively, consideration given to a modified design.

The application site is bounded on three sides by existing residential properties; a single storey detached dwelling at No. 413 to the southeast, a two-storey detached apartment building at No. 417 to the northwest, and a two storey detached dwelling at No. 21 Mossgrove Park to the north.

The separation distance between the side elevation of the apartment building at No. 417 Antrim Road and the gable of the proposed apartment is approximately 5.2 metres. Whilst there are windows on the gable of the existing apartment block, there are only two side windows on each floor of the proposed apartment building; and both will serve a bathroom and have obscure glazing. It is also along this side elevation of the proposed building that the entrance hall is located; this mirrors the entrance arrangement for the adjacent apartment block. The common boundary between the existing and proposed buildings is defined by a 1.8-metre-high brick wall, which will offset any potential impacts on residential amenity by way of overlooking or loss of privacy on the ground floor. The first-floor landing windows of the proposed apartment block do not directly oppose any window on the existing apartment building, and it is considered that these design features will ensure that there is no significant detrimental impact on the existing residents of No. 417 by way of overlooking.

The proposed apartment block sits around 4 metres from the common boundary with No. 413 Antrim Road, and at its closest point, is approximately 6.1 metres from the side elevation of this existing dwelling. There are only two proposed windows on this elevation, both serving the kitchen. These windows are located at a high level, with the sill height being 1.55 metres above the finished floor level (FFL) and finished with obscured glazing. Consequently, overlooking from these proposed windows is not considered to result in a significant detrimental impact on the residential amenity of No. 413.

An objector has raised concerns relating to the overshadowing of No. 413 Antrim Road. Given the movement of the sun, this property may experience some overshadowing in the evening; however, it is considered that the building at No. 417 Antrim Road may already contribute to overshadowing at present, and it is considered any additional overshadowing by the proposed development would not give rise to a significant detrimental impact on the residential amenity of No. 413.

Creating Places also advises that where an apartment development abuts the private garden areas of existing properties, a minimum distance of around 15 metres should be provided between the rear of the apartments and the common boundary. The proposed development abuts the rear garden of No. 21 Mossgrove Park, and the separation distance between the rear of the apartment block and the common boundary is approximately 14 metres. The rear elevation of the apartment block contains two-bedroom windows on both the ground and first floors, and a double-glazed door serving a kitchen / living area on both floors. It is noted that the common boundary is defined by an existing boundary wall and a band of mature trees of around 6-8 metres in height; it is recommended that these trees are conditioned to be retained. With a separation distance of approximately 14 metres, and the retention of the existing boundary vegetation. It is considered

that views from the proposed development into the private amenity space of No. 21 will be limited and will not have a significant detrimental impact on residential amenity.

Private Amenity

Supplementary guidance issued through the document Creating Places advises on the amount of private amenity space that should be provided for certain types of development. This document recommends that for apartment developments, private communal open space in the form of landscaped gardens, courtyards, or roof gardens, will be acceptable, with the amount of space ranging from 10 sqm per unit to around 30 sqm per unit. The overall design concept and context of the proposed development should determine the level of private amenity space.

For this proposed development of six apartments, the amenity space is provided in the form of an area of communal open space to the rear. This area measures approximately 253.5 sqm, giving an average of 42.2 sqm per unit, which exceeds the upper level of open space recommended by Creating Places. The level of private open space being provided, therefore, is sufficient to meet with criterion (c) of Policy QD 1 of PPS 7.

Access, Movement and Parking

Access to the proposed development is taken directly off the Antrim Road, via a new access point slightly northwest of the existing. DfI Roads has assessed this element of the proposal and is satisfied that the development can be safely accessed.

The objectors have raised concerns with the level of parking, stating that it is insufficient for the proposed development and will lead to parking on nearby residential streets. Table 7 in Section 20 of Creating Places sets out the required number of spaces for certain types of residential development. This proposal is for six, two-bedroom apartments with communal parking spaces. Calculations based on the above table would indicate that nine spaces are required. The proposed development is capable of providing this level of parking, with nine communal parking spaces shown to the front of the apartment block, one of which is an ambulant parking space. DfI Roads were consulted and raised no objections to the proposal. It is considered the proposal complies with PPS 3 'Access, Movement and Parking'.

Other Matters

NI Water Capacity issues

NI Water was consulted on the proposal and has responded recommending a refusal, as the receiving foul sewer network in the area has reached capacity. The issue of a connection to the public sewer is a matter controlled by separate legislation, namely, Article 161 of the Water (Northern Ireland) Order 1999. The role of the planning system is not to duplicate the regulatory controls of other statutory bodies and matters which lie outside the control of planning should not form part of the decision-making process, unless it is demonstrated that the development would result in adverse impacts on the environment. In this case, the adverse impacts would arise from the development causing capacity issues to Waste Water Treatment Works, resulting in an overloading of the system. NI Water can make an assessment of whether the sewage infrastructure has sufficient capacity to cope with the development and then decide to grant or refuse consent to

connect to the sewer. Provided that no development could commence until such times as the necessary Article 161 agreement was obtained, then no adverse impacts would arise. This is a matter which could be negatively conditioned should planning permission be forthcoming and therefore a reason for refusal on this issue could not be sustained.

CONCLUSION

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

- The principle of development is acceptable;
- The design, layout and appearance of the proposed development is acceptable;
- It is considered that the proposed development will not have an adverse impact on the character and appearance of the area;
- The proposed development would not have an unacceptable impact on the amenity of adjacent residential properties; and
- Adequate access and parking arrangements have been provided.

RECOMMENDATION GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03A date stamp received 02 March 2025 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. Prior to the commencement of the development hereby approved, a landscape management and maintenance plan shall be submitted to and approved by the Council. The plan shall set out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

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

5. No development shall take place until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted. 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.

6. The existing natural screenings of this site as shown on approved Drawing No. 03A, date stamp received 2 March 2025 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be given to the Council in writing prior to their removal.

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

7. If any retained or planted trees or shrubs dies, or becomes dangerous, within the lifetime of the development, it shall be removed and replaced in the next available planting season after removal, with others of a similar size (at the time of planting) and species unless the Council gives written consent to any variation.

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

8. The windows coloured yellow on Drawing No. 04A date stamped 02 March 2025 shall be finished in opaque glass and shall thereafter be permanently retained.

Reason: In the interests of residential amenity.



Site Location Plan

1:1,250

Reference: LA03/2024/0798/F



Site Location



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2024/0905/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Dwelling and garage on a farm
SITE/LOCATION	115m north of 1 Corbally Road, Aldergrove, Crumlin BT29 4EB
APPLICANT	Roy (Robert Martin) Butler
AGENT	Sinead McAllister
LAST SITE VISIT	16 th January 2025
CASE OFFICER	Harry Russell Tel: 028 903 40408 Email: harry.russell@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal: https://planningregister.planningsystemni.gov.uk/application/695010	
SITE DESCRIPTION	
<p>The application site is located approximately 115m north of 1 Corbally Road, Aldergrove, Crumlin, which is within the countryside and outside any development limit as defined by the Antrim Area Plan 1984-2001.</p> <p>The application site currently comprises an agricultural field and is set back approximately 120m from the Corbally Road. The agent has indicated an area within the site location plan, for the preferred siting of the proposed dwelling and garage, which is defined by a post and wire fence along its western boundary and by 1m high ranch fencing and 2-3m high trees along its southern boundary. The remaining boundaries of the site are undefined. The topography of the site is generally flat.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2011/0253/F Location: 115m north of 1 Corbally Road, Aldergrove, Crumlin Proposal: Dwelling on a farm Decision: Permission Granted (30th August 2011)</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 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.

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.

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

CONSULTATION

Council Environmental Health Section- No objection

Northern Ireland Water- No objection

Department for Infrastructure Roads- Further information required

DAERA Ballymena- The Farm Business ID was allocated in April 2005. The business has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in any of the last six years. DAERA has closed this business because it has had no agricultural activity for the last 5 years.

REPRESENTATION

Two (2) 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 Amenities
- Access and Parking
- Other Matters
- Other Material Considerations

Preliminary Matters – Engagement with Agent/Applicant

- The agent was advised of the Council's concerns regarding the principle of development on 7 January 2025 and the agent responded by emailing supporting information on 20 January 2025.
- The agent was advised on 7 February 2025 that the information submitted was insufficient for the principle of development to be established.
- Additionally, the agent was further advised that amendments to the Site Location Plan to provide visibility splays of 2.0m x 65m in both directions as requested by DfI Roads, as well as the completion of a biodiversity checklist were not formally being requested as the principle of development had not been established.
- Consequently, additional information was submitted by the agent on 20 February 2025 and again on 27 March 2025 to demonstrate the farm is active and established for the requisite period. Clarification with regards to the hay bailing activity of the applicant was also provided by the agent on 7 April 2025.
- However, the information submitted remains insufficient for the principle of development to be established as discussed in detail below.

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

Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. Supplementary guidance on PPS 21 is contained in document 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

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

Criterion (a) requires the farm business to be currently active and established for at least 6 years. The Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response that the Farm Business ID was allocated in April 2005. The business, however, has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in any of the last six years. DAERA also notes that it has closed this business because it has had no agricultural activity in the last five years.

For the purposes of the SPPS 'agricultural activity' is as defined by Article 4 of the European Council Regulations (EC) No. 1307/2013 which states agricultural activity means production, rearing or growing agricultural products, including harvesting, milking, breeding animals, and keeping animals for agricultural purposes whilst paragraph 5.39 of PPS 21 adds 'or maintaining the land in good agricultural and environmental condition' to that definition.

In order to establish if the farm business is active and established, the agent submitted evidence consisting of horse passports, photographs, and invoices. The policy stipulates that the farm business is active for at least the last six years, therefore the assessment period is 2019-2024.

Horse Passports

Paragraph 5.43 of Policy CTY 10 states that an equine business is to be afforded the same benefits as an established active farm. It goes on to state such information should include statement of commercial rateable history for the business, copies of appropriate insurance, copies of horse passports, and any other information considered relevant to the particular case.

Initially two horse passports were submitted in support of the application. As such, the Council requested the other information relating to an equine business on 7th January, however, this information has not been submitted. Instead, the agent has since submitted evidence which attempts to establish that a farm business is

active and established, rather than an equine business. This information is in Document 01 (date stamped 27th March 2025).

Invoices from BMcC Contracts

Six invoices were received dated 2019, 2020, 2021, 2022, 2023, and 2024 relating to the baling of hay. The customer named on the invoices matches the applicant, however, other than the 2019 invoice, the invoices do not contain a customer address or an address of where the works have taken place. An additional invoice dated 2025 (after the submission date of the application) clarifies that the business (BMcC Contracts) carried out works for the applicant at 1 Corbally Road once every year between 2019 and 2024. The business on the invoice is VAT registered. The agent advised by email dated 7th April 2025 that the bales of hay are normally used for feeding the applicant's horses with the remainder being exchanged with family members. As such, the hay baling activity is considered to be in association with the applicant's keeping of horses for hobby purposes, which does not establish a farm business.

S McConnell Agricultural Merchants

An invoice was received dated 30th November 2024, which refers only to "goods" received on 17th July 2024. The customer name of the invoice matches the applicant and the customer address on the invoice matches the address of the applicant. However, the detail of the invoice is vague and does not contain any VAT details, and as such, it carries little weight.

The applicant also submitted a transaction statement for the purchasing of fertiliser (4 purchases) and hardware (2 purchases) from this business for the years 2020, 2021 and 2024. This transaction statement does not contain any VAT details.

Riverside Fuels

A receipt was received dated 8th December 2022 regarding the purchase of gas oil (red diesel). The customer name of the invoice matches the applicant and the customer address on the address matches the address of the applicant. The business on the invoice is VAT registered.

Photographs

A series of photographs showing farm equipment within the application site was submitted by the applicant. Most of these photos are undated and therefore carry little weight in showing that the farm is active and established for 6 years. Some dated photos of hay bales were submitted; one dated 2018, which is prior to the six-year assessment period and another Streetview screenshot of the application site taken from the Dungonnell Road dated 2020. Two aerial photographs have been submitted showing bales of hay in fields in 2022 and 2023.

The agent also submitted several photographs dated between 2019 – 2024 relating to the grazing of horses. However, the keeping of horses for hobby purposes does not constitute an equine business for the purposes of the policy and the appropriate information has not been submitted to demonstrate that an equine business exists.

Previous Planning History

The agent raised the fact that the current applicant previously obtained planning permission for a farm dwelling on the site in 2011 under the same farm business ID. However, each application is assessed on its own merits with a decision being made based on the development plan relevant policies, the development plan prevailing at that time and other material considerations. The previous approval of a dwelling under the same planning policy does not entitle a person to planning permission again.

The submitted invoices generally rely upon hay baling once a year, however this would appear to be more for hobby farming purposes relating to the applicant's keeping of horses, rather than being indicative of an active and established farm business. The applicant has further stated that the land is maintained in good agricultural condition to allow for the grazing of horses all year round, however, limited information has been submitted regarding the maintaining of land in good agricultural condition. The remaining information generally carries limited weight. As such, the information submitted is considered insufficient to demonstrate that either an active and established farm business or equine business exists. Accordingly, giving consideration to the matters discussed above, the submitted information provided alongside the application has not demonstrated that the applicant has been actively farming for the requisite period. It is considered the proposal does not meet policy criterion (a) of Policy CTY 10.

Criterion (b) of Policy CTY 10 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. The policy goes on to state that planning permission granted under this policy will only be forthcoming once every 10 years. The applicant received planning permission for a farm dwelling to the south of the application site (Ref: T/2011/0253/F) under the same farm business ID as quoted in the current application. The permission was granted over ten years ago with the dwelling having since been built and is now known as No. 1A Corbally Road. A land registry check carried out on this property revealed that the site was registered to a Caroline Butler (Turley) in October 2012. As this dwelling was granted over 10 years ago and appears to have been transferred off the farm over 10 years ago, it is considered that the application meets the relevant policy requirements identified under criterion (b).

The third criterion of Policy CTY 10 states that any farm dwelling should be visually linked or sited to cluster with an established group of buildings on a farm. In this instance, the applicant has indicated the preferred site location of the proposed dwelling on the Site Location Plan. There are a group of established farm buildings to the south of the site and south of No. 1A Corbally Road. The proposed site is considered to visually link with the farm buildings, as the siting beside No.1A Corbally Road allows it to visually read as an entity with the farm buildings to the south. This visual linkage is only achievable when travelling south-eastwards along Corbally Road. It is considered that if planning permission were to be granted, a condition would be imposed restricting the curtilage of the site. Access to the site is to be

achieved via a small extension of an existing laneway which serves the established farm buildings. The proposal meets the requirements of criterion (c) of Policy CTY 10.

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

Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed. The proposal must therefore meet the requirements of Policies CTY 13 and CTY 14.

The site exhibits a lack of natural enclosure to the northern, eastern, and western boundaries, however, views of the site from the Dungonnell Road are substantially screened by the existing mature trees along the roadside. Views of the site are achieved when travelling eastwards along the Corbally Road, however, this is at a minimum distance of 115m. A backdrop is provided to north and west of the site by mature trees when travelling eastwards along the Corbally Road. Relatively young trees approximately 2-3m in height define the southern boundary. Given the setback distance from the public road and the backdrop provided to the site, it is considered a dwelling would be able to integrate at this location subject to conditions.

If planning permission were to be granted, in order to assist the dwelling to integrate a siting condition would be imposed to ensure the proposal is sited appropriately within the site in order to reduce its visual impact from the Corbally Road, whilst respecting the existing built form. Given the relatively low backdrop to the rear of the site, a condition restricting the ridge height to 5.8m above finished floor level would ensure the proposal respects the existing character of buildings in the area. A condition relating to the submission of a landscaping scheme would ensure the proposal integrates sensitively within the landscape. Furthermore, as indicated earlier, a condition would be imposed restricting the curtilage of the site to the shaded area indicated on the Site Location Plan.

In summary, it is considered that the new development will satisfactorily integrate with its surroundings while respecting the rural character of the area.

Neighbour Amenity

As this application seeks outline permission, no details have been provided regarding the siting, layout or proposed design. The curtilage of No. 1A Corbally Road abuts the proposed development site to the south. It is considered that an appropriately sited dwelling could be situated within the proposed development site with an ample separation distance at No. 1A Corbally Road, so as to protect the amenity of this neighbouring dwelling. No. 1 Corbally Road abuts the laneway to the application site and given it is situated approximately 90m from the development site, it is considered that the amenity of this property would not be adversely impacted by the development.

Access and Road Safety

Access is to be taken from an existing laneway onto the Corbally Road. DfI Roads was consulted regarding the development proposal and requested that the red line on the Site Location Plan be amended for the required visibility splays of 2m by 65m

in both directions. An amended Site Location Plan, Drawing No. 01/1 date stamped 27th March 2025, was submitted to address these concerns. DfI Roads are content with the amended site location plan subject to a condition relating to the submission scale plan at Reserved Matters stage.

Other Matters

The applicant submitted a Biodiversity Checklist, Document 02 date stamped 27th March 2025, in which all questions have been answered 'NO' which would normally indicate that the development is unlikely to have an impact upon natural heritage. However, the Biodiversity Checklist has not been completed by a qualified ecologist, and whilst it is not a requirement for Parts 1 and 2 of a biodiversity checklist to be carried out by an ecologist, the Council has concerns that the information stated within the Biodiversity Checklist, does not reflect what is situated on the ground.

Firstly, the development appears to require the removal of the mature roadside hedgerow and mature trees to accommodate the visibility splays for the proposed development. This would result in the loss of a priority habitat and proposed mitigation measures would usually be included within a biodiversity checklist.

Furthermore, an undesignated watercourse is situated within the visibility splay area of the application site, which is hydrologically connected to Lough Neagh and Lough Beg Ramsar site, Lough Neagh and Lough Beg SPA and Lough Neagh ASSI. Shared Environmental Services (SES) advised within an informal consultation that it would require formal consultation to assess the potential impact of the development upon protected sites.

Given that the principle of development is considered to be unacceptable, ecological information was not requested as it would lead to nugatory work and unnecessary expense. Nonetheless, the agent has submitted a biodiversity checklist, however as indicated above, there are concerns with the information provided. As the principle of development was considered unacceptable, further ecological information has not been requested and neither NIEA nor Shared Environmental Services (SES) were consulted with regards to the development proposal. A reason for refusal has been added to address the lack of information on these points

The Council's Environmental Health Section (EH) was consulted with regards to the development proposal and responded with no objection subject to informatives relating to nuisances from farms.

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy,

then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

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

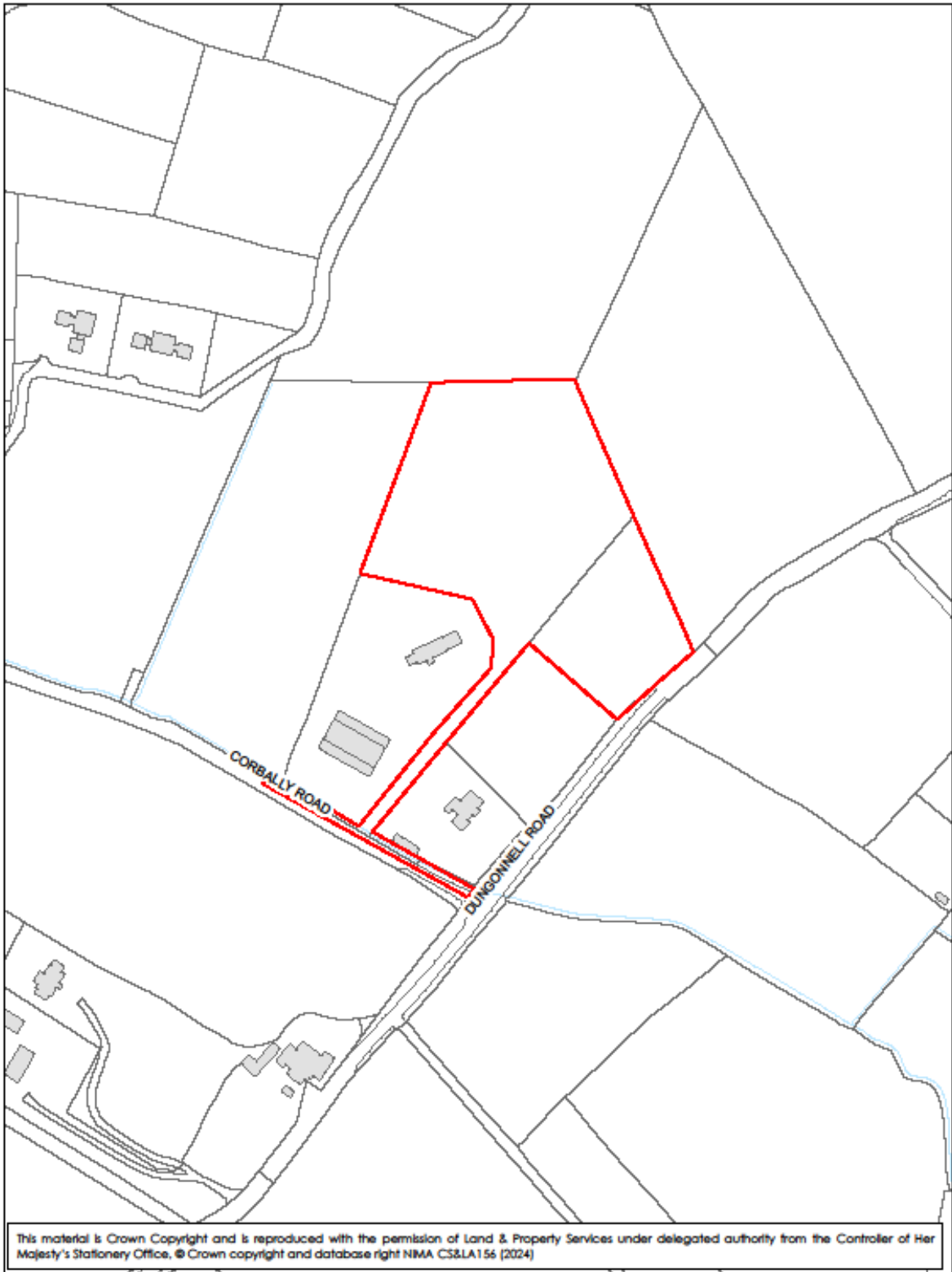
- The principle of development test has not been established in accordance with the policy provision of Policy CTY 10 as it has not been demonstrated that the farm business is active and established;
- The proposal will satisfactorily integrate with its surroundings while respecting the rural character of the area;
- The proposal will not unduly affect the privacy or amenity of neighbouring residents;
- There are no road safety concerns; and
- No Information has been submitted to the Council to assess the risk upon priority habitats and protected sites/sites of national conservation importance.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL


1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 and Policy CTY 10 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that it has not been demonstrated that the farm business is active and established.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policies NH 1, NH 3 and NH 5 of Planning Policy Statement 2, Natural Heritage, in that the proposal will result in the loss of a priority habitat; and in that it has not been demonstrated that the proposal will not have a detrimental impact upon Lough Neagh and Lough Beg Ramsar site, Lough Neagh and Lough Beg SPA and Lough Neagh ASSI.



Site Location Plan

1:2,500

Reference: LA03/2024/0905/O

 Site Location



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2024/0357/F
DEA	AIRPORT
COMMITTEE INTEREST	PREVIOUS COMMITTEE ITEM
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 5no. dwellings (4no. semi-detached and 1no. detached replacing 4no. detached and change of house type as previously approved under LA03/2019/0667/F)
SITE/LOCATION	Approx. 25m southwest of 11 Park Road, Newtownabbey, BT36 4QF
APPLICANT	Park Road Development Ltd
AGENT	Big Design Architecture
LAST SITE VISIT	03/07/2024
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/688272	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 25m southwest of No. 11 Park Road, Mallusk, and measures approximately 0.19 hectares in area. The application site encompasses an area of land with approval for 4no. dwellings within a wider previously approved housing development (Ref: LA03/2019/0667/F) which granted approval for 162no. units.</p> <p>The topography of the site is relatively flat. The Ballymartin River runs directly south of the site and abuts the application site on its southern boundary. The wider area is characterised predominately by agricultural land uses and medium density housing developments.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2019/0667/F</p> <p>Location: Lands adjacent and west of Park Road (including existing dwelling at 9 Park Road) opposite and west of The Poplars residential development; adjacent and north of 1 & 2 Park Manor; north of 117-121 Mallusk Road and adjacent and west of 11 Park Road Mallusk</p> <p>Proposal: Proposed residential development comprising construction of 162 no. dwellings, associated garages and car parking, open space and landscaping and all other associated site works (including 2 no. temporary waste water treatment works, new bridge crossing Ballymartin River and new curtilage to retained dwelling at 9 Park Road) and new access/road improvement works to include:-2 no accesses onto Park Road with right hand turn provision at main site access (serving 129 no. dwellings); new right turn lane into The Poplars housing development; new footway provision with 2 no. associated pedestrian crossings along Park Road; and new signalised pedestrian crossing on Mallusk Road.</p> <p>Decision: Permission Granted (22/01/2020)</p>	

Planning Reference: LA03/2016/1136/F

Location: Lands adjacent and west of Park Road Mallusk (opposite and west of The Poplars residential development; adjacent and north of Nos 1 & 2 Park Manor, Mallusk; north of Nos 117-121 Mallusk Road, Mallusk; and adjacent and west of No. 11 Park Road, Mallusk)

Proposal: Proposed residential development of 181 no. dwelling units (comprising 53 no. detached dwellings, 110 no. semi-detached dwellings and 18 no. apartments), garages, car parking, site access, construction of bridge, open space and landscaping and all other associated site works

Decision: Permission Refused (21.03.2019)

Planning Reference: U/2000/0696/F

Location: Park Road, Mallusk Blackwater Drain (Bridge) to Mallusk Road

Proposal: Provision of 1.8 wide footpath to Park Road from bridge to Mallusk Road with improved entrance at bungalows and new entrance to proposed Housing Development

Decision: Permission Granted (17.09.2001)

PLANNING POLICY AND GUIDANCE

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

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

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

Belfast Urban Area Plan: The application site is located outside 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 settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The site is largely located within the countryside outside Metropolitan Newtownabbey. The site is a designated Site of Local Nature Conservation Importance and Area of Constraint on Mineral Developments (Park Road West SLNCI) (2r) and a Local Landscape Policy Area (LLPA), which extends along the Ballymartin Water (MNY 42).

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

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

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

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

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

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

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

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

CONSULTATION

DfI Roads- No objection

Environmental Health Section- No objection

NI Water - Refusal Recommended

DfI Rivers- More Information Required

REPRESENTATION

Two (2) neighbouring properties were notified of the application, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Preliminary Matters

It is noted that this development proposal relates to a limited number of dwellings within a much larger previously approved residential development. In order to deliver on a number of important aspects of the wider planning permission it will be necessary to repeat a number of the planning conditions which were stipulated on the core planning permissions relating to the subject lands, should permission be granted. The agent has submitted a site location plan with a blue line matching the red line approved on the original application, thereby committing to carrying out works on the wider development.

Policy Context and Principle of Development

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

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

The application site is located outside the development limit within the BUAP and dBMAP (published 2004) and therefore the application site is located within the countryside. Although the site falls outside the development limit in both plans, the wider site has the benefit of a previous planning approval for a residential development, Ref: LA03/2019/0667/F. This permission was granted at the time as these lands were included within the development limit in the 2014 version of BMAP, which has subsequently been quashed. In these circumstances, it would not be reasonable to deviate from the stance taken that the application site was within the development limit at the time of this earlier grant of planning permission.

The proposal seeks permission for the erection of 5no. dwellings (4no. semi-detached and 1no. detached) replacing 4no. detached dwellings previously approved under planning Ref: LA03/2019/0667/F, resulting in a net increase of 1no. dwelling. With respect to the principle of residential development on the application site it is noted that the developer has a valid legal fall-back position in that there is an extant full planning permission approval for residential development on the said lands. Given

these circumstances, it is considered that the principle of development is acceptable, subject to the proposal complying with the relevant policy provisions of the SPPS and PPS 7: Quality Residential Environment.

Design and Impact on the Character and Appearance of the Area

The development proposal seeks to make some adjustments to the detailed design and appearance of the 4no. detached dwellings as originally approved to create 4no. semi-detached dwellings and 1no. detached dwelling. The previous approval consisted of 4no. detached dwellings on Plots 2-5 and consisted of 2no. house types. The approved house type M (b) and (r) occupied plots 2-4 and consisted of a detached dwelling finished in red facing brick, measuring a maximum height of 9m (including the chimney) with a rear sunroom. House type E (b) occupied Plot 5 and consisted of a large, detached dwelling finished in a mix of white render and red facing brick, measuring a maximum height of 9.8m (including the chimney) with a rear living room projection. All dwellings on plots 2-5 of the previous approval, Ref: LA03/2019/0667/F fronted on to the new estate road.

The proposal seeks to amend this section of the site to include 4no. semi-detached dwellings and 1no. detached dwelling consisting of 3no. house types which all measure a maximum of 9.8m in height. The 4no. semi-detached dwellings consist of house type Q1 and Q2 which consists of a dual frontage element fronting on to the proposed estate road.

The design and appearance of house type E (b) which occupies Plot 5 is to remain unaltered, as per the previous approval. However, this proposal seeks to reposition this dwelling to accommodate the 4no. semi-detached dwellings. Plot 5 is located on a corner plot and Creating Places guidance document would indicate that 'dwellings should be designed to present an attractive outlook onto existing and proposed roads.' As noted above, the design of the dwelling is not changing from the previous approval and consists of a strong front elevation and a large outshot to the gable elevation to address the internal estate roads.

Plot 4, 4A, 3 and 2 (House Type Q1 and Q2) consists of a dual frontage element. The gable elevation of House Type Q1 (Plots 4a and 3) fronts on to an area of car parking and consists of a large outshot including the front pedestrian door along with one (1) ground floor window, two (2) first floor windows and one (1) second floor window finished in obscure glazing. The front elevation of house type Q2 (Plots 4 and 2) fronts on to the estate road and front garden area and consists of two (2) bay windows and a door to the ground floor front elevation and one (1) large bay window to the first-floor elevation.

Plot 3 is set back approximately 8.5m from the public road with 6m of the gable elevation exposed from views along the public road. This is similar to Plot 4a which is set back 8m from the road with 5.5m of its gable elevation on display. The siting of dwellings is considered acceptable in a staggered approach and whilst there are sections of gable walls on display, they present a strong dual frontage element.

Private amenity spaces and overall plot sizes remain largely unaffected as a result of the development proposal. Proposed dwellings retain a minimum of 40sqm amenity space with an average of 97sqm across the 5no. units and is therefore in line with design guidance principles recommended in Creating Places. The communal open space areas identified within the core permission remains unaltered.

The finishes of the dwellings include dark grey, non-profiled, concrete roof tiles, white render walls and red facing brick to match the wider development and white UPVC window frames.

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

Neighbour Amenity

Criterion (h) of Policy QD1 of PPS 7 states that the design and layout should not create conflict with adjacent land uses and there should be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise, or other disturbance.

Creating Places emphasises that a separation distance of approximately 20 metres is generally appropriate to minimise overlooking and that greater consideration should be given to the relationships between housing on sloping sites.

In terms of the development in its entirety, the separation distances between dwellings on plots 5-4a is approximately 8m which is an improvement to the previous approval which consisted of a separation distance of 5m for these plots. The gable elevations of house type Q2 consists of window on the first and second floor which are finished in opaque glazing as these windows serve a bathroom and roof space so there are no significant concerns with regards to overlooking in this regard.

First floor windows on Plots 2 and 3 have a separation distance of approximately 26m from No. 11 Park Road which is considered acceptable to prevent any overlooking to the existing residential property.

The application site is located west of Park Road, which has a high level of vehicular activity. The Council's Environmental Health Section were consulted on the application and stated that under Ref: LA03/2019/0667/F the applicant submitted a Noise Impact Assessment (Document 04, date stamped 7th August 2019) which was reviewed by the Environmental Health Section who recommended noise control conditions. It is considered necessary to repeat these noise control conditions, in order to protect residential amenity at this site.

For the reason outlined above, it is considered that the proposed development is compliant with criteria (h) of Policy QD1 of PPS 7 in that it has been demonstrated that the proposal will not have an adverse effect on the proposed properties in terms of noise subject to the inclusion of previously attached conditions.

Access, Movement and Parking

The proposal does not alter the previously approved road layout or access arrangements and solely relates to the house types. DfI Roads was consulted and raised no objections to the proposal, subject to the inclusion of an informative.

Flood Risk and Drainage

The Strategic Flood Map (NI) and DfI Rivers have identified that areas to the south and west of the application site lie within the 1 in 100-year fluvial flood plain of the Ballymartin River and therefore in accordance with FLD1, development is not permitted unless the Council deem the application to be an exception and a suitable Flood Risk Assessment is submitted.

However, it is noted that a Flood Risk Assessment (Document 10/1) was submitted and approved under the previous approval (Ref: LA03/2019/0667/F). Appendix F of Document 10/1 indicates the extent of the floodplain with the current application site being outside the floodplain. The agent has submitted Drawing Number 05, date stamped 13th August 2024 which mirrors the floodplain indicated under the previous approval and details that no development is proposed within the floodplain nor is any development coming any closer to the floodplain. For that reason, it is not considered that determining weight can be placed on the comments from DfI Rivers and a Flood Risk Assessment is not required.

On that basis, it is considered that sufficient information has been provided to demonstrate that the proposal will not lead to an increased risk of flooding and that the proposal does not require to be deemed an exception under Policy FLD 1 of PPS 15.

Sewage Disposal

Northern Ireland Water (NI Water) has been consulted and has advised that an assessment has indicated network capacity issues, this establishes significant risks of detrimental effect on the environment and detrimental impact on existing properties. For this reason, NI Water has recommended refusal of this application and that all connections to the public sewerage system are curtailed. NI Water has advised the applicant to submit a Waste Water Impact Assessment.

However, the issue of a connection to the public sewer is a matter controlled by separate legislation, namely, Article 161 of the Water (Northern Ireland) Order 1999. The role of the planning system is not to duplicate the regulatory controls of other statutory bodies and matters which lie outside the control of planning should not form part of the decision-making process unless it is demonstrated that the development would result in adverse impacts on the environment. In this case the adverse impacts would arise from the development causing capacity issues to Whitehouse Waste Water Treatment Works resulting in an overloading of the system.

NI Water can make an assessment of whether the sewage infrastructure has sufficient capacity to cope with the development and then decide to grant or refuse consent to connect to the sewer. Provided that no development could commence until such times as the necessary Article 161 agreement was obtained then no adverse impacts would arise. This is a matter which could be negatively conditioned should planning permission be forthcoming and therefore a reason for refusal on this issue could not be sustained.

Other Matters

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy, then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

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

- The principle of the development has previously been established.
- The original planning permission remains extant.
- The quality of the development proposal is considered to be acceptable and will not have an unacceptable impact on the character and appearance of the area.
- There are no residential amenity concerns; and
- There is no perceived flood risk.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. A final Construction Method Statement, agreed with the appointed contractor, must be submitted to the Council at least eight weeks prior to any works commencing. This must identify all potential risks to the adjacent watercourses and designated sites and appropriate mitigation to eliminate these risks.

Appropriate areas for the storage of construction machinery, fuels/oils, refuelling areas, must be identified. The Construction Method Statement shall include evidence of the appointment of an Ecological Clerk of Works (ECoW) on site throughout the construction phase and a section on proposed mitigation measures to be implemented during construction and the development shall be carried out in accordance with the mitigation measures, unless otherwise agreed in writing by the Council.

Reason: To ensure that the appointed contractor undertaking the work is well informed of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/Ramsar.

3. If, during the development works, a new source of contamination and risks are found which had not previously been identified, works should cease, and the Council shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to be agreed with the Council before being implemented.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

4. After completing any remediation works required under Condition 3 and prior to occupation of the development, a verification report shall be submitted in writing

and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination Land, Soil & Air (CLR11). The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

5. None of the dwellings hereby permitted shall be occupied until 1.8m high acoustic barriers are installed as presented in figure L of Document 04 of planning reference LA03/2019/0667/F 'Inward Sound Level Impact Assessment' date stamped 15th August 2019.

The barriers shall have a surface weight of not less than 15kg/m² and be of solid construction (i.e. no holes or gaps for sound to pass through) and if the acoustic barrier is a fence, it should be of the ship-lapped design.

Reason: In order to preserve the amenity of the proposed dwellings.

6. The acoustic barriers as outlined within Condition 5 shall be maintained in perpetuity with the lifetime of the development in order to provide the sound reductions stated within section 4.1 of Document 04 of planning reference LA03/2019/0667/F 'Inward Sound Level Impact Assessment' date stamped 15th August 2019.

Reason: In order to preserve the amenity of the proposed dwellings.

7. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under Document 01 of planning approval LA03/2020/0272/DC. These measures shall be implemented, and a final archaeological report shall be submitted the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

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

8. Prior to the occupation of any dwelling, all glazing, including frames, to rooms within Zones A and B of the development, as detailed within Figure K on page 25 of Document 04 of planning reference LA03/2019/0667/F 'Inward Sound Level Impact Assessment' shall be capable of achieving the following sound reductions when measured from outdoor to indoors:

Zone A: 25dB R_{Tra} and

Zone B: 29 dB R_{rTa}.

The glazing shall be retained for the lifetime of the development.

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

9. Prior to the occupation of any dwelling, passive and mechanical ventilation, in addition to that provided by open windows, shall be provided to all rooms within Zones A and B of the development and retained for the lifetime of the development, as detailed within Figure K on page 25 of Document 04 'Inward Sound Level Impact Assessment' and shall be capable of achieving the following sound reductions when measured from outdoor to indoors:
Zone A: 25dB R_{Tra}; and
Zone B: 29 dB R_{Ta}.
The ventilation shall be retained for the lifetime of the development.

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

10. The two vehicular accesses serving the approved development from Park Road, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 98/3 of planning reference LA03/2019/0667/F date stamped 10th December 2019, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

11. No dwelling hereby approved shall be occupied until the roadworks (2 no. accesses onto Park Road with right hand turn provision at the main site access (serving 129 no. dwellings); a new right turn lane into The Poplars housing development; a new footway provision with 2 no. associated pedestrian crossings along Park Road; and a new signalised pedestrian crossing on Mallusk Road) have been completed in accordance with the details indicated on Drawing Number 98/3 of planning reference LA03/2019/0667/F date stamped 10th December 2019 and in accordance with the details outlined blue on Drawing Number 108 of planning reference LA03/2019/0667/F date stamped 12th November 2019 and have been fully completed in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to serve the site are carried out at the appropriate time and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

12. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 98/3 of planning reference LA03/2019/0667/F date stamped 10th December 2019.

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

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

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

14. The open space and amenity areas indicated on approved Drawing No. 106/1 of planning reference LA03/2019/0667/F date stamped 23rd December 2019 shall be managed and maintained in accordance with the Landscape Management and Maintenance Plan, Doc 03 of planning reference LA03/2019/0667/F date stamped 7th August 2019 and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

15. All hard and soft landscape works shall be carried out in accordance with the approved details on approved Drawing Number 06, date stamped 23rd October 2024 and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out in the first available planting season after the occupation of any part of the development.

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

16. 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 at the same place, unless the Council gives written consent to any variation.

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

17. Prior to the commencement of any part of the development hereby approved a scheme for the phasing and completion of all aspects of the hard and soft landscaping and open space provision as identified on the approved Drawing Number 06, date stamped 23rd October 2024, shall be submitted to and agreed in writing with the Council. All hard and soft landscape works shall be carried out in accordance with the appropriate British Standard or other recognised Codes of Practice.

Reason: To secure the orderly development of the site in line with the stated design objectives and to ensure the provision, establishment and maintenance of a high standard of landscape in the interests of visual amenity and the promotion of biodiversity.

18. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery

take place on any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 3998, 1989 Recommendations for Tree Work.

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

19. A detailed specification of the equipment to be provided within the equipped play area as indicated on Drawing No. 109 of planning reference LA03/2019/0667/F date stamped 23rd December 2019 shall be submitted to and agreed in writing by the Council. The equipped play area shall be completed in accordance with these details prior to occupation of the 100th unit within the lands outlined in blue in Drawing Number 01 date stamped 17th May 2024.

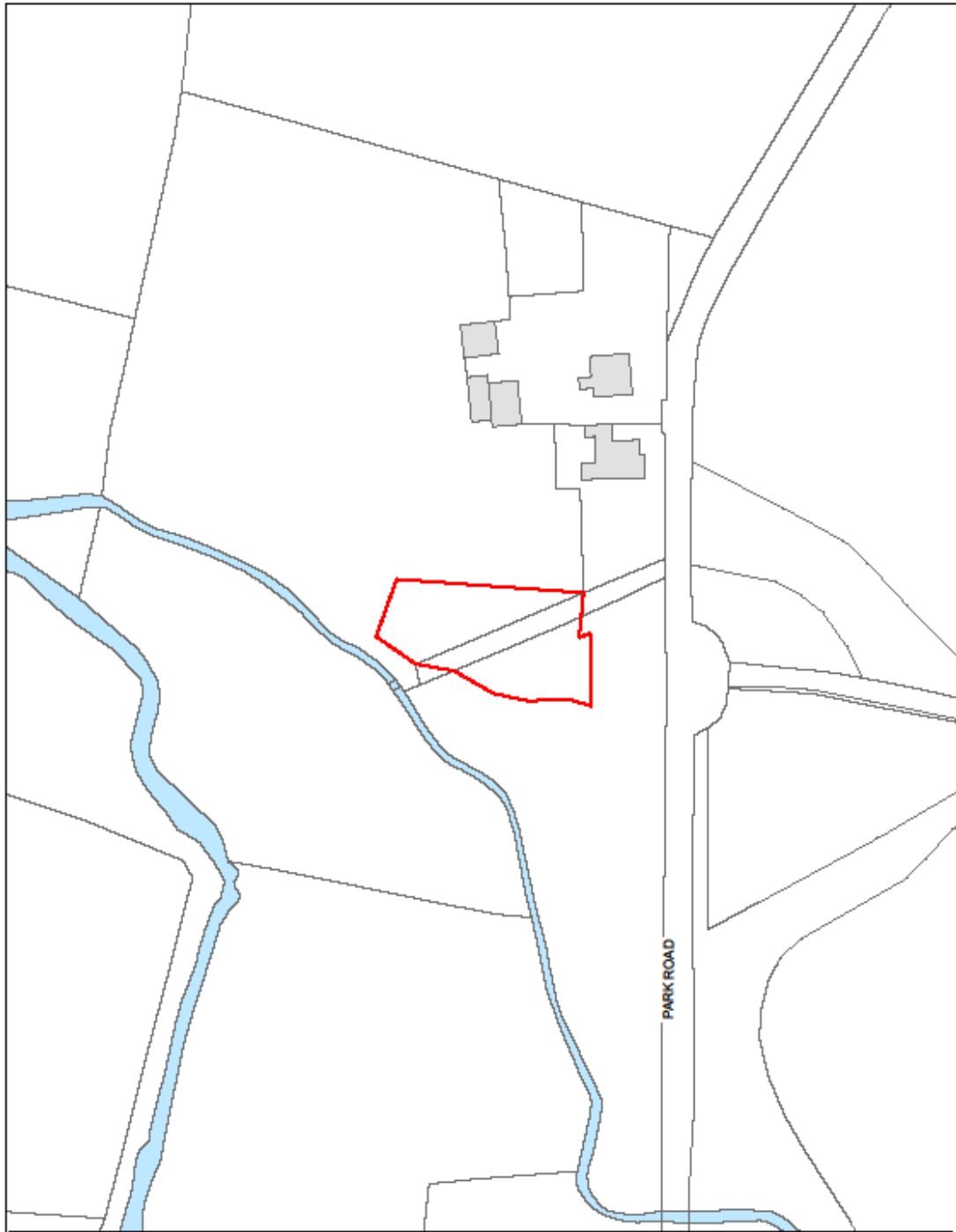
Reason: To ensure provision of an appropriately equipped children's play area takes place concurrently with the development of the site.

20. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

Reason: To ensure adequate wastewater treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site.

21. Prior to the occupation of any dwelling hereby approved, all windows indicated to be finished in obscure glazing as indicated on Drawing Nos 04, date stamped 17th May 2024 and 03/2 date stamped 18th December 2024 shall be installed and retained for the lifetime of the development hereby approved.

Reason: In order to protect residential amenity.




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Site Location Plan

1:1,250 

Reference: LA03/2024/0357/F

 Site Location



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2025/0060/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Infill Dwelling and Garage
SITE/LOCATION	Site between Nos. 25 and 27 (approximately 20m west of 25) Old Ballybracken Road, Doagh, Ballyclare, BT39 0SF
APPLICANT	Richard Owens
AGENT	S W Marcus Architectural Services
LAST SITE VISIT	12th February 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/696090</p>	
SITE DESCRIPTION	
<p>The application site is situated on lands between Nos. 25 and 27 Old Ballybracken Road, Doagh. This is a countryside location situated outside any settlement limits as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site abuts the Old Ballybracken Road and is taken partly from the curtilage of No. 25 Old Ballybracken Road. There is an existing outbuilding situated at the northeastern section of the site. The southwestern (roadside) and northwestern boundaries are defined by mature trees ranging between 5m to 10m in height. The northeastern boundary is defined by the rear elevation of the outbuilding. The southeastern boundary is generally undefined but for a few intermittent trees approximately 10m in height. The topography of the site rises gradually in a northeasterly direction away from the roadside.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
There is no relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.</p>	

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

Antrim Area Plan 1984 – 2001: 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.

Draft Belfast Metropolitan Area Plan (2004): A small portion of the application site is within this plan area. It is located outside any settlement limit and lies adjacent to Breckenhill and Drumadarragh Site of Local Nature Conservation Importance (NY 02/05).

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- Further information required

Northern Ireland Water- No objection

REPRESENTATION

Two (2) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Design and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access and Movement
- Natural Heritage
- Other Material Considerations

Preliminary Matters

As the principle of development was unable to be established, the agent was not contacted prior to the publication of the Planning Committee Agenda.

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 majority of the application site (including all of the development site) is located. The southwestern section of the proposed visibility splays lies within lands that are included within the Draft Belfast Metropolitan Area Plan (dBMAP) and abuts the Breckenhill and Drumadarragh Site of Local Nature Conservation Importance (Policy NY 02/05). There is also a range of regional planning policy which is material to the determination of the proposal.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is Policy CTY 8 which permits the development of a small gap site sufficient to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage. 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 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 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 site is situated within a substantial and continuously built-up frontage which consists of No. 27 Old Ballybracken Road and its garage, an outbuilding between Nos. 25 and 27 Old Ballybracken Road, and the dwelling at No. 27 Old Ballybracken Road. However, the policy also requires there to be a gap within the substantial and continuously built-up frontage. In this instance, it is not considered that the site represents an adequately sized gap to accommodate a dwelling. It is proposed that the existing outbuilding between Nos. 25 and 27 Old Ballybracken Road is used as a garage for the proposed dwelling. However, when including the garage, the gap between No. 25 and the garage of No. 27 is still only 15m, which is considered too narrow to accommodate a dwelling whilst still respecting the existing development pattern along the frontage in terms of size, scale, siting and plot size. Furthermore, an adequately sized dwelling at this location would have to be situated directly forward of No. 25 and the policy stipulates that the site should not include accompanying development to the rear.

Accordingly, the application site is not located within a gap within a substantial and continuously built-up frontage and the principle of development is unable to be established. Therefore, the proposal is considered to fail the policy requirements of Policy CTY 8 of PPS 21.

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

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

Critical views of the proposal would be limited to short views as the mature trees to the north and south of the site screen the site from longer distances along the Old Ballybracken Road. As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling, however, it is considered that a dwelling on the application site would integrate appropriately given the existing site boundary treatments and intervening boundary treatments providing a degree of screening/a backdrop depending on the direction of travel.

In order to further aid integration, a number of conditions would be attached if the application is to be deemed acceptable. A siting condition will ensure the proposal is positioned to reduce its visual impact from the roadway whilst respecting the existing built form. A condition restricting the ridge height to 6.5m will ensure the proposal respects the existing character of buildings in the area. Lastly, conditions relating to the retention of boundary treatments and the submission of a landscaping scheme will ensure the proposal integrates sensitively within the landscape. Overall, the proposal is considered to meet the criteria of Policies CTY 13 and CTY 14 of PPS 21.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design. However, It is considered that with appropriate siting, orientation and layout of the proposal, in combination with proposed new landscaping and separation distances, a dwelling could be accommodated within the lands without negatively impacting upon the neighbouring amenity of adjoining properties.

Nonetheless, whilst a dwelling at this location could be erected without negatively impacting the amenity of the neighbouring properties, there are concerns regarding the private amenity of the proposed dwelling. No. 25 Old Ballybracken Road would have a front-to-back relationship with the proposed dwelling. No. 25 is situated at a more elevated level than the proposed dwelling and has a number of windows on its front elevation, which would look directly into the rear elevation and rear amenity space of the proposed dwelling. The separation distance between the front elevation of the No. 25 and the rear elevation would be approximately 25m-30m. The impact of overlooking upon the proposed dwelling from No. 25 is exacerbated by how No. 25 sits at a higher level than the proposed dwelling, and by the lack of any substantial boundary treatments along the southeastern boundary, which currently consists of a few intermittent mature trees.

Additional planting would not be sufficient to protect the privacy of the proposal and a 1.8m close boarded fence would be needed to provide sufficient screening to the proposal to mitigate the impact of overlooking. However, given much of the roadside vegetation is required to be cleared to facilitate the visibility splays, a 1.8m close boarded fence would be open to critical views from the Old Ballybracken Road. A close boarded fence would be inappropriate within the rural context and have a detrimental impact on the character of the area. As such, a proposed fence would not be an appropriate intervention to mitigate private amenity concerns of the proposal. Accordingly, as appropriate mitigation cannot be provided, it is considered the amenity of the proposal would be adversely impacted by way of overlooking from the neighbouring property. A refusal reason has been added due to these concerns.

Access and Movement

Access to the site is to be gained via the construction of a new access onto the Old Ballybracken Road. DfI Roads was consulted regarding the development proposal and indicated in its consultation response that it required Certificate C of the application form completed and notice to be served upon No. 27 Ballybracken Road in order to provide the required 2.4m x 80m visibility splay to the northwest of the proposed access (the critical side). As the principle of development has not been established, the applicant was not requested to address this issue.

Consequently, the proposal is contrary to Policy AMP 2 of PPS 3 as it has not been demonstrated that access to the site would not prejudice road safety.

Other Matters

The removal of the mature roadside hedgerow and mature trees to accommodate the visibility splays for the proposed development would result in the loss of a priority habitat and would normally require the submission of a bio-diversity checklist and proposed mitigation measures; however, in this case none has been submitted.

Additionally, the site is situated within 50m of the Breckenhill and Drumdarragh Local Wildlife Site, which is also designated as a Site of Local Nature Conservation Importance under dBMAP 2004. Given that the principle of development is considered to be unacceptable, this information was not requested as it would lead to nugatory work and unnecessary expense to the applicant. A reason for refusal has been added to address the lack of information with regards to this matter.

The Council's Environmental Health Section (EH) was consulted with regards to the development proposal and advised that there is a wind turbine situated approximately 335m northeast of the application site. Noise levels submitted for this turbine at the time of its application showed it met ETSU Guidelines, for the two (2) existing noise sensitive receptors (Nos. 25 and 27 Old Ballybracken Road) and it was considered to offer sufficient protection of amenity. As such, EH has no objection to the development proposal.

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy, then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

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

- The principle of the development has not been established in accordance with the policy provisions of Policy CTY 8 of PPS 21.
- It is considered that the proposal will integrate appropriately with the surrounding landscape;
- The proposal is not considered to result in adverse impacts on neighbouring properties;
- It has not been demonstrated that access would not prejudice road safety and is therefore contrary to Policy AMP 2 of PPS 3; and
- Information has not been submitted to assess the risk upon priority habitats and a Site of Local Nature Conservation Importance.

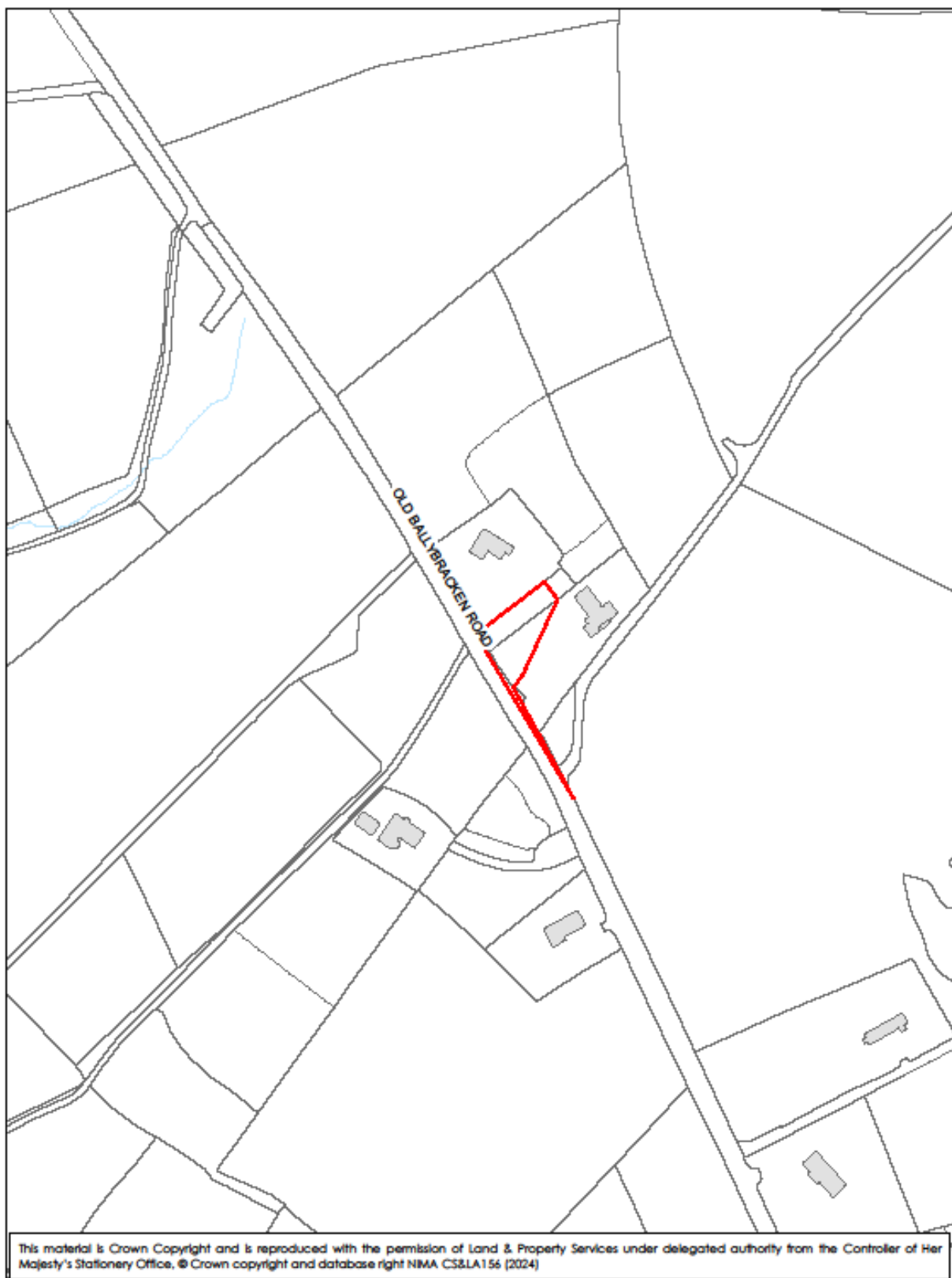
RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

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

3. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policy AMP 2 of Planning Policy Statement 3, in that it has not been demonstrated that access to the site would not prejudice road safety.
4. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policies NH 4 and NH 5 of Planning Policy Statement 2, Natural Heritage, in that the proposal will result in the loss of a priority habitat; and in that it has not been demonstrated that the development would not have a significant adverse impact upon a Site of Local Nature Conservation Importance.
5. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement in that there will be an unacceptable adverse effect on the amenity of the proposed property by way of overlooking from No. 25 Old Ballybracken Road.




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Site Location Plan

1:2,500

Reference: LA03/2025/0060/O

 Site Location



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2025/0116/S54
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE SECTION 54 APPLICATION
PROPOSAL	Dwelling (Variation of Condition 10 from planning approval LA03/2024/0710/O regarding ridge height of dwelling)
SITE/LOCATION	Lands 50m north-east of 7 Lower Size Hill Road, Ballyclare, BT39 9RP
APPLICANT	Joseph Webster
AGENT	Adrian Patterson
LAST SITE VISIT	05/03/25
CASE OFFICER	Harry Russell Tel: 028 903 40408 Email: harry.russell@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Register: https://planningregister.planningsystemni.gov.uk/application/696699	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 50m northeast of No. 7 Lower Size Hill Road, Ballyclare which is within the countryside and outside any development limits as defined by the draft Belfast Metropolitan Area Plan 2004 (dBMAP).</p> <p>The application site consists of an agricultural field and abuts the Lower Size Hill Road. No. 7 Lower Size Hill Road abuts the site to the west and a group of agricultural buildings abut the site to the east. The northern (roadside) boundary is defined by a mature 2m high hedgerow and the western boundary is defined by ranch fencing and mature trees. The southern boundary is defined by a post and wire fence and the eastern boundary is defined by a grouping of agricultural buildings. The topography of the site is generally flat.</p> <p>The surrounding character of the area is rural countryside with dwellings and outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
Planning Reference: LA03/2024/0710/O Location: Lands approx. 50m NE of 7 Lower Size Hill Road, Ballyclare Proposal: Dwelling and garage Decision: Permission Granted (1st November 2024)	
PLANNING POLICY AND GUIDANCE	
Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.	

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

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

Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area Plan (2004): The application site is located outside any development limits and lies in the countryside as designated by these Plans which offers no specific policy or guidance.

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.

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

CONSULTATION

No consultations were carried out as part of the proposal.

REPRESENTATION

Three (3) 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
- Condition to be Removed
- Other Material Considerations

Policy Context and Principle of Development

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

condition(s) should continue. The original planning permission will continue to exist whatever the outcome of the current application.

Condition to be Removed

The application seeks permission for the variation of Condition 10 of planning approval reference LA03/2024/0710/O with regards to the removal of the ridge height condition.

Condition 10 of planning approval reference LA03/2024/0710/O reads:

'The proposed dwelling must have a ridge height not exceeding 5.8 metres above finished floor level.'

Reason: To ensure that the development is satisfactorily integrated into the landscape and with the adjacent residential dwellings in accordance with the requirements of Planning Policy Statement 21.'

It is stated within the application form that the applicant wishes to amend the condition to read:

'The proposed dwelling must have a ridge height not exceeding 7.0 metres above finished floor level.'

The agent submitted a Supporting Statement, Document 01, and an Existing Topographical Site Survey and Streetscape, Drawing No. 02 and a Proposed Conceptual Site Plan and Streetscape, Drawing No. 03, all date stamped 20th February 2025, in support of the proposal. The agent argues that the site benefits from a high degree of screening and a mature backdrop, and that the neighbouring buildings have a higher ridge height than 5.8m. For these reasons the agent states a ridge height of 7m would be acceptable. The agent also states the current ridge height is restrictive and an increase in vertical height, would allow for more usable rooms at first floor level to serve a young and expanding family. The agent also states that if permitted, it would reduce the building footprint on the ground, which in turn would facilitate more usable external amenity space at the dwelling.

Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed. The proposal must therefore meet the requirements of Policies CTY 13 and CTY 14. It is accepted that the site benefits from a degree of screening from the Lower Size Hill Road due to the mature trees along the western boundary of the site and the agricultural buildings, which abut the eastern boundary of the site. It is also accepted that the western boundary provides a strong backdrop to the site when travelling along the Lower Size Hill Road from an eastern direction.

The southern boundary of the site, however, lacks any form of mature boundary treatments and the site therefore lacks a strong backdrop to the rear of the application site when viewed from short distances along the Lower Size Hill Road. It is considered that a section of the existing roadside vegetation along the northern site boundary will need to be removed to facilitate the required visibility splays, further promoting critical views of the application site particularly from the western

approach. Although compensatory planting could potentially be provided, it will take time for any planting to become fully established.

It is considered that a dwelling with a ridge height of up to 5.8m from finished floor level with an under-build of up to 0.3m could integrate appropriately at this location. Conversely, a dwelling with a ridge height of 7m above finished floor level with an under-build of up to 0.3m would appear more visually prominent, appearing as skyline development at this location when viewed from sections of the Lower Size Hill Road. Paragraph 5.61 of the justification and amplification of Policy CTY 13 states that new buildings which read as skyline development will be unacceptable.

As stated above, the agent has indicated that the neighbouring buildings, which abut the application site, have a ridge height above 5.8m. However, the proposal is assessed taking account of the existing landscape as well as the existing built form. As such, it is considered a dwelling at this location with a ridge height of 7m above finished floor level would appear prominent from sections of the Lower Size Hill Road when viewed against the existing landscape.

Regarding the current condition being restrictive in providing a family sized home, there are a number of dwellings within the vicinity of the site, which have a similar or lower ridge height (E.g. No. 9 Lower Size Hill Road) which contain 3 or 4 bedrooms. Furthermore, ample usable private amenity space is provided within the site outside of the area covered by the siting condition (Condition 4) of planning approval Ref: LA03/2024/0710/O.

Accordingly, increasing the ridge height to 7m would facilitate a dwelling, which is unduly prominent in the landscape and would result in skyline development. Accordingly, the proposal fails to meet the policy provisions set out in the SPPS and Policies CTY 13 and CTY 14 of PPS 21.

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy, then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

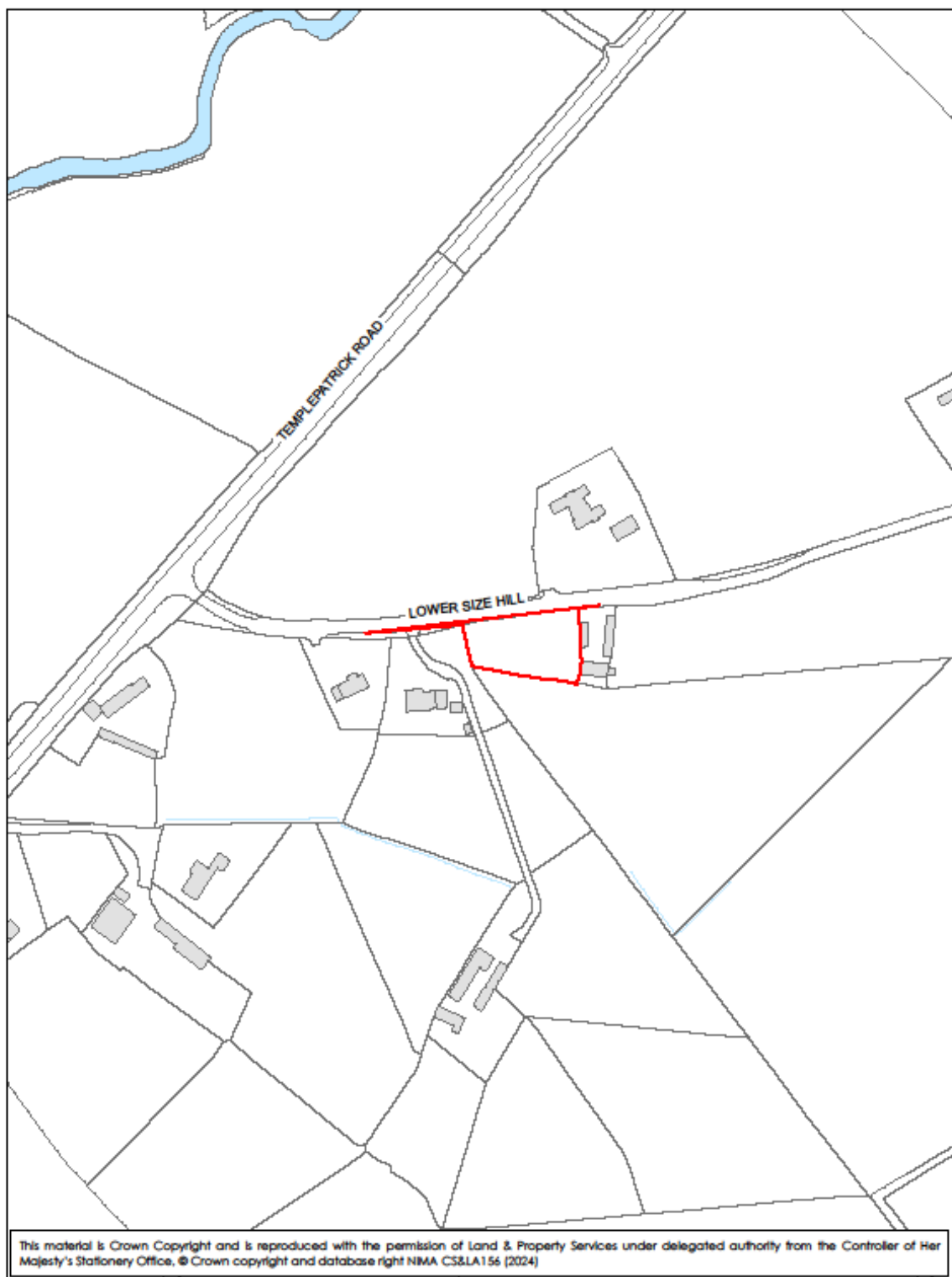
The following is a summary of the main reasons for the recommendation:

- It is considered that the variation of Condition 10 of planning approval reference LA03/2024/0710/O is unacceptable.

RECOMMENDATION	REFUSE SECTION 54 APPLICATION
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PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that if the variation of Condition 10 of LA03/2024/0710/O was to be approved, a dwelling at this location would fail to integrate into its surroundings and would be visually prominent.



Site Location Plan

1:2,500

Reference: LA03/2025/0116/S54

 Site Location



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2024/0730/F
DEA	DUNSILLY
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retention of household recycling centre, including storage areas, garage, offices, welfare facility, and associated lighting. Additional works include proposed drainage improvements, new security fencing to match the existing, replacement of existing bay walls with LEGO blocks, and the extension of the HRC area to accommodate 0.04 hectares of WEEE and glass storage.
SITE/LOCATION	Craigmore Household Recycling Centre, Clonkeen Road, Randalstown, BT41 3JL
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	WDR and RT Taggarts
LAST SITE VISIT	14 January 2025
CASE OFFICER	Sairead de Brún Tel: 028 9034 0406 Sairead.debrun@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk/application/693679	
SITE DESCRIPTION	
<p>The application site is located in the rural area outside of any development limit as designated within the Antrim Area Plan 1984-2001 and is located at the Craigmore Household Recycling Centre (HRC) on the Clonkeen Road outside of Randalstown.</p> <p>Whilst access to the site is taken from the Clonkeen Road, the site is located at the junction of the Clonkeen and Craigmore Roads. It is a roadside site that is bounded to the north, east and west by tall, mature trees, gorse hedging and a 1.8 metre high palisade fence. The southern boundary is defined by a 1-metre-high wire mesh fence.</p> <p>The surrounding area is rural in nature, characterised by small clusters of residential development along the Clonkeen Road and Church Road.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1984/0043 Location: Craigmore Quarry, Randalstown Proposal: For use as a refuse disposal site Decision: Permission Granted Decision Date: 24 March 1983</p> <p>Application Number: T/1994/0496 Location: Craigmore Quarry Tip site, Craigmore, Randalstown Proposal: Extension to refuse disposal site by increasing the level of infilling Decision: Permission Granted</p>	

Decision Date: 02 September 1996

Application Number: T/2004/0671/F

Location: Clonkeen Road, Randalstown

Proposal: Concrete slab extension to existing household recycling centre for stockpiling green waste, scrap timber, rubble and white goods pending onward disposal. Also includes prefabricated portable site office with toilet facilities located nearby in the existing H.R.C site.

Decision: Permission Granted

Decision Date: 04 April 2005

Application Number: T/2008/0153/F

Location: Craigmore Civic Amenity site, at the junction of Craigmore and Clonkeen Road, Randalstown

Proposal: Proposed security fence (Retrospective application)

Decision: Permission Granted

Decision Date: 03 July 2008

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 in the countryside as defined by the Plan.

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

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

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

Environmental Health Section: No objection, subject to conditions

NI Water: No objection

DfI Rivers: No objection

DAERA Regulations Unit: No objection

DAERA Water Management Unit: No objection

DfI Roads: No objection

REPRESENTATION

Three (3) neighbouring properties were notified of the application and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout, Appearance and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access and Road Safety
- Flooding and Drainage
- 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 located in the rural area on the Clonkeen Road in Randalstown. Whilst the Plan

refers to the acquisition of a new site at Craigmore, 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. In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained within PPS 3: Access, Movement and Parking (Revised 2005) and PPS 3 (Clarification 2006); PPS 11 and PPS21: Sustainable Development in the Countryside.

Policy CTY 1 of PSP 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development, and in this case, planning permission is being sought for the retention of a household recycling centre with proposed drainage improvement works, new security fencing, replacement of existing bay walls with 'LEGO blocks', and the extension of the HRC area to accommodate 0.04 hectares of waste from electrical and electronic equipment (WEEE) and glass storage. Policy CTY 1 states that proposals for such development will continue to be considered in accordance with existing published planning policies.

Policy WM 2 of PPS 11 sets out the policy context for waste collection and treatment facilities. The planning history on the application site has established the use of the site as a waste disposal facility, with the site currently operating as a civic amenity site; such a use has been defined within PPS 11 as a 'site for the collection of recyclable materials and bulky household waste'.

Paragraph 7.10 of Policy WM 2 deals specifically with civic amenity sites and states that such sites play an important part in enabling the achievement of the relevant targets in the Waste Management Strategy (WMS), whilst the expansion of civic amenity sites will facilitate the necessary growth in recycling and reuse of materials.

Currently the site accepts a wide range of materials, including wood and timber, garden waste, dry recyclables, glass bottles and jars, small and large electrical appliances, car batteries, hardcore and rubble, fluorescent tubes, paint, hard plastics, plasterboard and scrap metal, and this application does not propose any changes to the acceptance of waste types at this HRC site.

The proposal includes the retention of a single storey welfare office building, located in the southern section of the site, drainage improvement works throughout the site, surface repair, new security fencing, and the replacement of existing bay walls. The existing layout will be reconfigured to allow for a new area of WEEE and glass storage.

Paragraph 7.10 of Policy WM 2 goes on to state that civic amenity sites should, normally, be located within settlements. As they provide a facility for householders, it is important that they are sited in locations that have good accessibility from the main road network, allow for easy access and parking on site by the public and can

be properly screened. It is important that sites are not located where their operation would have a detrimental impact on residential amenity due to noise, odour or dust. Whilst the preferable location for such sites is within a settlement limit, the policy does refer to civic amenity sites in rural areas, advising that in these areas with a dispersed settlement pattern, it may be necessary to seek a location that meets the above criteria.

As noted above, the application site is located within the rural area and its use as a waste disposal facility has previously been established through historical planning applications (Ref's: T/1984/0043/F and T/1994/0496/F). Under this current application, the site is being extended further to the south, beyond what was previously approved. Additional land beyond this southern boundary has also been included within the red line of the application site; this is to allow for the proposed drainage works. The site occupies a relatively isolated position within this rural area, with no residential properties along any of its boundaries. The Council's Environmental Health Section (EHS) has considered the proposal and is satisfied that amenity at nearby sensitive receptors can be suitably protected subject to conditions restricting lighting and the operating times of the facility.

Despite being located in the countryside, the site is situated approximately 3km northwest of Randalstown and is easily accessible along the surrounding rural road network. The HRC site operates a one-way system which contributes to a good traffic flow in and around the site, and there are an appropriate and sufficient number of car parking spaces. Three boundaries of the application site are defined by tall, long-established trees and mature hedging, which provide screening for the site. This existing vegetation provides a good backdrop to the site when approaching from the south along the Clonkeen Road.

It is considered that the proposal complies with Policy WM 2 of PPS 11 and the principle of development is acceptable, subject to the proposal meeting all other material considerations.

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

The application seeks to retain the household recycling centre, which includes existing storage areas, a building containing a garage, office and welfare facility, and associated lighting. New works proposed include drainage improvements, security fencing to match the existing, the replacement of existing bay walls with LEGO blocks, and the extension of the HRC area to accommodate 0.04 hectares of WEEE and glass storage.

Policy CTY 13 of PPS 21 sets out that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design, while Policy CTY 14 allows for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area.

As noted above the proposal involves the retention of a single storey building located in the southern section of the site. This building accommodates an office, staff kitchen and WC and garages; it follows the gradient of the site; stepping down from 5.8 metres from finished ground level (FGL) at its highest point to 5 metres at its lowest point. External finishes include red brick cladding, a slate roof and steel roller shutter doors.

The overall layout, design and appearance of the development is somewhat typical of a number of HRCs within the Borough. The storage areas, containers and welfare building are all of a relatively low height; they are well integrated and do not appear as incongruous or dominant in the surrounding rural context. In addition, the application site is well screened and public views are limited. The development is found to be compliant with Policy CTY 13.

The development is considered to be visually integrated into the surrounding landscape and the design and appearance of the proposal is found to be acceptable. The development would not cause a detrimental change to the rural character of the surrounding area and is in compliance with Policy CTY 14.

Neighbour Amenity

Policy WM 2 of PPS 11 sets out the importance of locating civic amenity sites where their operation would not have a detrimental impact on residential amenity due to noise, odour or dust. The application site is located in the countryside, with the nearest residential dwelling being approximately 80 metres northeast at No. 6 Craigmore Road while No. 30 Clonkeen Road sits approximately 90 metres to the northwest.

EHS has reviewed the Operational Working Plan for the site included within the Planning Supporting Statement (Document 02 date stamp received 08 October 2024), which outlines the operating hours and mitigation measures for odour, dust and noise. EHS has confirmed that the proposal addresses concerns regarding any potential impacts of odour, dust and noise on the nearest sensitive properties.

Having reviewed the information submitted, EHS is satisfied that amenity at nearby sensitive receptors can be suitably protected subject to conditions restricting opening hours to 09:00 – 20:00 Monday to Saturday from April to September, and 09:00 – 18:00 Monday to Saturday October to March as well as a condition with regards to lighting.

Access and Road Safety

Policy AMP 2 of PPS 3 requires that adequate access arrangements, parking and manoeuvring areas are provided, and the existing road network can safely handle any additional vehicular activity. The proposal seeks to utilise the present access which currently serves the existing site and the site layout drawing indicates a dedicated flow of traffic around the site.

The agent has confirmed that the figures for the average number of vehicles attending the site per day within the application form is based on an annual throughput tonnage of 25, 000 tonnes. DfI Roads has indicated that visibility splays of 2.4 metres by 90 metres are currently in situ, and this provision is satisfactory for up to 3000 vehicle movements per day. The number of trips generated by this proposal will not exceed 3000 per day, and DfI Roads has no objection to the proposal. Having regard to Policy AMP 2 of PPS 3, it is considered that the existing road network can safely handle the vehicular traffic the proposal will generate and adequate access arrangements, parking and manoeuvring areas are provided as part of the proposal.

Flooding and Drainage

The proposal includes drainage improvement works throughout the site and areas of surface repair. Included within the application submission is a Drainage Assessment (Document 03, date stamp received 08 October 2024). It is set out within this document that the site is not affected by significant fluvial or pluvial flooding; and that the Council owns and has operated the HRC for more than 20 years without experiencing any flooding events. DfI Rivers has raised no issues in terms of Policy FLD 1 or FLD 2, in terms of flooding.

Currently stormwater is managed through the existing drainage system, with surface water from the yard and parking area entering this system via a series of gullies and drains. At present, all water from the hardstanding surfaces pass through a Class 1 Fuel Separator Interceptor. As part of the proposed site improvements, surface water intercepted by the HRC hardstanding, including the proposed WEEE and bottle storage area, will pass through an additional Full Retention Medium-Density Polyethylene (MDPE) and Glass Reinforced Plastic (GRP) oil separator before entering the existing drainage system. The surface water will then flow to the existing soakaway system.

This existing soakaway system is an infiltration-based form of a Sustainable Drainage Systems (SuDS); such systems seek to mimic natural drainage regimes and provide an alternative to the direct channelling of surface water through networks of pipes and sewers to nearby watercourses. DfI Rivers has advised that commenting on the efficacy of the proposed SuDS is outside Rivers Directorate's area of knowledge and expertise, and consequently, Rivers Directorate cannot advise that the potential flood risk to the development, and from the development to elsewhere, has been satisfactorily addressed, or that the proposal is acceptable as required under policy.

Section 4 of the Drainage Assessment provides a peak flow rate calculation for the new area of storage for the WEEE and glass storage. It has been calculated that this additional area of hardstanding will increase the peak flow rate from 26l/s to 30l/s. It is noted within the Drainage Assessment that this marginal increase is only relevant during peak storm events and would be significantly lower during typical weather conditions. It should also be noted that the existing HRC is gravel and hardstanding, and likely already contributes to a runoff of 4.0l/s. The Drainage Assessment concludes that the proposed development will not adversely affect the existing drainage network and associated soakaway system. DAERA Water Management Unit (WMU) has considered the impacts of the proposal on the surface water environment and, on the basis of the information provided, is content with the proposal subject to the applicant adhering to Standing Advice, and any relevant statutory permissions being obtained, including the necessary waste authorisations.

Foul drainage from the site offices is captured within the existing foul drainage infrastructure, which leads to onsite septic tanks. The agent has indicated that the proposal will not affect the existing foul infrastructure at the site as the proposed works do not seek to increase foul sewage. NI Water notes the use of existing septic tanks for the disposal of foul sewage and has advised that written consent from DAERA is required for the use of this method of disposal.

Other Matters

Increase in annual waste tonnage

Section 1 of Document 1 states that 'as part of the new planning application proposed to regularise the operations at the HRC site, it is also proposed that the site will accept no more than 25,000 tonnes of waste per annum'

Regulation Unit (RU) of DAERA provided a consultation response to this application, advising that if planning permission was to be granted, then the applicant will be required to apply for a new Waste Management Licence from RU. The agent has submitted a copy of the current Waste Management Licence (WML) (DOC 05, date stamp received 12 March 2025) which states that 'the total quantity of waste accepted at the site per year shall not exceed 5,000 tonnes'. The agent has also confirmed that the HRC site is currently operating with an annual tonnage of 25,000 and as part of this proposal, planning permission is being sought to allow for this increase in waste. The agent has advised that an application to vary the WML has already been submitted to DAERA, however, this variation cannot be agreed without the appropriate planning permission.

The application site is currently processing up to 25,000 tonnes of waste per year without any apparent impact on the visual amenity of the surrounding area or residential amenity of the neighbouring residential properties. As per the section on access, movement and parking, DfI Roads has indicated that the access to the existing HRC can accommodate up to 3000 vehicle movements per day. Allowing an increase in annual waste tonnage will not prejudice road safety and the flow of traffic along the Clonkeen Road.

Other Material Considerations

The Council has now received the Planning Appeals Commission Report into the Independent Examination of the Councils draft Plan Strategy together with a Direction from the Department for Infrastructure. Until such times as Council adopts its Plan Strategy, the transitional arrangements referred to in Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) and Paragraph 1.15 of the draft Plan Strategy will apply. Where the draft Plan Strategy proposes any change to the policy, then only limited weight will be applied to the new draft Plan Strategy until it is adopted and therefore the policy tests within the PPS continue to be determining.

CONCLUSION

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

- The principle of the development is acceptable;
- The design, layout and appearance are acceptable and will not have a detrimental impact on the character of the surrounding area;
- The proposed development will not have a significant detrimental impact on neighbouring amenity;
- The application site can be accessed safely and an appropriate car parking arrangement is provided; and
- The proposal will not contribute to flooding on the site or in the surrounding area.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The development hereby permitted shall only be operational during the hours as specified in the table below:

Months	Days	Opening Hours	Closing Hours
April to September	Monday to Saturday	09:00	20:00
October to March	Monday to Saturday	09:00	18:00

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

3. The artificial lighting as indicated on Drawing Number 07, stamped 'Received 22/01/2025', shall not operate on anytime between 23:00 and 07:00 hours.

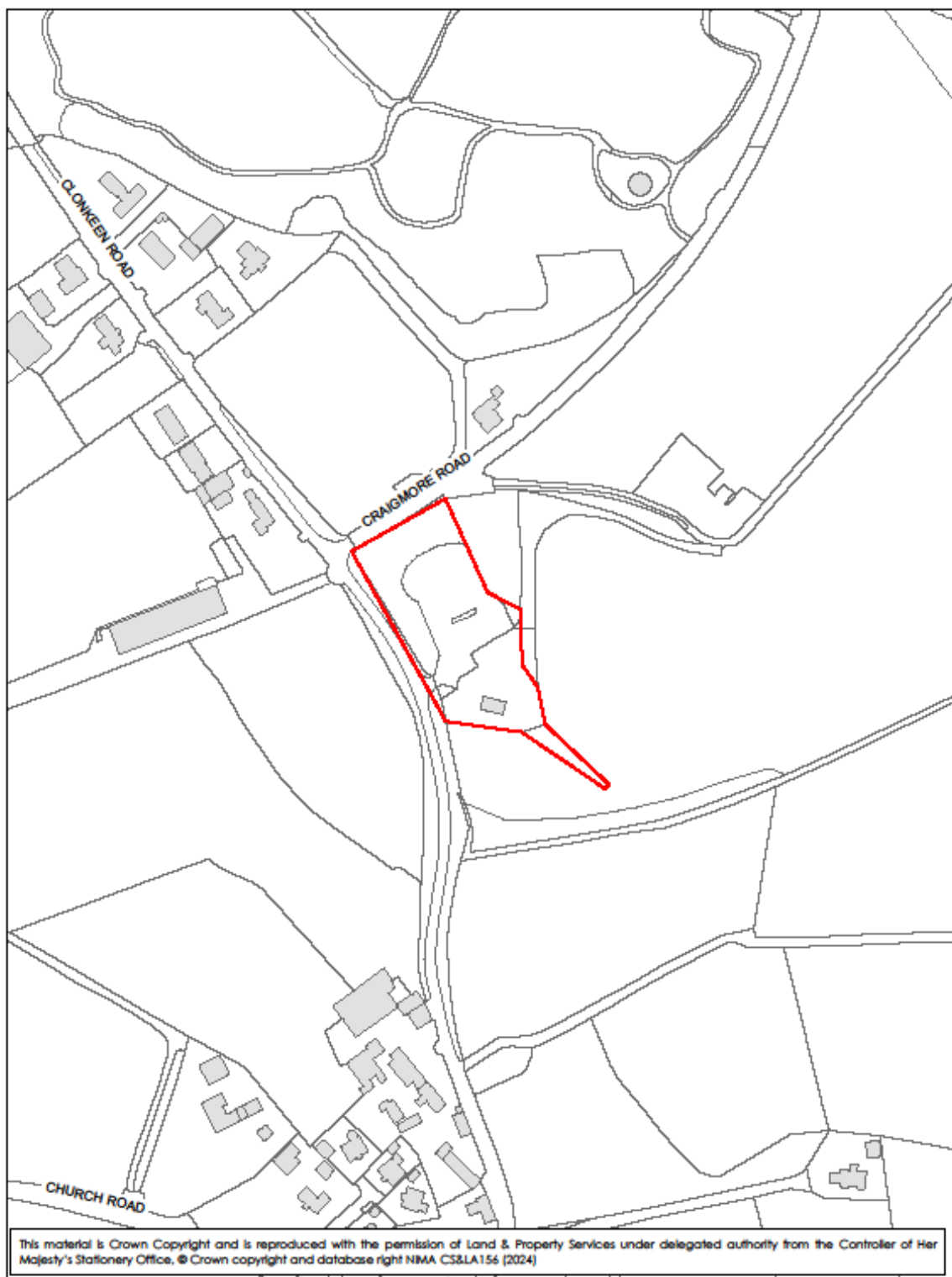
Reason: In order to protect amenity at nearby sensitive receptors.

4. The waste materials to be accepted at the facility hereby approved shall be restricted to those falling within the European Waste Catalogue Codes listed in Table 1.1 of Document Number 02, date stamped 08 October 2024.

13 OIL WASTES AND WASTES OF LIQUID FUELS (except edible oils, and those in chapters 05, 12 and 19)	
13 02	Waste, engine, gear, and lubricating oils
13 02 04	Mineral-based chlorinated engine, gear, and lubricating oil
13 02 05	Mineral based non – chlorinated engine, gear, and lubricating oil
13 02 06	Synthetic engine, gear, and lubricating oils
13 02 07	Readily biodegradable engine, gear, and lubricating oils
13 02 08	Other engine, gear, and lubricating oils
15 WASTE PACKAGING, ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED	
15 01 01	Paper and cardboard packaging
15 01 02	Plastic and packaging
15 01 03	Wooden packaging
15 01 07	Glass packaging
16 WASTES NOT OTHERWISE SPECIFIED IN THE LIST	
16 01 07	Oil filters
16 06 01	Lead batteries
17 CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)	
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles and ceramics
17 01 07	17 01 06
17 02 01	Wood
17 02 02	Glass

17 05 04	Soil and stones other than those mentioned in 17 05 03
17 08 02	Gypsum based construction materials other than those mentioned in 17 08 01
17 09 04	Mixed construction and demolition waste other than those mentioned in 17 09 01, 17 09 02 and 17 09 03.
20 MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS	
20 01 01	Paper and card
20 01 02	Glass
20 01 10	Clothes
20 01 11	Textiles
20 01 21	Fluorescent tubes and other mercury containing waste
20 01 23	Discarded equipment containing chlorofluorocarbons
20 01 25	Edible oil and fat
20 01 26	Oil and fat other than that mentioned in 20 01 25
20 01 27	Paints, inks, adhesives, and resins containing dangerous substances
20 01 28	Paints, inks, adhesives, and resins other than those mentioned in 20 01 27
20 01 33	Batteries and accumulators
20 01 34	Batters and accumulators other than those mentioned in 20 01 33
20 01 35	Discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components
20 01 36	Discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23
20 01 37	Wood containing dangerous substances
20 01 38	Wood other than that mentioned in 20 01 38
20 01 39	Plastics
20 01 40	Metals
20 02 01	Biodegradable garden and park waste
20 02 02	Soil and stones
20 02 03	Other non-biodegradable wastes
20 03 01	Mixed municipal wastes
20 03 07	Bulky waste
20 03 99	Municipal wastes not otherwise specified

Reason: In the interest of amenity of residents living in the surrounding area



Site Location Plan

1:2,500



Reference: LA03/2024/0730/F



Site Location



PART TWO
OTHER PLANNING MATTERS

ITEM 3.8

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS MARCH 2025

1. Purpose

The purpose of this report is to update Members on the planning applications decided under delegated powers and decisions issued by the Planning Appeals Commission (PAC) in March 2025.

2. Delegated Decisions of Council

A list of planning decisions issued by Officers during March 2025 under delegated powers together with information relating to planning appeals are **enclosed** for Members' information.

3. Planning Appeal Commission Decisions

Four (4) appeals were dismissed during March 2025 by the PAC. A claim for costs related to two (2) appeals (2023/A0110 and 2023/A0026) has been denied.

Planning application:	LA03/2023/0896/O
PAC reference:	2023/A0110
Proposed Development:	Dwelling and Garage
Location:	Approx 50m NE of 16 Blackrock Road, Randalstown
Date of Appeal Submission:	19/3/24
Date of Appeal Decision:	07/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld
Planning application:	LA03/2022/0662/F
PAC reference:	2023/A0026
Proposed Development:	Retention of dwelling and garage (amended siting and access to dwelling and garage approved under LA03/2020/0123/F) and design change to garage
Location:	27 Glebe Road (Site 4 - 70m north of 7 Glebe Road, Newtownabbey)
Date of Appeal Submission:	04/07/2023
Date of Appeal Decision:	27/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld
Planning application:	LA03/2022/1036/F
PAC reference:	2023/A0051
Proposed Development:	Proposed replacement storage shed associated with an existing filling station and shop, associated car parking and site works.
Location:	179 Moneynick Road, Toome, Antrim
Date of Appeal Submission:	06/09/2023
Date of Appeal Decision:	28/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld
Planning application:	LA03/2023/0327/F

PAC reference: 2023/A0037
Proposed Development: Extension to curtilage and retention of garage/store
Location: 20 Dundesert Road, Crumlin, BT29 4SL
Date of Appeal Submission: 31/07/2023
Date of Appeal Decision: 31/03/2025
Decision: Appeal Dismissed – Council Decision Upheld

Copies of the decisions are **enclosed**.

Two (2) appeals were allowed during March 2025 by the PAC. A claim for costs related to one (1) appeal (2023/L0011) was denied.

Planning application: LA03/2023/0200/CLOPUD
PAC reference: 2023/L0011
Proposed Development: The refusal to Certify a Certificate of Lawfulness of Proposed Use or Development
Location: 27 Glebe Road, Newtownabbey
Date of Appeal Submission: 18/10/2023
Date of Appeal Decision: 27/03/2025
Decision: Appeal Allowed – Council Decision Not Upheld

Planning application: LA03/2022/1118/F
PAC reference: 2023/A0060
Proposed Development: Erection of stables building for private use only including ancillary siteworks
Location: 120 metres north-east of 16 Rickamore Road, Templepatrick
Date of Appeal Submission: 20/09/2023
Date of Appeal Decision: 25/03/2025
Decision: Appeal Allowed – Council Decision Not Upheld

One (1) Enforcement Notice (as varied) was upheld during March 2025 by the PAC.

Planning application: LA03/2022/0172/CA and EN/2022/0172
PAC reference: 2023/E0024
Proposed Development: 2 no. unauthorised buildings and the infilling and raising of ground levels to facilitate the unauthorised buildings (non-compliance with planning permission LA03/2020/0123/F).
Location: Land at 27 Glebe Road (Site 4 – approximately 110m north of 7 Glebe Road, Newtownabbey)
Date of Appeal Submission: 05/09/2023
Date of Appeal Decision: 27/03/2025
**Decision: Enforcement Notice Upheld – Council Decision Upheld
PAC varied notice including timeframe for compliance from 20 to 28 weeks.**

A copy of the decision is **enclosed**.

4. Recommendation

It is recommended that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.9

P/PLAN/1 PLANNING FEES INCREASE

1. Purpose

The purpose of this report is to advise Members that the Department for Infrastructure, in line with the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 will introduce an inflationary fee uplift of approximately 2.1%. This will be across all fee categories and will come into operation on 1 April 2025.

2. Background

Since 1 April 2015 Councils have been responsible for the processing of the majority of planning applications, and the Department for Infrastructure (DfI) sets the fees.

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 will come into operation in April 2025. There has been no change in policy (to apply planning fees), and in line with the approach for previous inflationary fee increases, the Minister for Infrastructure agreed to an inflationary increase of approximately 2.1%.

3. Key Issues

Planning Fees in Northern Ireland are set in Statutory Rule, The Planning (Fees) Regulations (Northern Ireland) 2015. Annually DfI apply an inflationary uplift across all fee categories.

The Department for Infrastructure, in line with the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 has introduced an inflationary fee uplift of approximately 2.1%. This is across all fee categories and came into operation on 1 April 2025. A copy is **enclosed** for information.

The planning portal was successfully updated to reflect the new fees with effect from 1 April 2025.

4. Recommendation

It is recommended that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.10

P/PLAN/1 NISRA PLANNING STATISTICS THIRD QUARTER 2024/2025 STATISTICAL BULLETIN FOR THE PERIOD OCTOBER TO DECEMBER 2024: PROVISIONAL FIGURES

1. Purpose

The purpose of this report is to update Members on the NISRA Planning Statistics 2024/2025 – Third Quarter Statistical Bulletin for the period October to December 2024: Provisional Figures

2. Key Issues

The third quarterly provisional planning statistics for 2024/25 produced by the Analysis, Statistics and Research Branch of Department for Infrastructure (DfI), a copy of which is **enclosed**, were released on 27 March 2025.

The figures show that in Quarter 3 2024/2025 the total number of planning applications received in Northern Ireland was 2,368; similar to the number received in the previous quarter and down by six percent when compared to the same period a year earlier. This comprised of 2,321 local, 46 major and one regionally significant planning application.

In relation to performance against statutory targets, DfI figures show that the Council was within the 30-week target time in the third quarter of 2024/25 for **Major** planning applications, with an average processing time of **21.8 weeks**. This performance **ranks second** amongst the 11 Councils and reflects well against the average processing time of 39.7 weeks across all Councils.

The number of local applications decided in the third quarter of 2024/25 was 2,286, an increase of 1.3 percent from the previous quarter and down by 5.7 percent from the same period a year earlier. Three of the 11 Councils were within the 15-week target with **Antrim and Newtownabbey (12.8 weeks) ranked third**. This reflects well against the average processing time of **19.2** weeks across all Councils.

The number of enforcement cases opened in NI during the third quarter of 2024/25 was 582; down by 6.6% over the quarter (623) and down by 7.9% when compared to the same period a year earlier (632). The number of cases closed during Q3 2024/25 was 614; down by 8.2% from the previous quarter (669) and down by 12.4% from the same period a year earlier). **Antrim and Newtownabbey recorded the highest percentage of cases processed within 39 weeks, with 98.1% processed within target during the first nine months of 2024/25.**

3. Recommendation

It is recommended that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.11

P/PLAN/1 UPCOMING EVENT FOR COUNCIL'S SUMMER PLACEMENT FOR PLANNING STUDENTS, JUNE – AUGUST 2025

1. Purpose

The purpose of this report is to advise Members of an upcoming event to launch the Council's Summer Placement aimed at planning students to be held in Mossley Mill.

2. Key Issues

The Council agreed through the 2025/26 budget to make provision for two students over the summer period in the Planning Section. It is important that the Council promotes the opportunity for students to gain experience in the profession of planning and also to build relationships with universities and attract future staff.

Officers propose to engage with Queen's University and Ulster University regarding the upcoming summer placements and propose a launch event to be held within Mossley Mill in May (date to be confirmed).

The launch event will invite students to attend Mossley Mill to hear from the Chairperson of the Planning Committee and the Chairperson of the RTPI NI, as well as getting some insight from Officers working across Development Management, Enforcement and Forward Planning teams. The event will finish with an opportunity for the students to network with Officers and Planning Committee Members.

An invitation will be sent to all Planning Committee Members and relevant Officers.

3. Recommendation

It is recommended that the report be noted.

Prepared by: Emma Aldridge, Senior Planning Officer

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.12

P/FP/LDP 1 NOTIFICATION OF PLANNING APPEALS COMMISSION HEARING INTO PLANNING APPLICATION LA03/2021/0940/F – LOUGH NEAGH SAND EXTRACTION

1. Purpose

The purpose of this report is to advise Members that correspondence (enclosed**) has recently been received from the Department for Infrastructure (DfI), regarding arrangements for the forthcoming Planning Appeals Commission hearing into planning application LA03/2021/0940/F.**

2. Introduction/Background

The application is located within the Mid Ulster, Antrim and Newtownabbey, Armagh Banbridge and Craigavon and Lisburn and Castlereagh council areas.

It seeks permission to develop land without compliance with planning conditions No.7 (seeking removal of daylight only operating hours restriction) and No.12 (seeking variation to barge sizes) previously attached to planning permission LA03/2017/0310/F.

Members are reminded that the Council Chief Executive had previously written to Department for Infrastructure in July 2022, indicating that the Council had agreed not to provide a corporate view on the merits of the proposal, thus allowing individual Members or parties to express support or object to the development if they so wished.

3. Key Issues

The hearing by the Planning Appeals Commission is scheduled to open at 10.30am on 25 June 2025 in the Commission's office, 4th Floor, 92 Ann Street, Belfast and will continue as necessary on the following day. DfI has written to the Council, as it had previously provided the consultation response from the Chief Executive as detailed above, requesting whether the Council had any additional comment to make.

Members are reminded that the final decision on this regionally significant planning application will rest with the Department for Infrastructure.

4. Summary

The hearing held by the Planning Appeals Commission into planning application LA03/2021/0940/F is scheduled to open at 10.30am on 25 June 2025.

5. Recommendation

It is recommended that the report be noted.

Prepared by: Simon Thompson, Local Development Plan and Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.13

P/FP/LDP/21 THE DEPARTMENT FOR INFRASTRUCTURE, DEVELOPER CONTRIBUTIONS FOR WASTEWATER INFRASTRUCTURE, PUBLIC CONSULTATION

1. Purpose

The purpose of this report is to inform Members that on 21 March the Department for Infrastructure Minister, Liz Kimmins, launched a public consultation on Developer Contributions for Wastewater Infrastructure. The consultation seeks public views on whether and, if so, how the Department should introduce developer contributions to help fund necessary improvements to wastewater infrastructure across the province. The consultation is currently open and will close on 27 June 2025.

2. Key Issues

The Council received notification from the Department for Infrastructure (DfI) on 21 March 2025 that Infrastructure Minister Liz Kimmins has launched a public consultation on Developer Contributions for Wastewater Infrastructure – **enclosed** for Members' information. The consultation seeks public views on whether, and if so how, the Department should introduce developer contributions to help fund necessary improvements to wastewater infrastructure across the province.

Members are reminded that wastewater is water that comes from households or businesses and includes water from sinks, showers, toilets and washing machines. Wastewater infrastructure includes sewer pipes, storage tanks, pumps, and treatment works, all of which are required to operate safely to collect and dispose of wastewater. The cost of delivering sewerage services across the province is currently met from the NI Executive's budget and is administered through DfI. The Department is the sole shareholder of NI Water which is operationally responsible for the delivery of all wastewater services in Northern Ireland. It currently costs circa £680 million each year for NI Water to deliver water and wastewater services.

DfI's consultation proposes two options:

- **Voluntary Developer Contributions for Wastewater Infrastructure** – developers could voluntarily pay to offset the costs of upgrading or replacing the wastewater infrastructure preventing new connections in the specific areas where they are unable to build; or
- **Compulsory Developer Wastewater Contribution Levy** – introduction of a compulsory wastewater levy, requiring a financial contribution from developers which would be used on a prioritised needs basis across the province, not just in the areas where they directly benefit.

DfI recognise that whilst improving our sewerage systems will be a significant undertaking, the potential for the introduction of developer contributions would not alone provide the funding needed to implement the improvements that are needed. The consultation is one part of a three-pronged approach to include the introduction of new legislation in relation to sustainable drainage systems (the Water, Flooding and Sustainable Drainage Bill), and the prioritisation of housing need.

Members are reminded the Council's proposed approach to developer contributions is set out in the Draft Plan Strategy, Strategic Policy SP 1.13 – 1.17 (pages 67-68) 'Delivering Sustainable Outcomes' which states, *"Developers will be expected to provide and meet the costs of*

infrastructure and other works required to facilitate and sustain their proposals. In appropriate cases, the Council will seek contributions from developers where these are necessary for infrastructure delivery or manage and/or mitigate the impact of the new development on our Borough's services and environment".

The consultation is currently open for fourteen (14) weeks and will close at noon on 27 June 2025.

3. Recommendation

It is recommended that the corporate response (enclosed) be approved.

Prepared by: Simon Thompson, Local Development Plan and Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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

ITEM 3.14

P/PLAN/1 POSITIVE PLANNING NOTE – SWIFTS AND DEVELOPMENT

1. Purpose

The purpose of this report is for Members to consider a Positive Planning Note in relation to Swifts and Development.

2. Background

The Swift has been identified as the Bird of the Borough and the Council has undertaken a number of initiatives to promote it. Swifts are a migratory species of bird that usually arrive in the Borough in late April, as well as across the remainder of the UK and Ireland. They typically nest in the eaves of tall older buildings entering through gaps in timber and brickwork. There is a continuing long-term decline in breeding swift numbers in the UK. Swifts were placed on the UK Red List for birds in 2021 by the British trust for Ornithology. A 'swift brick' provides a nesting box for swifts that is fitted into the walls of a building.

3. Previous Decision of Council

The Council brought forward a Positive Planning Note regarding the Swift in its Local Development Plan - Plan Strategy and also agreed in January 2024 that in order to promote a pro-active approach to key environmental and climate issues by applicants for planning permission, Officers would consider the development of a range of Positive Planning Notes, taking forward the initiative as set out in the Council's Local Development Plan. It is anticipated that these will provide applicants with advice notes as to how they can proportionately contribute to good planning. It would also be the intention of Officers to include these as "informatives" on granted planning permission where considered relevant.

4. Key Issues

Officers have drafted a Positive Planning Note relating to Swifts and Development (enclosed). The document has been drafted in association with the Northern Ireland Swift Association, the Royal Society for the Protection of Birds (Northern Ireland) and Northern Ireland Environment Agency. Officers intend to promote this leaflet and the publication of this Positive Planning Note will be included as an informative in any planning permissions granted. Once agreed the document will be forwarded to the Council's Comms Section for design and launch. The final version will be brought forward to Planning Committee for information.

The Council's Planning Section will continue to consult DAERA on applications where biodiversity is a consideration and where Swifts' nesting sites are identified, consider mitigation measures as recommended by DAERA, including the provision of swift nesting boxes controlled by condition.

The Council's Planning Section will also consider bringing forward further measures in its Local Policies Plan in relation to Swift preservation and is currently liaising with the RSPB.

4. Recommendation

It is recommended that the draft Positive Planning Note be endorsed for the purposes of publication and that the report be noted.

Prepared by: Sharon Mossman Deputy Director of Planning and Building Control

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

ITEM 3.15

P/PLAN/1 REQUEST FOR EXTENSION OF TIME TO SUBMIT ADDITIONAL INFORMATION: LA03/2024/0182/F and LA03/2024/0435/F

1. Purpose

The purpose of this report is to seek approval from Members to allow an extension of time for the applicant/agent to submit additional information on planning applications LA03/2024/0182/F and LA03/2024/0435/F.

2. Introduction/Background

Planning application Ref: LA03/2024/0182/F (Battery Energy Storage System (BESS) Facility 100MW including, transformers, switch and control Room, lighting and CCTV, new site boundary fencing, new access, and ancillary development works at lands approximately 80m west of 92 Parkgate Road, Kells, Ballymena, BT42 3PG) and Planning application Ref: LA03/2024/0435/F Proposed erection of a 79 MW Battery Energy Storage System (BESS) Facility including MV skids (transformer and inverter), outdoor switchgear compound, DNO substation control room, welfare unit, spare parts container, switch room, new site boundary fencing, new access, and ancillary development works at lands approximately 342m southeast of Kells Substation and approximately 105m east of 43 Doagh Road, Kells, Ballymena BT42 3PP were presented to the March 2025 Planning Committee. Both applications were deferred for a period of two months to allow the applicants to meet with Officers and submit additional information to address the reasons for refusal.

Following a meeting with Officers on the 9 April 2025, the agent for both applications has requested an extension of time until the 23 May 2025 to submit the additional information, meaning that the earliest Planning Committee that the deferred application could be presented back to Committee would be the 23 June 2025. This would effectively represent a one month extension.

3. Recommendation

It is recommended that the extension of time be approved.

Prepared by: Barry Diamond, Head of Planning Development Management

Agreed by: Sharon Mossman, Deputy Director of Planning and Building Control

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