



7 December 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 Wednesday 12 December 2018 at 6.30pm.**

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

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 ONE

Decisions on Planning Applications

- 3.1 Planning Application No: LA03/2018/0378/F
Residential development of 40 dwellings, associated open space and necessary access road taken from Willendale Meadows on lands Land north west of Huntingdale, Doagh Road, Ballyclare
- 3.2 Planning Application No: LA03/2018/0910/F
Antrim Environmental Improvement Scheme along Fountain Street and Church Street to include high quality paving, granite kerbing and street furniture across the site area at Fountain Street / Church Street, Antrim
- 3.3 Planning Application No: LA03/2018/0560/F
Extension and elevation changes to shop and relocation of ATM at Spar Filling Station, 119 Manse Road, Carnmoney
- 3.4 Planning Application No: LA03/2018/0799/O
Proposed site for 1 dwelling house on land adjacent to the north east boundary of 3 Grovelea, Ballyhill Lane, Nutts Corner, Crumlin
- 3.5 Planning Application No: LA03/2018/0838/RM
Proposed single storey dwelling on lands between 12 and 14 Magherabeg Road, Randalstown
- 3.6 Planning Application No: LA03/2018/0899/TPO
Fell 18 No. trees at Antrim Technology Park
- 3.7 Planning Application Nos: LA03/2018/0932/TPO, LA03/2018/0933/TPO & LA03/2018/0934/TPO
Fell 2 no. trees and remedial works to 5 no. trees, Fell 1 no. tree and remedial works to 2 no. trees and Fell 1 no. tree and remedial works to 2 no. trees on lands at 93, 94 and 95 The Meadows (respectively), Antrim

- 3.8 Planning Application No: LA03/2018/0813/F
Retrospective planning for an extension to boarding cattery business to include the retention of 4 no. garden lodges and to add an additional 3 no. garden lodges at 19 British Road, Aldergrove
- 3.9 Planning Application No: LA03/2018/0881/F
Single storey rear extension at 4 Inniscoole Close, Antrim

PART TWO

Other Planning Matters

- 3.10 Delegated planning decisions and appeals November 2018
- 3.11 Section 54 Applications Ballyclare - Consultation by Dfl
- 3.12 Reserved Matters Application Ballyclare - Consultation by Dfl
- 3.13 Correspondence from the Dfl re Kells Solar Farm
- 3.14 Application LA05/2016/0700/F – Cemetery at Dundrod
- 3.15 Queen's University Belfast Study Project in Antrim
- 3.16 Lisburn and Castlereagh City Council Revised LDP Timetable
- 3.17 Proposal of Application Notice
- 3.18 LDP – Metropolitan Area Spatial Working Group **IN CONFIDENCE**

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 12 DECEMBER 2018**

PART ONE - DECISIONS ON PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2018/0378/F
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Residential development of 40 dwellings, associated open space and necessary access road taken from Willendale Meadows
SITE LOCATION	Land NW of "Huntingdale" Doagh Road Ballyclare
APPLICANT	Simpson Developments Limited
AGENT	James Neill Chartered Architects
LAST SITE VISIT	31 st July 2018
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.kelly@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 settlement limits of Ballyclare as defined in the draft Belfast Metropolitan Area Plan 2015 (draft BMAP). The site is located on lands to the northwest of Huntingdale housing development, Doagh Road, Ballyclare. Access is to be taken at the northwest corner of the site, accessing from the existing road at Willendale Meadows.

The site is currently an area of vacant grass land with mature deciduous trees and hedging surrounding the site in a mostly dense arrangement with interspersed small gaps. The height of the vegetation varies between approximately 3 and 5 metres. The topography within the site falls consistently in a north to south direction leading to an overall change in levels of approximately 9m across the site.

The site is located between existing areas of residential development, with Willendale Gardens to the northwest and the Huntingdale development located to the east and south. The existing dwellings to the south and southeast of the site in Huntingdale Green sit at a significantly lower level to the proposed dwellings within the application site. To the west of the site is Ballyclare cemetery.

RELEVANT PLANNING HISTORY

No relevant planning history on the site

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.

Newtownabbey Area Plan 2005 (NAP): The application site is located inside the development limits of Ballyclare on unzoned land.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limits of Ballyclare and forms part of a larger area zoned for housing (Zoning BE 05/09). The zoning incorporates a series of key site requirements.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limits of Ballyclare. The site itself is zoned for housing (Zoning BE 04/11). The zoning incorporates a series of key site requirements.

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

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

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

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

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 Section – No Objection

DfI Roads – Has requested additional info.

NI Water – No Objection

DAERA – No objections from the Drainage and Water Unit or the Natural Heritage and Conservation Section

DfI Rivers - No objection in principle. Acknowledges that consent has been given by NI Water to discharge to a nearby public storm sewer. Requests further information to demonstrate the viability of the scheme in form of calculations.

REPRESENTATION

Thirty one (31) neighbouring properties were notified and twenty eight (28) letters of objection have been received from twenty-three (23) 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:

- Existing roads cannot handle additional traffic
- Damage to amenity
- Road safety
- Overdevelopment before construction of relief road
- Strain on sewage network
- Overlooking/privacy issues
- Impact upon existing retaining walls
- Boundary issues
- Pressure on schools and amenities
- Impact upon wildlife

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Key Site Requirements
- Regional Planning Policy
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations.

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

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

However, the Newtownabbey Area Plan was never formally adopted and therefore following the Court of Appeal decision in May 2017 there is currently no adopted plan for Ballyclare. In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in determining all proposals in Ballyclare, including the current application.

Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for the town and should therefore be afforded greater weight than dNAP in the decision-making process.

Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft (hereafter referred to as BMAP 2014) and afforded significant weight in assessing proposals.

All the relevant development plans identify the application site as being within the settlement limit of Ballyclare. However, whilst the site was not specifically zoned in dNAP and was simply identified as white land, it was zoned for housing in both dBMAP and BMAP 2014 subject to a number of Key Site Requirements (KSRs).

As no objections were raised to the dBMAP housing zoning Officers consider it is highly likely that this zoning would be confirmed in a future adopted version of BMAP. Accordingly, and in line with the Council's stance that significant weight should be afforded to BMAP 2014, it is considered that the principle of housing development on the site would be acceptable subject to the development complying with any relevant KSRs relating to the housing zoning and the creation of a quality residential environment in accordance with regional policy and guidance.

The proposal therefore falls to be considered against the Key Site Requirements attaching to the zoning of the site in dBMAP (and the subsequent provisions of BMAP 2014) together with the range of regional planning policy which is material to the determination of the proposal and these matters are addressed below.

Key Site Requirements

The Key Site Requirements contained in draft BMAP are as follows:

- Housing development to be a minimum gross density of 20 dwellings per hectare and a maximum gross density of 25 dwellings per hectare
- Access arrangements to be agreed with DfI Roads

- A 3m wide landscape buffer of trees and hedges shall be planted along the western boundary of the site adjacent to Ballyclare cemetery.

The first and third of these conditions have been complied with whilst DfI Roads have received PSD drawings but are seeking additional sectional drawings as of November 2018.

Regional Planning Policy

In respect of the proposed development, there is no conflict or change in policy direction between the provisions of the SPPS and the Policies contained within Planning Policy Statement 7 – Quality Residential Environments and the 2nd Addendum to the Addendum to PPS7 – Safeguarding the Character of Established Residential Areas (APPS7). PPS7, APPS7, Planning Policy Statement 3, Access, Movement and Parking (PPS 3) remain the applicable policies to consider the proposed development under.

Scale, Massing, Design and Appearance

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. Policy QD1 of Planning Policy Statement 7 (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.

The proposed development was originally for 42 units but following amendments is now seeks consent for 40 residential units, comprising a mixture of detached and semi-detached bungalows; and detached and semi-detached 2 storey dwellings. The dwellings are laid out in four rows running west to east, with the main access road entering the site in the northwest corner and running parallel to the western boundary. This road continues east serving the dwellings of the site. Whilst there is a mix of house types throughout the site, the bungalows are only located along the southern boundary. Each of the dwellings has in-curtilage parking and enclosed rear gardens. An area of open space (measuring over 2,000sqm) has been provided along the western portion of the site. This area also facilitates the planted buffer between the site and cemetery as per the Key Site Requirement of dBMAP and BMAP 2014. In the central portion of the site gardens are sited back-to-back and the change in levels is dealt with here by low walls of 1m in height.

Overall the elevational designs of the dwellings proposed are appropriate for their urban location and do not offend the character the surrounding residential areas. The units are finished in red facing brick, suitable for the urban location. Roofs are to be completed with interlocking tiles and uPVC windows and external doors.

Neighbour Amenity

Part (a) and (h) of Policy QD 1 of PPS 7 states that development proposals:

- should respect the surrounding context;
- that the design and layout should not create conflict with adjacent land uses;
- should be appropriate to the topography of the site; and

- should not result in any unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

It is considered that certain elements of the proposed development do not respect the topography of the site and therefore would not meet these provisions. As a consequence there would be a significant degree of overlooking and/or dominance which would not be in keeping with sound design practice within a housing development. The areas of greatest concern are the relationship between the rears of dwellings 9-16 with the rear of dwellings to the south; Nos. 19-28 towards the centre of the site; and also the relationship of a number of dwellings along the southern boundary with dwellings backing onto the site in the existing housing within "Huntingdale Green".

Considering firstly the central portion of the site. Given the sloping nature of the site in a north to south direction there are significant falls in levels proposed between dwellings Nos. 9-16 with those located to the south Nos. 19-28. The rears of dwellings on sites Nos. 19-28 are some 4-4.5m lower than the rear of dwellings on site Nos. 9-16. This is a significant fall given the relatively modest separation distance of 25m. The fall in levels is proposed to be managed by way of 3no. 1m high retaining walls in the rear gardens of the properties affected. With no landscaping proposed at the rear common boundaries of the sites, screening is by way of a 1.8m fence shown on sections. It is considered that the steep gradient and the lack of mature boundaries at this location will create an unacceptable relationship between the properties involved and will lead to significant overlooking potential and dominance upon the proposed dwelling Nos. 19-28. At a meeting between Officers and the agent on 27 June 2018, the issue of levels was discussed and the agent agreed to reconsider the layout and subsequently submitted plans which increased the separation distances at this point from approximately 22m to the current 25m. No other changes at this location were made despite the concerns expressed by Officers.

A further opportunity was presented to the agent to amend the plans and these were received in October 2018, however no amendments were made to this portion of the site. Particular attention was paid in these amendments to the relationship between sites 9 and 29 with the existing dwelling at No. 125a Doagh Road. A unit was dropped on this eastern section of the site to allow a greater separation distance from No. 125a with existing hedging between the development and the existing property retained. No. 125a sits at a higher level than the proposed development and there are no further concerns regarding this specific site. However, the main concern regarding impact upon neighbour amenity in the central portion of the site remains and is considered to be still unacceptable.

The second major area of concern regarding neighbour amenity exists along the southern boundary of the site. Two storey dwellings were originally proposed at this location, but these were subsequently following the meetings referred to earlier with a number of bungalows in an attempt to alleviate the concerns regarding the dominance and overlooking arising to the existing dwellings within Huntingdale Green. It was considered that this approach was unacceptable and the applicant then submitted further amended drawings in October 2018 which placed bungalows along the entire southern boundary of the site save for two sites Nos. 35 and 36 which have no dwellings to the rear. There is a proposed change in levels of approximately

3.5m from the rear of the proposed dwellings to the rear of the existing dwellings within Huntingdale Green. The separation distances stand at 21m between sites 37-40 and dwellings within Huntingdale Green Nos.79-87 and 24m between dwellings sites Nos. 33 & 34 with existing dwellings at 71 and 73 Huntingdale Green. This separation distance decreases further between sites 31 and 32 with Nos.67 and 69 Huntingdale Green at 23m. Although there is a mature hedge between these properties of approximately 3.5m, dormer windows are proposed on the rear of bungalows which would allow views into the rear of the existing dwellings and their private amenity space. Given the deciduous nature of this boundary hedge, it is considered that an even greater potential for overlooking will exist during the winter months. The proposed dormer windows serve bathrooms and opaque glazing is indicated, however it would be necessary for these to be fire escape windows meaning they would be fully openable and allow clear views to be achieved of neighbouring properties. It is considered that this section of the development conflicts with good neighbour amenity in terms of overlooking and dominance.

Bungalows proposed on sites Nos. 30 and 31 only have a separation distance of 16m from the existing property at 65 Huntingdale Green. This is considered an unacceptable arrangement contrary to the design guidance set out in "Creating Places". Paragraph 7.16 of Creating Places states that "Where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking". The layout submitted clearly fails this test.

A number of objection letters have been received from neighbouring properties which outline concerns and fears regarding overlooking issues. These concerns are substantiated by the above assessment.

Objector concerns were also raised regarding potential noise from the new properties which although they cannot be assessed at this time they can be reported to the Environmental Health Section in the future if they arise. Environmental Health offered no objections to the scheme at this stage.

A neighbour in Huntingdale Green also raised concerns regarding an existing retaining wall at the rear of his garden if new dwellings were constructed close by. If damage were to be caused to his wall by way of the development process this would be a civil matter between the resident and the developer.

One objection also queries the drawing of a boundary, however boundary disputes are a civil matter between landowners. It is also noted that the objector is not the owner of the area of disputed land.

Overall, it is considered that the scheme as submitted does not comply part (a) and part (h) of Policy QD 1 of PPS7, in that the layout and design of the development does not respect the topography of the site and that the proposal will create conflict with adjacent land uses in terms of overlooking and dominance.

Neighbouring objections to overlooking are considered relevant, however other neighbour amenity issues raised by objections are not considered determining in this instance.

Impact on Trees and Environmental Quality of this Area.

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality and the development complies with part (b) of Policy QD 1 of PPS 7. Existing boundary hedging is to be retained and no objections regarding the natural environment or habitats have been raised by the Natural Heritage and Conservation section of DAERA.

One objection letter was received raising concern with the potential impact upon wildlife on the site, however due to the responses above and carrying out a site assessment, these concerns are afforded little weight in the determination process.

Amenity Space, Parking and Manoeuvring

Proposed amenity space throughout the development is considered acceptable and complies with part (c) of Policy QD 1 of PPS 7. The majority of dwellings have an amenity space value in excess of 100m² with the smallest allowance being 81m², which is in excess of the guidelines expressed within the Creating Places guidance. In the central portion of the site, garden space is achieved by using 1.1m high retaining walls to the rear of the dwellings and another wall under the communal fence of equal height. This is not considered an acceptable solution in dealing with change of levels across the site and does not aid with integrating the development proposed into its surroundings.

An area of open space has been provided in excess of 2000sqm which again is greater than the minimum 10% (approximately 11%) value of the site and is considered acceptable. Car parking allowance is considered acceptable with two in-curtilage spaces available at each site. DfI Roads were consulted on the application and have most recently responded stating that Private Streets Determination Drawings will require additional amendments. Amended plans regarding these roads issues and issues highlighted by DfI Rivers seeking clarification on their scheme to discharge have not been sought at this stage given the issues with scheme as a whole as highlighted earlier within this report.

A number of objections have been received citing concerns relating to roads matters. These relate to a fear that the existing access road through Willendale cannot handle the extra traffic that this development would bring. DfI Roads have not raised any concerns with the principle of the access through Willendale at this point. There are additional concerns raised by objectors relating to the Ballyclare Relief Road and how without it Ballyclare may struggle to cope with this extra traffic. There is no evidence presented to support this concern with the objection and it is noteworthy that the housing zoning on the application site does not have a KSR relating to the Ballyclare Relief Road.

Other Matters

It is considered the development has been designed in such a way to deter crime by ensuring areas of open space are overlooked, in this case mostly by site Nos. 1, 17, 18 and 40. This complies with part (i) of Policy QD 1 of PPS 7.

Objections have also been received citing pressure on local schools and hospitals if the development is approved as well as concern about the additional strain on the existing sewage network. No evidence has been provided to substantiate any of

these points. The site is designated for housing in draft BMAP with analysis carried out during the formation of that plan with regards local need for housing and the demand for infrastructure and services. Without evidence to the contrary little weight can be afforded to the objections in the final decision making process.

CONCLUSION

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

- The scale and design of the proposed development is considered acceptable notwithstanding layout issues.
- The proposal fails to comply with parts (a) and (h) of Policy OD 1 of PPS7 in that it will conflict with neighbouring properties in terms of overlooking and does not respect the surrounding context or topography of the land. The agent has had an opportunity to make amendments but it is considered that amendments did not go far enough to address concerns.
- There will be no detrimental impact upon trees or landscaping on the site or natural habitats
- Amenity space is considered acceptable, with in-curtilage parking available.
- Further information is sought from DfI Roads and DfI Rivers
- A number of objections have been received which have been considered in the report.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7; Quality Residential Environments, in that if approved the proposal would;-
 - Fail to respect the surrounding context and topography of the site in respect of its design and layout;
 - Have a detrimental impact on both existing and proposed properties in terms of overlooking and dominance as a result of poor design and layout to address the changes in levels on site.

COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2018/0910/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Antrim Environmental Improvement Scheme along Fountain Street and Church Street to include high quality paving, granite kerbing and street furniture across the site area.
SITE/LOCATION	Fountain Street/Church Street, Antrim
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	McAdam Design
LAST SITE VISIT	15 th November 2018
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@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 lies within the settlement limits of Antrim and within the 'Central Area' as designated by the Antrim Area Plan 1984-2001. The site stretches some 280 metres along portions of both Fountain Street and Church Street, Antrim. The site comprises mainly adjoining access routes and public footpaths and has parking areas for parallel parking along long sections on both sides of the road. There are a number of different uses that bound the site to include retail, residential, hot food, offices and church buildings.

It is also noted that the site lies within the Conservation Area of Antrim and that a number of listed buildings have the potential to be impacted by the works to include No. 64 Church Street, the Masonic Hall and First Antrim Presbyterian Church.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2016/1008/F

Location: Bridge Street and Dublin Road, Antrim, Co Antrim, BT41 4DA

Proposal: Bridge Street environmental improvement scheme, brick paving, granite kerb, street furniture and resurfacing of footpath on bridge

Decision: Permission Granted (15/12/2018)

Planning Reference: T/2012/0096/F

Location: High Street, Church Street, Castle Way and Market Square, Antrim

Proposal: Proposed environmental improvements to High Street, Church Street, Castle Way and Market Square to include new paving, street lighting and street furniture.

Decision: Permission Granted (29/06/2012)

Planning Reference: T/2010/0347/F

Location: Market Square, High Street and Church Street, Antrim Town

Proposal: Resurfacing of Market Square and public footpaths with natural stone (granite) paving, cast iron litter bins and bollards, new bus shelter at Market Square and semi mature tree planting.

Decision: Permission Granted (20/08/2010)

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: The application site lies within the Central Area within the settlement developments of Antrim.

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.

CONSULTATION

DfI Roads – No Objection

Historic Environment Division – No Objection

REPRESENTATION

Ninety (90) neighbouring properties were notified and twenty (20) letters of objection have been received from twenty (20) 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:

- Attention should be paid to the triangular shaped piece of land at the top of Fountain Street and this area should be differentiated from the rest of the street and include a different seat and litter bin that would be more traditional and in keeping with the old houses and stone wall. Darker coloured paving similar to what was used at the Old Court House should be used for this area.
- The design and colour of the paving is inappropriate would look un-kept due to its light colour and would be out of character with the neighbourhood.
- Concern that works would have an adverse impact on business.
- The works will add no value to the town and will be a waste of public funds.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Impact on the Conservation Area
- Impact on the Setting of Listed Buildings
- Impact of Traffic and Accessibility
- Other Matters

Principle of Development

The application site is located within the Central Area of Antrim Town as designated in the Antrim Area Plan 1984-2001. The site also lies within the Antrim Town Centre Conservation Area and particularly the 'Eastern Sector' as referred to in the Conservation Guide. The proposed environmental improvement works include the provision of high quality paving, granite kerbing and new street furniture. The proposal also involves a reconfiguration of the parking layout to the southern side of Fountain/Church Street. It is noted that parking to the north side is unaffected. The proposal represents a further phase of Environmental Improvement Schemes that have already been undertaken in Antrim. The principle of undertaking this further Environmental Improvement Scheme is considered acceptable subject to all other planning and environmental considerations being met.

Impact on the Conservation Area

As noted above the application site is within the Antrim Town Centre Conservation Area. Policy BH 12 of Planning Policy Statement 6- Planning Archaeology and the Built Heritage (PPS 6) is therefore relevant to the proposal. It is considered that the works proposed as part of the Environmental Improvement Scheme will assist in enhancing and preserving the character of the area through providing uniformity throughout the Conservation Area and ensuring that the area of the proposed works is upgraded to the same standard as the other sectors of the town centre. The conservation guide for Antrim highlights the importance of providing common colour schemes and appearances for apparatus which would include the likes of litter bins and benches proposed as part of the scheme.

It is considered that the overall scale, form, materials and detail of the proposed works including the proposed paving, kerbing and street furniture respect the character of the Conservation Area and the improvements to the quality of the existing finishes and fixtures can only be seen as an enhancement to the overall appearance of the town centre area. The proposed works can be seen as compliant with the policy provisions of BH 12 of PPS 6 and in accordance with the conservation guide.

Impact on the setting of Listed Buildings

The Historic Environment Division (HED) was consulted in relation to the impact that the proposed works may have on the setting of a number of listed buildings that abut the site boundary. HED is content that the proposal satisfies the policy laid out in both the SPPS – Paragraph 6.12 'Development Proposals Impacting on the Setting of Listed Buildings' and also Policy BH 11 of PPS 6 'Development Affecting the Setting of a Listed Building'. It is noted that there are no tall street furniture items located forward of any of the listed buildings and thus there would be no disruption to their setting in this regard. It is considered the works to the footpaths which include the introduction of granite paving will result in an enhancement to the setting of the listed buildings located nearby.

Impact on Traffic and Accessibility

DfI Roads has been consulted on the application and are content with the proposal subject to the scheme being carried out in accordance with the approved plans. DfI Roads has also requested that a condition be attached requiring that a detailed programme of works and any required/associated traffic management proposals be submitted to and agreed by DfI Roads, prior to the commencement of any element of road works. This is to ensure that convenient movement remains available for road users and to ensure road safety.

It is noted that the proposal includes a number of works that will aid accessibility such as dropped kerbs and tactile paving areas. This is an improvement for the area and one encouraged in Policy AMP 1 Creating an Accessible Environment of PPS 3. Furthermore according to Drawing No. 04, the proposal also facilitates the creation of a Disability Discrimination Act (DDA) compliant car parking space which is a welcome addition in terms of accessibility given there are presently no DDA compliant spaces on this portion of the street according to the information submitted with the application.

Other Matters

There were a number of objections raised to the proposed development. Firstly, in relation to the triangular shaped pedestrian island located at the fork of the road toward the eastern end of Fountain Street, the proposal involves the resurfacing of the pavement around the grassed section and sees the addition of a new bin and bench. This is considered to be an enhancement of what presently exists on site.

Secondly, in relation to the design and colouring of the proposed paving, it is considered that the finishes are sympathetic to the existing character of the area and are of a higher quality than the variations of tarmacked finishes that currently exist along sections of pavement. The proposed paving is the same as that which exists along High Street and will aid in providing uniformity throughout the town centre which is a policy objective of Policy BH12 of PPS6 and the Antrim Conservation Area Guide.

Concerns were also raised in relation to the proposed works having a negative impact on the existing businesses and adding no value to the town. It is considered that although there may be a short period of disturbance during the construction phases, this would be outweighed by the improvements to the overall street scene, accessibility and general functionality of the town. The new parking layout sees the

creation of nine additional car parking spaces which will be of benefit to local businesses located in close proximity to the scheme.

CONCLUSION

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

- The principle of the development is considered acceptable.
- It is considered that the scale, form, massing and materials for the proposal would enhance the overall appearance of the Conservation Area.
- The scheme would not have a detrimental impact on the setting of any listed building in close proximity to the site.
- The proposed works will aid accessibility and there are no road safety concerns subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

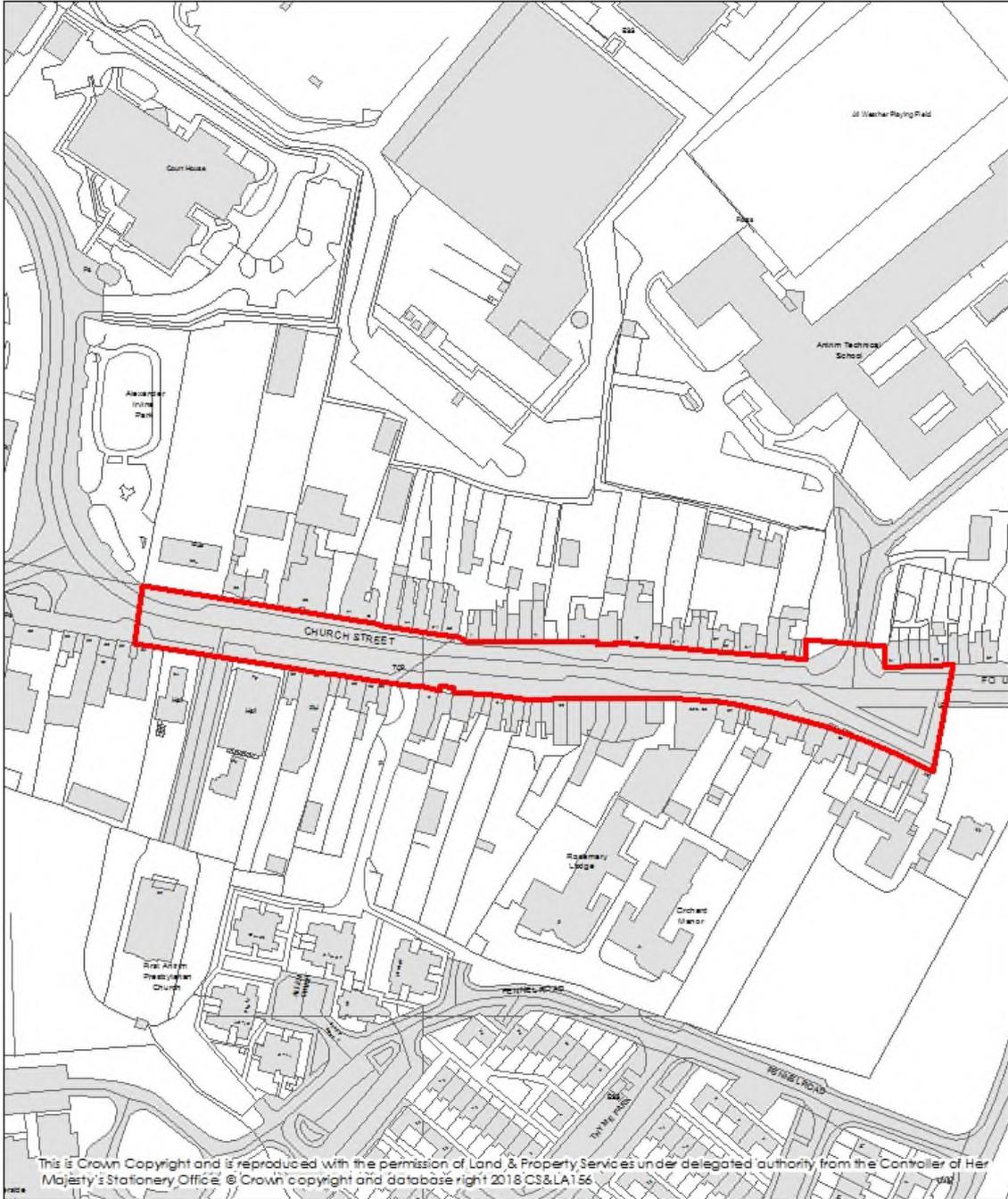
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby approved shall be in accordance with Drawing Nos. 03 & 04 bearing the date stamped 2nd October 2018.

Reason: To ensure the development is carried out in accordance with the approved plan.

3. A detailed programme of works and any required / associated traffic management proposals shall be submitted to and agreed by DFI Roads, prior to the commencement of any element of road works.

Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

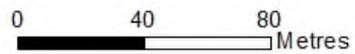


Location Map

Application Reference: LA03/2018/0910/F

Fountain Street/Church Street, Antrim

Antrim Environmental Improvement Scheme will improve streetscape on Fountain Street and Church Street through the provision of high quality paving, granite kerbing and street furniture across the site area.



Site Boundary

For Information Only



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2018/0560/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Extension and elevation changes to shop and relocation of ATM
SITE/LOCATION	Spar Filling Station, 119 Manse Road, Carnmoney, BT36 6SN
APPLICANT	Henderson Group Property
AGENT	N/A
LAST SITE VISIT	23.07.2018
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@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 situated off the Manse Road and is located within the development limits of Metropolitan Newtownabbey as defined within the draft Belfast Metropolitan Area Plan. The site lies outside any designated local or district centre as defined within the Plan. The site includes an existing petrol filling station with an associated 'Spar' shop located to the southwestern side of the application site and is a single storey building with flat roof, finished in brown and red facing brick. The southwestern and southeastern boundaries are defined by an existing wall and mature hedging. An existing storage area is located to the southeastern side of the existing building.

Existing residential dwellings are located to the east and southeast, a school is located to the north and vacant land is located to the southwest.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0478/F
Location: Lands in between 115-119 Manse Road, Newtownabbey, BT36 6SN
Proposal: Housing development consisting of 5 detached dwellings with associated hard and soft landscaping
Decision: Permission Granted (17.09.2018)

Planning Reference: U/2005/0565/F
Location: 119 Manse Road, Newtownabbey, BT36
Proposal: Refurbishment of existing Spar shop & resurfacing of existing forecourt to improve and upgrade the existing shop & petrol filling station facility.
Decision: Permission Granted (18.07.2006)

Planning Reference: U/2003/0080/F
Location: 117-119 Manse Road, Mossley, Newtownabbey

Proposal: Demolish existing petrol filling station and dwelling and erect new petrol filling station with convenience store and drive through carwash
Decision: Application Withdrawn (09.07.2004)

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 application site is located within the development limits of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (2004): The application site is located within the development limits of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (2014): The application site is located within the development limits of Metropolitan Newtownabbey.

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 4: Planning and Economic Development: sets out planning policies for economic development uses.

SPPS: Town Centres and Retailing: sets out planning policies for town centres and retail developments and incorporates a town centre first approach for retail and main town centre uses.

CONSULTATION

Council Environmental Health Section: No objection subject to condition

NI Water: No objection

DfI Roads: No objection

DAERA: Water Management Unit: No objection

DAERA: Land, Soil and Air: No objections subject to condition

DAERA: Natural Heritage and Conservation Areas: No objection

REPRESENTATION

Four (4) neighbouring properties were notified and one letter of objection and one petition have been received with eight (8) signatures. 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:

- Increased litter
- Inadequate parking
- Odour
- No need for such a facility in the locality
- Impact on health from 'hot food takeaway'
- Noise
- Anti-social behaviour

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Impact on Character and Appearance of the Area
- Neighbour Amenities
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations.

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

Following the decision by the Court of Appeal in May 2017 to declare the adoption of the Belfast Metropolitan Area Plan 2015 (BMAP) unlawful, the Belfast Urban Area Plan 2001 (BUAP) now operates as the LDP for the area in which the application site is located. The BUAP identifies the site as white land within the development limit of the

Belfast Urban Area. BMAP is also a material consideration in relation to this application. In both the Draft BMAP (2004) and the previously adopted version of BMAP (published in 2014), the site comprises an area of unzoned land within Metropolitan Newtownabbey.

The proposal involves an extension to an existing petrol filling station shop comprising 63 square metres of floorspace for an ATM, an improved and enlarged storage area (and removal of the existing storage container from the site) and a deli-food area which is a service counter and associated behind counter food preparation area. The deli-food area will provide hot and cold food to go for customers.

Objections have been received with regards to the need for such a facility in the area, however, planning policy does not require a 'needs test' for such development, rather the Town Centres and Retailing policies within the Strategic Planning Policy Statement (SPPS) (para. 6.267 – 6.292) provide a sequential test for 'town centre uses' and generally preclude any such proposal that would cause unacceptable harm to any protected centre. The SPPS defines 'town centre uses' as including "cultural and community facilities, retail, leisure, entertainment and businesses".

The shop facility already exists and the nature and scale of the proposal is considered to be small scale and subordinate to the existing facility on the site. There will be essentially no increase in net sales area proposed and the applicants supporting information (Document 06) states that the deli-food area is an ancillary use complementary to the existing petrol forecourt and convenience retail use of the site. The deli provides an additional service to existing customers of the site. Given the minor scale and nature of the proposal, it is considered that there will be no significant adverse harm to any protected centres resulting from the proposed development. The principle of this development is considered acceptable at this location subject to compliance with other planning criteria, which are discussed below.

Design and Impact on the Character and Appearance of the Area

The proposal includes a back of house extension on the southeastern end of the building, which abuts the boundary with No. 3 Christine Park. A new ATM is also proposed to the front of the building and a deli food extension is proposed to the northwestern side of the existing building. The extensions total an additional 63 square metres of floorspace onto the existing 125 square metre building making a total floorspace of 188 square metres.

The proposed extension is to have a flat roof, which is in keeping with the design of the existing building and the height of the proposed extension will be slightly lower than the existing building. The discharge stack for the food preparation area is located on the western side of the proposed extension abutting Manse Road. Although its proposed position in close proximity to the road will result in the flue being visible, it is largely contained inside the building with 1.1 metres of the stack protruding from the roof. In addition, the existing planting along the southwestern boundary will help to screen the view when approaching the site from the southwest. It is considered that there will not be an unacceptable visual impact resulting from the proposal.

The amendments to the elevations include removal of the doors on the side elevation and an amended shop frontage. The proposed external finishes include walls to be clad, with timber effect cladding or rendered and painted. PPC aluminium windows and doors painted dark grey are also proposed. The existing finishes of the building are brown and red facing brick and the finishes within the area are largely brick and render however, it is considered that the addition of two small sections of timber effect cladding and the mixture of finishes are acceptable in this area.

The plans refer to 'signage' on the front elevation and while there is existing signage on this elevation, an informative can be added to advise that signage may require separate consent should planning permission for the proposal be forthcoming. It is considered that the amendments to the elevations are acceptable.

Neighbour Amenity

Residential properties are located within close proximity to the application site and an approval has been granted for a residential development to the southwest. Objections include the potential for litter, odour, noise and anti-social behaviour resulting from the proposed development. While this is regarded as an ancillary hot food deli counter, Development Control Advice Note 4 'Restaurants, Café's and Fast Food Outlets' provides guidance on such matters and is considered below.

Noise

Objections were raised regarding the level of noise that would be created by the proposal. The application site contains an established petrol filling station and it is considered that the scale of the proposed extension would not result in a significant increase in noise from traffic entering/exiting the site. Delivery activity, car parking area and petrol pumps will occur in the same location as currently; however, additional units (chillers/condensers/extract) will be required.

A noise survey has been carried out at the proposed site to establish the existing noise environment. During the measurement periods, the predominant noise source across the site was that of transportation movement on the Manse Road and customer activity at the existing car park. A Noise Report (Document 01) was submitted which concluded that the proposed extension will not generate significant vehicle traffic movements to the site and the proposal will not create any significant additional activity noise with the exception of additional plant. The impact of this plant has been assessed with reference to British Standards and it has been predicted that the proposed plant will have a low impact on the noise environment. The Environmental Health Section of the Council has reviewed the Noise Impact Assessment and has no objection to the proposal subject to a condition restricting delivery times.

Odour

Due to the preparation and cooking of food on the premises, there is the potential for nuisance to arise. Odour abatement measures are included in the proposal, which constitute a 'high level of odour control' for the proposed development using the DEFRA Guidance Risk Assessment for Odour. In order to ensure a high level of odour control is maintained, the Environmental Health Section of the Council has proposed conditions to be attached to any planning permission.

Litter

Letters of objection indicate that there has been an ongoing problem regarding litter resulting from the existing facility as rubbish has blown into the surrounding private gardens. Concern has been expressed that this problem will be exacerbated should the proposed deli extension to the shop gain planning approval.

The bins within the site are currently stored at the entrance on the northwestern boundary of the application site. The applicant has confirmed that there will be no change to the bin storage area, which abuts an existing area of grass adjacent to the existing road at Christine Park which is considered to be located at a sufficient distance from the residential properties to ensure that there is no significant impact on residential amenity. The Environmental Health Section has been consulted and notified of the objections. In their consultation response they have advised that the minor extension to the facility would not result in any significant additional waste that would require additional bins. The applicants are aware of the complaint regarding litter and has responded to complainants advising that every effort will be made to ensure this matter is dealt with on the site.

Anti-Social Behaviour

Concerns have been raised through objections to the proposal that the additional car parking area and the development of the site in general will lead to a rise in anti-social behaviour. No evidence has been submitted to show that the proposal would lead to increased levels of anti-social behaviour, however, if at any time it is considered that anti-social behaviour is taking place at the site this should be reported to the business operator or the PSNI who can investigate.

Access, Movement and Parking

Objections received have highlighted concerns with regards to inadequate parking for the proposal leading to cars parking within Christine Park and on the footpath of Manse Road etc. The P1 form indicates that the proposal will generate an additional 80 customers, 1 goods vehicle and two additional employees daily. Parking guidance for food retail is one space per 14 square metres of gross retail floorspace. The total floorspace is 167 square metres (not including existing WC and office) and the parking provision requirement has therefore been calculated as twelve spaces. Seven spaces plus one disabled space have been indicated on the drawing and although there is a shortfall of four spaces as stated in the guidance, DfI Roads has been consulted and were notified of the objection and petition received and has raised no objection to the proposal. Notwithstanding this, the impact on residential amenity from this shortfall of parking has also been considered and given that some of the additional floorspace is to be used for storage (31square metres) and replaces an existing storage area outside the existing shop, it is considered that this should not generate significantly greater traffic movements. In addition, ad-hoc parking surveys have shown that parking is normally available and the site benefits from a large walk-in catchment. Furthermore the site also benefits from public transport links including bus stops on the Manse Road. At the time of the site inspection, there were parking spaces available within the site. Overall, It is considered that the number of spaces provided is acceptable in this instance and will not have a significant impact on residential amenity.

Other Matters

Ecology

An ecological constraints survey was carried out and submitted as part of the application, which did not identify the presence of protected species on the site and recommended that no further surveys were required. This information was submitted to DAERA Natural Heritage and their consultation response raised no objection to the proposal. It is considered that the proposal complies with the policy provisions of Planning Policy Statement 2.

Flood Risk

It is considered that the proposal will not result in a risk of flooding. Drainage will be via the existing mains and DAERA Water Management Unit has been consulted and has no objection to the proposal. It is considered that the proposal complies with the policy provisions of Planning Policy Statement 15.

Contamination

A contamination report has been submitted for the proposed development along with a clarification letter including additional information regarding the conceptual site model used within the Generic Quantitative Risk Assessment. DAERA Land, Soil and Air has been consulted and has no objection to the proposal subject to conditions.

Impact on Health

Objections raised the potential for the proposed hot food deli counter to have a detrimental impact on health. While this has been taken into account, planning policy does not preclude hot food uses due to the impact on health and therefore it would be difficult to sustain a refusal on this basis.

CONCLUSION

- The following is a summary of the main reasons for the recommendation:
- The principle of development is considered acceptable;
 - The design, layout and appearance of the proposed development is considered acceptable;
 - There is no adverse effect on existing or proposed properties in terms of residential amenity, loss of light, overshadowing, noise, odour or other disturbance;
 - There is no flood risk associated with this development;
 - There are no road safety concerns regarding the proposal; and
 - The level of parking provision is considered acceptable in this instance

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. No retailing or other operation in or from the deli area hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No 02 bearing date stamp 08th June 2018 to provide adequate facilities for parking, servicing and circulating

within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

3. Prior to the operation of the development hereby approved the following odour mitigation measures shall be put in place:
 - Grease filters shall be sited directly over the cooking range and shall be metal and washable. A grease trap shall be incorporated into the hood.
 - Fine Filtration filters shall be installed to trap particulates which get through the grease filters. These shall be fabric-based and disposable. The Fine Filtration filters shall be followed by Carbon Filtration rated with a 0.2 – 0.4 second residence time.
 - An Odour Neutraliser shall be installed which will treat cooking odours that are still remaining following the grease filters and particulate filters.
 - The fan unit and all ducting shall be inside the building
 - The discharge stack shall be at 1 metre above the roof eaves of the building and shall discharge at a velocity of 15m/s.

Reason: In order to protect residential amenity.

4. The retail store including the deli area shall not receive deliveries at any time between 22:00-07:00hrs.

Reason: In order to preserve residential amenity.

5. The development hereby permitted shall not commence until a groundwater monitoring plan for groundwater quality has been provided and agreed with the Council and thereafter implemented during the construction of the development. This monitoring plan must include borehole BH1 or at least one alternative down gradient borehole, it must include rounds of monitoring before during and post development and must specify the contaminants of concern to be analysed for, including limits of detection.

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

6. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

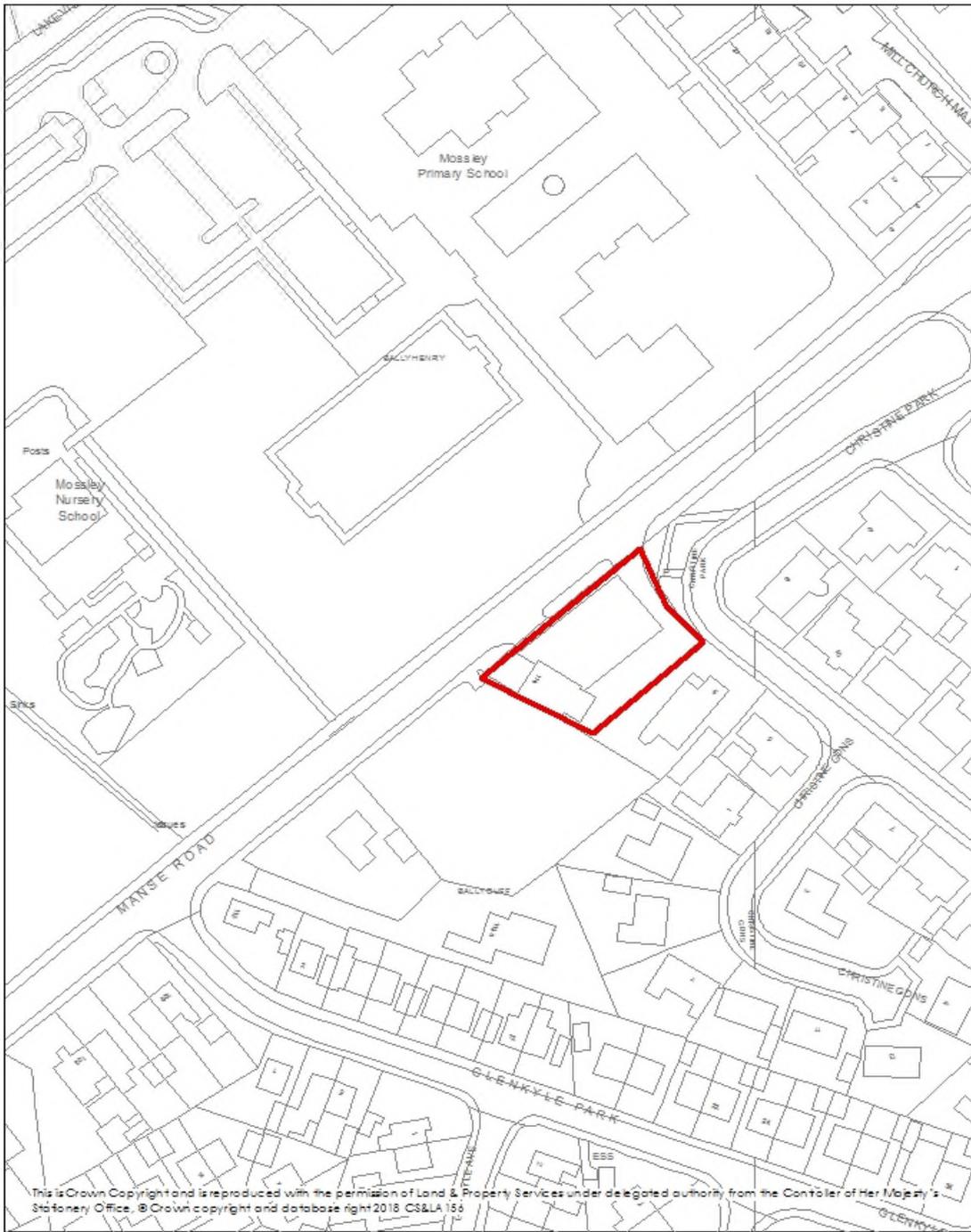
Reason: Protection of environmental receptors to ensure the site is suitable for use and in the interest of public health.

7. Prior to the development commencing operations, a verification report shall be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for

the Management of Land Contamination (CLR11). Evidence must be presented in the Verification Report that all fuel storage tanks and associated fuel dispensing infrastructure have been subject to pressure integrity testing to demonstrate that no leaks are occurring of fuel to the ground or groundwater.

The verification report should present all the remediation and monitoring works, including groundwater quality monitoring undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

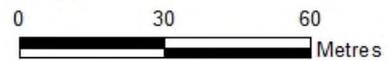


Location Map

Application Reference: LA03/2018/0560/F

Extension and elevation changes to shop and relocation of ATM

Spar Filling Station, 119 Manse Road, Carnmoney



 Site Boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2018/0799/O
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION

PROPOSAL	Proposed site for 1 dwelling house
SITE/LOCATION	Adjacent to the north east boundary of 3 Grovelea, Ballyhill Lane, Nutts Corner, Crumlin
APPLICANT	D W McFarland
AGENT	N/A
LAST SITE VISIT	16.10.2018
CASE OFFICER	Emma Groves Tel: 028 903 40214 Email: emma.groves@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 between No.2 and No.3 Grovelea which is a private laneway off Ballyhill Lane, Crumlin. The site is the western half of a larger agricultural field. The site is located on the edge of the private laneway with a modest well-defined roadside frontage that serves a number of dwellings in the vicinity. The site stretches approximately 75 metres from the road to the rear boundary.

The site is set well below the level of No.2 and above the level of No.3, which is due to a drop in the levels of the land as it slopes downwards from the northeast to the southwest. The entire site boundary is defined by a 1 metre high wooden fence, the site also has mature hedges and trees behind its north western boundary. The site is located within a rural area with an undulating landform rising to the east.

RELEVANT PLANNING HISTORY

Planning Reference: T/2004/1147/O
Location: 240m South West of 5 Ballyhill Lane, Nutt's Corner.
Proposal: Site of dwelling.
Decision: Appeal Dismissed (20.07.2005)

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: 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.

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

DfC Historic Environment Division – No objection.

Northern Ireland Water – No objection.

DfI Roads – No objection.

Belfast International Airport – No objection.

Environmental Health Section – No objection.

REPRESENTATION

Seven (7) neighbours were notified of the application and four (4) letters of objection have been received from four (4) 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:

- A previous application T/2004/1147/O was refused permission and an appeal was then subsequently dismissed on 20th July 2005.
- No.3 Grovelea received the neighbour notification letter for 3a Grovelea.
- Q11 and Q12 of the P1 form have been answered erroneously by the applicant.
- Traffic concerns on the laneway.
- A farm dwelling is to be built however, there are no farming activities on the land other than a few dozen sheep grazing.

- Photographs in the planning statement are not labelled with the correct house numbers.
- Concerns regarding no drainage to the front of No.3 Grovelea.
- Maximum of five houses to be constructed on a private laneway which joins a public road, Grovelea already has five houses.
- Increase of resident and construction traffic concerns on weak trees in area.
- Grovelea development is prominent in the landscape.
- Implied that 3a Grovelea has access to the laneway which it does not.
- Seven properties on or near this lane, the local environment/rural area will not benefit from any further development.
- Access to Grovelea laneway is by single lane roads.
- Prominence due to removal of trees.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Impact on Character of the Area
- Other Matters

Principle of Development

The Strategic Planning Policy Statement for Northern Ireland (SPPS) was published in September 2015 and is a material consideration. At paragraph 1.10 it states that, until such times as a plan strategy for the whole of the Council area has been adopted, Local Planning Authorities will apply existing policies within the Planning Policy Statements (PPSs) that have not been cancelled, together with the SPPS. PPS21 is one such retained policy document.

Policy CTY1 of PPS21 sets out a range of types of development that in principle are considered to be acceptable in the countryside, including the development of a small gap site in accordance with Policy CTY8.

Under this policy, an exception will be permitted for the development of a small gap site within an otherwise substantial and continuously built up frontage, provided this respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size and meets other planning and environmental considerations. Policy CTY8 describes a substantial and built up frontage to include a line of three (3) or more buildings along a road frontage, without accompanying development to the rear. Supplementary guidance on the assessment of proposals for infill sites is contained in the Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside.

It is considered that Nos.1, 2 and 3 Grovelea constitute a substantial and built up frontage which includes three buildings along the road frontage, with a gap in that frontage existing between Nos. 2 and 3. To comply with Policy CTY8 the site must also respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. The proposed plot for the dwelling within the field is approximately 30 metres wide which is in general conformity to the plot sizes of the surrounding dwellings and is deemed acceptable.

While the application site represents an application for one house it is accepted that a gap would remain between the application site and No. 2. Policy CTY 8 does allow

for the gap to be of sufficient size to accommodate up to two dwellings and it is considered that the remaining gap would only be sufficient to accommodate one additional dwelling therefore complying with Policy CTY8. It is considered that the proposal represents a suitable gap site and complies with the principle of development set out in Policy CTY8 of PPS 21 and the SPPS.

Impact on Character of the Area

Policy CTY14 of PPS21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. The proposed dwelling will be located between two existing dwellings No.2 and No.3 Grovelea on an area of land that slopes from the northeast down to the southwest. The northwest boundary of the site provides a well screened backdrop to the site. The topography of the application site and a maximum ridge height of 7 metres above finished floor level will allow the dwelling to integrate with the surrounding dwellings within Grovelea. A siting condition positioning the dwelling within the middle third portion of the field will help to integrate it further and not cause detrimental impact to the amenity of No.2 and No.3 Grovelea.

Other Matters

Four objections from neighbouring properties have been received and issues have been raised on the following matters:

Site History

Concerns were raised with regards to the planning history on site as a similar proposal under planning reference T/2004/1147/O was refused permission and subsequently dismissed at appeal on 20th July 2005. It was stated that the applicant has not noted this planning history on the P1 form. Planning application T/2004/1147/O was refused under the prevailing policy at that time (Planning Strategy for Rural Northern Ireland), however, since the appeal decision in 2005 Planning Policy Statement 21 (PPS21) was introduced and superseded the earlier policy. As set out previously this proposal complies with the criteria set out within Policy CTY 8 of PPS21. Also a planning history search was undertaken and the Council was aware of the previous refusal on site. The failure to provide the planning history of the site does not invalidate the application.

Impact on the area

Concerns were raised with regards to the impact the proposal may have on the rural area. The complainant specified that a full line of trees to the rear of Nos. 1-3 have been removed and that the existing dwellings at Grovelea are now more prominent in the landscape. It is considered that the proposal will integrate well into the landscape given the 10+ metre mature trees acting as a backdrop to the dwelling on the northwestern boundary and the proposed height restriction of 7 metres.

A letter of objection has raised concerns that heavy building equipment, delivery lorries and the resulting ongoing increase of resident traffic of 20% would have a detrimental impact on the roots of the trees along the laneway that links Nos. 1-3 Grovelea. DfI Roads has been consulted and raised no objections to the proposed means of access or the intensification of traffic along the public road. In regards to the impact of traffic on trees abutting the laneway, there are a number of houses already using the laneway and no evidence has been provided to establish that

damage is likely to occur from an intensification of traffic resulting from this proposal. Any damage directly caused to the laneway is a civil matter and not in the jurisdiction of the Council.

Concerns were raised regarding drainage however Northern Ireland Water was consulted on this application and raised no objections to the proposal. It would be normal that a single dwelling would control surface water runoff through soakaways or discharge to a stream which would be subject to a separate Water Act Consent.

Private laneway

Concerns were raised with regards to the Grovelea private laneway serving the existing properties. The complainant stated that Grovelea laneway is a single lane road and only wide enough for one vehicle at a time however it serves traffic travelling both directions. The laneway is used by both vehicles and pedestrians and concerns with increased traffic and the safety of the current users of this single car laneway. In response, DfI Roads has been consulted and they have raised no concerns in respect to the anticipated additional traffic or safety of road users.

Planning Statement Discrepancies

Concerns were raised with regards to the information provided within the Planning Statement submitted alongside the application.

The complainant specified that the conclusion of the planning statement states that the building is to be a farm dwelling and that there are no farming activities on the land other than a few dozen sheep grazing. There was no PIC form submitted to accompany this application and the proposal meets the criteria for an infill dwelling under Policy CTY8 and was not assessed against criteria set out under Policy CTY 10 for a farm dwelling.

Another matter raised by objectors is that the planning statement accompanying the application implies that No. 3a Grovelea has access to the laneway which it does not and avers that the developer is relying on this to help fulfil planning requirements. From a site inspection it is evident that No. 3a Grovelea is accessed from Long Rig Road and does not abut the red line of the application site and therefore does not fall within the scheme of neighbour notification nor does it form part of the built up frontage required to meet policy. Consequently this issue is not considered to be fatal to the application.

CONCLUSION

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

- The principle of the dwelling is considered acceptable.
- The proposal complies with Policy CTY 8 of PPS21.
- The proposal will not have a detrimental impact on the character of the area.

RECOMMENDATION

GRANT OUTLINE PLANNING PERMISSION

PROPOSED CONDITIONS

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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

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

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

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

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

4. The proposed dwelling shall be sited in the area shaded green on the approved drawing No.01 date stamped 4th September 2018.

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

5. The proposed dwelling shall have a ridge height no greater than 7 metres above finished floor level.

Reason: To ensure that the development is not prominent in the landscape.

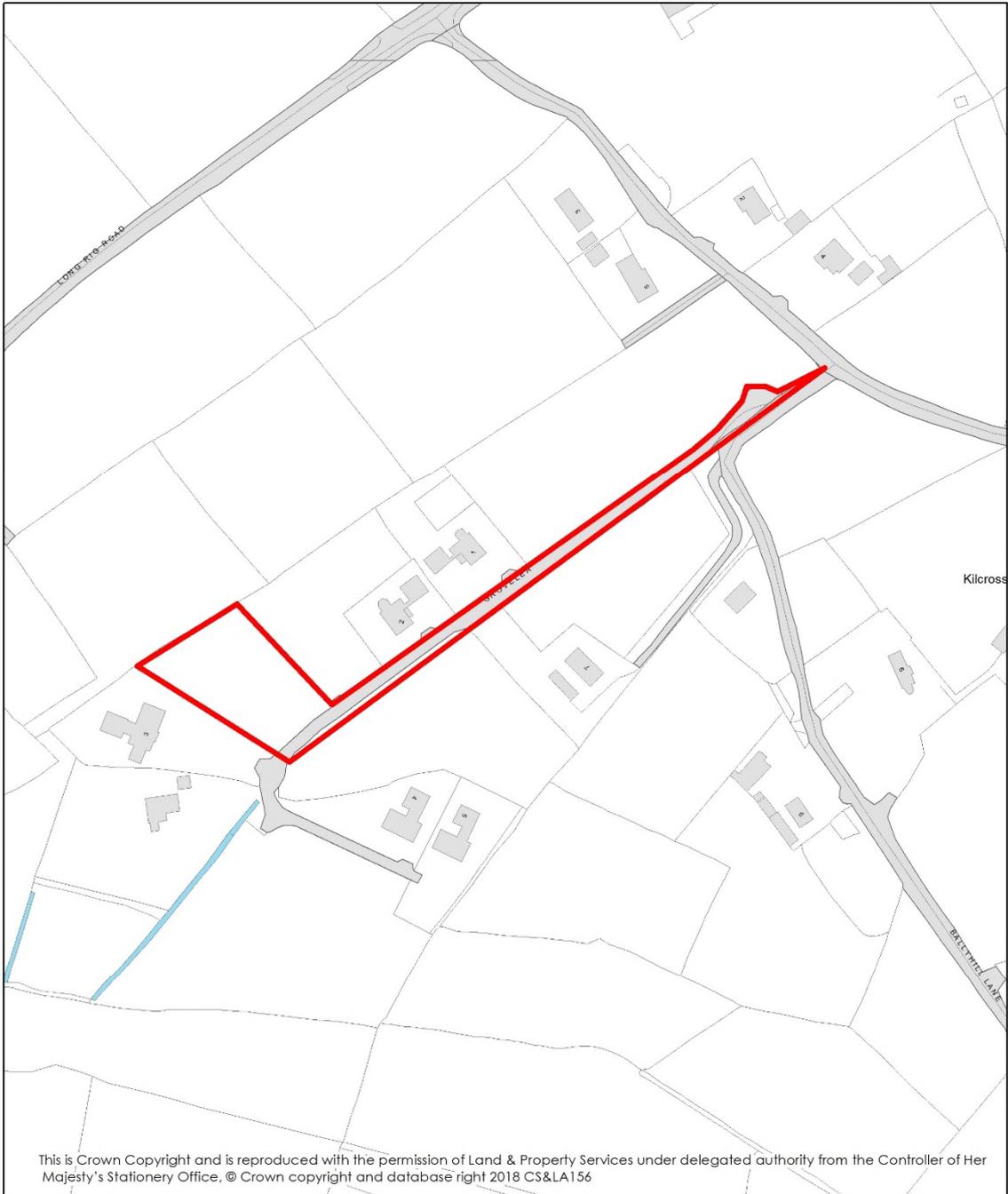
6. A plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels shall be submitted as part of any Reserved Matters application.

Reason: To ensure the dwelling integrates into the landform.

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

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

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

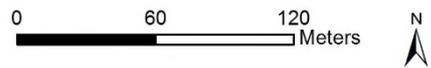


Location Map

Application Reference: LA03/2018/0799/F

Adjacent to the north east
 boundary of 3 Grovelea,
 Ballyhill Lane, Nutts Corner, Crumlin
 Proposed site for 1 dwelling house

 Site Boundary



For Information Only



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2018/0838/RM
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE RESERVED MATTERS

PROPOSAL	Proposed single storey dwelling
SITE/LOCATION	Lands between 12 and 14 Magherabeg Road, Randalstown
APPLICANT	Nuala and Martin O'Rorke
AGENT	PJ Design
LAST SITE VISIT	03 rd October 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 in the countryside and outside any designated settlement limits as defined by the Antrim Area Plan 1984-2001. The site is located on lands between 12 and 14 Magherabeg Road, Randalstown.

The application site is located to the west of the Magherabeg Road and approximately 150m to the north of the junction of where the Connaught Road and Magherabeg Road meet.

The application site comprises a rectangular-shaped portion of land cut out of an agricultural field which fronts onto the Magherabeg Road. The eastern boundary is defined by a 1.6 metre high D-rail fence, the southern section of the eastern boundary is defined by a hedgerow approx. 2 metres in height. The northern, southern and western boundaries are defined by post and wire fencing.

The topography of the application site and the surrounding area is relatively flat, with wide open views of the rural area.

RELEVANT PLANNING HISTORY

Planning Reference: T/2014/0013/O
Location: Between 12 and 14 Magherabeg Road, Randalstown,
Proposal: Site of dwelling and garage (Infill) (Site 1)
Decision: Permission Granted 26.03.2014

Planning Reference: LA03/2017/0182/RM
Location: Site 1, Between 12 and 14 Magherabeg Road, Randalstown,
Proposal: Dwelling and Garage
Decision: Permission Granted 31.05.2017

Planning Reference: LA03/2017/0255/O
Location: Between 12 and 14 Magherabeg Road, Randalstown,

Proposal: Site of dwelling and garage (infill) (Renewal of planning approval T/2014/0013/O)
Decision: Permission Granted 23.06.2017

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: 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.

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

DFI Roads – No Objections

NI Water – No Objections

REPRESENTATION

Ten (10) 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

- Design, Layout and Appearance
- Neighbour Amenity
- Other Matters

Principle of Development

The Strategic Planning Policy Statement for Northern Ireland (SPPS) was published in September 2015 and is a material consideration when determining the outcome of a planning application. Paragraph 1.10 of the SPPS states that, until such times as a plan strategy for the whole of the Council area has been adopted, Local Planning Authorities will apply existing policies within the Planning Policy Statements (PPS's) that have not been cancelled, together with the SPPS. PPS21 is one such retained policy document.

The principle of a dwelling on the application site has been established under the grant of outline planning permission, planning ref: LA03/2017/0255/O. This permission was granted on 23rd June 2017 and remains extant. It is therefore considered the principle of a dwelling has been established on the site subject to the dwelling complying with the matters reserved under the grant of outline planning permission.

The outline permission was granted with conditions stipulating the siting, design and external appearance of the proposed dwelling, a restriction of the proposed ridge height of 6.5 metres and a landscaping scheme were to be submitted and agreed by the Council. The reserved matters application has submitted drawings showing the proposed siting, design and external materials to be used, plans show the proposed dwelling measuring 4.75 metres above finished floor and a landscape scheme has been submitted showing hedging along all boundaries of the application site and trees to be planted along the northern section of the eastern boundary.

Design, Layout and Appearance

CTY13 of PPS21 states planning permission will be granted for a building in the countryside where it is visually integrated into the surrounding landscape and is of an appropriate design. Paragraph 5.59 of PPS21 states the main criteria against which the degree of visual impact will be considered include:

- The location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings;
- The attributes of the site and its landscape surroundings and whether these provide sufficient enclosure for the new building. This includes the existence or otherwise of natural boundaries and/or a visual backdrop, and whether there is any intervening vegetation or natural features between the site and critical views; and
- The suitability of the design of the building for the site and its locality, including its form, scale and massing.

As mentioned previously, the topography of the surrounding area is flat. It is noted that due to the widespread views generally available in flat landscapes it is important to ensure that new buildings integrate well with their surroundings. The application site lacks vegetation, relying solely on the proposed landscaping. In such areas, poor design carries with it a greater potential for adverse impact on visual amenity and rural character. The character of this section of the Magherabeg Road is made up of traditional single storey, and one and a half storey dwellings. The proposed

dwelling is a single storey dwelling, and complies with a condition stipulated on the outline approval that the height of the dwelling shall not exceed 6.5 metres above finished floor level.

The existing dwellings located along the Magherabeg Road are predominately vernacular in character with pitched roofs, with the exception of No. 19 Magherabeg Road which has a hipped roof. The dwellings on the Magherabeg Road are finished in brown or black concrete roof tiles. In contrast the proposed dwelling will have 17.5 degree mono pitched roof type that will be finished in blue/black roof tiles. The proposed dwelling will measure 4.75 metres above finished floor level on the eastern elevation and will measure 2.95 metres above finished floor level on the western elevation. Paragraph 5.57 of PPS21 states traditional buildings in the countryside have evolved in response to their setting and function on the land. Proposed buildings should blend sympathetically with their surroundings and should not appear incongruous in the landscape. It is essential that care is exercised in the siting and design of new buildings to ensure they can integrate harmoniously with their surroundings and thereby protect the amenity and character of our countryside. In this case it is considered the proposed roof type would be incongruous to the character of the Magherabeg Road and would not integrate into the surrounding area and is therefore considered unacceptable in this location.

The proposed external finishes of the proposed dwelling will be smooth white K Rend textured finish, and black PVC windows and doors. The new build dwelling located to the south of the application site, approved under planning ref: LA03/2017/0182/RM is finished in similar materials and therefore the proposed external materials of the proposed dwelling are considered acceptable.

Paragraph 5.66 of PPS21 states that the form and proportions of a new building are key elements in the design and strongly influence its visual impact on the landscape. If form and proportion are wrong, then little can be done with any other features to mitigate the impact of a poor design. Where the scale, form or massing of a building would make it dominant or incongruous in the local landscape planning permission will be refused. Concerns with the proposed design were raised with the agent and amended plans were submitted, however, the amendments did not address the concerns expressed by officers. The proposed form of the dwelling will be an "L" shape with a large projection located to the front (east) of the proposed dwelling. As shown on drawing 02/1, date stamped 19th November 2018, the footprint of the proposed dwelling does not reflect the footprints of the existing dwellings located along this stretch of the Magherabeg Road. As seen from drawing 02/1, any returns the dwellings have are located to the rear of the dwellings whereas the proposed 'return' of the proposed dwelling is located to the front.

The dwelling is proposed to be setback 19 metres off the Magherabeg Road and will have a frontage of 26.5 metres. The existing dwellings' road frontage located along the Magherabeg Road vary from 16 metres to 22 metres in length. Paragraph 5.6 of PPS21 states the assessment of integration will be judged from critical views along stretches of the public road network to ensure the proposed building blends into its surroundings and is of a high standard of design. There will be open views of the dwelling when travelling north and south along the Magherabeg Road. Paragraph 5.67 of PPS21 states the most successful rural designs are those which are based upon simple shapes and forms of traditional buildings. The proposed design of the dwelling

is considered to be suburban and does not draw upon the positive design queues exhibited in the other rural dwellings located in the immediate area and would have a detrimental impact on the surrounding area.

Neighbour Amenity

There are two windows proposed on the northern elevation of the dwelling, fronting onto No.14 Magherabeg Road. There is an existing window located on the southern elevation of No. 14 Magherabeg Road, however given the separation distance of 35.5 metres it is considered that no unacceptable overlooking, dominance or loss of light will arise.

There are no windows proposed on the southern elevation of the dwelling. There is also a separation distance of 24 metres between the proposed dwelling and the dwelling located to the south (approved under planning ref: LA03/2017/0182/RM). There are no concerns regarding overlooking, loss of light or dominance on the dwelling located to the south. Overall it is concluded that the proposed dwelling will not have a detrimental impact on neighbouring residents.

Other Matters

DFI Roads were consulted on the proposal and have no objections with the proposed means of access to the dwelling subject to conditions that the works are carried out in accordance with the approved plans.

CONCLUSION

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

- The proposed dwelling is considered to have a negative impact on the character and appearance of the area.
- The proposed form, design and appearance of the dwelling is unacceptable.
- The dwelling will not have an adverse impact on the amenity of neighbouring dwellings.
- The proposed means of access is acceptable.

RECOMMENDATION

REFUSE RESERVED MATTERS

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to policy provisions of the Strategic Planning Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the dwelling is of an unacceptable design inappropriate to the locality and would, if permitted have a detrimental impact on the character and appearance of this rural area.



Location Map

Application Reference: LA03/2018/0838/RM

Land between 12 and 14 Magherabeg Road

Randalstown

BT41 2RG

Single storey extension to the rear and garage conversion

 Site Boundary



For Information Only



COMMITTEE ITEM	3.6
CASE REFERENCE	LA03/2018/0899/TPO
DEA	ANTRIM
COMMITTEE INTEREST	CALLED IN BY COUNCILLOR HOLLIS
RECOMMENDATION	GRANT TPO WORKS CONSENT

TPO WORKS REQUESTED	Fell 18 No. trees
SITE/LOCATION	Antrim Technology Park
APPLICANT	Invest NI
LAST SITE VISIT	22 nd November 2018
CASE OFFICER	Steven McQuillan Tel: 028 90340421 Email: steven.mcquillan@antrimandnewtownabbey.gov.uk

SITE DESCRIPTION
The application site for these tree works is located within Antrim Technology Park which is within the development limits of Antrim Town. The Antrim Technology Park Tree Preservation Order was served on 11 th March 2009 and contains over 1200 protected trees. The trees dominate this area and present an attractive setting to the Technology Park. The trees subject to this request are located throughout the site, however, the main group of trees which are subject to this application are located at the entrance to the Park.
RELEVANT PLANNING HISTORY
There is no relevant planning history.
ASSESSMENT
A Tree Preservation Order (TPO) provides statutory protection to trees under the Planning Act (Northern Ireland) 2011. Under the provisions of a TPO, consent from the Council is required to cut down, uproot, top or lop a protected tree, however, exceptions include the removal of dead or dangerous trees, works by statutory undertakers and prevention of abatement of a nuisance. Under Section 122(5), no Order shall apply to the cutting down, uprooting, topping or lopping of trees which are dead or dangerous.
An arboricultural report carried out by Dr Philip Blackstock has been submitted with the TPO Works Request. The Council has been informed a survey of all trees has been carried out and only those recommended to be felled have been included in the application. Whilst the submitted information details 32 trees to be felled, only 18 of the trees are covered by the TPO and accordingly, this request only takes account of these 18 trees.
All protected trees identified were inspected, except Cypress Lawson trees as these are not considered to have any significant visual amenity or biodiversity value. As a result, there is no objection to the removal of this species.
Seven of the trees have been identified as having Ustilina, which is also known as 'Kretzschmaria deusta' and commonly as 'Brittle Cinder Fungus'. This is a fungus found in the northern hemisphere and common on broadleaved trees such as

Beech, Oak and Lime trees. It causes a soft rot and can be found on the lower regions of the tree and can infect roots which can then infect other neighbouring trees. The fungus can result in sudden breakages in what would appear to be a healthy tree. The fungus results in a 'tar like' appearance around the base of the tree and there was evidence of the disease found on all trees identified. These trees are unlikely to have a long term future and given many of their locations adjacent to public walkways and access roads, public safety is a further element of concern. The effect of this fungus can be seen on site, as one of the trees identified to be felled (infected by Ustilina) has come down around the start of November 2018 and has fallen partially across a public walkway. The decay at its base is evident. Most of these trees are located at the entrance of the site and have high amenity value, but given their condition, no objection is presented to their removal.

A number of trees have been identified as being hollow, some of which are visible with large open cavities at the base, where the internal decay and cavity can be viewed and another with Ustilina evident. A further tree identified as hollow had a 'hammer test' carried out on site and the Officers are not in a position to dispute this claim. Other trees are identified as dead with failing crowns and this was evident on site, with large splits and crown failures.

It is acknowledged that the removal of 18 trees is minimal in the context of the overall tree coverage in Antrim Technology Park, however it is regrettable that a number of large Lime trees with high amenity value will be lost at the entrance of the Technology Park. As explained above, their loss is considered justified in this instance, however, in order to reduce the impact of their removal, compensatory replanting is recommended. The area within which these trees are located is growing as a woodland with natural regeneration. As a result, it is considered there would be greater long term benefits of planting trees in the open space area adjacent to the car park close to the site entrance. It is considered 6 trees in this area would be suitable and appropriate, allowing adequate space for the growth of these trees.

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 trees as indicated in blue on attached Map B.
3. Replanting shall be carried out to compensate for the loss of these protected trees. This replanting shall comprise an extra heavy standard tree of 14 - 16cm in girth and 3 - 5m in height at the time of planting and shall comprise 6 no. trees in total. Replanting shall be carried out within one month of the removal of the first tree in the approximate locations identified by a red X on the attached Map B (unless otherwise agreed in writing with the Council prior to the removal of a tree). Species shall include Lime, Ash, Oak, Beech, Horse Chestnut or an appropriate species agreed in writing by the Council prior to the removal of any trees. These trees shall be permanently retained, unless the Council gives written consent prior to its removal.

4. If a replacement tree (within a period of 5 years of planting) dies, it shall be replaced within the next available planting season by a tree of the same species, variety and size to that originally planted, in the same location, unless the Council gives its written consent to any request for variation.



Location Map

Application References: LA03/2018/0899/TPO

Scale: 1:2500



Felling of 18 no. TPO trees at Antrim Technology Park

 Site Boundary



COMMITTEE ITEM	3.7
CASE REFERENCE	LA03/2018/0932/TPO, LA03/2018/0933/TPO, LA03/2018/0934/TPO
DEA	ANTRIM
COMMITTEE INTEREST	CALLED IN BY COUNCILLOR HOLLIS
RECOMMENDATION	GRANT TPO WORKS CONSENT

TPO WORKS REQUESTED	LA03/2018/0932/TPO – Fell 2 no. trees and remedial works to 5 no. trees LA03/2018/0933/TPO – Fell 1 no. tree and remedial works to 2 no. trees LA03/2018/0934/TPO – Fell 1 no. tree and remedial works to 2 no. trees
SITE/LOCATION	93/94/95 The Meadows, Antrim
APPLICANT	Glendale Tree Services
LAST SITE VISIT	19 November 2018
CASE OFFICER	Steven McQuillan Tel: 028 90340421 Email: steven.mcquillan@antrimandnewtownabbey.gov.uk

SITE DESCRIPTION
The trees subject to these requests form a linear band that extends along the rear boundary of The Meadows. The crown of these trees overhang the rear amenity space of these dwellings and that of Millhouse Road, which backs onto The Meadows. These trees form part of a wider linear band of mature trees, which are protected by a Tree Preservation Order made in January 2009.
RELEVANT PLANNING HISTORY
There is no relevant planning history.
ASSESSMENT
A Tree Preservation Order (TPO) provides statutory protection to trees under the Planning Act (Northern Ireland) 2011. Under the provisions of a TPO, consent from the Council is required to cut down, uproot, top or lop a protected tree, however, exceptions include the removal of dead or dangerous trees, works by statutory undertakers and prevention of abatement of a nuisance. Under Section 122(5), no Order shall apply to the cutting down, uprooting, topping or lopping of trees which are dead or dangerous.
An arboricultural report carried out by Dr Philip Blackstock has been submitted with these requests. The main reason for these requests is the size of the trees adjacent to existing residential buildings and the need to improve site safety. Trees (especially within residential properties) need to be managed so that they can co-exist with the residential development without significantly impacting on site safety.
<u>93 The Meadows</u> The site contains seven trees and a group of five Leyland Cypress (which are not protected by the TPO). With respect to the two trees which are to be felled, these trees have one sided crowns and lean towards the gardens of Millhouse Road. They

would be considered to have the least amenity value within the site. One of these trees has cavities with pockets of decay from 2-6m and the other tree has been described as having a weak and unbalanced crown. Following site inspection, Officers would not disagree with these comments. The recommended remedial works (comprising mainly of crown cleaning and reducing end weight) will increase site safety for the users of the private amenity space and this is considered acceptable. Crown cleaning comprises the removal of unwanted material from the crown of the tree such as dead, diseased, dying and damaged material. Reducing end weight involves the removal of selected secondary branches to reduce weight of the crown in a certain direction (described in metres).

94 The Meadows

The site contains three trees, one of which is recommended for felling and the other two are recommended to be crown cleaned with a reduction in end weight. The Scots Pine is recommended to be felled due to being hollow. Following a 'hammer test' being carried out on site, Officers are not in a position to dispute this claim. The recommended remedial works will increase site safety for the users of the private amenity space and this is considered acceptable.

95 The Meadows

The site contains three trees, one of which is recommended for felling and the other two are recommended to be crown cleaned with a reduction in end weight. A Beech tree is recommended to be felled due to an infection of 'Kretzschmaria deusta' (also known as 'Brittle Cinder Fungus'). This is a fungus found in the northern hemisphere and common on broadleaved trees such as Beech. It causes a soft rot and can be found on the lower regions of the tree and can infect roots which can infect other trees. The fungus can result in sudden breakages in what would appear to be a healthy tree. The fungus results in a 'tar like' appearance around the base of the tree and there was evidence of two small areas of infection on either side of the tree in question at its base. This tree is unlikely to have a long term future and given its location within a private amenity spaces and within falling distance of residential dwellings, there is no objection to this request. The recommended remedial works will increase site safety for the users of the private amenity space and this is considered acceptable.

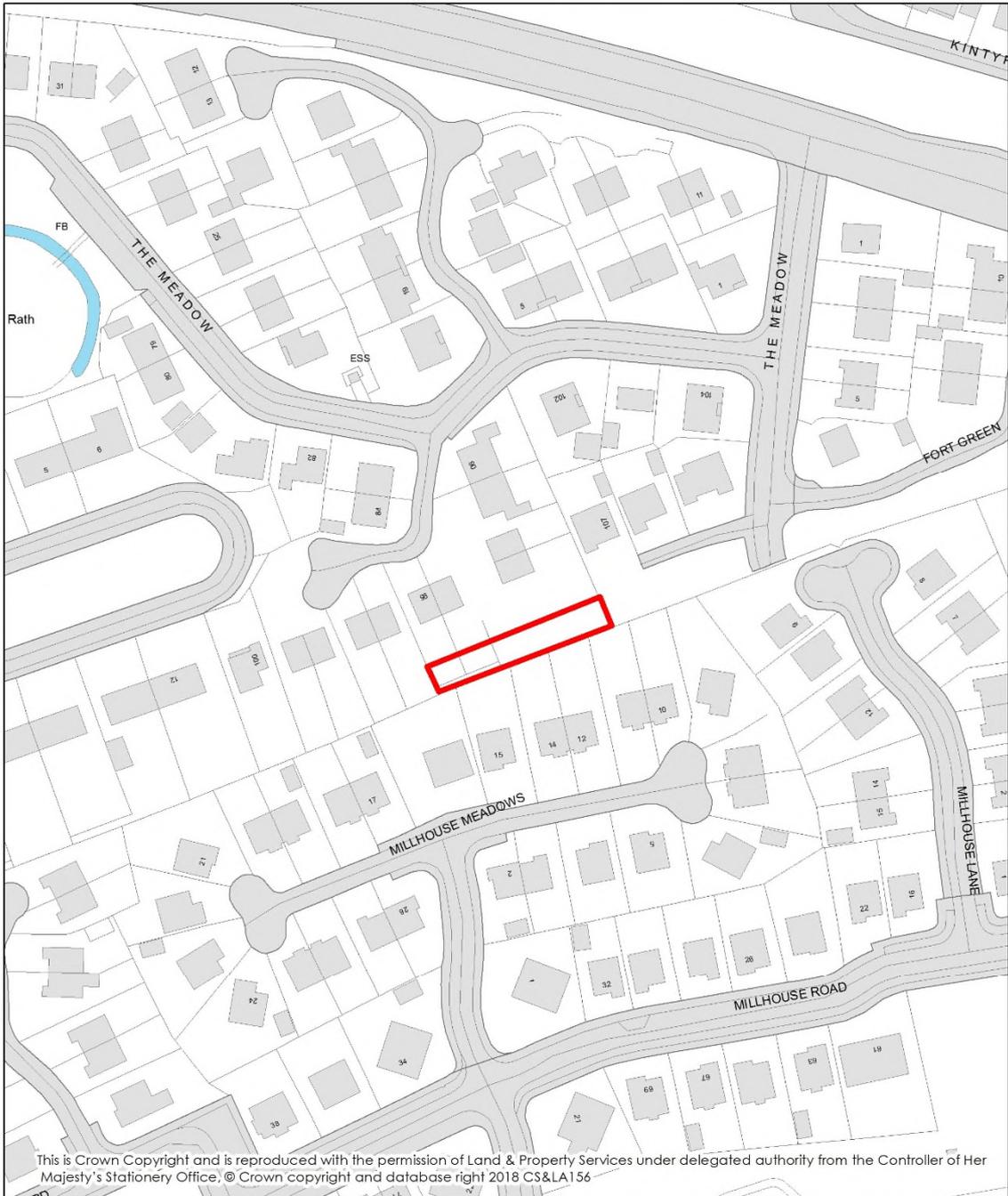
Whilst it is regrettable to lose mature trees from these sites, public safety must take precedence over amenity value, especially when mature trees are located within and in close proximity to residential development. There is limited space to accommodate new planting, however, in order to reduce the impact, it is recommended that 1 no. tree is planted in each residential property to compensate for the loss of these trees.

RECOMMENDATION	GRANT TPO WORKS CONSENT
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PROPOSED CONDITIONS

- | |
|--|
| <ol style="list-style-type: none"> 1. The works as described in this consent notice and in Document 1 shall be undertaken within 2 years of the date of this notice. 2. Felling shall be carried out to the trees as indicated in blue on attached Map B and remedial works shall be carried out to the trees indicated in yellow on the same Map in accordance with Document 1. |
|--|

3. Replanting must be carried out to compensate for the loss of this/these protected tree(s). This replanting shall comprise an extra heavy standard tree of 14 - 16cm in girth and 3 - 5m in height at the time of planting of any native species tree. Replanting shall be carried out within one month of the removal of the protected tree in a location as close to the location of the tree that has been removed (unless otherwise agreed in writing with the Council prior to the removal of a tree). The replacement tree shall be permanently retained, unless the Council gives written consent prior to its removal.
(condition amended per each application request)
4. If a replacement tree (within a period of 5 years of planting) dies, it shall be replaced within the next available planting season by a tree of the same species, variety and size to that originally planted, in the same location, unless the Council gives its written consent to any request for variation.
5. Crown cleaning shall be restricted to the removal of broken, diseased, dying or dead branches or snags that are either over 50mm in diameter or are more than 200mm in length.
6. No branch, limb or trunk greater than 100mm shall be cut in the process of reducing end weight.



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Location Map

Application References: LA03/2018/0932-0934/TPO

Scale: 1:1250



Works to TPO trees at 93-95 The Meadows Antrim

 Site Boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2018/0813/F
DEA	AIRPORT
COMMITTEE INTEREST	APPLICANT DECLARED INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Retrospective planning for an extension to boarding cattery business to include the retention of 4 no. garden lodges and to add an additional 3 no. garden lodges
SITE/LOCATION	19 British Road, Aldergrove, BT29 4DH
APPLICANT	Victoria Patefield
AGENT	N/A
LAST SITE VISIT	16.10.2018
CASE OFFICER	Emma Groves Tel: 028 903 40214 Email: emma.groves@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 19 British Road and is located to the west of Belfast International Airport in a rural location as defined in the Antrim Area Plan. The application site is set off British Road and is accessed via a private lane shared with No.19A which is located adjacent to and east of the site.

The application site contains a one and a half storey dwelling with a parking area to the front, a large garden area is set to the side of the property and to the rear there is a large area which was previously used as a paddock. A stable block is also located to the rear of the property. The site has some mature trees along portions of its boundaries, with the western boundary in particular well defined by mature trees. The area within the site which was previously used as a paddock now contains a number of wooden structures that appear to be designed for the keeping of cats on a commercial level.

The site is located in a rural area with a few existing residential properties adjacent to the site. Given that the degree of setback from the public road, the site is well screened from views when travelling along British Road.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2018/0253/F
Location: 19 British Road, Aldergrove, BT29 4DH
Proposal: Conversion of stables to Boarding Cattery
Decision: Permission granted (27.07.2018)

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, which in this case is the Antrim Area Plan 1984 - 2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The 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 4: Planning and Economic Development: sets out planning policies for economic development uses.

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

Historic Environment Division – No objection.

Northern Ireland Water – No objection.

DfI Roads – No objection.

Belfast International Airport – No objection.

Environmental Health Antrim and Newtownabbey – No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Impact on Character of the Area
- Neighbour Amenity
- Other Matters

Principle of Development

The proposal is for an extension to a boarding cattery business which was granted approval on 27th July 2018 under planning reference LA03/2018/0253/F. Given the previous approval on the site it is considered that the principle of an extension to this lawful business development is acceptable.

Design and impact on character of the area

The application seeks retrospective planning permission for an extension to a boarding cattery to include the retention of four garden lodges used to house cats and proposes an additional three garden lodges. The existing business has one type A, one type B and two type C lodges. This application proposes an additional three lodges, one type B and two type C. Lodge type B measures 2.4 x 2.4 metres in total with a ridge height of 2.7 metres. The lodge is split into half, one half of the lodge is enclosed with wooden walls and the other half acts as a run with a wire mesh. Lodge type C measures 3.6 x 3.9 metres in total with a ridge height of 2.7 metres. This lodge has an enclosed wooden box and is surrounded by a wire mesh run.

The finishes on the lodges are plastic sheeted roofs, treated horizontal timber sheeted walls, treated vertical timber sheeted doors, and exterior runs of wire mesh on treated frames with wire mesh covered gates.

It is considered that the design and materials of the development are considered acceptable and match the other buildings included in the previously approved cattery business and will not detract from the character of the surrounding area.

Neighbour Amenity

The proposal is adjacent to other residential properties but no objection has been raised by these properties. In addition, a consultation response from the Environmental Health Section has raised no objections to the proposal. It is considered that the continued use of the existing cat lodges and the additional lodges proposed will not result in an unacceptable impact on the amenity of neighbouring properties by way of noise or odour.

Other Matters

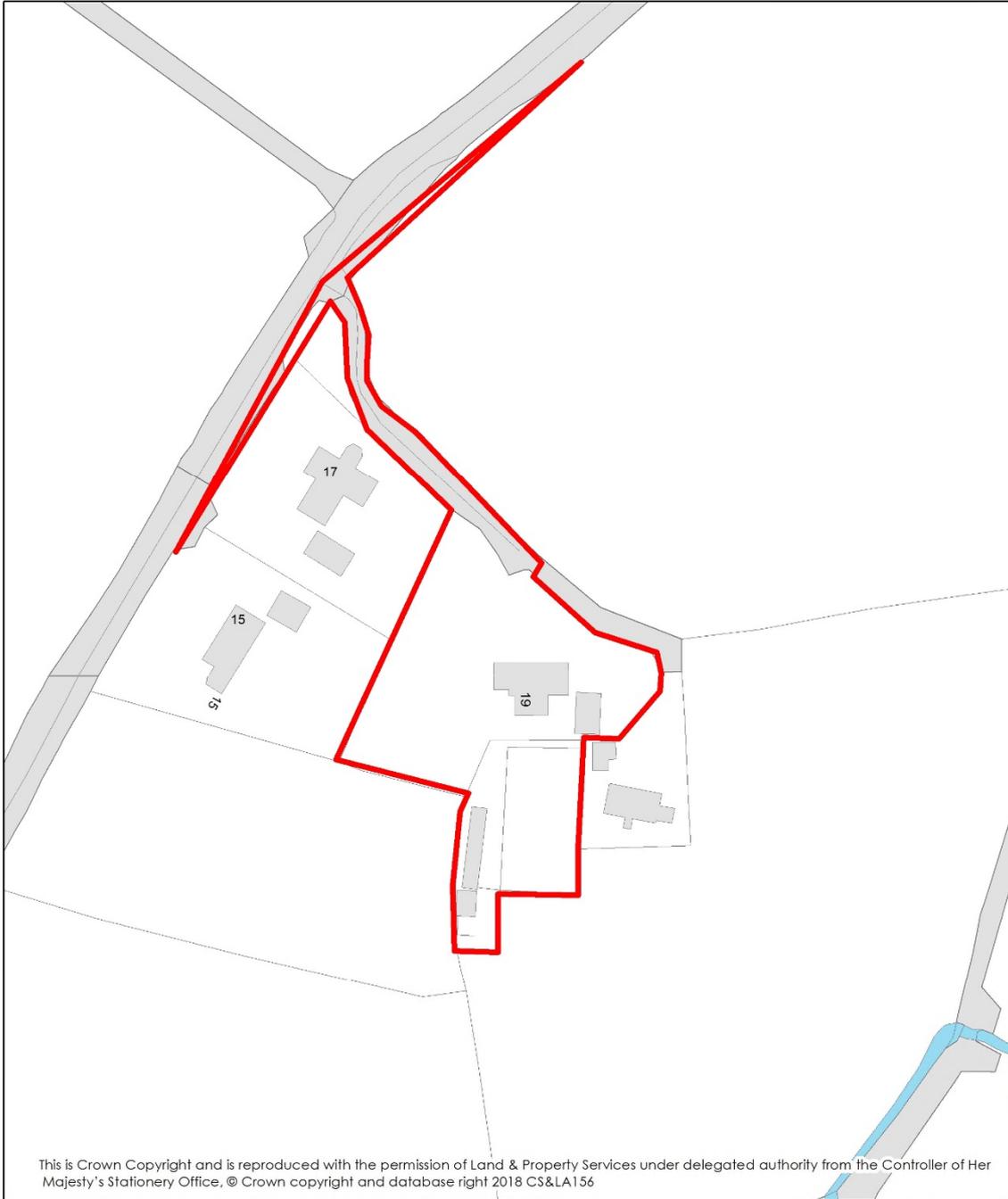
DFI Roads has raised no objections to the proposal in terms of access and parking and as such it is considered that there is sufficient parking within the application site.

CONCLUSION

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

- The design and appearance of the extended business is considered acceptable.
- The development will not unduly affect the privacy or amenity of neighbouring residents.
- The proposal will not have a detrimental impact on the character of the area.

RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSED CONDITIONS	
<p>1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.</p> <p>Reason: This is a retrospective application.</p> <p>2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.05 bearing the date stamp 25th October 2018, within 6 weeks of the date of this permission. 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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>3. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m 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.</p> <p>Reason: To ensure there is a satisfactory means of access in interests of road safety and the convenience of road user.</p>	

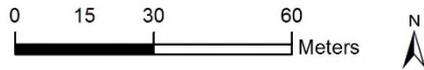


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Location Map

Application Reference: LA03/2018/0813/F

19 British Road, Aldergrove, BT29 4DH



Retrospective planning for an extension to Boarding Cattery business to include retention of 4 no. garden lodges and to add an additional 3 no. garden lodges

 Site Boundary

For Information Only



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2018/0881/F
DEA	ANTRIM
COMMITTEE INTEREST	APPLICANT DECLARED INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Single storey rear extension.
SITE/LOCATION	4 Inniscoole Close, Antrim
APPLICANT	Robert and Denise Lynn
AGENT	EMK Consultant Architect
LAST SITE VISIT	8 th November 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 4 Inniscoole Close, Antrim which is located within the development limit of Antrim Town as defined by the Antrim Area Plan 1984-2001.

The application site is located within an established residential development and comprises a single storey detached dwelling, the existing finishes include white dashed render walls and black concrete roof tiles.

The roadside boundary is defined by a 1 metre high wall. The eastern boundary is partially defined by a 1.5 metre high close boarded wooden fence and partially by a 3 metre high planted hedge. The western boundary is defined by a hedge which varies between 2-3 metres in height while the southern boundary is defined by a 1.5 metre high fence with a 3 metre hedge planted on the outside.

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, which in this case is the Antrim Area Plan 1984 - 2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The 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.

Addendum to PPS 7 - Residential Extensions and Alterations: sets out planning policy and guidance for achieving quality in relation to proposals for residential extensions and alterations.

CONSULTATION

No consultations were carried out on this application.

REPRESENTATION

Eight (8) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring

Scale, Massing, Design and Appearance

The proposed development is for a single storey rear extension to provide a sunroom and utility room. The extension will measure 3.45 metres from the rear wall of the dwelling, 6.8 metres in width and 4.65 metres in height above finished floor level.

The application also proposes to convert a section of the existing integral garage into a master bedroom whilst replacing the 2 existing garage windows on the western elevation with one single window which will be finished in obscure glass. There is an existing single door that leads from the garage to the rear garden which will be replaced with patio doors.

It is considered that the proposed extension is subordinate to the existing dwelling and will be read as an integral part of the property both functionally and visually. The proposed extension will be finished in white render and concrete roof tiles to match the existing dwelling. The windows and doors will also match the existing dwelling.

The scale, massing, design and external materials of the proposal are considered to be sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

No. 2 Inniscoole Close, located to the west of the application site, has an existing extension that is located to the southeast of the existing dwelling which abuts the application site's western boundary. At the site inspection, it was observed that there were no windows located on the eastern elevation of No. 2 Inniscoole Close. There is a window proposed on the western elevation of the proposed extension, however it will be finished in obscure glass in order to mitigate any potential overlooking. In addition, the common boundary between the application site and No. 2 Inniscoole Close is defined by a 1.5 metre high fence with an approximately 2.5 metre high hedge planted on the outside. Due to these factors there are no concerns regarding overlooking, loss of light or dominance on No. 2 Inniscoole Close.

The proposal is to convert a section of the existing integral garage into a master bedroom and replace two existing windows that are located on the eastern elevation with one window which will be finished in obscure glass. It is noted that No. 6 Inniscoole Close, located to the east of the application site, has no windows on the western elevation. It is therefore considered that the proposed window does not raise any concerns regarding overlooking from the proposed master bedroom.

Nos. 9 & 11 Innishmoyn Green are located to the south of the application site. As previously mentioned, there are patio doors proposed on the southern elevation of the dwelling on the application site which will replace a single door. There is also a window and sub bi-fold doors proposed on the southern elevation of the proposed extension. Due to a separation distance of some 9-12metres between the dwellings located to the south, as well as the existing boundary treatment of a 1.5metre high wooden fence with a 2-3 metre high hedge planted on the outside there is no concern with regards to overlooking, loss of light or dominance on No.'s 9 & 11 Innishmoyn Green.

Impact on Trees and Environmental Quality of this Area.

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality as there are no trees or other environmental landscape features located where the proposed development will be constructed.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes. In addition, the parking and manoeuvring of vehicles will not be affected by the proposal.

CONCLUSION

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

- The design, scale and appearance of the proposal is considered acceptable.
- Neighbouring dwellings will not be unduly affected by the proposal.
- Trees or other landscape features will not be affected.
- Sufficient space remains on the property for recreational and domestic purposes.
- The parking and manoeuvring of vehicles will not be affected.

RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSED CONDITION	
<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>	



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Location Map

Application Reference: LA03/2018/0881/F

4 Inniscoole Close

Antrim

BT41 4LB

Single storey extension to the rear and garage conversion

 Site Boundary



For Information Only



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

OTHER PLANNING MATTERS

ITEM 3.10

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during November 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 3.11

CONSULTATION BY THE DEPARTMENT FOR INFRASTRUCTURE (DFI) UNDER ARTICLE 13 OF THE PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER (NORTHERN IRELAND) 2015 – SECTION 54 APPLICATIONS MADE TO DFI 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 issued two consultations to the Council under Article 13 of the Planning (General Development Procedure) Order 2015 for the following Section 54 applications reported to the October Planning Committee meeting.

- 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. 141 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

These Section 54 applications 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. As the 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.

It was reported to the October Planning Committee that these applications had been made as a precursor to further applications to be submitted 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. The Reserved Matters application has now been submitted to DfI (see Item 3.13).

As reported to the October Planning Committee 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 and/or are otherwise unnecessary or unreasonable.

The Council is one of a number of bodies which has been consulted on these applications by DfI. Any comments made by the Council will be considered as part of the processing of the application together with all other consultation replies and other representations received. In addition, while the Council is a statutory consultee, there is no obligation on the Council to provide a corporate view on the development.

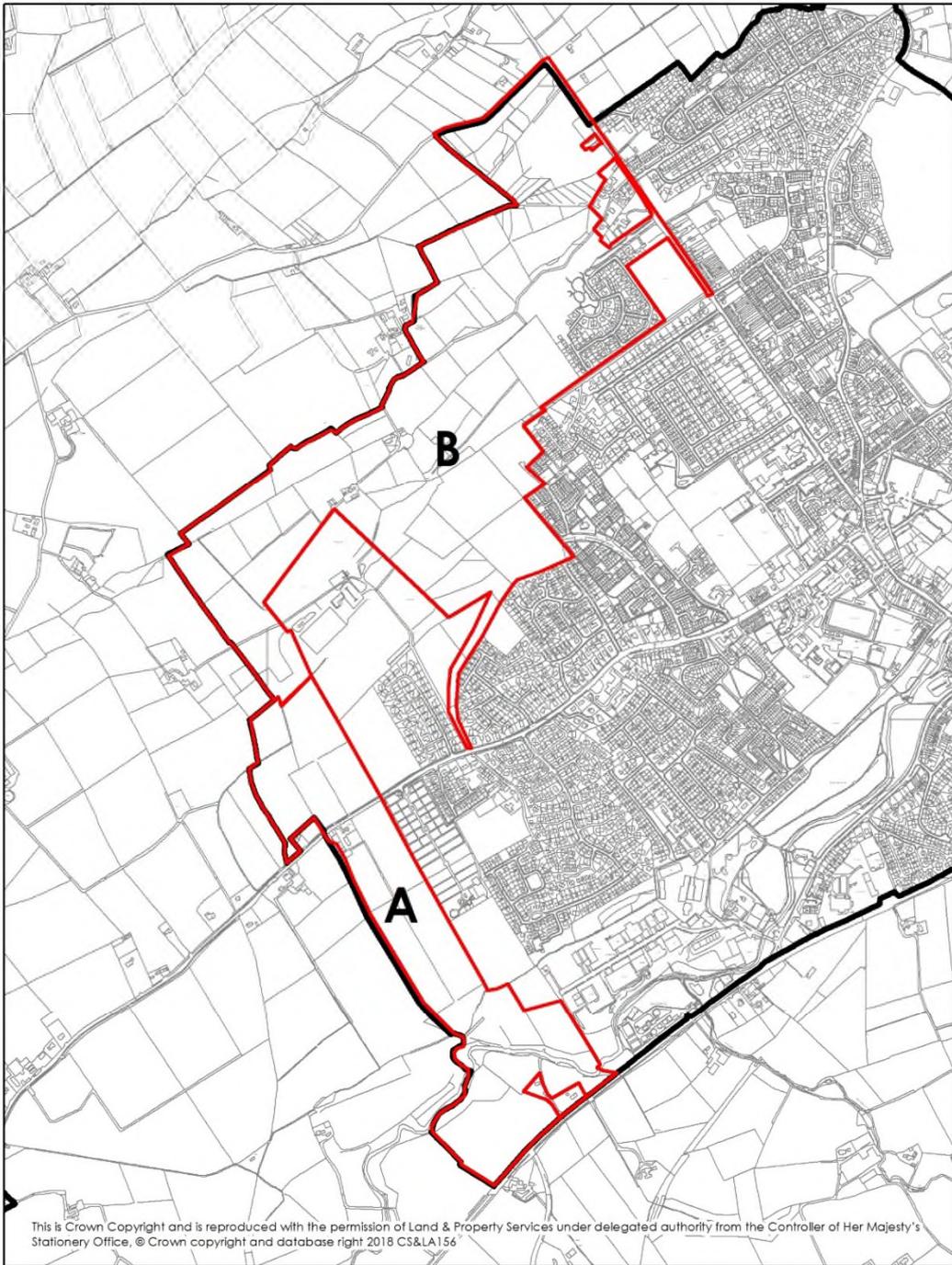
When considering these applications DfI will follow the procedure laid down in Article 21 of the Planning (General Development Procedure) Order (NI) 2015. Under this legislative provision, DfI may cause a Public Local Inquiry to be held by the Planning Appeals Commission or a person appointed by the Department. Where a public inquiry is not held, Article 21 sets out that the Department must, before determining the application, serve notice in writing on the applicant and the

appropriate Council indicating the decision it proposes to make on the applications. Within 28 days of such notice the applicant or Council may request an opportunity of appearing before and being heard by the Planning Appeals Commission or a person appointed by the Department for that purpose. Whichever route is followed the decision of the Department on these applications shall be final.

There are a number of options available to the Council in responding to the consultation by DfI:

1. Provide a corporate view in support of the development.
2. Provide a corporate view opposing the development.
3. Provide no corporate view on the development. In this case individual Members or parties may express support for or object to the development.
4. Linked to any of the above options indicate corporately whether the Council would or would not support the holding of a Local Public Inquiry.

RECOMMENDATION: that the Committee's instructions are requested.



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 3.12

RESERVED MATTERS APPLICATION MADE TO THE DEPARTMENT FOR INFRASTRUCTURE FOR MAJOR RESIDENTIAL DEVELOPMENT IN WEST BALLYCLARE - REFERENCE LA03/2018/1011/RM

The Department for Infrastructure has issued a consultation to the Council under Article 13 of the Planning (General Development Procedure) Order 2015 for the following Reserved Matters for a major residential development incorporating the southern section of the proposed Ballyclare Relief Road on lands to the west of Ballyclare.

Application Reference:	LA03/2018/1011/RM
Proposal:	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. 141 Doagh Road) to the Templepatrick Road, Ballyclare immediately west of the cemetery, Huntingdale and Dennisons Industrial Estate.
Applicant:	Ballyclare Developments Ltd

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

This Reserved Matters application is linked to the two Section 54 applications being reported to the Committee under Item 3.12. Officers understand that a further Section 54 application is due to be submitted to DfI in due course that will seek to vary the conditions on the core outline approvals that require full delivery of the Ballyclare Relief Road in advance of any further housing at this location. In effect the applicant is seeking to introduce a phasing plan for delivery of the Ballyclare Relief Road with the first phase involving construction between the Templepatrick Road and the Doagh Road as outlined in this Reserved Matters application. The Reserved Matters application indicates a total of a further 272 dwellings are proposed together with a local centre, riverside park and other open spaces to accompany the first phase of the relief Road.

The Council is one of a number of bodies which has been consulted on this application by DfI. Any comments made by the Council will be considered as part of the processing of the application together with all other consultation replies and other representations received. In addition, while the Council is a statutory consultee, there is no obligation on the Council to provide a corporate view on the development.

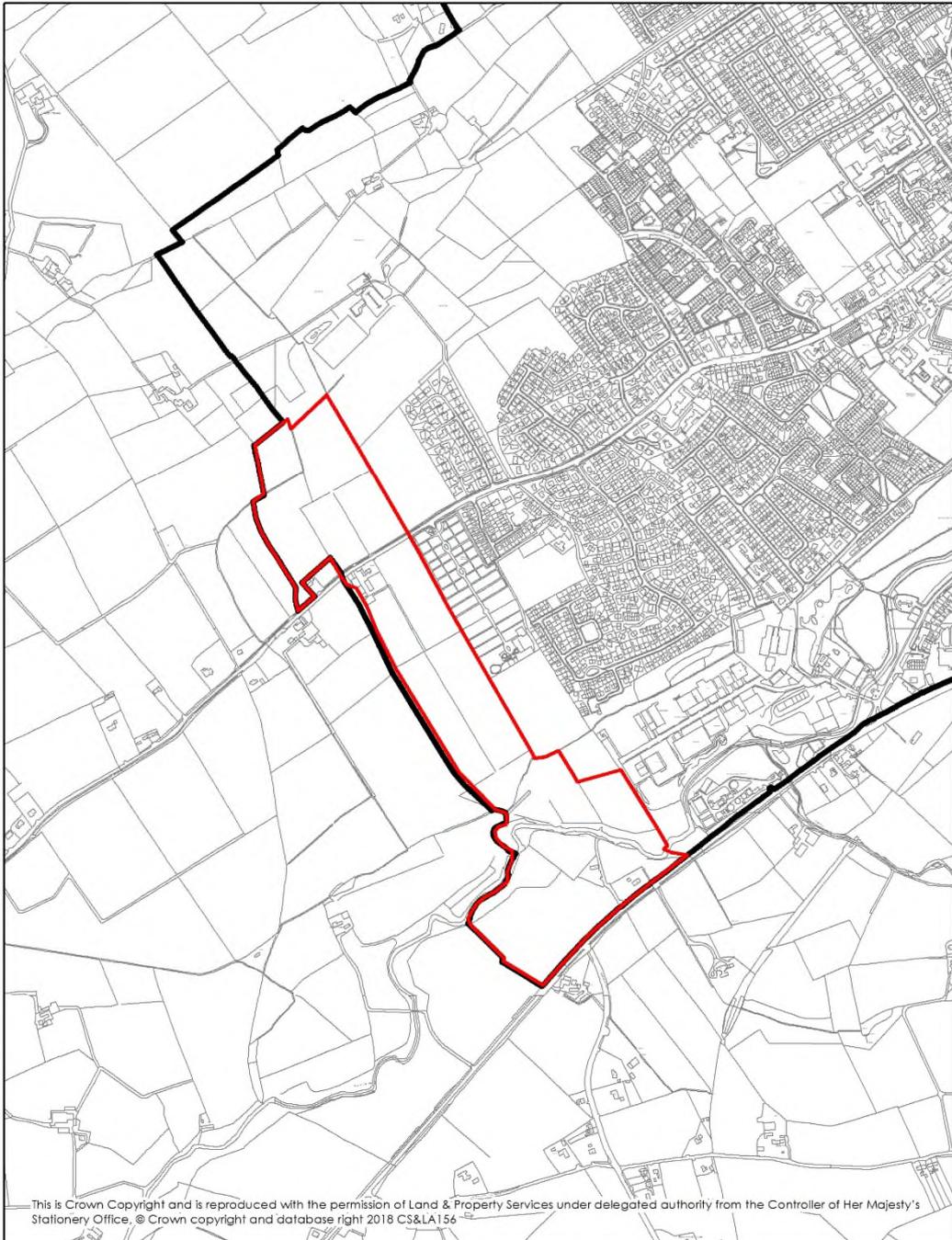
When considering the application Officers understand DfI will follow the procedure laid down in Section 26 of the Planning Act 2011. Under this legislative provision, DfI may cause a Public Local Inquiry to be held by the Planning Appeals Commission or a person appointed by the Department. Where a public inquiry is not held, Section

26 sets out that the Department must, before determining the application, serve notice in writing on the applicant and the appropriate Council indicating the decision it proposes to make on the applications. Within 28 days of such notice the applicant or Council may request an opportunity of appearing before and being heard by the Planning Appeals Commission or a person appointed by the Department for that purpose. Whichever route is followed the decision of the Department on these applications shall be final.

There are a number of options available to the Council in responding to the consultation by DfI:

1. Provide a corporate view in support of the development.
2. Provide a corporate view opposing the development.
3. Provide no corporate view on the development. In this case individual Members or parties may express support for or object to the development.
4. Linked to any of the above options indicate corporately whether the Council would or would not support the holding of a Local Public Inquiry.

RECOMMENDATION: that the Committee's instructions are requested



Location Map

Application Reference: LA03/2018/1011/RM
Lands north of Doagh Road to the Templepatrick Road Ballyclare



Major urban extension to include residential development, local neighbourhood centre and the southern section of the Ballyclare Relief Road.

 Site Boundary



ITEM 3.13

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.

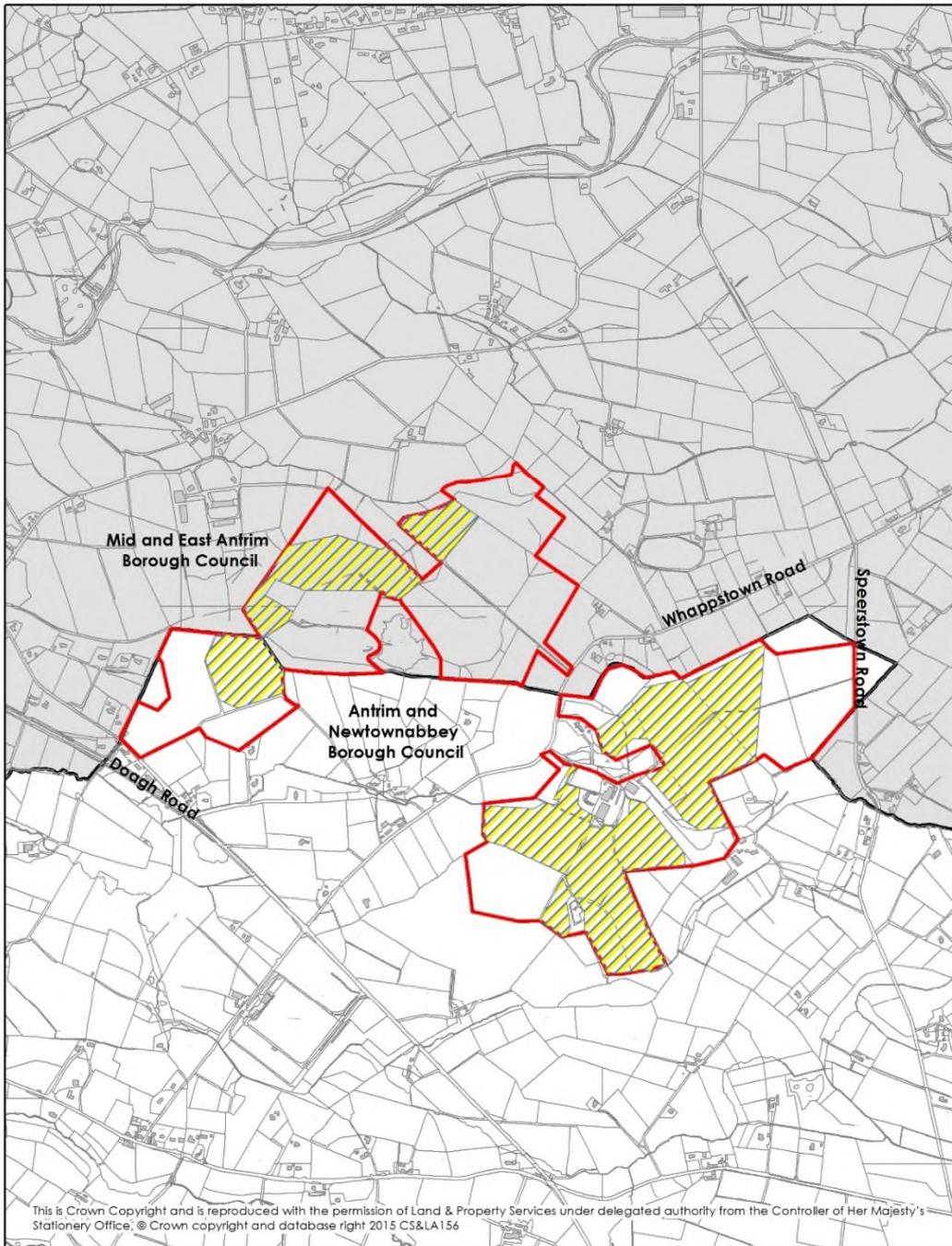
As reported to the October 2018 meeting of the Planning Committee the Department subsequently wrote to the PAC in September 2018 to indicate that it was not in a position to take a further decision on its NOP in the absence of a Minister, rather it intended to adopt a neutral stance to allow the hearing before the PAC to progress. On that basis the PAC scheduled its hearing to open at 10.00am on 29 November 2018 in the Braid Centre, 1-29 Bridge Street, Ballymena.

The Department has now written once again to the PAC following the introduction of the Northern Ireland (Executive Formation and Exercise of Functions) Act which took effect on 1 November 2018. The Department has now advised, in light of this significant new procedural consideration, that it is withdrawing its original NOP and its request for the PAC to hold a hearing on the proposal (copy **enclosed**).

It is understood that the Department is reviewing the current proposal as amended and will in due course issue a revised NOP. At that point it will then be obliged to serve notice of its revised NOP on both the applicant and this Council as well as Mid and East Antrim Borough Council under Section 26(11) of the Planning Act (Northern Ireland) 2011. Any or all of the parties may at that stage request a hearing before the PAC. Officers will present a further Report for Members consideration at that time.

Officers would also remind Members that, irrespective of whether a hearing is held before the PAC or not, the final decision on this regionally significant planning application will ultimately rest with the Department.

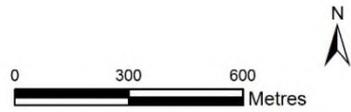
RECOMMENDATION: that the report be noted.



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 3.14

LISBURN AND CASTLEREAGH CITY COUNCIL – PLANNING APPLICATION REFERENCE LA05/2016/0700/F – PROPOSED CEMETERY AT DUNDROD

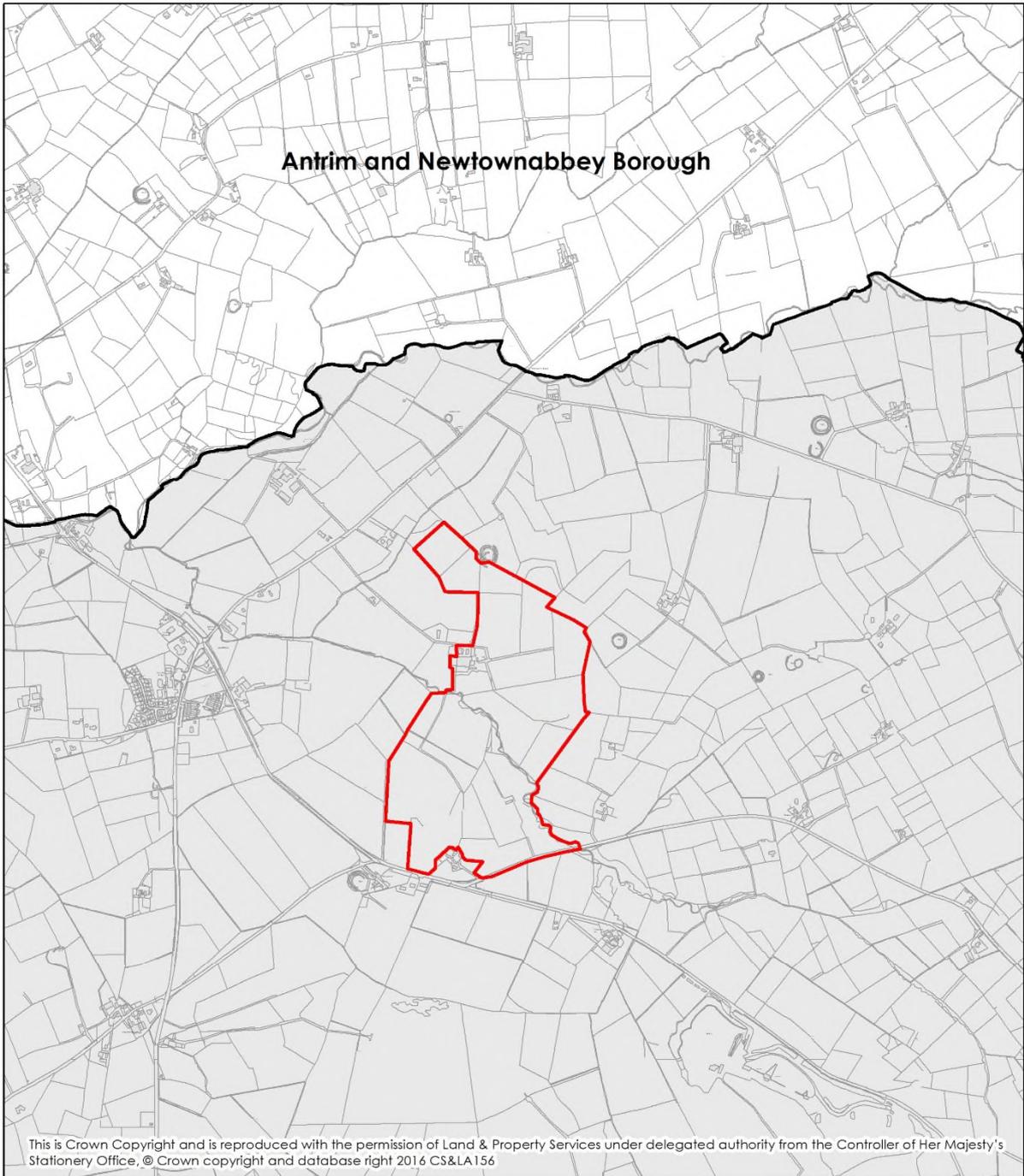
Members will recall that Lisburn and Castlereagh City Council (LCCC) consulted the Council in August 2016 on the following major application for the development of a site for a new cemetery to the east of Dundrod which lies only a short distance to the south of the District Council boundary with Antrim and Newtownabbey Borough.

Application Reference: LA05/2016/0700/F
Proposal: Site for a new cemetery including ancillary reception building, maintenance depot, attenuation pond, bridges, new vehicular access, parking, waste water treatment works, associated infrastructure works and demolition of existing farm buildings
Location: Land North of No. 10 Quarterland Road sandwiched between Carnaghliiss Road and Quarterland Road Dundrod
Applicant: Carston

Further Information on this application is available to view at the Planning Portal
www.planningni.gov.uk

At the time of the consultation, the Council agreed not to provide a corporate view on the proposal. Officers would advise Members that LCCC has now determined this application and issued a decision refusing outline planning permission in October 2018 (copy **enclosed**).

RECOMMENDATION: that the report be noted.



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Location Map

Application Reference: LA05/2016/0700/O

Site of New Cemetery
 Land North of No. 10 Quarterland Road
 Dundrod

-  Site Boundary
-  Lisburn & Castlereagh City Council



For Information Only



ITEM 3.15

P/PLAN/1 CORRESPONDENCE FROM QUEEN'S UNIVERSITY BELFAST

Queen's University Belfast has written to the Forward Plan Team regarding a plan-making project for Antrim Town Centre as part of the study work for students on the BSc Degree in Planning, Environment & Development (copy **enclosed**).

The aim of the student project is to identify the relevant planning issues affecting Antrim Town Centre and prepare a Town Centre Plan/Report (alongside a technical supplement detailing the evidence on which the University's Plan/Report is based).

The students will be undertaking basic building condition surveys, land use surveys, and seeking the views of shoppers and retailers using questionnaire surveys and interviews. A final copy of the student's report will be forwarded to the Council's Forward Plan Team for information purposes. The University has advised that the study will take place from January to March 2019.

The role of the Council's Forward Plan Team, assisted by the Council's Economic Team, will be to give an overview of planning as well as a tour of Antrim town center to familiarise the students with the area and to discuss any issues arising. It is anticipated that this will be on the morning of Tuesday 29th January 2019 with a formal presentation by the students scheduled for Tuesday 19th March 2019. Elected Members from the area are welcome to attend both events and should confirm with Sharon Mossman if they wish to attend.

RECOMMENDATION: that the report be noted.

ITEM 3.16

FILE REF/FP/LDP53 LOCAL DEVELOPMENT PLAN TIMETABLE FOR LISBURN & CASTLEREAGH CITY COUNCIL.

Lisburn and Castlereagh City Council (LCCC) consulted the Council in November 2018 on their revised Local Development Plan Timetable under Regulation 5 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (copy enclosed).

The revised Timetable (copy enclosed) indicates that LCCC anticipate that the first stage of their new Local Development Plan, the draft Plan Strategy, will be published for public consultation sometime between Q3 2019-20 and Q2 in 2020 -21.

A two-week period was provided for a response to the consultation. In these circumstances, the Planning Section Forward Plan Team responded on behalf of the Council indicating that the revised Timetable position had been noted.

RECOMMENDATION: that the report be noted.

ITEM 3.17

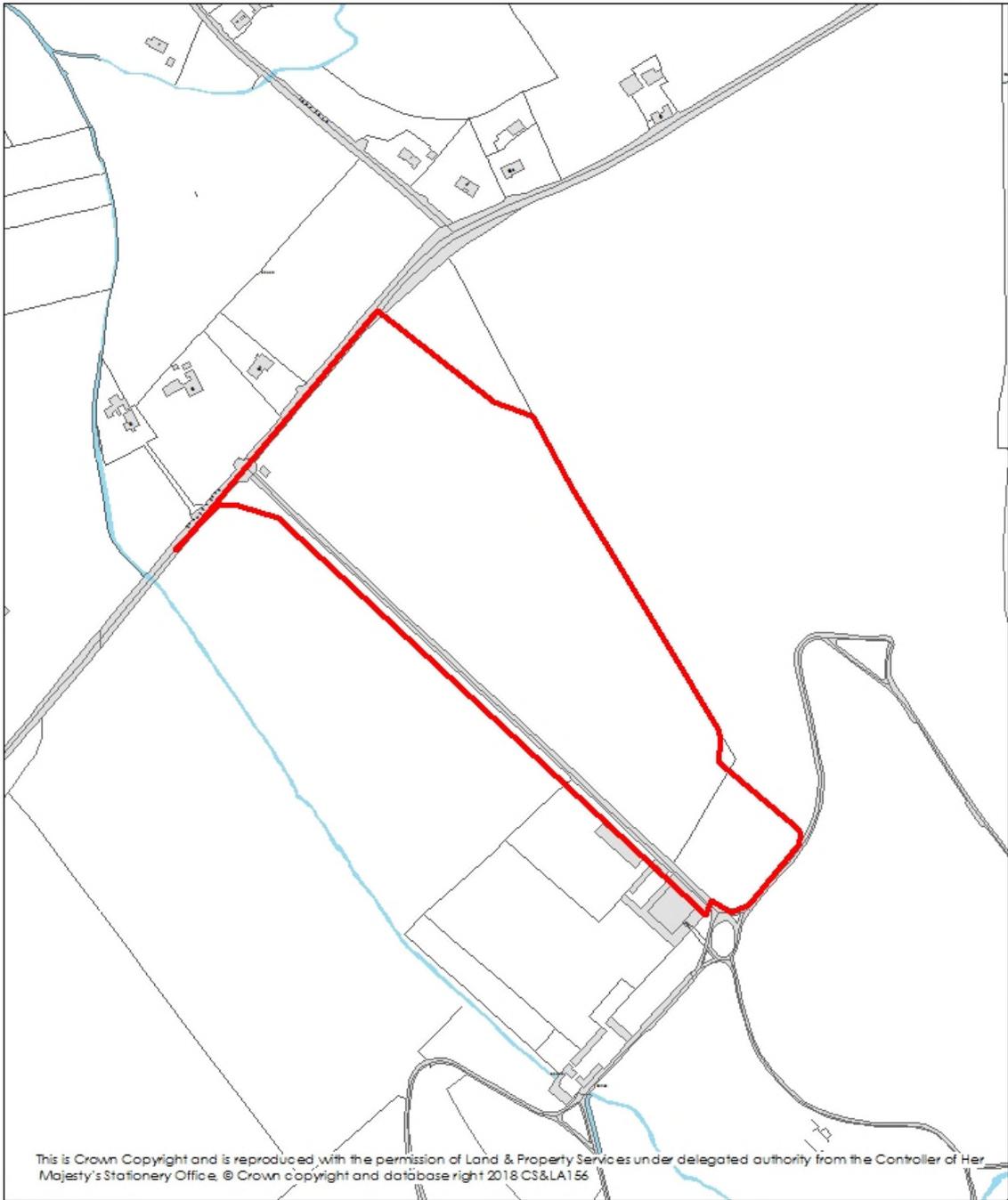
P/PLAN/1 PROPOSAL OF APPLICATION NOTIFICATIONS FOR MAJOR DEVELOPMENT

Members will be aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during November 2018 the details are set out below.

PAN Reference:	LA03/2018/1076/PAN
Proposal:	Visitor attraction and exhibition centre to include a visitor's centre, interior and exterior exhibition areas and associated car-parking facilities
Location:	Lands 450m to the South East of 86a Roguey Road Moneyglass BT41 3PT
Applicant:	TELIPORTER Ltd
Date Received:	29 November 2018
12 week expiry:	21 February 2019

Members will recall that under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12 week period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining what consultation has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

RECOMMENDATION: that the report be noted.



Location Map

Application Reference: LA03/2018/1076/PAN

Lands 450m to the South East of 86a Roguery Road

Moneyglass

BT41 3PT

Residential development of 40 dwellings

 Site Boundary



For Information Only

