



10 October 2018

Committee Chair: Councillor H Cushinan
Committee Vice-Chair: Alderman F Agnew
Committee Members: Aldermen –T Campbell, J Smyth and R Swann
Councillors –J Bingham, P Brett, D Hollis, R Lynch, M Magill,
S Ross and W Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 15 October 2018 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

For any queries please contact Member Services:

Tel: 028 9034 0098 / 028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – OCTOBER 2018

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 Part One of the Planning Committee agenda do not require ratification by the full Council.

Part Two - Any matter brought before the Committee included in Part Two 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 TWO

Other Planning Matters – In Confidence

- 3.1 Local Development Plan: Policy Development Meetings August 2018 –
In Confidence
- 3.2 Local Development Plan: Employment Land Evaluation Report –
In Confidence
- 3.3 Local Development Plan: Metropolitan Area Spatial Working Group –
In Confidence
- 3.4 Planning Enforcement Report 2018-19 - Quarter 1 –
In Confidence

PART ONE

Decisions on Planning Applications

- 3.5 Planning Application No: LA03/2018/0227/O
Site of dwelling and garage on land approximately 120m SW of 142 Seven Mile Straight, Muckamore
- 3.6 Planning Application No: LA03/2018/0301/F
Residential Development (Phases 2&3) of 126 dwellings (comprising 23 apartments, 15 detached, 42 semi-detached and 46 townhouses) and associated site works on lands situated to the rear of 5 & 7 Birch Hill Road, north of Rathenraw Integrated Primary School and west of Ballygore Road Antrim (Ballyveigh Housing Development)
- 3.7 Planning Application No: LA03/2017/0878/F
Development of 23 dwellings consisting of 4 no. semi detached houses, 1 no. detached house and 18 no. apartments with associated site works at 31 Belfast Road, Antrim

- 3.8 Planning Application No: LA03/2017/0387/F
Extension of Six Mile Water Board Walk on land to the north of Six Mile Water including Massereene Bridge, lands to the south of High Street extending to the south of 16 Riverside, Antrim
- 3.9 Planning Application No: LA03/2017/0470/LBC
Extension of Six Mile Water Board Walk on land to the north of Six Mile Water including Massereene Bridge, lands to the south of High Street extending to the south of 16 Riverside, Antrim
- 3.10 Planning Application No: LA03/2018/0784/A
Advertisement hoarding with associated LED lighting at 44 Old Carrick Road, Newtownabbey
- 3.11 Planning Application No: LA03/2018/0746/A
1 No. mobile trailer sign and 1 No. static sign on land east and west of the junction to Antrim Business Park, Randalstown Road, Antrim
- 3.12 Planning Application No: LA03/2018/0788/TPO
Fell 1 No. tree at 37 Abbeydene Manor, Newtownabbey

PART TWO

Other Planning Matters

- 3.13 Delegated planning decisions and appeals September 2018
- 3.14 LDP: Quarterly Update July-September 2018
- 3.15 Letter from NIHE – Tower Block Strategy
- 3.16 AgendaNI Planning Conference – 20 November 2018
- 3.17 Correspondence from the Department for Infrastructure re Kells Solar Farm
- 3.18 Section 54 Applications submitted to Department for Infrastructure
- 3.19 Northern Ireland Planning Statistics 2018-19 Quarter 1
- 3.20 Response to Belfast City Council Plan Strategy
- 3.21 Correspondence from Department for Infrastructure

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 15 OCTOBER 2018**

PART 2 OTHER PLANNING MATTERS – IN CONFIDENCE

PART ONE – DECISIONS ON PLANNING APPLICATIONS

COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2018/0227/O
DEA	AIRPORT
COMMITTEE INTEREST	DEFERRED AT SEPTEMBER COMMITTEE MEETING
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION

PROPOSAL	Site of dwelling and garage
SITE/LOCATION	Approx 120m SW of 142 Seven Mile Straight, Muckamore
APPLICANT	Mr & Mrs Andy Walker
AGENT	Ivan McClean
LAST SITE VISIT	22 nd May 2018
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is located within the rural area, outside of any settlement limits as defined in the Antrim Area Plan 1984-2001 (AAP).

The application site is located approximately 120m southwest of 142 Seven Mile Straight. The site is a large road frontage site with the frontage measuring approximately 100metres with a depth of 70 metres at its widest point. The topography of the site slopes slightly from the north to the southeast. Boundaries to the site are defined by mature trees and hedgerow on all boundaries.

The application site is located in the rural area with the land use being predominately agricultural. There are a number of dispersed dwellings in the immediate locality.

RELEVANT PLANNING HISTORY

No relevant planning history

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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 within the rural area, outside any settlement limit, the Plan offers no specific guidance on this proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections

NI Water – No objections

DfI Roads – No objections

Historic Environment Division - No objections

REPRESENTATION

Four (4) neighbouring properties 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:

- Principle of Development
- Impact on Character and Appearance of the Area
- Neighbour Amenity

Principle of Development

Policy CTY 1 of Planning Policy Statement 21 Sustainable Development in the Countryside (PPS21) sets out the types of housing development that are, in principle, acceptable in the countryside. Policy CTY 6 states that planning permission will be granted for a dwelling in the countryside where there are compelling and site

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

The applicants and their dependents (four children) currently reside at 171 Seven Mile Straight and it is they who intend to occupy the proposed new dwelling. The application site is located approximately 0.4 miles to the northwest of the current residence at 120m southwest of 142 Seven Mile Straight. Supporting document 01 dated 13th March 2018 advises that their current home is unsuitable to accommodate the family's needs due to the current and future medical needs one of their dependents. Evidence submitted with the application is detailed within Document 01 which outlines the needs of the applicants and their dependents which includes letters of support from an Occupational Therapist and a Consultant Paediatric Neurologist, advising that the dependent will require level access facilities, circulation space for moving and handling, along with storage space for medical equipment for both current and long term care.

Document 01 also details that the location of the application site is required given its central location to Antrim Area Hospital, Muckamore Abbey Hydrotherapy Pool and Royal Belfast Hospital for Sick Children. A letter of support is also included from occupiers of 72 Old Ballyrobin Road who advise that they provide the applicants with support and help in the care of their dependents which is only possible due to the close proximity of them to the existing home and also the application site. The supporting document 01 however, suggests that a site in the general locality would meet the applicants needs and there is no compelling site specific reason for developing a new dwelling on the application site. In addition the document lacks detail as to why the housing needs of the applicants and their dependent could not be met, from any existing dwellings for sale in the area, any approved sites in the general locality or any existing housing within the adjoining settlements of Antrim, Templepatrick, Dunadry or Mallusk which lie within 6 miles of the application site. It is considered that it has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case or that genuine hardship would necessarily result, should planning permission for the proposed dwelling not be forthcoming at the site proposed.

Additionally criterion b of CTY 6 requires that there are no alternative solutions to meet the particular circumstances of the case such as an extension to the existing dwelling. As outlined above the applicants currently reside at 171 Seven Mile Straight which is located only some 0.4 mile from the application site. The existing dwelling is a detached dwelling with a substantial curtilage, on a large rural plot which is well screened with mature vegetation. An extant planning permission LA03/2016/0054/F, granted permission for a single storey extension to the existing dwelling that would provide additional accommodation in the form of two additional bedrooms with ensembles, a large dining room and laundry room. Supporting documentation advises that due to a change in the medical circumstances of the applicant's dependent and their future needs, that the approved extension is no longer fit for purpose.

The agent was advised that the Council would not be opposed to a new application for an extension to the existing dwelling to meet the requirements of the applicants and their dependents, however, the agent responded advising that this was not a feasible option both financially and also because the applicants' dependent would be unable to reside in the property while the works are being completed. Taking into consideration the reasons outlined above, it is considered that the option of a suitable design solution to enlarge the existing dwelling in a manner that could accommodate the applicants current and future care needs without prejudicing the level of care already established has not been fully explored. Furthermore, the financial restrictions outlined within the supporting statement are deemed insufficient to set aside the requirements of Policy CTY 6 of PPS 21.

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

Impact on Character and Appearance of Area

Policy CTY 13 of PPS 21 also states that planning permission will be granted for a dwelling in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. It further states that a new building will be unacceptable where the design of the building is inappropriate for the site and its locality. The Strategic Planning Policy Statement (SPPS) reinforces this and states that in all circumstances proposals for development in the countryside must not have an adverse impact on the rural character of the area.

The southeast and western boundaries are defined by mature hedgerows which help to limit the views, while the views from the west are limited until you reach the application site due to the road levels and the amount of roadside vegetation of mature trees and hedgerow. Critical views of the site are experienced directly in front of the site from the Seven Mile Straight. Accordingly it is considered that the proposed site has a sufficient level of integration to allow a low elevation dwelling, no greater than 5.7m from ground level, to blend unobtrusively into the landform and not have a detrimental impact on the rural character of the area.

Neighbour Amenity

The nearest residential property is located approximately 40 metres to the rear of the application site, the separation distance and boundary treatment is such that a dwelling on this site will not result in any negative impacts on the amenity of any residential properties in the rural area.

CONCLUSION

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

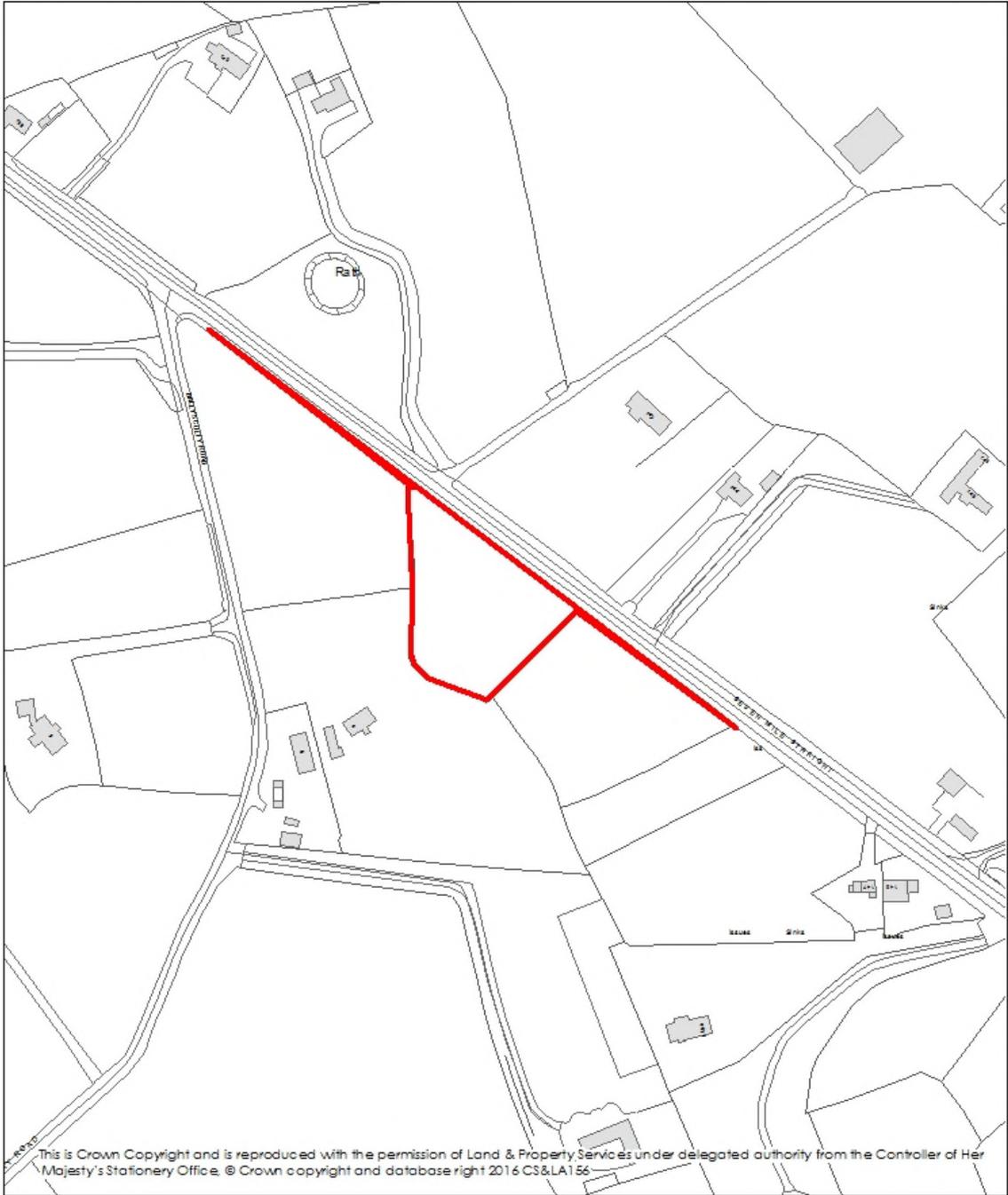
- The principle of the development has not been established as it has not been demonstrated that there are no alternative solutions to meet the particular circumstances of this case. As such it is considered that a new dwelling is not a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused.

- A low level dwelling of approximately 5.7m from ground level would sufficiently integrate and not have a detrimental impact on the rural character of the area.

RECOMMENDATION : REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of PPS 21: Sustainable Development in the Countryside, in that there are no overriding reasons why this development is necessary in this rural location and could not be located within a settlement and it has not been demonstrated that there are site specific reasons or compelling personal and domestic circumstances that would warrant approval for a dwelling in accordance with Policy CTY 6 of PPS 21.



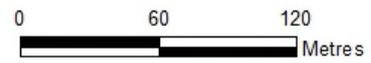
Location Map

Application Reference: LA03/2018/0227/O

Site of dwelling and garage under CTY6 of PPS21

Approx 120m SW of 142 Seven Mile Straight, Muckamore

Site Boundary 



For Information Only



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2018/0301/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Residential Development (Phases 2&3) of 126 dwellings (comprising 23 apartments, 15 detached, 42 semi-detached and 46 townhouses) and associated site works.
SITE/LOCATION	Ballyveigh Housing Development situated to the rear of 5 & 7 Birch Hill Road, north of Rathenraw Integrated Primary School and west of Ballygore Road Antrim BT41
APPLICANT	Tolvin Contractors Limited
AGENT	Footprint Architectural Design
LAST SITE VISIT	August 2018
CASE OFFICER	Michael O'Reilly Tel: 028 90340424 Email: michael.oreilly@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is located at the Ballyveigh housing development situated to the rear of 5 & 7 Birch Hill Road, north of Rathenraw Integrated Primary School and west of Ballygore Road, Antrim.

This is an urban location comprising an area of approximately five (5) hectares of land within the settlement limit of Antrim and designated as Phase 2 Residential Land in the adopted Antrim Area Plan 1984 – 2001.

The topography of the agricultural fields comprising the application site falls from the east at the Ballygore Road to the west at Stiles Way. The northern boundary of the application site is defined firstly by the planted and treed rear boundaries of existing dwellings at No's 5 and 7 Birch Hill Road and secondly by a ranch style fence and patchy hedgerow moving northwards to the junction with Ballygore Road. Mature trees and hedgerow define the eastern boundary at the Ballygore Road. The southern boundary is defined by existing development constructed under Phase 1 of the Ballyveigh housing development. The western boundary is defined by fencing and hedgerow with a number of trees dispersed across the boundary.

The Ballygore Road has been realigned with two right hand turning lanes and vehicular accesses inserted. One of the accesses and right hand turning lanes serves the proposed development which is the subject of this application.

Mature and semi-mature trees are interspersed along the external boundaries and internal field hedgerows of the application site. A Tree Preservation Order for specific trees is in place on these lands.

RELEVANT PLANNING HISTORY

Planning Reference: T/2005/0383/O

Location: Lands between Nos. 5 and 7 Birch Hill Road and Rathenraw Integrated Primary School, Antrim.

Proposal: Site of proposed residential development

Decision: 4th July 2006 (2006/A253)

Planning Reference: T/2007/0233/RM

Location: vacant lands to the rear of number 5 & 7 Birch Hill Road, east of Rathenraw Integrated Primary School, Ballygore Road, Antrim.

Proposal: Proposed housing development of 267 dwellings comprising of detached, semi-detached, townhouses and apartments with detached garages, carports and other associated site works.

Decision: Reserved Matters approved: 18.11.2008

Planning Reference: LA03/2016/0992/LDP

Location: Land 60 metres North of Rathenraw Integrated Primary School, Antrim, accessing onto the Ballygore Road, Antrim.

Proposal: Completion of planning approval reference T/2009/0498/F to allow for construction of 35 dwellings and associated site works comprising provision of roads, accesses, hardstandings and hard and soft landscaping

Decision: Certified 26.04.2017

PLANNING POLICY

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, 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: Paragraph 5.10 identifies that during the plan period the orderly growth of residential sectors will be encouraged with particular attention given to environmental considerations and to design details concerning the size, siting and layout of proposed residential developments.

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

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

CONSULTATION

Council Environmental Health

No objection.

NI Water

No objection.

DfI Roads

No objection subject to conditions.

DfI Rivers

No objection.

Northern Ireland Environment Agency: Natural Heritage and Conservation Areas

No objection subject to conditions.

REPRESENTATION

Sixty (60) neighbouring properties were notified and one (1) letter of objection has been received from No.5 Birch Hill Road. The full representation made regarding this proposal is available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Dwelling at Plot 50 is in close proximity to No.5 Birch Hill Road and the trees dividing the site are deciduous

- Windows in gable wall of apartment building (plots 51 – 59) are not obscured glazing and will overlook the rear of No.5 Birch Hill Road and will impact on privacy.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Development Quality
- Impact to Protected Trees
- Neighbour Amenity
- Flood Risk
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with a planning application, 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 Planning Act states that where 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) operates as the Local Development Plan for the area where the application site is located. The application site is located within the settlement limit of Antrim as identified in the AAP places and comprises lands zoned for residential development.

Paragraph 5.10 of AAP states that the approach of the planning authority will be to encourage orderly growth in the residential sectors of each settlement and that particular attention will be given to environmental considerations concerning the size, siting and layout of proposed residential developments.

It is noted that the principle of residential development on the entire Ballyveigh lands, incorporating the application site, was previously established through outline planning permission ref T/2005/0383/O. A Reserved Matters application for the entire lands was subsequently approved via T/2007/0233/RM. Several other forms of planning consent have been secured by the applicant on lands to the south of the current application site relevant to the on-going development of those lands for residential development.

This proposal is for a housing development which is consistent with the provisions of the Local Development Plan and the planning history of the site. For the stated reasons, it is considered that the principle of proposed development of the site has been established. The details of the scheme stand to be considered against prevailing regional planning policy. These are addressed below.

Quality of Development

Planning permission is being sought for 126 dwellings (comprising 23 apartments, 15 detached, 42 semi-detached and 46 townhouses) and associated site works.

The layout and arrangement of the proposed development is characterised by a range of individual character areas interspersed with larger nodes of development

such as the apartment buildings. In addition, a prominent and easily accessible area of integral open space forms an important element of the proposal.

This hierarchy of spaces and places are linked by a network of roads of varying sizes and finishing materials providing a legible and easily understood movement pattern through the development. The internal estate roads are supplemented with a network of dedicated pedestrian footpaths providing for alternative movement patterns through the development. Use of tactile paving and dropped kerbs shall assist with the pedestrian movements of disabled people.

Within the development there are 15 different house types proposed including detached, semi-detached and terraced town house units as well as several apartment blocks. These are all of varying and complementary design appearance with high quality finishing materials and it is considered that the mix of house types proposed will provide choice and help cater for the differing needs of the community.

Throughout the development, all dwellings proposed are orientated to provide a positive outlook towards the street with dwellings at corner plots being double fronted to address each road frontage and thereby contribute to the quality of the street scene while increasing surveillance and personal safety.

Along the Ballygore Road frontage, development comprises a series of 5 dwellings, 4 of which are positioned to the rear of sizeable tracts of existing landscaping edging the road and including trees protected by a Tree Preservation Order. New landscaping is proposed to supplement the existing landscaping, which will mature and connect into the existing tracts of landscaping. This will create a continuous landscape framework edging the development along the entire road frontage of the application site. It is considered that the range of building types combined with the quality of design and the finishing materials will help create a qualitative street scene that will be integrated by existing landscaping and further softened by the proposed landscaping.

Proposed areas of passive and active open space are distributed throughout the development. Passive open space areas are predominantly located along the edges of the application site and provide for the retention of large and mature single trees or larger linear copses and mature hedgerows. The road network and dedicated pedestrian footpaths are located in close proximity to these passive areas causing these landscape features to be prominent in the streetscene adding to the overall character and environmental quality of the development.

The main area of proposed active open space is centrally located within the context of the larger, overall Ballyveigh residential development. This area of active open space is prominent in the streetscene, is situated at an easily accessible location and is well supervised given the close proximity of several axis of development, all of which are orientated towards it. This includes the three (3) storey apartment complex located immediately west of the open space.

The applicant has submitted an open space map identifying the extent of open space to be provided for the proposed development. The application site comprises approximately five (5) hectares of land and the open space map identifies that

overall open space provision is in excess of 0.5 hectares. This is approximately ten percent (10%) of the area of the application site.

The size, location, arrangement, quality and usability of proposed open space areas are considered as having been designed to form an integral feature of the development contributing positively to the character and quality of the proposal. It is considered the scheme complies with the provisions of planning policy in this respect.

An open space and phasing plan has been submitted with the application. The main area of active open space is located centrally within the overall Ballyveigh lands within an area identified as Phase 2. An area defined as Phase 1 is partly built and partly under construction. The delivery of the areas of active open space can be controlled through the use of a planning condition to be provided prior to the commencement of any dwelling within Phase 3 of the development.

Given the yield of dwellings proposed planning policy requires that an equipped children's play area is provided as an integral part of the development. This is identified in submitted plans as being located within the main area of active open space within Phase 2. Details of the equipped children's play area have been provided and are considered acceptable. The delivery of the equipped children's play area can once again be controlled through the use of a planning condition to be provided prior to the commencement of development of any dwelling within the area identified as Phase 3 of the development.

The topography of the application site falls from east to west by between approximately 6 to 8 metres. Given this change in levels the proposal involves a degree of profiling and grading of land. This is proposed in a way that seeks to be sympathetic to the topographical character of these areas and as a result the proposal succeeds in avoiding large retaining walls. Information submitted with the application demonstrates that where retaining walls are necessary they do not exceed 1 metre in height. This is considered acceptable having regard to published guidance.

The design guidance in the Creating Places document emphasises that greater consideration should be given to the relationships between housing on sloping sites. It is noted that there are several locations within the development where the back to back relationship of proposed development relates to dwellings with differing finished floor levels. In all examples the depths of private amenity space areas are in excess of the 10 metres suggested in Creating Places as being generally acceptable for individual dwellings on level sites and in most cases the overall back to back separation distances range between 23 - 26 metres. A boundary treatment of fencing 1.8 metres in height is proposed along the common boundary between the properties in question. As a result it is considered, on balance, that acceptable back to back relationships will exist that will avoid significant adverse overlooking or dominance and consequently the quality of the development will not be unduly affected. Neighbour amenity is discussed in more detail later in the report.

There are a range of rear garden sizes providing private amenity space areas for the proposed dwellings which is consistent with the guidance set out in Creating Places and which are of an appropriate arrangement and quality. In-curtilage parking is also provided for each dwelling which is also consistent with published guidance. In

addition DFI Roads have raised no concerns in relation to the proposed parking arrangements.

For the reasons set out above it is considered that the layout and arrangement of buildings, hard standing, open space and private amenity space areas will provide for a quality and sustainable residential environment compliant with the provisions of planning policy. The design and architectural appearance of buildings overall is considered to be of an acceptable standard which will provide for quality street scenes and multiple character areas throughout the development.

Impact On Protected Trees

The application site contains a number of trees protected by a Tree Preservation Order (TPO). Supporting information indicates that forty three (43) trees are to be retained and that nine (9) trees are to be removed. Seven (7) of the trees to be removed are protected by the TPO. The reason provided by the applicant for the felling of these trees relates to the physical health and condition of the trees and the risk to site safety, ie future residents and visitors attracted to the development.

It is considered that the removal of this relatively limited number of trees does not impact upon the integrity of the overall TPO or the important contribution the remaining protected trees make to the environmental quality and local character of the area. The removal of these trees is considered acceptable in light of their poor⁵⁴ health as evidenced in the arboriculturalist report and consultation with the Councils Tree Officer.

The provision of hard standing areas within the root protection area of trees protected by a TPO can be controlled by planning condition to be carried out in accordance with the arboricultural method statement within the Tree Survey Report. This will ensure trees protected by the TPO are not unacceptably damaged during the construction period.

Details of protective fencing for these trees and hedgerows has been included with the submitted plans. The details of protective fences, their necessary positioning, the requirement for them to be erected prior to commencement of development and retained throughout the construction period can be controlled through the use of suitably worded planning conditions should planning permission be forthcoming.

It is considered the proposed development is designed to sensitively integrate with protected trees and other visually important hedgerows.

Neighbour Amenity

The layout submitted demonstrates a range of plot sizes and garden areas/private amenity space areas consistent with the guidance set out in Creating Places. The proposed dwellings are for the most part family dwellings with at least three bedrooms where the provision of private amenity space, in the region of 70sqm, is indicated in the guidance as being appropriate.

Whilst it is accepted the private amenity space areas proposed are of an appropriate size it is nevertheless considered that potential future extensions or additions secured through the use of permitted development rights may result in

overdevelopment of the rear and side garden spaces in some locations within the site which would significantly erode their usefulness as private amenity space.

There are also locations within the site where potential future extensions to dwellings may give rise to unacceptable impacts to trees which need to be retained within the proposed layout, which are protected by a Tree Preservation Order.

For these reasons, it is proposed that should planning permission be forthcoming then the permitted development rights should be removed by way of a planning condition from seventeen (17) plots. These are numbered 49, 50, 71, 95, 110, 113, 126, 131, 132, 172, 173, 174, 178, 179, 180, 196 and 197 inclusive.

Since receipt of an objection from No.5 Birch Hill Road the agent has moved the location of the dwelling on plot 50 an additional one (1) metre away from the objector's dwelling. The separation distance is now 18 metres. Although the belt of trees along the common boundary are deciduous they are tall, mature and protected by the Tree Preservation Order. These provide a significant visual screen between the existing and proposed dwellings. Given the dwelling on plot 50 is somewhat further east than No.5 Birch Hill Road any degree of intervisibility would be towards the rear amenity space rather than directly into the rear of the existing dwelling. On balance, considering the separation distance, the existing mature trees and the siting of the the proposed dwelling it is considered that no unacceptable adverse impact to No.5 Birch Hill Road will result if planning permission is granted.

Regarding the windows in the gable of the apartment block A2 at plots 51 – 59 the building is some twenty seven (27) metres to the nearest part of No. 5 Birch Hill Road and approximately thirty four (34) metres to the main body of the house. While the separation distance is acceptable it is considered that a largely uninterrupted view towards and into the rear of No.5 Birch Hill Road will be achievable from the gable windows of the first and second floor of the building, some of which serve the kitchen area, a principal room of each unit. In order to avoid unacceptable overlooking of the rear of No.5 Birch Hill Road it is considered necessary to impose a planning condition requiring all windows serving the first and second floors in the northern gable of the apartment block A2 to be finished with obscured glazing so as to avoid unacceptable overlooking of the objectors property.

Other Matters

Flood Risk

The Drainage Assessment submitted with the application identifies that there is no historical record of flooding at the application site. Surface water is to be discharged at the green field run off rate of ten (10) litres per second per hectare of land and channelled to two separate discharge points. For lands to the north of the application site surface water discharge will be limited to thirty one (31) litres per second to a newly requisitioned storm sewer on the Birch Hill Road, which will discharge to the Steeple Green Tributary Culvert approximately 750 metres northwest of the site. The southern area of the application site shall discharge to the undesignated tributary at a peak rate of forty six (46) litres per second.

Surface water attenuation is facilitated through the use of oversized pipes and hydro-brakes are to be utilised to control the flow of water to green field run-off rates. This mitigation seeks to demonstrate that pluvial flooding will be managed and will not

increase the risk of flooding elsewhere. DfI Rivers has offered no objections to the logic and conclusions offered within the submitted Drainage Assessment. It is considered therefore that the proposal will not cause flooding on the application site or exacerbate flooding issues elsewhere. The proposal is therefore compliant with the provisions of PPS15.

Natural Heritage

The ecology report identifies that no signs of badger activity were identified on the application site or within twenty five (25) metres of the surrounding area. There was also no evidence of smooth newts identified. It is considered that the proposed development is unlikely to have an impact on these protected species.

With respect to bats and wild birds the ecology report identifies that external site boundaries and internal hedgerows provide significant amounts of mature vegetation, which provide for quality foraging and commuting habitat. While there is some removal of internal hedgerows proposed, it is noted that the most significant belts of existing internal planting are to be retained and that the majority of the external boundaries are to be retained. Compensatory planting comprising native shrub and tree species is proposed and this will increase the potential for foraging and commuting. NIEA has welcomed this feature of development.

Regarding internal lighting arrangements of the development the ecology report indicates that there shall be no direct lighting of boundary vegetation in order to decrease light trespass and minimise the impacts to bats. NIEA has welcomed this feature of the development. To exercise control over this matter a planning condition can be imposed which would require that prior to the commencement of each phase of development, details of bat friendly lighting shall be submitted to and agreed in writing with the Council. The required lighting plan will include details of specifications, intensity and locations of any lights (including light spillage) in order to assess any potential impact this may have to bats. Taking account of these matters, it is considered sufficient protection for bats will be secured.

CONCLUSION

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

- The principle of residential development at this site is consistent with the land use zoning identified in the adopted Antrim Area Plan 1984 – 2001 and the layout and overall quality of the proposal is considered acceptable.
- The design quality of the development is acceptable and shall not have an adverse impact on the character and appearance of the area.
- There will be no unacceptable impact to trees protected by a Tree Preservation Order and suitable protection measures during the construction works have been demonstrated.
- A satisfactory level and quality of open space has been provided.
- There are no unacceptable residential amenity impacts evident, however permitted development rights are being removed on certain plots to ensure that future extensions are assessed to ensure that they do not unacceptably impact upon the residential amenity of adjoining properties.
- The local road network can accommodate the proposal and the internal arrangements for access and parking are considered acceptable.
- Flood risk has been mitigated.

- Ecological interests on and adjacent to the application site will not be unacceptably impacted upon by the proposal.
- There are no objections from consultees.
- The letter of objection has been considered within the report.

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 vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Nos. Nos. 06/2 & 07/2 bearing the date stamp 28 AUG 2018, 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 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 Nos. Nos. 06/2 & 07/2 bearing the date stamp 28 AUG 2018.

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

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

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

5. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension or enlargement (including alteration to roofs) shall be made to the dwelling houses(s) hereby permitted on plots; 49, 50, 71, 95, 110, 113, 126, 131, 132, 172, 173, 174, 178, 179, 180, 196 and 197 inclusive, without the grant of a separate planning permission from the Council.

Reason: The further extension of this (these) dwelling(s) requires detailed consideration to safeguard the amenities of proposed residents.

6. The provision of the active open space area located within lands identified as Phase 2 in the 'Open Space and Phasing' plan, drawing ref: 46/1, date stamped received 21st August 2018, shall be provided prior to the commencement of development of Phase 3 as identified in that plan.

Reason: To ensure open space is provided as an integral part of these phases of development in the interests of the residential amenity of proposed residents.

7. The equipped children's play area identified in the 'Landscape Proposals' plan, drawing ref: 05/3, date stamped received 5th October 2018, shall be provided and made operational prior to the commencement of development of Phase 3 as identified in that plan.

The type of equipment and its location shall be as identified in the 'Play Area Details' inset of drawing ref: 05/3, the specification of which is identified in the 'Landscape Management Plan', Document 04/1, date stamped received 2nd August 2018, or in accordance with a programme to be agreed in writing with the Council.

Reason: To ensure the delivery of the equipped children's play area as an integral part of the development.

8. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees contained within lands identified in red in the 'Location Map' plan, drawing ref: 01/1, date stamped received 2nd August 2018, and subject of a Tree Preservation Order and other planted elements to be retained have been protected by barriers identified in drawing ref: 05/3, date stamped received 5th October 2018. These areas shall be managed and maintained in accordance with the 'Tree Protection Measures' set out in Section 3 of the Tree Survey Report, Document 07/1, date stamped received 2nd August 2018. The barriers shall be retained if there are any form of construction works within 10 metres of the relevant protected tree or stand of trees.

Reason: To ensure that the trees and other planted elements to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

9. The provision of hard surfaces close to trees protected by the Tree Preservation Order shall be carried out in accordance with the processes described in the arboricultural method statement set out in paragraph 3.2 'Areas of Road or Parking within RPA' of Section 3 'Tree Protection Measures' of the Tree Survey Report, Document 07/1, date stamped received 2nd August 2018.

Reason: To ensure the continuity of amenity afforded by trees protected by a Tree Preservation Order.

10. The details of the landscape scheme identified in the 'Landscape Proposals' plan, drawing ref: 05/3, date stamped received 5th October 2018, in so far as it relates to Phases 2 and 3 of proposed development and as identified in the 'Open Space and Phasing' plan, drawing ref: 46/1, date stamped received 21st

August 2018, shall be implemented within the first available planting season after the occupation of the first dwelling in that phase or in accordance with a programme to be agreed in writing with the Council.

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

11. All open space and public amenity areas, as indicated in the 'Landscape Proposals' plan, drawing ref: 05/3, date stamped received 5th October 2018, shall be managed and maintained in accordance with the Landscape Management Plan, Doc 04/1, date stamped received 2nd August 2018. 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.

12. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

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

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

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

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

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

15. The material finish to be applied to the roadside elevations of dwellings shall be in accordance with the details identified for each plot as set out in Doc 09/3 'Finishes Schedule - Ballyveigh', date stamped received 5th October 2018
Reason: To ensure that the character and appearance of the development is consistent to that of surrounding area.

16. The surface water drainage regime shall be completed and be functional prior to the occupation of any dwelling approved herein, or in accordance with a phasing programme to be submitted to and agreed in writing with the Council,

prior to the commencement of any other development and with the exception of the area hatched black in drawing ref: P142/D21a 'Proposed Drainage Layout Phase 2', date stamped received 12th September 2017.

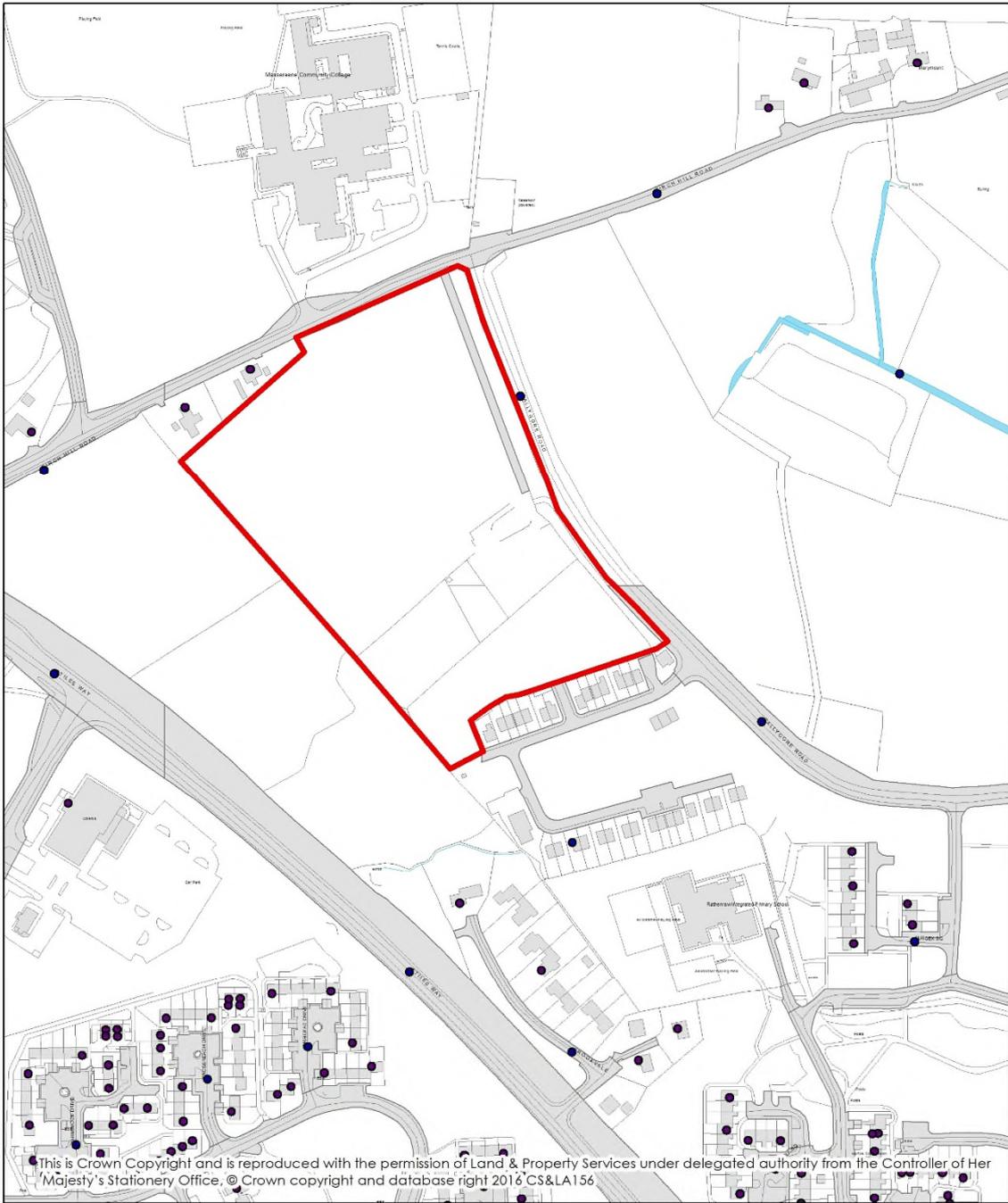
Reason: To ensure post development run-off rates do not exceed pre-development run off levels and to limit the risk to future occupiers of dwellings.

17. Prior to the commencement of each phase of development bat friendly lighting plans shall be submitted to and agreed in writing with the Council. The bat friendly lighting plan shall include details of specifications, intensity and locations of any lights (including light spillage) in order to assess any potential impact this may have to bats.

Reason: In order to protect bats, a European Protected Species, and to comply with the provisions of Planning Policy Statement 2.

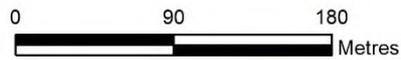
18. Windows proposed in the northern gable of apartment building A2 and serving Apartments 'D' and 'F', as indicated in drawing 28 and 29, date stamped received 22nd March 2018, shall be glazed with obscure glass and shall be permanently maintained thereafter with obscured glazing.

Reason: In order to preserve the amenity of existing residents at No.5 Birch Hill Road.



Location Map

Application Reference: LA03/2018/0301/F



Residential Development: 126 dwellings and associated site works.

Site Boundary 

Ballyveigh Housing Development
 Birch Hill Road/Ballygore Road Antrim

For Information Only



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2017/0878/F
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Development of 23 dwellings consisting of 4 no. semi detached houses, 1 no. detached house and 18 no. apartments with associated site works.
SITE/LOCATION	31 Belfast Road, Antrim BT41 1NY
APPLICANT	Stephen McCombe
AGENT	Fresh Design
LAST SITE VISIT	27/11/2017
CASE OFFICER	James Cairns Tel: 028 903 40403 Email: james.cairns@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is located within the development limits of Antrim Town as defined in the Antrim Area Plan 1984 – 2001. Located on the southwestern side of Belfast Road, the development site is situated between Nos. 27 and 33 Belfast Road. It comprises an irregular shaped plot of land amounting to 0.42 hectares comprising an existing residential property at No. 31 and associated lands to the rear. The site slopes significantly from the adjacent public road towards the southwestern boundary which is approximately 6.64m lower than the existing ground level along the northeastern boundary.

The northeastern boundary of the site is undefined as it exists as a garden area to the front of the existing residential property. The southeastern boundary (between the site and No. 33) is defined by a line of maintained evergreen trees towards the northeastern corner of the site, whilst the remainder of the boundary comprises significant hedging (between the existing dwellings at Nos. 31 and 33), and a substantial standing of fir trees towards the southernmost corner of the site. The southwestern boundary is formed by a line of mature trees, which back onto the railway line. Mature trees form the northwestern boundary of the site, particularly to the rear of the site, whilst a 1 metre high block wall abuts the boundary towards the public road.

RELEVANT PLANNING HISTORY

Planning Reference: T/2008/0070/F
Location: 31 Belfast Road, Antrim
Proposal: Change of house types to previously approved application T/2004/1282/F with amendments to house type 1 (facing Belfast Road) and replacing 7No.

(2.5storey) dwellings to the rear of the site with 18No. apartments in 3No. blocks (designed to be 2.5 storeys high when viewed from Belfast Road)

Decision: Permission Granted (01.09.2009)

Planning Reference: T/2004/1282/F

Location: 31 Belfast Road, Antrim.

Proposal: 12 Dwellings (Comprising of 1 no. Two storey detached dwelling facing Belfast Road, 4 no. Two storey semi-detached houses, 6 no. Two and a half storey semi-detached houses & 1 no. Two and a half storey detached house

Decision: Permission Granted (15.06.2006)

Planning Reference: T/1984/0257

Location: Belfast Road, Antrim

Proposal: Bungalow with detached double garage

Decision: Permission Granted (06.08.1984)

PLANNING POLICY

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the development limits of Antrim Town. The Plan offers no specific guidance on this proposal.

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

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

PPS 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

Belfast International Airport – No objections

Council Environmental Health Section – No objections subject to conditions and informatives

DfI Rivers – No objections subject to informatives

DfI Roads – No objections subject to conditions and informatives

Historic Environment Division – No objections

NI Water – No objections subject to informatives

Translink – No objections subject to informatives

REPRESENTATION

Fourteen (14) neighbouring properties were notified and four (4) letters of objection have been received from four (4) properties within the scheme of neighbour notification. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Proximity of proposed apartments to rear gardens of Nos. 25 and 33 Belfast Road, and the potential impact upon residential amenity by way of overlooking/loss of privacy, overshadowing/loss of light.
- Impact of the proposed development upon traffic flows and road safety.
- Concerns regarding flooding in the event that the pumping station were to fail.
- Siting of proposed detached dwelling forward of the existing line.
- Proximity of the proposed semi-detached dwellings (Sites 2 – 5) to No. 33, and the impact on residential amenity by virtue of overlooking and loss of privacy .

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Other matters

Principle of Development

Section 6(4) of the Planning Act (Northern Ireland) 2011 states that any determination under this Act must be made in accordance with the Local Development Plan (LDP), unless material considerations indicate otherwise.

Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) sets out that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. During the transitional period planning authorities will apply existing policy contained within retained planning policy documents, together with the SPPS.

In respect of the proposed development, there is no conflict or change in policy direction between the provisions of the SPPS and that contained within Planning Policy Statement 7: Quality Residential Environments (PPS 7), the 2nd Addendum to PPS7: Safeguarding Character of Established Residential Areas (APPS7), and PPS 8: Open Space, Sport and Outdoor Recreation. Planning Policy Statement 3: Access, Movement and Parking (PPS 3), PPS 7, the addendum to PPS 7, PPS 8 and PPS 15 remain the applicable policies to consider the proposed development.

The Antrim Area Plan (AAP) operates as the Local Development Plan for the development proposal. Site is located within the development limits of Antrim Town. There are no key site requirements associated with the application site.

Planning permission reference T/2004/1282/F granted planning permission for a residential development comprising 12 No. units at this location, whilst a subsequent planning permission reference T/2008/0070/F increased the number of units to 23, by replacing 7No. of the houses with 3No. apartment blocks. It is noted that these approvals expired prior to the submission of this application.

Owing to the location of the application site, and the relevant planning history, it is considered that the principle of residential development on the site is acceptable subject to creating a quality residential environment in accordance with Policy QD1 within PPS 7 and the Creating Places design guide.

Design, Layout and Appearance

Paragraph 6.137 of the SPPS refers to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Policy QD1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. It goes on to state that all such proposals will be expected to conform to a number of criteria.

The first criterion (a) requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

The proposed residential development is for 23 No. residential units comprising 5 No. 2-storey dwellings (1 No. detached and 4 No. semi-detached), and 3 No. 3-storey apartment blocks providing 18 No. apartments. It is proposed to create a new means of access to the site from the Belfast Road along the northeastern boundary of the site with an internal estate road running through the site towards the southwestern boundary where the site abuts the existing NIR railway line. The general form of the development is T-shaped, with the five dwellings sited to the southeast of the internal estate road and orientated to face northwest. The three apartment blocks are located to the back (southwest) of the site and face northeast toward the internal estate road and the Belfast Road.

The design of the proposed dwellings and apartments is considered acceptable and are finished with an acceptable palette of materials ranging from charcoal grey concrete roof tiles, off-white cement render, red facing brick, with uPVC windows/rainwater goods and composite timber-effect doors. This mix of materials and a choice of house types will add variety and interest to the development. The design and appearance of the apartment blocks is dominated by red facing brick, which, in the context of the proposed development could be of a higher quality. However, the overall scale, massing and design of the buildings, together with the materials used, are considered to be in accordance with the guidance outlined within *Creating Places* and therefore would not warrant a reason to refuse the proposed development.

Private Amenity

Criterion (c) of Policy QD1 requires that adequate provision for private open space forms an integral part of the development. Supplementary planning guidance on amenity space is provided in '*Creating Places: Achieving Quality in Residential Developments*'. It states that the appropriate level of provision should be determined by having regard to the particular context of the development, and indicates a minimum requirement of 40sqm for any individual house. *Creating Places* further indicates that development of this nature requires an average of 70sqm. In this case, a variety of garden sizes have been provided for the proposed dwellings in the region of 72sqm and 99sqm, which is above the required standard.

With regard to apartments, *Creating Places* advises 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 per unit to around 30sqm per unit. In this case, there is a communal garden area to the rear (southwest) of the three apartment blocks, amounting to approximately 490sqm, which equates to 27sqm per unit. It is considered that the level of provision in relation to the apartments, is toward the upper level recommended within *Creating Places*.

Overall it is considered that adequate provision has been made for private rear garden space and communal garden areas with regard to the proposed dwellings and apartments.

Parking Provision

Criterion (f) of Policy QD1 requires that adequate and appropriate provision is made for parking. Section 20 of Creating Places sets out the requirements for the total number of parking spaces to be provided for residents, visitors and other callers. The proposal makes provision for in-curtilage parking for the dwellings, which is located off the internal estate road. Furthermore, communal car parking provision is located to the front (northeast) of the apartment blocks and southwest of a large area of open space. It is considered that adequate and appropriate provision is made for parking within the proposed development.

Crime and Personal Safety

Criterion (i) of Policy QD1 states that proposed residential development should be designed to deter crime and promote personal safety. It is considered that the proposed development has been designed to deter crime and personal safety, with dwelling units (including apartments) fronting onto the open space and thereby providing a level of surveillance which will act as a deterrent for anti-social behaviour.

Overall, it is considered that the design, layout and appearance of the proposed development, in terms of its form, materials and detailing is acceptable and will respect the surrounding context and is appropriate to the character and topography of the site in terms of scale, massing, appearance of buildings, landscaped and hard surfaced areas.

Impact on the Character and Appearance of the Area

Development along the Belfast Road is characterised by a combination of single and two-storey detached properties set on large plots of land that provide for substantial rear garden areas. It is noted that a number of sites in the area, which were previously occupied by single dwellings, have been developed for higher density residential development.

An objection letter has been received that advises that the proposed detached two storey dwelling (Unit 1) is located forward of the building line, which, together with its height is out of character with the existing pattern of development.

In terms of height of the proposed dwelling, Unit 1 possesses a ridge height of approximately 9.0m above ground level, which is similar in height to No. 33. Drawing No. 12 indicates that ground levels towards the northeastern boundary of the site will be reduced from current levels. This will result in the ridge height of Unit 1 being approximately 1.2m lower than that of the adjacent dwelling at No. 33 Belfast Road. Owing to the number of two-storey dwellings already located on Belfast Road, it is considered that the height of this dwelling alone would not result in a detrimental impact upon the character and appearance of the area.

With regard to the building line, the front elevation of the proposed dwelling is approximately 13m from the pavement which abuts Belfast Road, and it is noted that this is no closer to the public road than the existing dwelling. Whilst the principle

elevation of No. 33 is set back approximately 20m from the pavement, it is noted that the associated garage projects forward to within 12m of the pavement. The principle elevation of No. 27 is within 9m of the pavement, it is considered that the siting of the proposed dwelling would not be detrimental to the character and appearance of the area.

The layout and form of the proposed development is similar to that of other modern, higher density residential developments in the area. The applicant has taken measures to ensure that the existing boundary vegetation (comprising mature fir trees), together with a number of trees along the northwestern boundary, are retained and reinforced with a scheme of supplementary planting. It is therefore considered that the proposal would not significantly impact upon the character and appearance of the area.

Neighbour Amenity

Two objection letters have raised concerns with regard to the proposed development, and the potential impact upon neighbour amenity by way of overlooking/loss of privacy, dominance and overshadowing/loss of light.

Dwelling Unit 1

The occupier of No. 33 Belfast Road has raised concerns with regard to the siting of the proposed detached dwelling (Unit 1) with particular reference to the established building line along Belfast Road. It is further intimated that the location of the proposed dwelling in relation to the adjacent residential property (No. 33) will give rise to overlooking and loss of privacy.

The layout of the proposed dwelling has been amended, which has resulted in an elevational change reducing the number of windows on the side (southeast) gable. There are now only three small windows and a door on this elevation, which are all associated with the staircase/landing. Owing to the amendments made to the dwelling, together with the separation distance to the common boundary, retention of existing boundary vegetation and supplementary planting, it is considered that there will be no detrimental impact upon residential amenity by way of overlooking.

Dwelling Units 2 - 5

The occupier of No. 33 Belfast Road raised concerns with regard to the proposed dwellings that will back onto the southeastern boundary of the site. These concerns related specifically to the potential for overlooking from upper windows on the proposed dwellings (Units 2 – 5) and the impact that this may have upon the patio area to the rear of No. 33. In order to reduce the likelihood of overlooking, the design of these dwellings has been amended. These amendments remove the upper fenestration from Units 2 – 5, and replacement with velux-style windows, akin to that of the previous approval (T/2004/1282/F). Creating Places advises that, with regard to privacy, a minimum separation distance of 10 metres between the rear of new houses and the common boundary will generally be appropriate. In this case, the separation distance is approximately 10.2 metres. Owing to this separation distance, the amended rear elevation of the dwellings and the retention and reinforcement of the boundary vegetation along the common boundary, the potential for overlooking will be negated.

Apartments 6 - 23

With regard to the proposed apartment blocks, both objection letters are concerned with the potential for overlooking from gable fenestration. The proposed development has subsequently been amended to reduce the number of windows on the gable elevations of the apartments. The remaining windows are associated with a toilet/bathroom and en-suite on each level. Furthermore, obscure glazing is proposed to negate any potential overlooking. It is considered that, as a consequence of the amended proposal, the potential for overlooking from windows on the gable elevation of the apartment blocks has been reduced to acceptable levels.

The occupiers of No. 25 and 33 Belfast Road also raise concerns with the potential for overlooking from the windows on the front elevation of the apartments, which are associated with the open plan kitchen/dining/living areas, and indicate that there will be a resultant loss of privacy with regard to the rear garden of these properties.

Creating Places advises that where apartment developments about the private garden areas of existing properties, a minimum distance of around 15m should be provided between the rear of the apartments and the common boundary. However, the design guide also affords greater flexibility in assessing the separation distance for apartments and infill housing schemes in inner urban locations or other higher density areas. It is acknowledged that, prior to the proposed apartments being amended, direct views into the rear gardens of Nos. 25 and 33 are likely to have transpired from the respective gable elevations from apartment blocks A and C, however, as outlined above, this has been addressed in an acceptable manner through the submission of an amended scheme.

Owing to the urban context of the application site within the development limits of Antrim Town, it is considered that some overlooking from the proposed development may be unavoidable. However, whilst windows on the front elevation of the apartment blocks are associated with open plan kitchen/dining/living areas, any views will not be directly into the rear gardens of adjacent dwellings. Instead, the views will be towards an area of communal parking and garden areas, and Belfast Road, where there is already a degree of public interest and surveillance from passing traffic. Furthermore, as shown on Drawing No. 15, the applicant incorporates an additional scheme of planting, particularly along the southeastern and northwestern boundaries of the site. The retention of the mature boundary vegetation and trees, together with the additional tree planting as shown on the aforementioned drawing satisfactorily addresses concerns regarding overlooking.

In addition to overlooking, a number of objection letters also raised concerns with regard to the proximity of the apartment blocks to adjacent common boundaries with Nos. 25 and 33, and the impact that this will have with regard to dominance, overshadowing and resultant loss of light. Specific reference is made to the siting of the apartment blocks and it is noted that blocks A and C are marginally closer (less than 1m) to their respective common boundaries. However, the existing boundary vegetation, which comprises mature fir trees and a number of other trees, will be retained as part of this proposal, and will be reinforced with an additional scheme of planting to provide further screening. Furthermore, there will be no significant loss of light or overshadowing as a result of the proposed apartment blocks. It is considered that No. 33 Belfast Road is the property most likely to be impacted upon in this

regard. However, owing to its location on the southeastern side of the development, any impact will only be felt later in the evening as the sun sets. In addition, due to the dense area of trees in the lower (southwestern) portion of the rear garden associated with No. 33, it is considered that any impact of overshadowing will be negligible.

Overall, it is considered that there will be no significant detrimental impact on neighbour amenity by way of overlooking/loss of privacy, dominance and overshadowing/loss of light.

Flood Risk

Policy FLD 3 of Planning Policy Statement 3: Planning and Flood Risk advises that a Drainage Assessment (DA) will be required for all development proposals that exceed stipulated thresholds. This includes residential development comprising 10 or more dwelling units. Accordingly, as this application proposes 23 No. residential units, a DA was submitted by the applicant to assess the flood risk associated with the proposal.

DfI Rivers was consulted and subsequently advised that the logic of the DA was acceptable and that there was no reason to disagree with its conclusions. It is acknowledged that the site is currently affected by pluvial (surface water) flooding, however, with the development of the site, storm water will be guided into the existing NI Water sewerage infrastructure. A number of third parties raise concerns with regard to this issue, the reliance upon a pumping station to transport storm water into NI Water infrastructure, and the potential impact upon neighbouring lands in the event that the pumping station failed.

Whilst the concern of occupiers of nearby properties is understandable, it is in the best interests of the developer and the future occupants to ensure that the drainage solution employed (in this instance, an attenuation tank and pumping station) is maintained in proper working order to discharge into existing water infrastructure, and in doing so, mitigate flood risk to the development or elsewhere. It is considered that the proposed development will not have any adverse impact upon other development.

Other Matters

Parking, Traffic Impact and Road Safety

An objection letter received from the occupier of No. 25 Belfast Road states that the proposed apartments have more bedrooms than those approved under T/2008/0070/F, and that this will require increased parking provision. Furthermore, the representation states that this, together with new developments on Belfast Road, will impact upon traffic flows and road safety. Each of the 18 No. apartments proposed in the current application offer two bedrooms, which is identical to that approved under T/2008/0070/F. It is noted, however, that the bedrooms have been relocated to the rear of the apartments. It is considered that there is no requirement to provide additional parking provision in relation to the proposed apartments.

DfI Roads was consulted in relation to the proposed development and no road safety concerns have been identified. It is considered that the provision of 23 No. residential units will not have a significant detrimental impact on the road network, nor is it likely to have an adverse impact on road safety.

Impact on the Railway Line

A number of objection letters raise issues relating to the impact of the proposed development upon the railway line to the southwest of the application site, particularly with regard to surface water flowing onto these lands. Translink were consulted with regard to the proposal and they raised no objections to the proposed development. A number of informatives were recommended, which relate primarily to the protection of Translink/NIR property and ensuring the safety of Translink/NIR operatives and customers.

CONCLUSION

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

- The principle of the development is considered to be acceptable.
- The design, layout and appearance is acceptable.
- It is considered that the proposed development will not result in a detrimental impact upon the character and appearance of the area.
- The proposed development will not have a significant impact on the amenity of occupiers of adjacent residential properties.
- It is considered that the proposed development will not have an adverse impact due to flooding.
- The proposed development will not have a significant detrimental impact upon the road network or the safety and convenience of road users.
- It is considered that there will be no detrimental impact upon the railway line.

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 existing hedgerows and trees along the northwestern, northeastern and southwestern boundaries of the site, as indicated on Drawing No. 02/1 bearing the date stamp 13 February 2018, shall be retained at a minimum height of 4 metres, and trees within the hedgerows shall be allowed to grow on, unless necessary to prevent danger to the public, in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council.

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

3. No retained tree (as indicated on Drawing No. 02/1 bearing the date stamp 13 February 2018) shall be cut down, uprooted or destroyed, or have its roots damaged within the root protection area, nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the prior written consent of the Council.

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

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

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

5. The erection of fencing for the protection of any retained tree shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made or any other works carried out, or fires lit without the prior written consent of the Council.

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

6. The proposed planting shall be carried out in accordance with details as identified on Drawing No. 15 bearing the date stamp 28 February 2018 no later than the first full planting season following the occupation of the first residential unit hereby approved. For clarity, the planting season is defined as 1st September – 31st March.

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

7. The open space and amenity areas indicated on Drawing No. 15 bearing the date stamp 28 February 2018 shall be managed and maintained in accordance with the Landscape Management Plan (Document No. 03 bearing the date stamp 28 February 2018). 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.

8. The vehicular access including visibility splays and forward sight distance, shall be provided in accordance with Drawing No. 02/1 bearing the date stamp 13 February 2018 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.

9. The gradient of the access road shall not exceed 4% (1 in 25) over the first 10 metres 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 users.

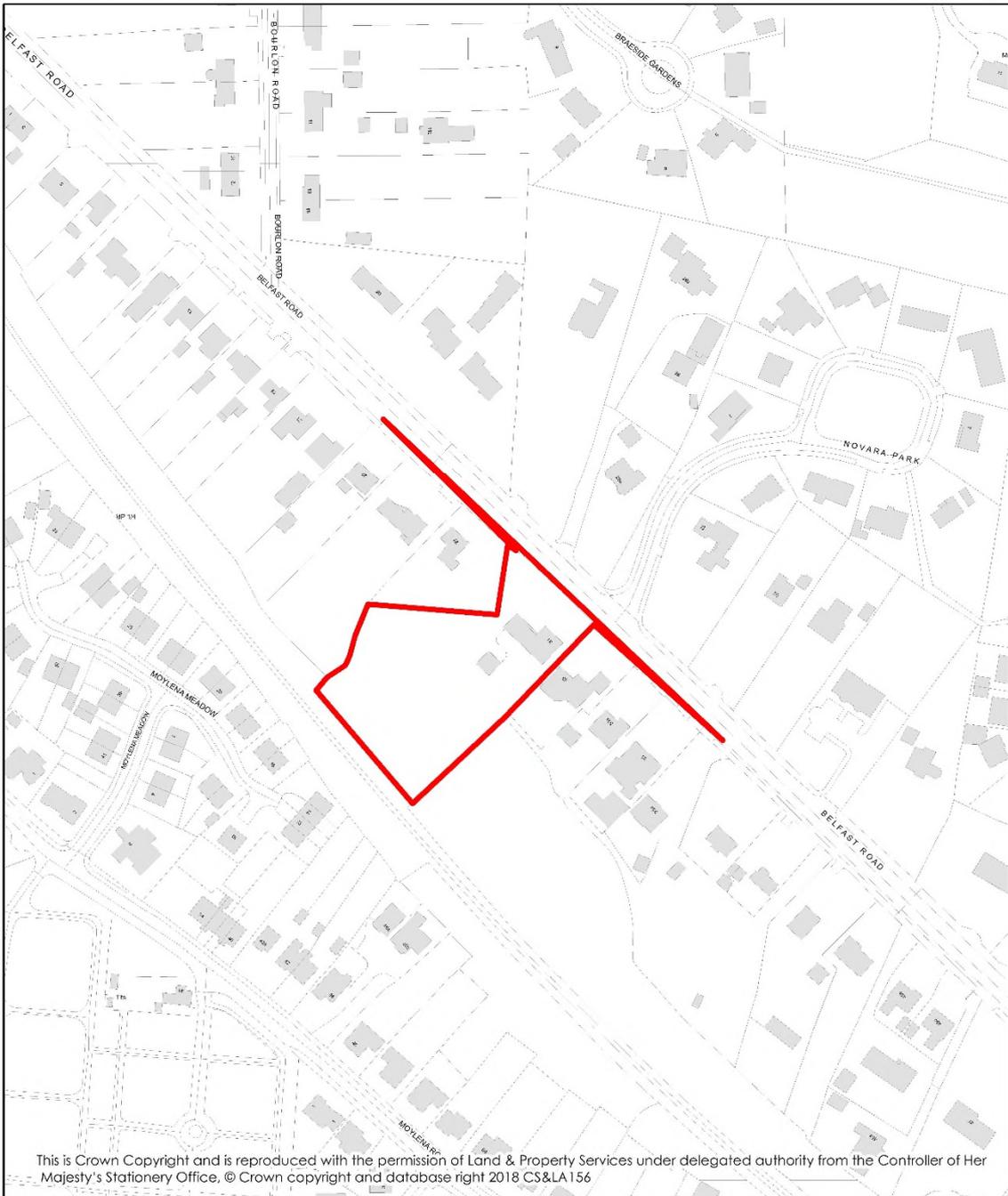
10. A 2100mm high acoustic barrier shall be erected along the site's boundary with the railway line. The barrier shall be constructed of either masonry, timber panelling (close lapped with no gaps) or of earth and shall have a minimum self-weight of 25kg/m².

Reason: To ensure that the amenities of residents living in the development are suitably protected from the potential adverse impact of noise emanating from railway traffic.

11. An alternative ventilation system shall be utilised on the facades of the dwellings detailed on Drawing No. 02/1 bearing the date stamp 13 February 2018, as listed in the table below. These ventilation systems shall be capable of providing the levels of attenuation as detailed in the table below.

Receptor	Building Side	Floor of Building	Rooms requiring an alternative ventilation system	Required alternative ventilation system attenuation dB D,n,e,w
Apartment Block A	South west	1.Fl	Bedrooms	16.3
	South west	2.Fl	Bedrooms	17.5
Apartment Block B	South west	1.Fl	Bedrooms	17.7
	South west	2.Fl	Bedrooms	17.4
Apartment Block C	South west	1.Fl	Bedrooms	17.7
	Southwest	2.Fl	Bedrooms	17.3
House 1	North east	GF	Lounge	26.5
	North east	1.Fl	Bedroom 3	28.5
	North west	GF	Family Room	18.3
	North west	1.Fl	Bedroom 1 & 3	20.2
	North west	2.Fl	Bedroom 4	21.2
House 2	South east	1.Fl	Bedroom 2 & 3	20.3
	North west	GF	Lounge	20.3
	North west	1.Fl	Master Bedroom	16.7
	North east	GF	Lounge	19.1
	North east	1.Fl	Master Bedroom & Bedroom 2	19.6
House 4	North east	1.Fl	Master Bedroom & Bedroom 2	18.7

Reason: To ensure that the amenities of residents living in the development are suitably protected from the potential adverse impact of noise emanating from road and railway traffic.



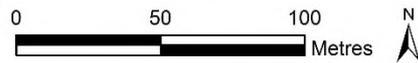
Location Map

Application Reference: LA03/2017/0878/F

31 Belfast Road, Antrim

Development of 23 dwellings consisting of 4 no. semi detached houses, 1 no. detached house and 18 no. apartments with associated site works

 Site Boundary



For Information Only



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2017/0387/F
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Extension of Six Mile Water Board Walk
SITE/LOCATION	North of Six Mile Water including Massereene Bridge lands to the south of High Street extending to the south of 16 Riverside, Antrim
APPLICANT	Antrim Towns Development Company
AGENT	Michael Corr
LAST SITE VISIT	5 th June 2017
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is within the central area of Antrim Town and within the Antrim Conservation Area. The site incorporates a section of Massereene Bridge which is a Grade B1 Listed Building.

The application site runs parallel to the northern bank of the Six Mile Water River and to the rear of commercial properties located along High Street and residential properties in Riverside. The application site measures approximately 160 metres, stretching from Massereene Bridge to the south of Riverside. The site contains sections of overgrown vegetation.

The application site is central to the urban area of Antrim with commercial properties located directly to the north and west, with residential properties located to the south and east.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0470/LBC
Location: North of Six Mile Water including Massereene Bridge lands to the south of High Street extending to the south of 16 Riverside, Antrim
Proposal: Extension of Sixmilewater Board Walk
Decision: Decision Pending

Planning Reference: T/2013/0030/F
Location: Steps at Massereene Bridge ,Under Dublin Road Bridge,Halls Bridge and steps near Barbican Gate,Antrim Town Centre
Proposal: Proposed metal gates and railings to steps at Massereene Bridge, under Dublin Road Bridge, Halls Bridge and steps near Barbican Gate.
Decision: Permission Granted (29.04.2013)

PLANNING POLICY

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limit of Antrim, with both the central area and within Antrim Conservation Area.

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

CONSULTATION

Council Environmental Health Section – No objections

Historic Environment Division – No objections, subject to conditions

DFI Rivers – No objections, subject to conditions

Shared Environmental Services – No objections, subject to conditions

Northern Ireland Environment Agency:

Natural Environment Division – No objections, subject to conditions

Water Management Unit – No objections, subject to conditions

Inland Fisheries – No objections, subject to conditions

REPRESENTATION

Thirty-Five (35) neighbouring properties were notified and nine (9) letters of representation have been received from seven (7) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Noise and general disturbance
- Overlooking, loss of privacy
- Anti-social behaviour
- Flood risk
- Safety and security
- Land ownership and right of way
- Public spending (Demand/Use)
- Protected species
- Invasive species

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Appearance
- Impact on Antrim Conservation Area
- Impact on Listed Building
- Flood Risk
- Neighbour Amenity
- Natural Heritage
- Other Matters

Principle of Development

The Planning Act (Northern Ireland) 2011 requires the Council, in dealing with a planning application, 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 Planning Act states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Antrim Area Plan 1984-2001 (AAP) operates as the Local Development Plan for the area where the application site is located. The AAP places the application site within the settlement limit of Antrim within both the central area and within Antrim Conservation Area. The proposal is for the extension to the existing boardwalk along Six Mile Water River in Antrim. Part of the application site includes Massereene Bridge which is a Grade B1 Listed Building, an associated application LA03/2017/0470/LBC has been received by the Council to assess the impact on the Listed Building.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until the Council has adopted a Plan

Strategy for the council area. The SPPS also retains certain existing Planning Policy Statements and the relevant provisions of 'A Planning Strategy for Rural Northern Ireland' which are relevant to the proposal, additionally as the application site is within Antrim Conservation Area, the provisions within PPS 6 'Planning, Archaeology and the Built Heritage' are also applicable. The principle of development is considered acceptable subject to all policy and environmental considerations being met.

Design and Appearance

Policy DES 2: Townscape of 'A Planning Strategy for Rural Northern Ireland' is relevant to the proposal and requires any proposal in towns or villages to make a positive contribution to townscape and be sensitive to the character of the area in terms of design, scale and use of materials. In this case, the proposal is for an extension to the existing boardwalk along Six Mile Water River from where it currently ends at Massereene Bridge. The proposed boardwalk is split into two distinct sections, one section will pass under an arch of the Massereene Bridge, measuring approximately 81 metres running to the rear of High Street with the second section, measuring approximately 85 metres extending further upstream on lands to the rear of Riverside. The two sections adjoin and provide a square area located adjacent to the Old Presbyterian Church building and No.2 Riverside.

The boardwalk is designed with a steel structure base, the balustrade is vertical steel posts with a profiled timber handrail and the surface of the boardwalk is finished with timber boards and an anti-slip texture. Section one of the boardwalk will cantilever over the river as there is an existing river wall and will be supported by beams attached to the existing reinforcement walls that run along the riverbank. The second section of the proposed walkway will be supported by posts attached into the riverbed, before linking to Riverside.

The square area linking the two sections is accessed via steps from the boardwalk, this is due to a difference in levels between the two sections. The ground area of the square is to be finished with sandstone paving slabs with a cherry tree and concrete surround providing a central feature within the square, a raised planting bed defines the boundary between the square and pathway. Provision for a lookout point is provided to the south of the square where the two sections of the boardwalk meet. Access to the boardwalk is achievable at three locations, one being the existing access via steps at Massereene Bridge, the other from the square which provides access onto High Street, with the third access located along Riverside. The third access has a minimal level difference therefore a ramp is provided which allows for DDA accessibility.

It is considered that the design and appearance of the boardwalk appears as a natural continuation of the existing boardwalk, the design, scale and use of materials are considered appropriate in the context of the area. The proposal complies with Policy DES 2: Townscape of 'A Planning Strategy for Rural Northern Ireland' in that the proposal makes a positive contribution to the townscape of Antrim.

Impact on Antrim Conservation Area

Section 104 (11) of the Planning Act (Northern Ireland) 2011 requires enhancing the character or appearance of a conservation area in cases where an opportunity to do so does arise, the SPPS also reiterates this policy requirement. Policy BH12 of PPS 6

states that development will only be permitted where it maintains or enhances the overall character of the area.

The design guide for Antrim Conservation Area outlines that the application site falls within the Riverside Sector, one of the objectives for this section of the Conservation Area is for the environmental upgrading of the open space and the river banks. There is emphasis on improving the relationship between the buildings in the riverside sector with the open space areas and the banks of the Six Mile Water River.

It is considered that the design of the boardwalk is an appropriate form of development in relation to the overall scale, form, materials and detail of the proposed development. It is also considered that the proposal is a natural progression of the existing boardwalk which respects and enhances the character of the riverside sector and the wider Antrim Town Centre.

Policy BH11 of PPS 6 also requires that consideration is given to proposals that affect the setting of a Listed Building. A section of the site is located under Massereene Bridge which is a Grade B1 Listed Building. Details of the impact of these works are assessed below and under the associated application LA03/2017/0470/LBC.

Impact on Listed Building

Policy BH 8 requires that any alteration to a listed building retains the essential character of the building and its setting, its features of special interest remain intact and unimpaired and the works make use of the traditional or sympathetic building materials and techniques of those found on the building. In this case the proposal involves the development of a boardwalk to connect to the end of the existing boardwalk located to the west of Massereene Bridge, running under the second arch of the bridge. This section of the boardwalk will cantilever over the river as there is an existing river wall. The boardwalk will be supported by beams attached to the existing riverbank reinforcement walls, therefore minimal works are required along this section of the bridge. No works are proposed to the fabric of Massereene Bridge and as such the bridge will remain intact and unimpaired.

Policy BH11 sets out criteria for development affecting the setting of a Listed Building, in addition to the criteria outlined above it requires that the design respects the listed building and character of the setting of the building. As outlined above the boardwalk runs under the second arch to connect to the existing boardwalk and no works are proposed to the fabric of Massereene Bridge and as such the bridge will remain intact and unimpaired. The design of the boardwalk is an appropriate form of development in relation to the overall scale, form, materials and detail of the proposed development. It is considered that the inclusion of the boardwalk will not take away from the interest and merit of the bridge setting.

HED – Historic Buildings has also been consulted on the application and are content that the proposal satisfies policy criteria set out in the Strategic Planning Policy Statement (SPPS) together with BH 8 and BH 11 of PPS 6: Planning, Archaeology and Built Heritage. It is considered that there would be no detrimental impact caused by the proposal to the Grade B1 Listed Building or its setting.

Flood Risk

The Strategic Flood Map (NI) indicates that a portion of the application site lies within the predicted 1 in 100 year fluvial flood plain of Six Mile Water River. FLD 1 of Planning Policy Statement 15 (PPS 15) 'Planning and Flood Risk' advises that development will not be permitted within the 1 in 100 year flood plain unless it is demonstrated that the proposal constitutes an exception to this policy. This can be demonstrated by meeting one of the exception tests as set out within FLD 1. One such exception is exception (e) which is water compatible development such as for boat mooring, navigation and water based recreational use, which for operational reasons has to be located within the floodplain. It is accepted that the proposed development of a riverside boardwalk along the Six Mile Water falls within the category and therefore is deemed to be an exception under FLD 1.

FLD 1 requires that where the principle of development is accepted through meeting the 'Exceptions Test' that the application is required to submit a Flood Risk Assessment (FRA) for all proposals. Additionally letters of objection raised concerns regarding the impact of the proposal on increasing the flood risk in the area, which has suffered from flooding incidents in the past. An FRA (document 01) was submitted and DfI Rivers were consulted and responded that paragraph 4.2.1 of the FRA states that the 1% AEP flood level is noted to increase by 10mm following the inclusion of the boardwalk. It goes on to state that analysis of the effect of such an increase in water level has been assessed and has been determined to cause no real increase in flood extents and no new material increase in flood risk to third parties. DfI Rivers accept the logic of the FRA and have no reason to disagree with the conclusions, the proposal therefore satisfies the requirements of FLD 1.

Neighbour Amenity

As outlined above the application runs to the rear of a number of commercial premises situated along High Street and extends to the rear of residential properties along Riverside. A number of objection letters have been received, with concerns raised regarding the residential amenity of properties along Riverside, in relation to the impact on privacy, noise nuisance and safety and security in addition to concerns in relation to the residents storage of bins.

The rear private amenity space of the residential dwellings along Riverside narrows from No. 2 Riverside which has a separation distance of 14.8 metres from the rear wall of the property to the boardwalk to No. 16 Riverside which has a separation distance of 7.6 metres from the rear wall of the property. The boundary treatment to the properties in Nos. 2 and 4 is defined by fencing and mature vegetation, with the boundaries of Nos. 6 and 8 defined by ranch style fencing, the rear boundary to No. 10 is undefined whilst Nos. 12, 14 and 16 are defined by concrete walls approximately 1.5 metres in height.

The topography of the land falls from the north to the south which results in the residential properties to the northern section of Riverside sitting on a higher level than the dwellings to the south, subsequently the relationship of the dwellings and the Six Mile Water River also sit at a higher level. There are no concerns in relation to loss of privacy of Nos. 2-10 Riverside given the separation distance, levels and boundary treatment. Although the separation distance of the boardwalk to the properties at Nos. 12, 14 and 16 Riverside is limited the surface of the boardwalk sits between 1.8 and 2 metres below the top of the rear wall of the private amenity space of these

properties, therefore the pedestrians using the walkway will not be at a level which would cause significant overlooking.

The proposal includes a square area which is located adjacent to the gable boundary of No. 2 Riverside, this boundary is defined by the gable wall of the property leading to a boundary wall of approximately 2 metres in height at its lowest point. Details on the plan refers to the erection of a higher wall being built along this boundary. The impact of increased footfall of pedestrian activity along the boundary of this residential property is satisfactorily mitigated with the boundary treatment of a substantial wall. No details of the proposed boundary wall have been submitted, therefore a condition requiring the submission of the details of the boundary wall, with a height of no less than 2 metres and finished in natural stone will need to be submitted and agreed with the Council prior to the commencement of development should planning permission be forthcoming.

As outlined above letters of objection also raised concerns in relation to the location of bins and rights of way to the rear of Riverside properties. The boardwalk does not run immediately adjacent to the rear boundary of the properties with an area measuring between 2.8 metres and 4.8 metres separating the boardwalk and the rear boundaries, therefore the provision of this section of boardwalk does not impinge on access to these properties.

Additional concerns were also raised in relation to noise disturbance, given the development of the boardwalk and the use of the boardwalk by pedestrians. The Environmental Health Section of the Council were consulted on the proposal and raised no concerns. Objections also raised concern that anti-social behaviour would increase in the area as it is currently an issue on the existing boardwalk. If at any time it is considered that anti-social behaviour is taking place within the application site or the existing boardwalk this matter should be reported to the PSNI who can investigate and prosecute if necessary.

It is considered that the extension to the existing boardwalk would not significantly impact on the private amenity of the residential properties of Riverside or indeed the commercial properties along High Street in terms of overlooking, loss of privacy, noise or general disturbance.

Natural Heritage

PPS 2 is relevant as the application site is located adjacent to the Six Mile Water River and is hydrologically linked to Lough Neagh and Lough Beg Special Protection Area (SPA) and Lough Neagh Area of Special Scientific Interest (ASSI). An Extended Phase 1 Habitat Survey Report, Document 02, date stamped 7th April 2017 was submitted with the proposal. Additionally, letters of objection raised concerns regarding the river corridor being a habitat for wildlife and protected species. DAERA's Natural Environment Division (NED) and Shared Environmental Services (SES) were consulted on the proposal and raised initial concerns, which are considered below.

Protected Species

The Six Mile Water River is known to be used by Otters, which are a European protected species and a Northern Ireland priority species. Document 02, Extended Phase 1 Habitat Survey Report advised that a full otter survey should be submitted to assess the likely impacts of the proposal on this species, DAERA – NED also requested

a full otter survey to be submitted. DAERA – NED has indicated that they are content with the report as there is no evidence of holts or other resting places along this section of the river.

Bats are also a European protected species under the Conservation (Natural Habitats) Regulations (Northern Ireland) 1995 (as amended) and are subject to a strict level of protection. Document 02, Extended Phase 1 Habitat Survey Report advised that an existing Church and Massereene Bridge which are located adjacent to the application site were found to have moderate to high potential for roosting bats. DAERA – NED requested a bat survey to assess the impact of the proposal on the local bat population. A Preliminary Ecological Appraisal for Bats, Document 06, dated 11th April 2018 was received. DAERA – NED were reconsulted and advised that the preliminary ecological appraisal for bats has rated the bridge arches and walls as having negligible bat roost potential, however the watercourse adjacent to the proposed development is known to be used by bats and is likely to be a resource in terms of foraging and commuting. As artificial lighting was included as part of the proposal DAERA – NED suggested a lighting plan be requested, however, amended plans received by the Council removed any reference to lighting, subsequently DAERA – NED has indicated that they have no objections to the amended scheme.

Invasive Species

Document 02, Extended Phase 1 Habitat Survey Report and letters of objection indicated that Japanese Knotweed is located along the riverbank. A dense knotweed stand runs from the edge of the bridge eastwards with Indian (Himalayan) Balsam scattered along the riverbank.

Japanese Knotweed and Himalayan Balsam are listed under Part 11 of Schedule 9 of the Wildlife (Northern Ireland) Order 1985 (as amended). Article 15 of the Order states that: 'If any person plants or otherwise causes to grow in the wild, plants which are included in Part II of Schedule 9, he shall be guilty of an offence. An Invasive Species Management Plan, Document 08, dated 13th April 2018 was received, DAERA – NED and SES were consulted and raised no objections with the detail within the plan subject to suggested conditions.

Pollution/Contamination

DAERA – Water Management Unit (WMU) and Inland Fisheries (IF) requested the submission of A Construction Management Statement (CMS) in order to ensure that effective mitigation measures are in place to protect the Six Mile Water River and minimise the risk of pollutants entering the watercourse. A Construction Method Statement, Document 04, dated 19th August 2018 was submitted to the Council. DAERA – WMU was consulted and has indicated that it has no objections based on the information provided and is content with the recommendations. WMU has recommended that a Final Construction Environmental Management Plan be submitted to and agreed with the Council prior to works commencing.

NIEA and SES having considered that additional information in relation to above, together with the nature, scale, timing, duration and location of the project are satisfied that the proposal will not have an adverse effect on the site integrity or any protected species, subject to conditions, therefore the provisions of PPS 2 have been met.

Other Matters

The proposal makes reference to the inclusion of gates at both High Street and Riverside, no details of these gates has been submitted therefore it is considered necessary for a condition to be imposed for details of gates to be submitted to the Council prior to commencement.

There is reference to signage on a number of the drawings, signage approval does not form part of this application and should be addressed via the submission of a separate application for consent to display an advertisement.

Letters of objection raised concerns regarding land ownership. Certificate C of the application form was completed and notice was served on the landowners. In the circumstances any challenge or dispute over land ownership is a civil matter between the parties affected and does not prohibit the grant of planning permission.

CONCLUSION

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

- The principle of the development has been established.
- The design, scale and use of materials are considered appropriate.
- The proposal respects and enhances the character of the riverside section of the Conservation Area and the wider Antrim Town Centre.
- In relation to fluvial flood risk an exception is warranted in line with the provisions of Policy FLD 1 of PPS 15 and adequate mitigation measures are proposed.
- The proposal will not significantly impact on the private amenity of the residential properties of Riverside or indeed the commercial properties along High Street in terms of overlooking, loss of privacy, noise or general disturbance.
- The proposal will not have an adverse effect on the site integrity or any protected species.

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 Construction Method Statement (CMS), for works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999, shall be submitted to the Council, at least 8 weeks prior to the commencement of the works or phase of works. The CMS shall reflect and detail all the pollution prevention, mitigation, and avoidance measures to be employed as outlined in Document 04, Construction Method Statement, dated 19th August 2017 and all additional submitted information.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/Ramsar and Rea's Wood and Farr's Bay SAC.

3. A suitable buffer of at least 10 metres shall be maintained between the location for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and any watercourse within or adjacent to the red line boundary.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/Ramsar and Rea's Wood and Farr's Bay SAC.

4. There shall be no storage of construction machinery or materials (cement, aggregate, spoil etc) within the identified Q100 floodplain.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/Ramsar and Rea's Wood and Farr's Bay SAC.

5. The Invasive Species Management Plan, Document 08, dated 13th April 2018 the which relates to the removal of Japanese Knotweed shall be followed and implemented prior to the commencement of development on the site.

Reason: To ensure that the invasive species is not spread through the development of the approved scheme.

6. There shall be no lighting associated with this proposal as indicated on Drawing Nos. 13/1 and 15/1, date stamped 18th July 2018.

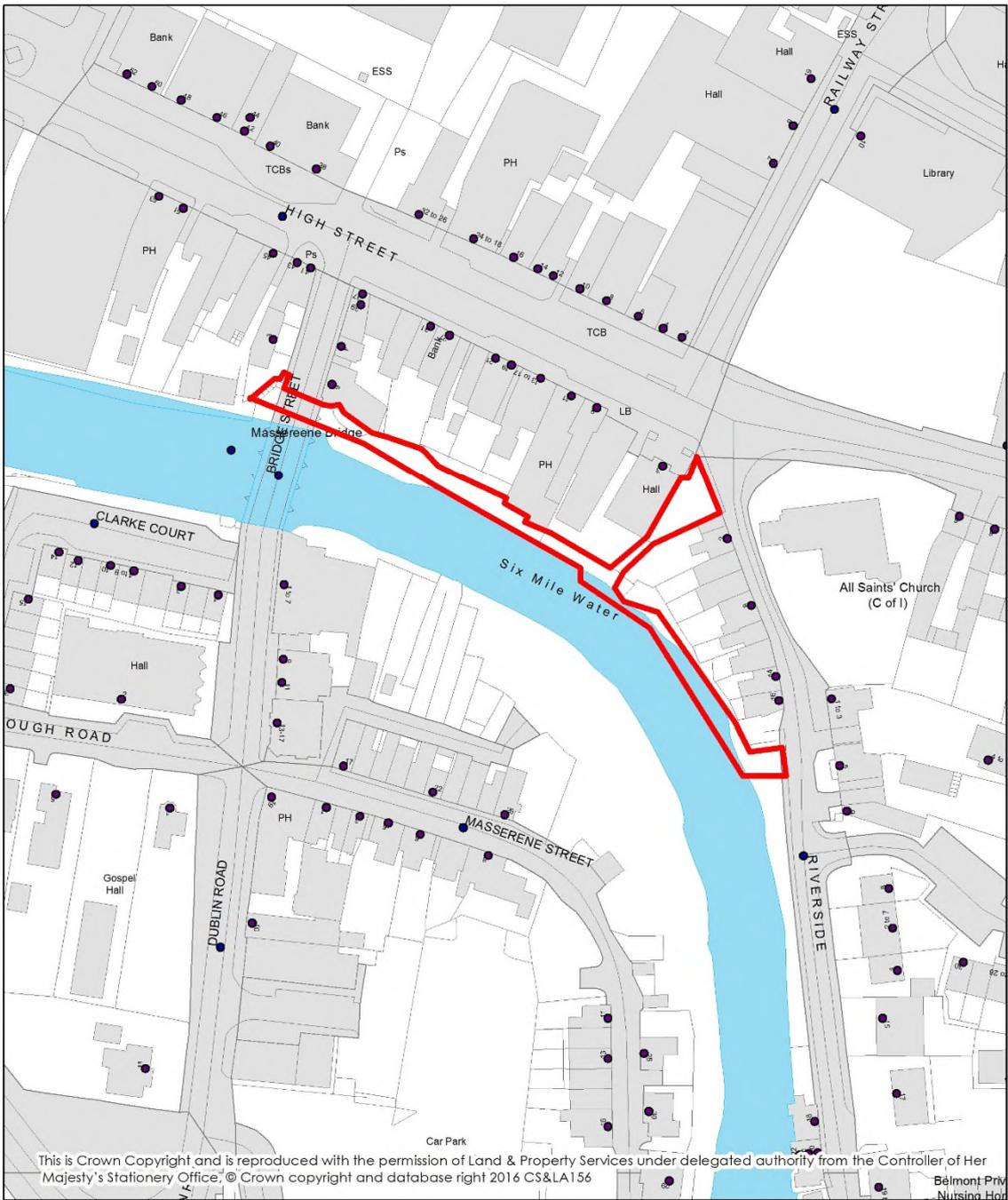
Reason: To minimise the impact on bats.

7. Prior to the commencement of development details of the proposed wall referred to in Drawing No 14 and highlighted in green, date stamped 7th April 2017, shall be submitted to and approved in writing by the Council. The proposed wall shall be of a height no less than two metres and shall be finished in natural stone. The wall shall be constructed prior to the boardwalk becoming operational.

Reason: In the interests of protecting residential amenity.

8. Prior to the commencement of development details of proposed gates at access points on Riverside and High Street shall be submitted to and approved in writing by the Council.

Reason: In the interests of protecting the visual amenity of the streetscape.



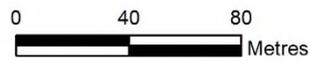
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Location Map

Application Reference: LA03/2017/0387/F

North of Six Mile Water
including Massereene Bridge
lands to the south of High Street
extending to the south of 16 Riverside,
Antrim

Extension of Sixmilewater Board Walk



Site Boundary 

For Information Only



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2017/0470/LBC
DEA	ANTRIM
COMMITTEE INTEREST	ASSOCIATED APPLICATION TO A COMMITTEE APPLICATION
RECOMMENDATION	GRANT LISTED BUILDING CONSENT

PROPOSAL	Extension of Six Mile Water Board Walk
SITE/LOCATION	North of Six Mile Water including Massereene Bridge, lands to the south of High Street extending to the south of 16 Riverside, Antrim
APPLICANT	Antrim Towns Development Company
AGENT	Michael Corr
LAST SITE VISIT	5 th June 2017
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is within the central area of Antrim Town and within the Antrim Conservation Area. The site incorporates a section of Massereene Bridge which is a Grade B1 Listed Building.

The application site runs parallel to the northern bank of the Six Mile Water River and to the rear of commercial properties located along High Street and residential properties in Riverside. The application site measures approximately 160 metres, stretching from Massereene Bridge to the south of Riverside. The site contains sections of overgrown vegetation.

The application site is central to the urban area of Antrim with commercial properties located directly to the north and west, with residential properties located to the south and east.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0470/LBC
Location: North of Six Mile Water including Massereene Bridge lands to the south of High Street extending to the south of 16 Riverside, Antrim
Proposal: Extension of Six Mile Water Board Walk
Decision: Decision Pending

Planning Reference: LA03/2016/1080/LBC
Location: Massereene Bridge, Bridge Street, Antrim
Proposal: Resurfacing of footpath consisting of planing back existing asphalt surface and reinstating a 15mm thick resin bonded gravel finish, colour 'Mourne Fleck'
Decision: Permission Granted (16.03.2017)

Planning Reference: T/2013/0030/F

Location: Steps at Massereene Bridge ,Under Dublin Road Bridge, Halls Bridge and steps near Barbican Gate, Antrim Town Centre

Proposal: Proposed metal gates and railings to steps at Massereene Bridge, under Dublin Road Bridge, Halls Bridge and steps near Barbican Gate.

Decision: Permission Granted (29.04.2013)

PLANNING POLICY

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limit of Antrim, with both the central area and within Antrim Conservation Area.

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

CONSULTATION

DfC Historic Environment Division (HED) Historic Buildings – No objections.

REPRESENTATION

No neighbours were notified of the application as it is an application for Listed Building Consent, however, neighbours were notified under the concurrent full application (LA03/2017/0387/F) for the same proposal. Two (2) letters of representation have been received from two (2) properties. The concerns do not relate to the impact on the Listed Bridge but the impact of the wider scheme. These

concerns have been addressed in the assessment of the associated application LA03/2017/0387/F.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Principle of Development

Section 6(4) of the Planning Act (Northern Ireland) 2011, states that any determination under this Act must be made in accordance with the Local Development Plan (LDP) unless material considerations indicate otherwise.

The Antrim Area Plan 1984-2011 (AAP) operates as the Local Development Plan for the area where the application site is located. The AAP places the application site within the settlement limit of Antrim within both the central area and Antrim Conservation Area. The application site also incorporates Massereene Bridge which is a Grade B1 Listed Building (HB20/08/043), an associated application LA03/2017/0387/F is currently being assessed for the works to the boardwalk.

There is a statutory requirement under Section 80 of the Planning Act (Northern Ireland) 2011 for the decision maker to have special regard to the desirability of preserving a listed building and setting when considering whether to grant planning permission for development that affects its setting. Paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) states that listed buildings of special architectural or historic interest are key elements of Northern Ireland's built heritage. There is no conflict or change in policy direction between the provisions of the SPPS and that contained within Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS 6) which remains the relevant planning policy under which the proposal is to be considered.

Impact on Listed Building

Policy BH 8 requires that any alteration to a listed building retains the essential character of the building and its setting, its features of special interest remain intact and unimpaired and the works make use of the traditional or sympathetic building materials and techniques of those found on the building. In this case the proposal involves the development of a boardwalk to connect to the end of the existing boardwalk located to the west of Massereene Bridge, running under the second arch of the bridge. This section of the boardwalk will cantilever over the river as there is an existing river wall. The boardwalk will be supported by beams attached to the existing riverbank reinforcement walls. Therefore minimal works are required along this section of the bridge. No works are proposed to the fabric of Massereene Bridge and as such the bridge will remain intact and unimpaired.

Policy BH11 sets out criteria for development affecting the setting of a Listed Building. In addition to the criteria outlined above it requires that the design respects the listed building and character of the setting of the building. As outlined above the boardwalk runs under the second arch to connect to the existing boardwalk and no works are proposed to the fabric of Massereene Bridge and as such the bridge will remain intact and unimpaired. The design of the boardwalk is an appropriate form of development in relation to the overall scale, form, materials and detail of the proposed development. It is considered that the inclusion of the boardwalk will not take away from the interest and merit of the bridge setting.

HED – Historic Buildings has also been consulted on the application and are content that the proposal satisfies policy criteria set out in the Strategic Planning Policy Statement (SPPS) together with BH 8 and BH 11 of PPS 6: Planning, Archaeology and Built Heritage. It is considered that there would be no detrimental impact caused by the proposal to the Grade B1 Listed Building or its setting.

Other Matters

Reference to signage is made on a number of drawings including signage located on the former Presbyterian Church, 3 & 5 High Street which is a Grade B2 Listed Building. Consent to display an advertisement does not form part of this application and should be addressed via the submission of a separate application for consent to display an advertisement. An informative will be placed on any permission to this effect.

CONCLUSION

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

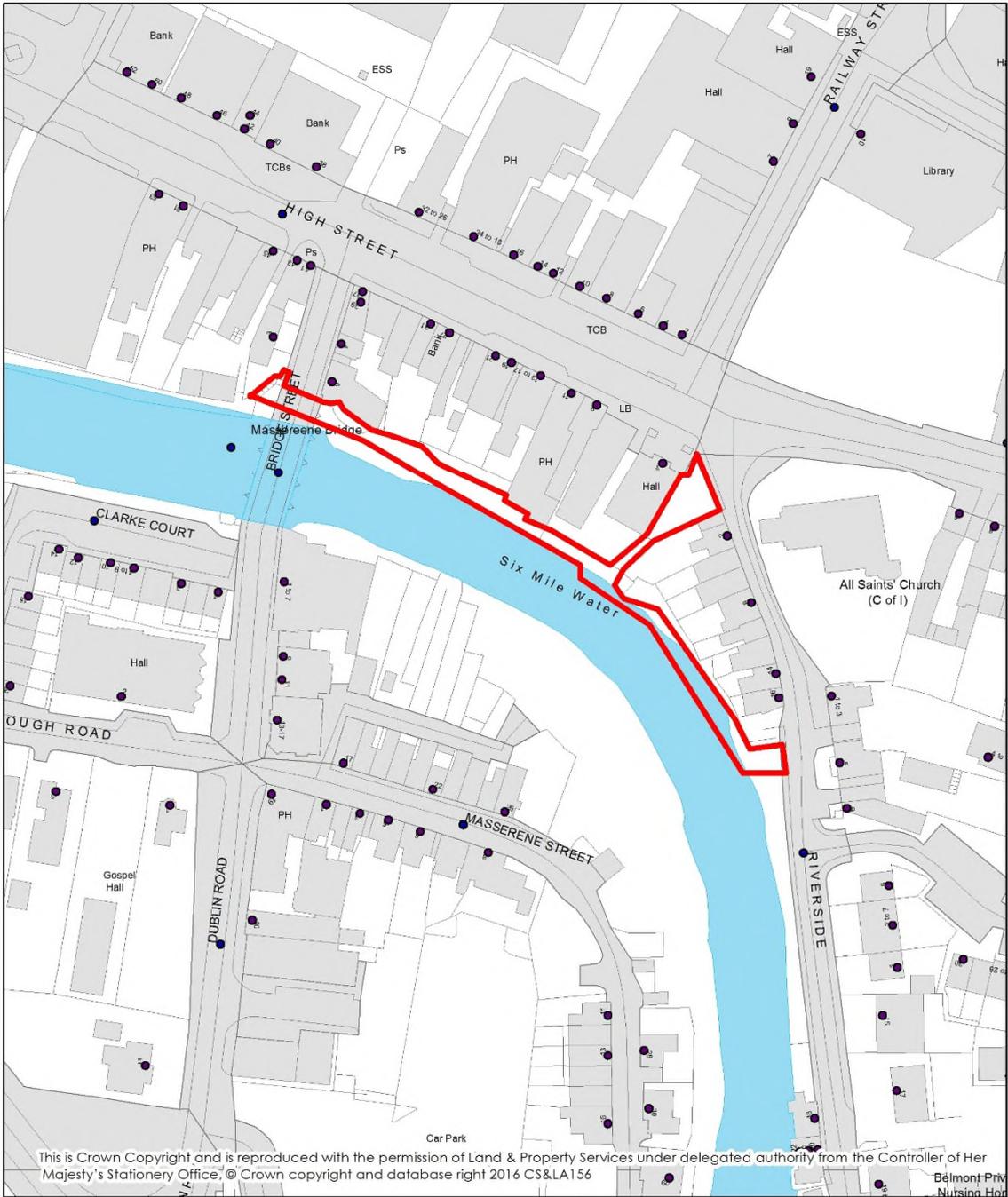
- The proposed works will not result in a detrimental impact to the Grade B1 Listed Building or its setting.

RECOMMENDATION : GRANT LISTED BUILDING CONSENT

PROPOSED CONDITION

1. The proposed works shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

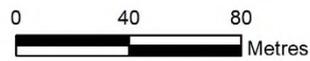


Location Map

Application Reference: LA03/2017/0470/LBC

North of Six Mile Water
including Massereene Bridge
lands to the south of High Street
extending to the south of 16 Riverside,
Antrim

Extension of Sixmilewater Board Walk



Site Boundary



For Information Only



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2018/0784/A
DEA	THREEMILEWATER
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT

PROPOSAL	Advertisement hoarding with associated LED lighting
SITE/LOCATION	44 Old Carrick Road, Newtownabbey, BT37 0UE
APPLICANT	Kenneth Rookes
AGENT	N/A
LAST SITE VISIT	12/9/18
CASE OFFICER	Leah Nelson Tel: 028 903 Ext 40413 Email: leah.nelson@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is located at No. 44 Old Carrick Road, Newtownabbey which sits just outside the development limits of Newtownabbey as shown in the Belfast Metropolitan Area Plan (BMAP) and therefore constitutes development within the countryside. BMAP designates this location as an Area of High Scenic Value under zoning reference COU 5/02.

The application seeks retrospective consent to display a dual fronted, v-shaped sign which advertises Transform Joinery Services, from within the curtilage of a dwelling, which is occupied by the applicant. The local area is considered to be rural to the north and west while the area to the south is an established residential area.

The application site has a steep gradient sloping in a southerly direction, therefore the sign sits at a lower ground level than the dwelling north of the signage. The site boundary treatment consists of a 1.2m high stone clad wall to the southern boundary and wooden post fencing of approximately 1.2m high to the eastern site boundary, mature vegetation provides the boundary treatment to the north and west of the site.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2018/0154/CA
Location: 44 Old Carrick Road, Newtownabbey, BT37 0UE
Proposal: Unauthorised dual frontage sign – Transform Joinery Service
Decision: Negotiate to resolve

Planning Reference: U/2013/0024/F
Location: 44 Old Carrick Road, Newtownabbey, BT37 0UG
Proposal: Erection of single storey extension and car port to side of dwelling
Decision: Permission Granted (25/03/2014)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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 Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan: The Plan offers no specific guidance on this proposal.

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

PPS 17: Control of Outdoor Advertisements: sets out planning policy and guidance for the control of outdoor advertisements.

PPS21: Sustainable Development in the Countryside: sets out planning policy and guidance for development in the countryside.

CONSULTATION

DFI ROADS – No objection subject to condition

REPRESENTATION

Neighbour notification is not undertaken for applications for consent to display an advertisement. 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:

- Amenity, Design and Appearance
- Public Safety

Amenity, Design and Appearance

Policy AD1 of Planning Policy Statement (PPS) 17 – Control of Outdoor Advertisements sets the policy context for the assessment. Consent will be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality. As the site is in a countryside location, PPS21 - Sustainable Development in the Countryside is a relevant consideration and the PPS seeks to promote high standards in design, siting and landscaping.

The signage proposed to be retained is installed at a roadside location, situated behind an existing 1.2m high stone wall at a height visible to oncoming traffic from either direction on the Old Carrick Road. The structure of the proposed signage totals 2.9m in height with each elevation of the sign being 1.5m in height and 1.2m in width. The existing advertisement is highly visible and can be seen from the junction where the Monkstown Road and Old Carrick Road meet, approximately 50m southeast of the existing sign.

The signage is installed in the southern end of the application site on an area of grass as indicated in Drawing No. 02 date stamped 24 August 2018. The signage is mounted on a wooden structure which is built upon a base with wheels, however it is held down by cement slabs and situated on concrete slabs at ground level.

The southeastern and southwestern elevations of the sign show the same content and consist of three panels of text, each measuring 0.4m in height and a fourth panel atop of grey PVC measuring 0.3m in height. A company logo is shown and the colours used are red, white and blue as shown in Drawing No.03 date stamped 24 August 2018. There is an LED light attached to the stone wall in front of the proposed signage as indicated in the A1 form and submitted photographs.

Paragraph 4.8 of Policy AD1 suggests advertisements in the countryside should be small in scale and should not detract from the quality and character of the local landscape. The signage proposed to be retained is not subservient in nature, the design is not simplistic and not sympathetic to the rural landscape. Furthermore, only small scale directional signage relating to an operational business premises is permitted in the countryside and this proposed signage is more than directional signage designed to direct road users to a business premises. It is considered that the signage is inappropriate within the rural setting and detrimental to the character, appearance and amenity of the local area.

Public Safety

Policy AD1 of Planning Policy Statement (PPS) 17 – Control of Outdoor Advertisements sets the policy context for the assessment. Consent will be given for the display of an advertisement where it does not prejudice public safety.

In terms of road users, the signage must not pose a distraction or obstruction to drivers or cyclists along the Old Carrick Road. The signage should leave enough clearance for pedestrian or vehicle traffic and not obstruct vision. The use of colour in this proposal avoids confusion with road signs.

On consultation with DFI Roads, no significant issues were raised with the signage subject to conditions being attached to the grant of any permission should it be forthcoming. In conclusion, the proposed signage does not jeopardise public safety.

CONCLUSION

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

- The proposal will negatively impact the amenity and appearance of the area.
- It is considered the proposal would not prejudice public safety.

RECOMMENDATION : REFUSE ADVERTISEMENT CONSENT**PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AD1 of Planning Policy Statement 17: Control of Outdoor Advertisements, in that retention of the proposed signage would result in an unacceptable detrimental impact on the visual amenity of the area.



Location Map

Application Reference: LA03/2018/0784/A

Advertisement hoarding with associated LED lighting

44 Old Carrick Road,
Newtownabbey, BT37 0UE



Site Boundary 

For Information Only



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2018/0746/A
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT

PROPOSAL	1 No. mobile trailer sign and 1 No. static sign (Retrospective)
SITE/LOCATION	East and West of the Junction to Antrim Business Park, Randalstown Road, Antrim
APPLICANT	Antrim Tile and Bath
AGENT	TC Town Planning
LAST SITE VISIT	12.09.2018
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: orla.burns@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 www.planningni.gov.uk

SITE DESCRIPTION

The application site is located at the junction of the Antrim Business Park, Randalstown Road, Antrim. The application site is located within the development limits of Antrim as defined in the Antrim Area Plan 1984-2001.

The application site is physically undefined. The application seeks retrospective consent to display two adverts, the first static sign lies 6 metres to the east of the junction of the Randalstown Road and Antrim Business Park. This sign is attached to a 2.2 metre high black palisade fence that defines the southern edge of the business park. The proposed trailer sign lies 2 metres west of the same junction and is situated on open ground, this area has previously been the subject of enforcement action for unauthorised signage.

RELEVANT PLANNING HISTORY

Planning Reference: T/2005/0032CA
Location: Enkalon Industrial Estate, Randalstown Road Antrim
Proposal: Advertisement
Decision: ENFORCEMENT CASE CLOSED

Planning Reference: T/2013/0088/CA
Location: Entrance To Enkalon Industrial Estate, With Randalstown Road, Antrim
Proposal: Alleged unauthorised advertisements
Decision: ENFORCEMENT CASE CLOSED 03.12.2013

Planning Reference: LA03/2016/0033/CA
Location: Junction Of Castle Road And, Enkalon Estate Road, Antrim
Proposal: Unauthorised Totem advertisement sign
Decision: ENFORCEMENT CASE CLOSED 02.08.2017

Planning Reference: LA03/2018/0122/CA
Location: Enkalon Industrial Estate - Close To Randalstown Junction, Antrim
Proposal: Alleged unauthorised advertisements - Hot Food
Decision: ENFORCEMENT CASE CLOSED 19.06.2018

Planning Reference: LA03/2018/0124/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised advertisement fixed to fencing - The Roof Window Specialist
Decision: ENFORCEMENT CASE CLOSED 19.06.2018

Planning Reference: LA03/2018/0119/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised placard advertisement - Excel Driving School
Decision: UNDER INVESTIGATION

Planning Reference: LA03/2018/0125/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised banner advertisement - AC Print
Decision: ENFORCEMENT CASE CLOSED 19.06.2018

Planning Reference: LA03/2018/0126/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised advertisement (Fixed to fencing) - Fairy Tales
Decision: ENFORCEMENT CASE CLOSED 19.06.2018

Planning Reference: LA03/2018/0120/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised banner advertisement (fixed to fencing) - Raceview Equestrian
Decision: ENFORCEMENT CASE CLOSED 21.08.2018

Planning Reference: LA03/2018/0123/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised trailer advertisement and advertisement fixed to fencing- The Green Room
Decision: UNDER INVESTIGATION

Planning Reference: LA03/2018/0127/CA
Location: Enkalon Industrial Estate - Close To Randalstown Road Junction, Antrim
Proposal: Unauthorised banner advertisement - Floor King
Decision: ENFORCEMENT CASE CLOSED 21.08.2018

Planning Reference: LA03/2018/0179/CA
Location: Enkalon Industrial Estate, Antrim (on Fencing Facing Public Road)
Proposal: Unauthorised banner sign - Blades and Beauty
Decision: ENFORCEMENT CASE CLOSED 21.08.2018

Planning Reference: LA03/2018/0178/CA
Location: Fencing At Enkalon Industrial Estate, Antrim (close To Junction With Randalstown Road)
Proposal: Unauthorised signage attached to fencing - customprogolf

Decision: ENFORCEMENT CASE CLOSED 19.06.2018

Planning Reference: LA03/2018/0177/CA

Location: Land At Junction Of Randalstown Road & Enkalon Industrial Estate, Antrim

Proposal: Unauthorised trailer sign - Gospel Van Ministries

Decision: ENFORCEMENT CASE CLOSED 19.06.2018

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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 plan offers no specific guidance on this proposal.

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

PPS 17: Control of Outdoor Advertisements: sets out planning policy and guidance for the control of outdoor advertisements.

CONSULTATION

DFI Roads – No objection subject to conditions

REPRESENTATION

No neighbours were notified of the application as no occupied properties abut the site. 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:

- Principle of Development
- Neighbour Amenity
- Public Safety

Principle of Development

The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 is the relevant statutory rule for the control of advertisements, made under the provisions of Section 130 of the Planning Act (Northern Ireland) 2011. This allows the exercise of control in the interests of amenity and public safety, taking into account the development plan, so far as it is material, and any other relevant factors.

There is no conflict between the provisions of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and those of retained policies regarding the display of advertisements. Consequently, the policy context is provided by Planning Policy Statement 17: Control of Outdoor Advertisements (PPS17).

Policy AD1 of Planning Policy Statement 17 – Control of Outdoor Advertisements (PPS17) states that consent will be given for the display of an advertisement where it respects amenity when assessed in the context of the general characteristics of the locality and does not prejudice public safety.

The supporting text of the policy indicates that care should be taken to ensure that an advertisement does not detract from the place where it is to be displayed or its surroundings and that it is important to prevent clutter. It states that the term amenity is usually understood to mean the effect upon the appearance of the immediate neighbourhood where it is displayed or its impact over long-distance views whilst clutter is explained as essentially a large number of advertisements on a building or along a road, which can be disruptive to the appearance, and character of an area.

Paragraph 27 of PPS17 states in business parks the uncoordinated display of advance advertisements to individual businesses, which bears no direct relationship to the building, land or structure upon which it is displayed is often confusing, untidy and detrimental to the appearance of an area. The signage proposed to be retained on the east is 1.4metres wide by 2.4metres in height, the sign is finished on a rigid composite board, which is fixed to the mesh fencing that defines a section of the application site. There is no indication on the A1 form to suggest that the applicant has applied for the signage for a temporary period of time. As a consequence it is considered the materials proposed for the signage are unacceptable for a permanent proposal as over time the composite board will show signs of wear and will have a negative impact on the appearance of the surrounding area. The trailer signage proposed to be retained is 1.4 metres in height and 2.4metres wide and is double facing. Both signs can be seen when travelling east and west along the Randalstown Road. It is considered the scale and design of the signage is not appropriate for the area.

In principle, there is no opposition to a single carefully designed directory board located at the entrance to the park that advertises all the businesses located within the business park and the agent has been advised of this alternative option. It is noteworthy that this road junction has been the subject of numerous enforcement cases for unauthorised signage. It is considered that if the Council were to approve this particular proposal for a single business within the business park, it would create a precedent in the area for signage from all the other businesses and this would lead to a proliferation of signage at the junction which would be unacceptable.

Neighbour Amenity

It is considered that the signage on display does not have an adverse impact on the residential amenity of dwellings located within the vicinity of the proposed signage.

Public Safety

There are no significant public safety concerns in respect of the signage. DFI has been consulted and has indicated no road safety concerns with this proposal.

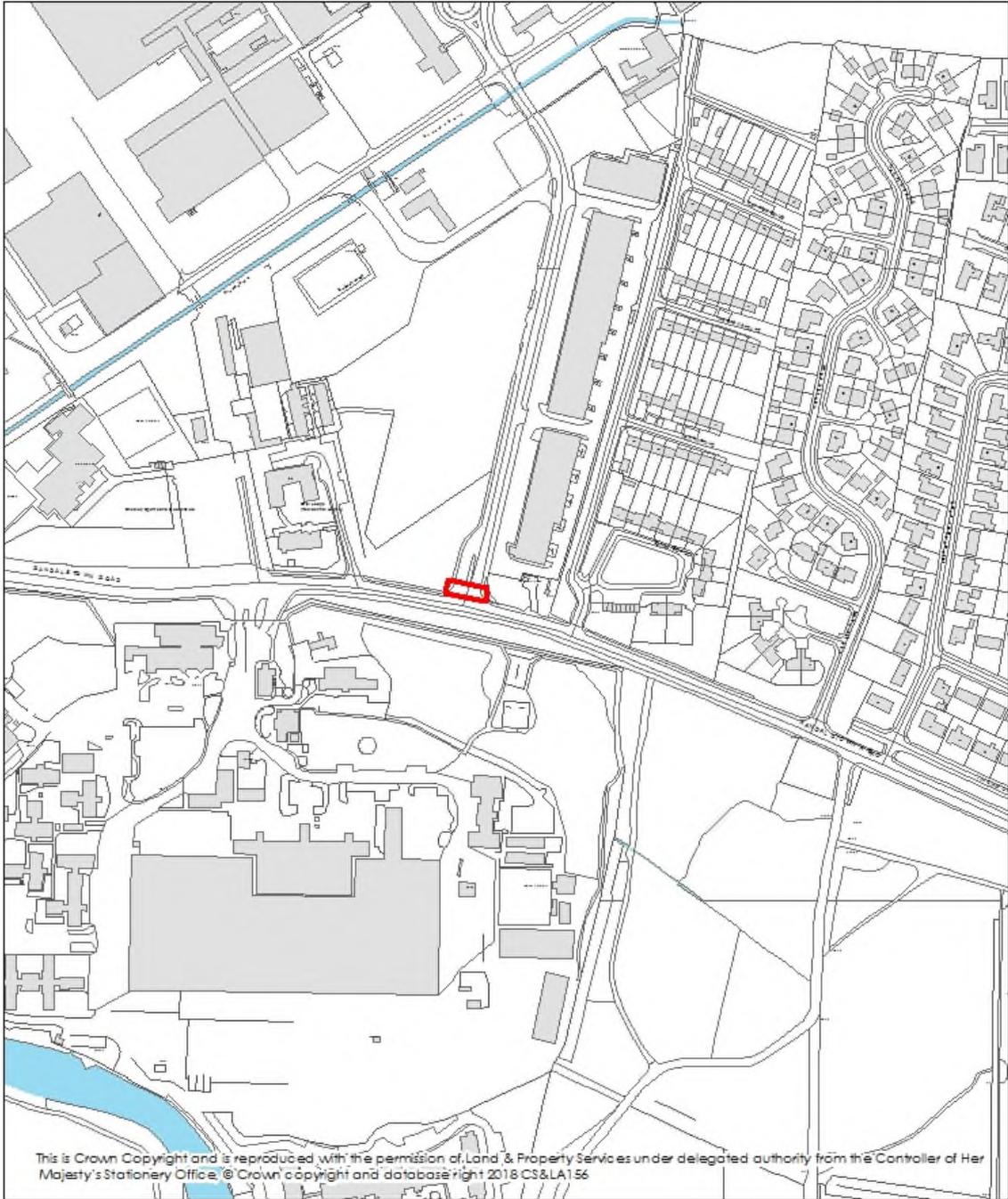
CONCLUSION

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

- The principle of the development is considered to be unacceptable.
- It is considered that there is no public safety matters associated with this proposal.
- There are no neighbour amenity concerns as a result of this proposal.

RECOMMENDATION**REFUSE ADVERTISING CONSENT****PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AD 1 of Planning Policy Statement 17: Control of Outdoor Advertisements, in that retention of the proposed signage would result in an unacceptable detrimental impact on the visual amenity of this area and would set an undesirable precedent for a proliferation of advertisements at this location.



Location Map

Application Reference: LA03/2018/0746/A

1 no mobile trailer sign and 1 no static sign fixed to the existing boundary fence

To the east and west of the junction to Antrim Business Park Randalstown Road, Antrim

 Site Boundary



For Information Only



COMMITTEE ITEM	3.12
CASE REFERENCE	LA03/2018/0788/TPO
DEA	MACEDON
COMMITTEE INTEREST	CALLED IN BY COUNCILLOR HOLLIS
RECOMMENDATION	GRANT TPO WORKS CONSENT

TPO WORKS REQUESTED	Fell 1 no. tree
SITE/LOCATION	37 Abbeydene Manor, Newtownabbey
APPLICANT	M. Large Tree Services Ltd
LAST SITE VISIT	10 September 2018
CASE OFFICER	Steven McQuillan Tel: 028 90340421 Email: steven.mcquillan@antrimandnewtownabbey.gov.uk

SITE DESCRIPTION
The tree subject to this request is a Redwood located within the rear garden of No. 37 Abbeydene Manor. The tree is approx. 24m in height and is located between two residential dwellings and adjacent a perimeter wall. The tree forms part of a wider TPO at Abbeydene Manor that was served on the land on 31 st March 1994.
RELEVANT PLANNING HISTORY
There is no relevant planning history
ASSESSMENT
A Tree Preservation Order (TPO) is a statutory protection afforded to trees under the Planning Act (Northern Ireland) 2011. Once a TPO is in force, consent from the Council is required to cut down, uproot, top or lop a protected tree, however exceptions include dead or dangerous trees, works by statutory undertakers and prevention of abatement of a nuisance.
An arboricultural report has been submitted with the request, carried out by Stephen Warren BSc (Hons) of M. Large Tree Services Ltd. The following comments were noted:
<ul style="list-style-type: none"> - The tree is noted to be in poor condition, containing deadwood and dieback, loss of vigour and discolouration of the foliage; - Decaying wound at the base with minor fire damage that is not currently severe but will weaken the integrity of the tree; - Restricted root expansion due to development likely cause of dieback and failure of tree; - Roots likely cause of damage to adjacent wall; - Tree in early stages of failure, will result in greater deadwood and likelihood of falling branches; - Remedial works could prolong the life of the tree but removal will ultimately be necessary.
The site was inspected and the visible elements noted above were identified on site. The tree has been described as 24m high and it is located between two residential properties, where the crown overhangs both these properties. The closest dwelling

comes within 3-4m of the tree and the other dwelling just over 5m. There is also a wall within 2m of the tree that is clearly showing damage and this is likely to be the result of the tree growth. Any TPO tree that results in a 'nuisance' is not technically protected by the Order (as per Schedule 3). Nuisance in this case refers to damage to a property.

The tree has a slight lean to the east and is located within the rear amenity space of a residential development, with a crown that overhangs existing residential property. Any failure to this tree from fallen branches could easily result in damage to property or person given its location within the rear amenity space and adjacent a public footpath. Any failure of the tree as a whole is not only likely to result in severe damage to property but also there is a high risk of serious injury/death to persons.

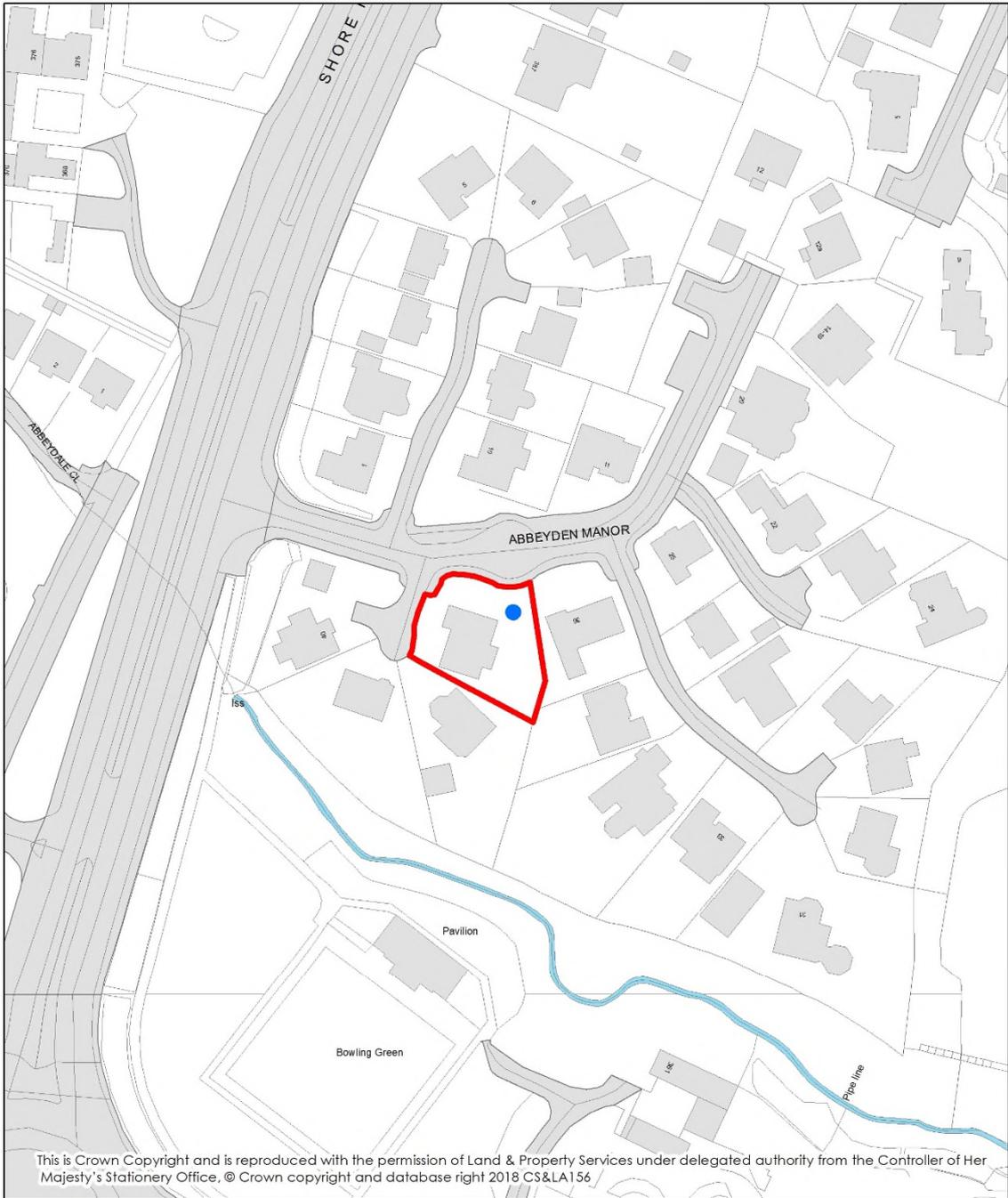
There is no doubt that development was approved/built too close to the tree and this in itself has caused problems for the tree with limited root expansion. Undoubtedly this tree is of significant size and visually dominates this area, however, serious issues of public safety outweigh any benefits provided by a tree.

Whilst it would be regrettable to lose such a large Redwood, it is considered, based on the information above, that this may represent the safest option on the site. Accordingly it is recommended that the consent to fell the tree is granted, subject to a suitable replacement within the grass verge adjacent the road.

RECOMMENDATION :	GRANT TPO WORKS CONSENT
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PROPOSED CONDITIONS

1. The works as described in this consent notice shall be undertaken within 2 years of the date of this notice.
2. Felling shall be carried out to the tree as indicated in blue on attached Map B.
3. To compensate for the loss of this protected tree a replacement tree shall be planted to comprise an extra heavy standard tree of 14 - 16cm in girth and 3 - 5m in height at the time of planting of a native species to be agreed in writing with the Council. Replanting shall be carried in the approximate location identified in red on the attached Map B within one month of the removal of the protected tree or such timescale as may be agreed in writing with the Council prior to the removal of the protected tree. The replacement tree shall be permanently retained unless the Council gives written consent prior to its removal.



Location Map

Application Reference: LA03/2018/0788/TPO

Scale: 1:1250 

Fell 1 no. tree at Abbeydene Manor, Newtownabbey

-  Site Boundary
-  Approx. location of tree



**PART 2 FORWARD PLANNING MATTERS - LOCAL DEVELOPMENT
PLAN, PLANNING POLICY AND CONSERVATION**

OTHER PLANNING MATTERS

ITEM 3.13

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during September 2018 under delegated powers is **enclosed** for Members attention together with information received this month on planning appeals.

RECOMMENDATION: that the report be noted.

ITEM 3.14

P/FP/LDP/1 LOCAL DEVELOPMENT PLAN QUARTERLY UPDATE JULY – SEPTEMBER 2018

The Council's Local Development Plan (LDP) Timetable advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the second quarter of the 2018-2019 business year (July to September 2018).

Local Development Plan – Updated Timetable

The Council published an updated Timetable in July 2018 with indicative dates for the main stages of the Local Development Plan. This updated Timetable replaces the Council's previous Timetable, which was published in January 2016.

Member Workshops on Planning Policy

The Forward Planning Team continued to formulate new draft Planning Policy for the draft Plan Strategy document. Two policy workshops were held with Members and included the following topics:

- 2 August 2018 – Homes (as part of the overarching policy theme of "Society") and Primary Policies (as part of the "Strategic Overarching Policy").
- 30 August 2018 – Coast, Loughs and Landscape (as part of the overarching theme of "Environment") and Industry and Employment (as part of the overarching theme of "Economy").

Antrim and Newtownabbey draft Retail and Commercial Leisure Study

Officers continued to engage with the Council's appointed consultant (Nexus Planning) in the preparation of the draft Retail Study. Nexus Planning completed baseline studies, capacity assessments and a Borough-wide telephone interview survey. Nexus Planning also completed engagement sessions with Town Teams during the summer and presented their draft findings to Members at a workshop session held on 15 August 2018.

Officers are now in receipt of the final draft Study and are currently preparing draft Retail and Commercial Leisure planning policy for Members consideration.

Draft Landscape Character Assessment (LCA) update

Following advice received from the Department of Agriculture, Environment and Rural Affairs, the Forward Planning Team conducted a Borough-wide LCA update. This is intended to provide an updated database on the local landscape to help inform planning policy for the new LDP and to ensure that the Plan is sound.

The Council appointed Soltys Brewster (Chartered Landscape Consultants) to act as critical friend to review the draft LCA update completed by Officers.

To ensure soundness of the draft LCA update, Officers held an informal Landscape Character Meeting on 20 September 2018 with neighbouring councils and representatives from NIEA to discuss landscape issues of mutual importance.

Draft Employment Land Evaluation Report (ELER)

Officers continued to engage with the Council's appointed consultant (Gravis Planning) in the preparation of the draft Employment Land Evaluation Report (ELER).

The consultant presented their initial findings of the study to Members at a workshop session held on 5 July 2018. The draft ELER sets out the Council's proposed approach to employment lands to be taken forward in the LDP including a strategic overview of where employment lands should be located within the Borough.

In addition, Officers met informally with Invest NI on 23 August 2018 and attended an Invest NI workshop on 6 September 2018 to discuss the general industrial land market.

The Department for Infrastructure (DfI) Belfast Metropolitan Transport Plan Project Board Meeting – Project Initiation Meeting

The inception meeting for the Belfast Metropolitan Transport Plan Project Board took place on 28 August 2018 in Belfast. The Project Board includes central government officials as well as local government officers from the five council areas within the environs of the Belfast Metropolitan area.

Metropolitan Area Spatial Working Group – Update

The sixth meeting of the Metropolitan Area Spatial Working Group took place on 17 September 2018, hosted by Mid and East Antrim Borough Council. At this meeting, Belfast City Council presented a summary of their draft Plan Strategy which has been issued for public consultation (ending 15 November 2018). The seventh meeting of the working group is due to take place on 3 December 2018, hosted by Antrim and Newtownabbey Borough Council.

Affordable Housing – Approach

Officers continued to meet with Officers from the Housing Executive to discuss the Council's approach to affordable housing. A position paper is being prepared on this policy topic will be discussed at a forthcoming Members workshop scheduled to be held in October 2018.

The Planning Appeals Commission (PAC)

Senior Officers attended an event organised by the PAC relating to "Local Development Plans and Independent Examinations". The event was an opportunity to engage with the PAC and Officers from other council Forward Planning teams; to ensure the preparedness of the Plan in the lead up to publication of the draft Plan.

Belfast City Council (draft Plan Strategy publication)

Belfast City Council published its draft Plan Strategy on 23 August 2018. The formal consultation period will run with 30 September 2018 to 15 November 2018. Officers attended a consultation event on 25 September 2018 at which an overview of the publication was provided. Officers are currently reviewing the document and a formal response will issue on/before 15 November 2018.

Background Evidence Papers

Officers are currently updating the Forward Planning Team's background evidence papers relating to the key planning topics to be included in the draft Plan Strategy.

RECOMMENDATION: that the report be noted.

ITEM 3.15

P/FP/LDP/57 – NIHE TOWER BLOCK STRATEGY

The Council's Chief Executive recently wrote to NIHE regarding clarification on the proposed NIHE Tower Block Strategy. A copy of the Housing Executive's response is enclosed and an invitation has been issued to Members to attend a presentation of the Strategy by Clark Bailie, Chief Executive of NIHE, on 25 October 2018.

RECOMMENDATION: that the report be noted.

ITEM 3.16

AGENDA NI PLANNING CONFERENCE 20 NOVEMBER 2018

Members are advised that the AgendaNI annual Northern Ireland Planning Conference will take place this year on Tuesday 20 November 2018. This year's theme is 'Decisions Making in Uncertain Times' and the event will review the performance of the planning system since April 2015 with particular reference to how to get the best out of forthcoming Local Development Plans being prepared by Councils.

The discussion topics include the following:

- (1) Who decides: The impact of the arc21 decision on planning for major infrastructure projects;
- (2) A review of Local Development Plans;
- (3) Planning in a political void;
- (4) Impact of Brexit on planning;
- (5) An update on all significant planning judgements;
- (6) Planning for resilience;
- (7) Use of planning agreements by local authorities;
- (8) Planning for developing social housing; and
- (9) Best practice case studies.

The conference provides an opportunity for all those with a role in planning to come together for discussion and debate. The Local Government delegate cost is £234 per person and the event will take place in Titanic Belfast commencing at 8.30am.

RECOMMENDATION: that the Chairperson and Vice Chairperson (or their nominees) and relevant Officers attend this conference.

ITEM 3.17

REGIONALLY SIGNIFICANT PLANNING APPLICATION – KELLS SOLAR FARM (REFERENCE LA03/2015/0234/F)

The Department for Infrastructure is currently processing the following regionally significant planning application.

Application Reference: LA03/2015/0234/F
Proposal: 50MW Solar Farm
Location: Lands located East and West of Whappstown Road and to the North of Doagh Road, Northwest of Kells, Co Antrim.
Applicant: Elgin Energy

Full details of the application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk

The proposed development site straddles the Council's boundary with Mid and East Antrim Borough Council with the larger portion of the site lying within the Antrim and Newtownabbey Borough Council area.

Members will recall that the Department for Infrastructure wrote to the Council in November 2017 to advise that it had issued a Notice of Opinion (NOP) that planning permission should be refused. The Council agreed corporately to note the Department's NOP.

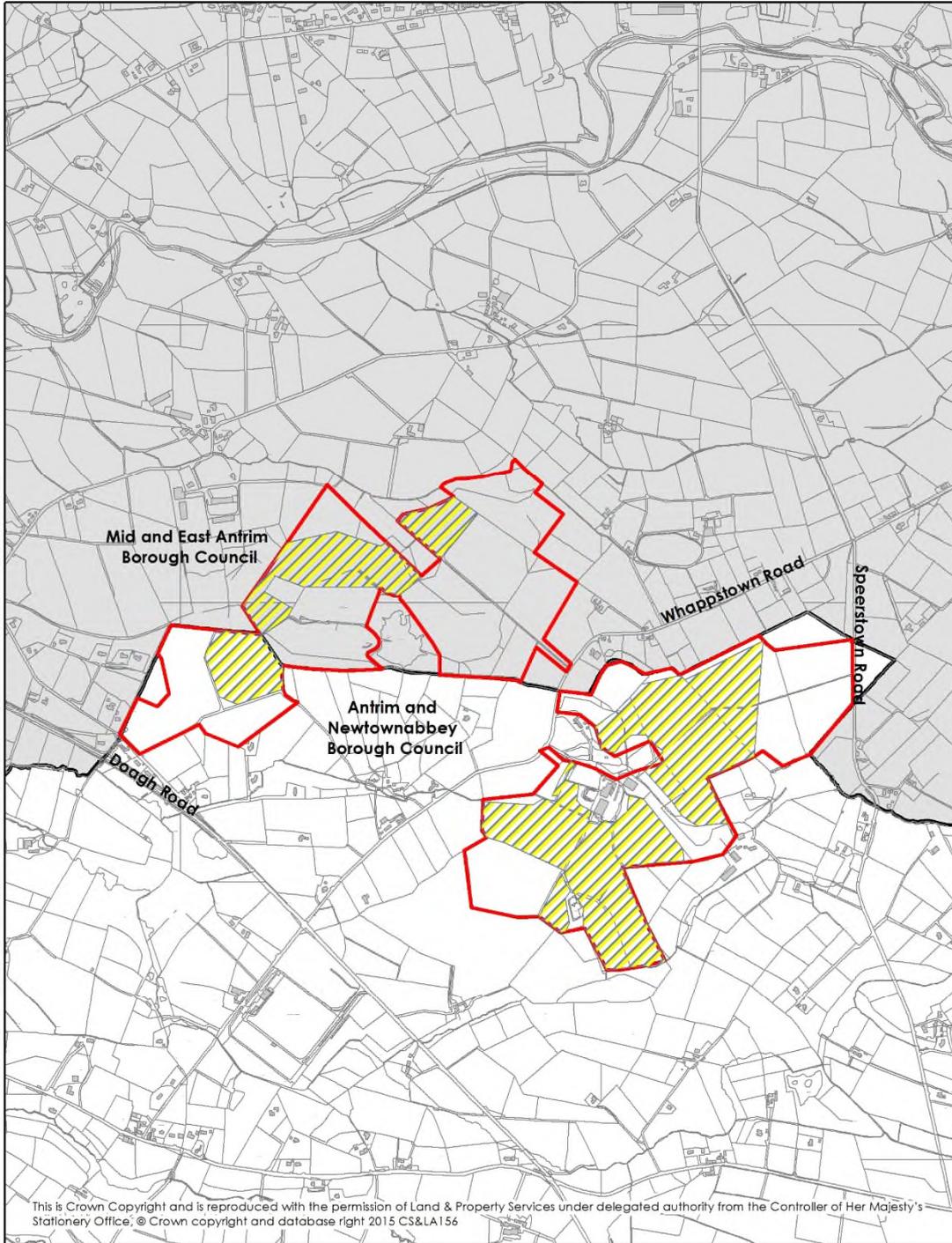
The applicant for the solar farm, Elgin Energy, subsequently requested a hearing before the Planning Appeals Commission and submitted an amended scheme reducing the scale of the proposed solar farm. The map attached to this report indicates the original application site and the reduced area now proposed by the applicant for the location of solar panels.

At the pre-hearing meeting held by the PAC on 26 April 2018 the Commission requested that the Department indicate its view on the amended scheme and whether it intended to change its NOP. The Department has now forwarded a copy of its response to the PAC (copy **enclosed**).

The hearing by the PAC is now scheduled to open at 10.00am on 29 November 2018 in the Braid Centre, 1-29 Bridge Street, Ballymena and will continue if necessary on the following day.

Officers would remind Members that the final decision on this regionally significant planning application will rest with the Department.

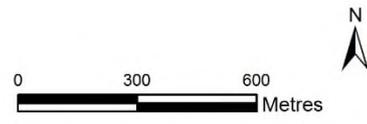
Recommendation: that the report be noted.



Location Map

Application Reference: LA03/2015/0234/F

Proposed solar farm with total generating capacity of 50MW. Lands at Whappstown Road, Moorefields, Castlegore, Ballymena.



- Site Boundary**
- Extent of Solar Panels in amended scheme**



ITEM 3.18

SECTION 54 APPLICATIONS MADE TO THE DEPARTMENT FOR INFRASTRUCTURE TO VARY PLANNING CONDITIONS ATTACHED TO OUTLINE PERMISSIONS U/2006/0377/O AND U/20090405/O IN BALLYCLARE - REFERENCE LA03/2018/0601/F AND LA03/2018/0605/F

The Department for Infrastructure has received the following Section 54 applications which are seeking to vary /delete a number of conditions attached to two related outline planning permissions for major residential development incorporating the proposed Ballyclare Relief Road on lands to the west of Ballyclare.

Application Reference: LA03/2018/0601/F

Proposal: Application to vary condition 3 (Phasing Plan), condition 10 (occupation of dwellings), condition 19 (Travel Card), condition 21 (cycle infrastructure), condition 31 (Environmental Management Plan), condition 42 (landscaping details), condition 44 (Landscape Masterplan), and non-compliance with condition 4 (Phasing Plan), condition 9 (access arrangements), condition 11 (road drainage), condition 16 (TAS approval), condition 17 (geotechnical approval) and condition 18 (road safety audit) of planning permission U/2006/0377/O for major urban extension to include: residential neighbourhood, southern section of Ballyclare Relief Road, local centre, riverside park and other open spaces, children's play areas and associated works.

Location: Lands extending from north of Doagh Road (opposite No.0141 Doagh Road) to the Templepatrick Road Ballyclare Immediately West of the cemetery Huntingdale and Dennisons Industrial Estate.

Applicant: Ballyclare Developments Ltd

Application Reference: LA03/2018/0605/F

Proposal: Application to vary condition 3 (Phasing Plan), condition 10 (occupation of dwellings), condition 29 (Environmental Management Plan), condition 21 (cycle infrastructure), condition 40 (landscaping details) and condition 42 (Landscape Masterplan) and non-compliance with condition 4 (Phasing Plan), condition 9 (access arrangements), condition 11 (road drainage), condition 16 (TAS approval), condition 17 (geotechnical approval), and condition 18 (road safety audit) of planning permission U/2009/0405/O for major urban extension to include: residential neighbourhood, northern section of Ballyclare Relief Road, local centre, central park and other open spaces, equipped children's play areas and ancillary works.

Location: Lands adjacent to the north-west of Ballyclare including lands bounded by Cogry Road/Rashee Road north of Ross' Avenue/Clare Heights and north east and west of Ballyclare Rugby Club.

Applicant: Ballyclare Developments Ltd

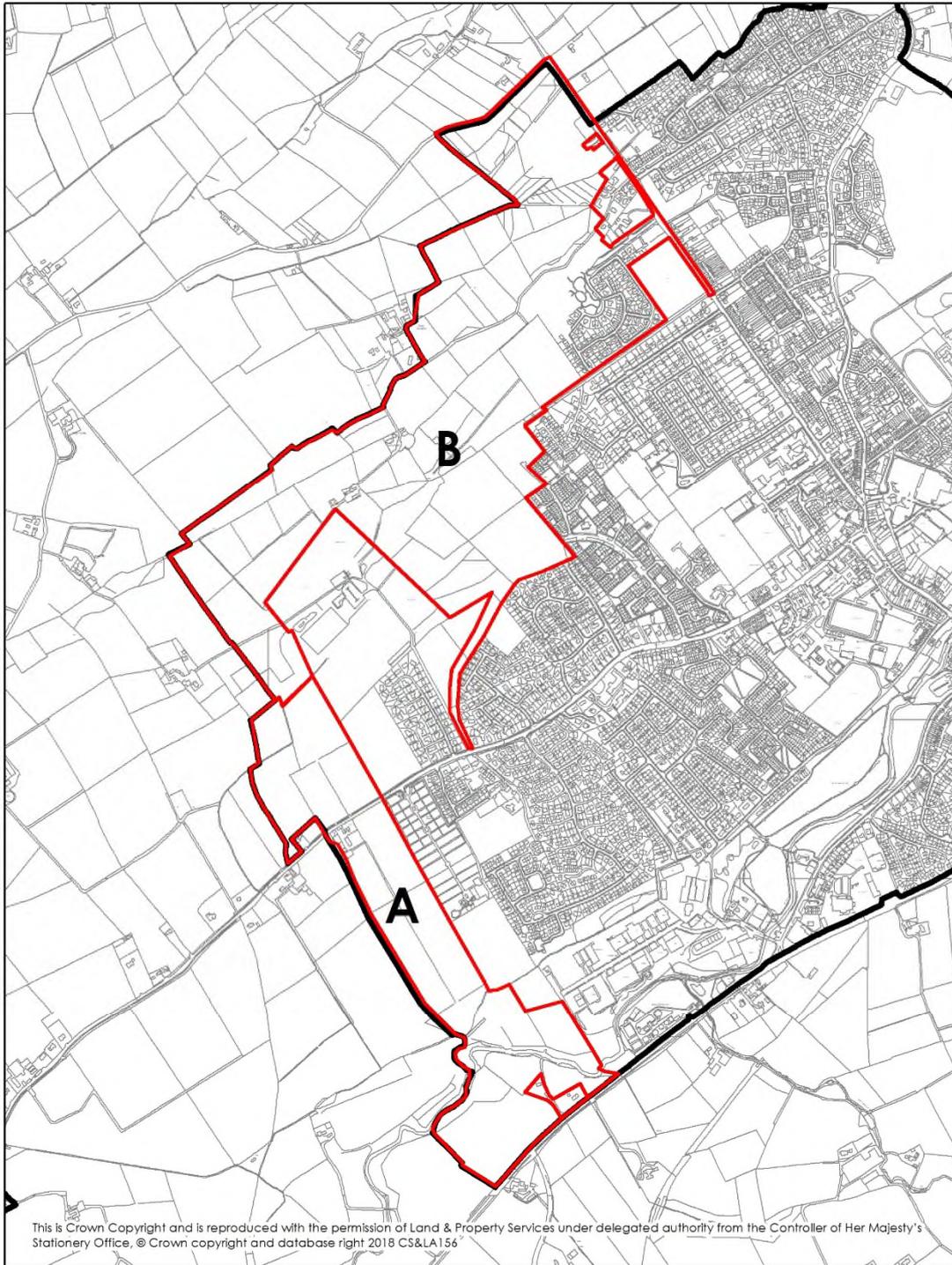
Full details of these applications, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk

As these applications are seeking to vary / delete conditions attached to outline planning permissions granted by the then Department of the Environment under Article 31 of the Planning Order (NI) 1991 (the equivalent of current Regionally Significant applications), the current legislative framework introduced on the transfer of the bulk of planning responsibilities to Councils in April 2015 requires that these applications be processed and determined by the Department for Infrastructure.

The applicant has indicated that these applications have been submitted to regularise the conditions attached to the original outline permissions to reflect the reality of what has already been permitted and developed on the ground i.e. the Readers Park housing development and two more recent housing permissions under construction accessed from the Templepatrick Road. The applications are also seeking to remove certain conditions which the applicant considers are not planning related or are otherwise unreasonable.

It is understood these applications are a precursor to further applications to be submitted in the near future to DfI that will seek to introduce a phasing plan for development in this part of Ballyclare to include delivery by way of a Reserved Matters application of the first phase of the Ballyclare Relief Road between the Templepatrick Road and the Doagh Road together with associated housing development following completion of this road link.

RECOMMENDATION: that the report be noted.



Location Map

Application Reference:
LA03/2018/0601/F and LA03/2018/0605/F



- A LA03/2018/0601/F Site Boundary
- B LA03/2018/0605/F Site Boundary



ITEM 3.19

P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS 2018/19 – FIRST QUARTERLY BULLETIN FOR THE PERIOD APRIL – JUNE 2018

The first quarterly provisional planning statistics for 2018/19 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which is **enclosed**, were released on 20 September 2018.

The figures show that during the period from April to June 2018, the total number of planning applications received in Northern Ireland was 3,254, which is an increase on the previous quarter (January – March 2018), but 2% down on the same quarter in 2017/18. The total number of decisions issued during this period was 3,002.

During this first quarter period a total of 209 new applications were received by Antrim and Newtownabbey Borough Council (an increase of 10 against the first quarter last year and therefore slightly above the NI trend) with 150 decisions issued.

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council took on average 13.9 weeks to process and decide **Major** planning applications during the first quarter against the target of 30 weeks. This performance indicates quite an improvement on last year's overall Major performance and ranks amongst the top three of the 11 Councils and also reflects well against the average processing time of 67.6 weeks across all Councils. However, Members should note that these figures relate to a very small number of Major applications (only two applications during the first quarter) and should therefore be interpreted with care. A more realistic performance figure will only become apparent towards the year end and Members should be aware there are still several Major applications over 12 months old that are likely to come forward to Committee over the next 6 months for determination. Whilst this could clearly impact on the Council's Major performance target by year end, early indications are that performance should continue to improve on that witnessed during 2017/18.

The DfI figures show that the Council took on average 13 weeks to process and decide **Local** planning applications during the first quarter against the target of 15 weeks. This performance is broadly on a par with performance during 2017-18 and again ranks among the top three of the 11 Councils and reflects well against the average processing time of just over 15 weeks across all Councils.

In relation to enforcement the DfI figures highlight that the Council's planning enforcement team again recorded the shortest time taken, 12.6 weeks, to process 70% of enforcement cases to target conclusion which compares favourably with the average processing time of 30.3 weeks across all Councils. The team's performance also ranked first in the proportion of cases brought to target conclusion within the performance target of 39 weeks.

RECOMMENDATION: that the report be noted.

ITEM 3.20

P/FP/LDP/52 – BELFAST CITY COUNCIL LOCAL DEVELOPMENT PLAN - DRAFT PLAN STRATEGY

Belfast City Council (BCC) published its Local Development Plan draft Plan Strategy on 23 August 2018. A synopsis of the draft Plan Strategy was provided to Members at the September 2018 Planning Committee meeting. The formal 8-week consultation period on the document runs from Thursday 20 September 2018 to 5pm on Thursday 15 November 2018. The draft Plan Strategy and all associated documents can be found at

<http://www.belfastcity.gov.uk/buildingcontrolenvironment/Planning/localdevelopmentplan.aspx>

A draft reply to BCC is **enclosed** for Members consideration. It should be noted that the response submitted will be a formal representation to BCC and will be submitted to the Planning Appeals Commission at the time of Independent Examination.

Individual Members or Parties may also wish to submit individual comments.

RECOMMENDATION: that the draft response be approved.

ITEM 3.21

P/PLAN/1 – CORRESPONDENCE FROM DEPARTMENT FOR INFRASTRUCTURE

Angus Kerr, Chief Planner and Director of Strategic Planning in the Department for Infrastructure (DfI,) has written to the Chief Executive (copy **enclosed**) to advise that DfI staff will be visiting Council Planning Committee meetings between October 2018 and January 2019. He has advised this in order to gain a better understanding of the planning decision making processes of councils as part of the Department's ongoing oversight role of the planning system.

RECOMMENDATION: that the report be noted.