



13 August 2025

Committee Chair: Councillor R Kinnear

Committee Vice-Chair: Councillor S Flanagan

Committee Members: Aldermen – L Boyle, T Campbell and M Magill

Councillors – J Archibald-Brown, A Bennington,  
S Cosgrove, H Cushinan, B Mallon, R Foster and AM  
Logue

Dear Member

**MEETING OF THE PLANNING COMMITTEE**

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 18 August 2025 at 6.00 pm.**

You are requested to attend.

Yours sincerely

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

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

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

**For any queries please contact Member Services:**

Tel: 028 9448 1301/ 028 9034 0107

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## **AGENDA FOR PLANNING COMMITTEE – 18 AUGUST 2025**

**Part One** - The Planning Committee has the full delegated authority of the Council to make decisions on planning applications and related development management and enforcement matters. Therefore, the decisions of the Planning Committee in relation to this part of the Planning Committee agenda do not require ratification by the full Council.

**Part Two** - Any matter brought before the Committee included in this part of the Planning Committee agenda, including decisions relating to the Local Development Plan, will require ratification by the full Council.

- 1 Apologies.
- 2 Declarations of Interest.
- 3 Report on business to be considered:

### **PART ONE - Decisions on Planning Applications**

#### **3.1 Planning Application No: LA03/2025/0085/F**

Retention of glamping pods, communal building and welcome building including the erection of 3No. associated pergolas, erection of 2no. new saunas, site office/reception and storage buildings, WC building; NIE/plant building, parking, landscaping works (hard and soft) and all other site and ancillary works at Cotters Park, lands 130m NW of no. 14 Ballydunmaul Road, Randalstown, Antrim, BT41 3JD (accessing onto the Clonkeen Road).

#### **3.2 Planning Application No: LA03/2024/0807/F**

Erection of 39No. dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Niblock Road at Lands bound by Ballymena Road and Niblock Road and approx. 210 metres SE of No. 105 Ballymena Road, Antrim.

#### **3.3 Planning Application No: LA03/2024/0416/F**

Demolition of 68-70 Doagh Road and erection of 9 new dwellings (6 semi-detached & 3 detached) site at 68-70 Doagh Road, Ballyclare (off Fairview Farm Road).

#### **3.4 Planning Application No: LA03/2024/0560/F**

Erection of 11No. dwellings to include 1No. detached chalet bungalow and 10No. semi-detached dwellings at lands approx. 50m NE of No. 5 Junction Road, approx. 60m NW of No. 36 Milltown Road and approx. 70m SE of No. 7B Junction Road, Milltown, Antrim.

3.5 Planning Application No: **LA03/2024/0182/F**

Battery Energy Storage System (BESS) Facility 100MW including, transformers, switch and control Room, lighting and CCTV, new site boundary fencing, new access, and ancillary development works at Lands approx. 80m west of 92 Parkgate Road, Kells, Ballymena, BT42 3PG

3.6 Planning Application No: **LA03/2025/0342/F**

Retention of extension and alterations to dwelling 9 Glenkeen Avenue, Newtownabbey, BT37 0PH.

3.7 Planning Application No: **LA03/2025/0084/F**

Retention of existing ground floor apartment and proposed storage unit 4A and 4B Hightown Road, Glengormley, Co Antrim, BT36 7UA.

3.8 Planning Application No: **LA03/2025/0165/F**

Proposed conversion of upper floor of existing and approved two storey apartment to new standalone 2-bedroom apartment, incorporating internal alterations at 14-16 Rashee Road, Ballyclare, BT39 9HJ.

3.9 Planning Application No: **LA03/2025/0425/O**

2No. Dwellings and detached garages at site 70m North of 64 Thornhill Road, Antrim, BT41 2LG.

3.10 Planning Application No: **LA03/2025/0305/O**

Dwelling and garage 80m Northwest of 696 Doagh Road, Newtownabbey.

**PART TWO – Other Planning Matters**

3.11 Delegated Planning Decisions and Appeals July 2025

3.12 Proposal of Application Notice for Major Development July 2025

3.13 Update on the Review of Development Management Regulations

3.14 Planning Application Validation Checklists

3.15 Royal Town Planning Institute (RTPI) Awards for Planning Excellence 2025, National Awards Ceremony

3.16 Department for Infrastructure Analysis and Research Branch (ASRB) Planning Statistic User Survey 2025

3.17 Department for Infrastructure Draft Transport Strategy 2035, Public Consultation (June 2025)

- 3.18 Consideration of Changes to the Council's Scheme of Delegation of Planning Powers
- 3.19 Notice of Opinion by the Department for Infrastructure (DfI) – Section 54 Applications made to DfI to Vary Planning Conditions Attached to Outline Permission Ref: LA03/2018/0605/O in Ballyclare- Reference SPD/2024/0052/F
- 3.20 Any Other Relevant Business

**PART TWO – Other Planning Matters - In Confidence**

- 3.21 Update on Local Development Plan 2030 to include (1) Revised Statement of Community Involvement, (2) the Department for Infrastructure Section 14 Direction, (3) Revised Local Development Plan Timetable, (4) Draft Local Policies Plan Formal Launch, and (5) Call for Sites Public Consultation Exercise, to Include for Strategic Homes (Ballynure) – In Confidence
- 3.22 Listed Building Ballyclare Bleachworks (Aka Kirkpatrick Bros. Mill) – In Confidence

**PART ONE - Decisions on Enforcement Cases - In Confidence**

- 3.23 Enforcement Case **LA03/2024/0218/CA** – In Confidence
- 3.24 Enforcement Case - **LA03/2024/0213/CA** – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE  
PLANNING COMMITTEE ON 18 AUGUST 2025**

**PART ONE**

**PLANNING APPLICATIONS**

<b>COMMITTEE ITEM</b>	<b>3.1</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0085/F</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>MAJOR APPLICATION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Retention of glamping pods, communal building and welcome building including the erection of 3no. associated pergolas, erection of 2no. new saunas, site office/reception and storage buildings, WC building; NIE/plant building, parking, landscaping works (hard and soft) and all other site and ancillary works.
<b>SITE/LOCATION</b>	Cotters Park, lands 130m NW of no. 14 Ballydunmaul Road, Randalstown, Antrim, BT41 3JD (accessing onto the Clonkeen Road)
<b>APPLICANT</b>	James & Ruth Alexander
<b>AGENT</b>	MKA Planning Limited
<b>LAST SITE VISIT</b>	7 <sup>th</sup> April 2025
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:alicia.leathem@antrimandnewtownabbey.gov.uk">alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal</b></p> <p><b><a href="https://planningregister.planningsystemni.gov.uk/application/695425">https://planningregister.planningsystemni.gov.uk/application/695425</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on lands 130metres northwest of No. 14 Ballydunmaul Road, Randalstown, with access via a private laneway onto the Clonkeen Road. The application site is located within the countryside as defined in the Antrim Area Plan 1984 -2001 (AAP).</p> <p>The site is currently occupied as a glamping site comprising of 7 No. glamping pods providing accommodation orientated around the periphery of an existing lake. In addition, a communal building, office and ancillary accommodation is also existing. An area of hardstanding for parking is located adjacent to the area in which the pods are sited.</p> <p>The topography of the lands fall gently from a northern to a southern direction, and from a western to eastern direction. The site is defined by existing and enhanced planting with internal boundary treatment, lighting and pathways.</p> <p>The surrounding lands of the site are defined by mainly agricultural lands with a number of dwellings located sporadically in the immediate vicinity.</p>	
<b>RELEVANT PLANNING HISTORY</b>	

Planning Reference: LA03/2024/0906/NMC

Development: Non-Material Change to Planning approval LA03/2020/0516/F (Proposed 6no. glamping pods and welcome/communal building with associated site works).

Location: 130m NW of 14 Ballydunmaul Road accessing onto Clonkeen Road, Randalstown

Decision: Application Withdrawn (23/06/2025)

Planning Reference: LA03/2023/0850/F

Development: Retrospective changes to previously approved glamping pod site under (LA03/2020/0516/F) to include change of pod type of 3no previously approved pods (Type N3-N5), change of type and location of previously approved communal building (Type N6), additional glamping pod with sauna and hot tub building (TYPE N1&N2) , Additional office and reception building (TYPE N7) with 3 no. storage cabins for ancillary use, All other landscaping and ancillary works within site curtilage.

Location: 130m NW of 14 Ballydunmaul Road accessing onto Clonkeen Road, Randalstown

Decision: Application Invalid (12/06/2024)

Planning Reference: LA03/2023/0582/DC

Development: Proposed 6no glamping pods and welcome/communal building (Discharge of Condition 6 from planning approval LA03/2020/0516/F regarding the submission of Newt Survey & Mitigation Report)

Location: 130m NW of 14 Ballydunmaul Road accessing onto Clonkeen Road, Randalstown

Decision: Condition Discharged (09.10.2023)

Planning Reference: LA03/2020/0516/F

Development: Proposed 6no glamping pods and welcome/communal building with associated siteworks.

Location: 130m NW of 14 Ballydunmaul Road accessing onto Clonkeen Road, Randalstown.

Decision: Permission Granted (28.07.2022)

## **PLANNING POLICY AND GUIDANCE**

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3<sup>rd</sup> July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will

also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

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

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SPG 1):** sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 2 – Employment (SP 2):** aims to encourage growth and investment to support enterprise and increase employment benefits. SP2 is supported by Policies:

- Policy DM 9 Tourism Development.

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking
- Policy DM 12 Active Travel (Walking and Cycling)
- Policy DM 15 Development Relying on Non-Mains Sewerage
- Policy DM 16 Telecommunication Facilities and Digital Services.

**Strategic Policy 6 - Placemaking and Good Design (SPG6):** sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SPG 6 is supported by relevant operational policies:

- Policy DM 27 Rural Design and Character
- Policy DM 28 Amenity Impact

**Strategic Policy 7 – Historic Environment (SPG7):** Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SPG 7 is supported by relevant operational policy:

- Policy DM 30 Archaeology

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.



- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 46 The Control of Development in Flood Plains
- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems
- Policy DM 49 Artificial Modification of Watercourses
- Policy DM 50 Pollution
- Policy DM 52 Contaminated Land

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

Antrim and Newtownabbey Borough Council Tourism Strategy 2017 - 2022

## CONSULTATION

**Council Environmental Health Section** – No objections subject to conditions.

**Northern Ireland Water** – No objection.

**Department for Infrastructure Roads**- No objection subject to conditions.

**Department for Communities Historic Environment Division** – No objection subject to conditions.

**Department for Infrastructure Rivers** – No objection.

**DAERA Water Management Unit** – No objection, subject to condition.

**DAERA Regulation Unit Land & Groundwater** – No objection.

**DAERA Natural Environment Division** – No objection.

**Shared Environmental Services** – Outstanding.

## REPRESENTATION

Eight (8) neighbouring properties were notified, and three (3) letters of objection and two hundred and nine (273) letters of support have been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Ownership concerns relating to the laneway, pillars to the end of the laneway, hedgerow and grass verges. Impact on site splays due to third party ownership;
- Ethos of the production of food on a local farm forming the basis of the previous approval was never realised;
- Clientele attracted to the site including hen and stag parties;
- Deviation from previous approval increasing level of vehicular activity;
- Previous history constituting a major application and thereby not legislatively correct;
- Lack of a licence to serve alcohol;
- Impact on residential amenity for noise and general disturbance light nuisance;
- Anti-social behaviour to include negative press links;
- Site area not accurate and should include additional lands;
- Lack of details on plans to include decking around communal area;
- Concerns regarding the proposed pods not complying with the Caravans Act;
- Increase in site occupancy;
- The developer has no valid fall back;
- Out of character with the existing rural area;
- Impact of illuminated signage;
- Impact on ecology and bats and impact from existing and proposed lighting;
- Accessibility and need for a car, subsequent impact on climate change;
- Concerns regarding compliance with the Councils Tourism Strategy;
- Impact of design changes from grasscrete pathway and car park on drainage, ecology and visual impact;
- Disposal of wastewater from hot tubs;

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

- Boost to the rural economy;
- Increase in tourists in the area;
- Promotion and support of existing rural business;
- Dedication to engagement with local community;
- Learning opportunities for local children through educational programs;
- Sustainable form of development;
- Job creation;
- No concerns regarding noise or general disturbance;
- Design and appearance reflective of the character of the area.

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Preliminary Matters
- Legislative Framework
- Plan, Policy and Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Natural Heritage
- Access, Movement and Parking
- Flooding, Groundwater and Drainage
- Archaeology and Built Heritage
- Other Matters

#### **Preliminary Matters**

A previous planning approval was granted on the application site under Ref: LA03/2020/0516/F. A number of objections have been received, raising concerns regarding the validity of the previous approval, specifically in relation to the site area and the threshold for what constitutes major development. Objectors contend that the previous proposal should have been classified as a major development due to the site area and therefore claim that the approval was not legislatively compliant, and that the developer does not benefit from a lawful fallback position. However, the previous approval (Ref: LA03/2020/0516/F) remains a valid planning permission. There has been no legal challenge to the decision, and as such, it continues to carry weight in the consideration of the current application.

Other concerns raised relate to ongoing operations at the site, as well as claims that the current proposal does not reflect the previous approval in terms of need, design, scale, and overall nature. It should be noted that the current application will be assessed on its own merits, with the planning history being a material consideration in the decision-making process. Concerns regarding ongoing operations on the site are not within the scope of this application and fall under the remit of the Council's Enforcement Section, including both the Planning and Environmental Health functions. These issues will not be addressed within this report.

### **Legislative Framework**

#### Pre-Application Notice

The application falls within the Major category as prescribed in the Development Management Regulations. Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult with the community in advance of submitting an application. Section 27 also requires that a prospective applicant, prior to submitting a Major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted.

A Proposal of Application Notice application (Ref: LA03/2024/0444/PAN) was submitted to the Council and was deemed to be acceptable on 25<sup>th</sup> June 2024. The Pre-Application Community Consultation Report (PACC) (Document 02) submitted has demonstrated that the applicant has carried out the consultation requirements set out in Section 27 of the Planning Act (NI) 2011.

#### Environmental Impact Assessment

As the development falls within Schedule 2, Category 2, 12 (c) Holiday villages and hotel complexes outside urban areas and associated developments of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether an application is or is not EIA development. An EIA Screening Determination was carried out and it was determined that the planning application does not require to be accompanied by an Environmental Statement.

#### Habitats Regulation Assessment

This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council. The Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in

accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service. This found that the project would not have any adverse effect on the integrity of any European site.

### **Plan, Policy and Principle of Development**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

The application site is located within the countryside as defined within the AAP. Strategic Policy SP1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. Likewise, Policy SP 2.15 permits the establishment of new or converted high quality tourism accommodation in appropriate locations where this will broaden the range of accommodation available and will exercise appropriate control over the development of holiday chalets, cabins careen and camping sites. Policy DM 9 of the ANPS governs tourist facilities and amenities and tourism accommodation.

Policy DM 9.6 of the ANPS specifically addresses proposals for self-catering chalets, holiday cabins and caravan and camping sites, the retention of glamping pods, communal building and welcome building falls within this category. Under Policy DM 9.6 such development is acceptable only if it meets one of four criteria: the proposal forms an extension to an existing tourism site; is associated physically with an existing hotel; will support an existing tourist attraction or recreation facility; or is situated within an established woodland area to be retained as part of the overall development.

A supporting statement (Document 11) was submitted as part of the application which claims compliance with both Policies DM 9.2 and DM 9.6 of the ANPS. Policy DM 9.2 deals with tourist amenities, attractions and recreational facilities, supporting documentation states that the proposal satisfies two of the stipulated criteria, that being physically associated with an existing tourist facility; and located on a suitable site where a specific locational need can be demonstrated. The supporting

documentation goes on to indicate that the pond (located within the application site) qualifies as a tourist facility and attraction. It is considered that 'the pond' in isolation does not constitute a tourist facility or attraction and consequently Policy 9.2 is not applicable to the current scheme as it relates to tourist amenities, attractions and recreational activities.

As indicated above Policy DM 9.6 of the ANPS indicates that self-catering chalets, holiday cabins and caravan and camping sites in the countryside subject to a number of policy criteria. Supporting documentation indicates that the proposal satisfies two of the criteria, that being that the proposal forms an extension to an existing tourism site; and will support an existing tourist attraction or recreation facility.

Since the pond does not qualify as a tourism attraction, only the first criterion remains potentially relevant, relating to the proposal forming an extension to an existing tourism site. The planning history of the site is an important material consideration, a previous approval (Ref: LA03/2020/0516/F) granted permission on 28<sup>th</sup> July 2022 for proposed 6no glamping pods and welcome/communal building with associated siteworks. The aforementioned planning permission therefore remains extant in relation to the time to commence development which exists until 27<sup>th</sup> July 2027. It is acknowledged there is a glamping pod facility currently in operation, and the applicant contends within Document 03 that the permission has been implemented. However, the current development as built departs from the previously approved plans and no Certificate of Lawful Development has been issued to indicate that the implementation complies with the original permission. Therefore, the present proposal cannot rely on the previous permission as evidence of an existing lawful tourism site. It fails to demonstrate that it qualifies as an extension under Policy DM 9.6.

In addition, Policy DM 9.9 of the ANPS deals with Major Tourism Development, the Policy does not define any thresholds for what constitutes a major application, however, 'The Planning (Development Management) Regulations (Northern Ireland) 2015 defines for use specified that the exceedance of 1 hectare is a major application. Policy DM 9.9 indicates that the Council will support a major tourism development that requires a countryside location due to its size or site-specific functional requirements, where it is demonstrated that it will be of exceptional benefit to the Borough's tourism industry and will deliver local sustainability benefits. Document 03 provides a summary of the economic benefits of the proposal; it is highlighted that the proposal represents a significant financial investment of approximately £500k in this tourist facility with 95 per cent of this financial investment spent with contractors and suppliers within Northern Ireland. It is also indicated that the turnover in the first year of operation was £440,000, part of which was reinvested in enhancing the facility and used to subsidise the agricultural operations. The applicants contend that the healthy turnover figures help to indicate the demand at this location. It is also highlighted that the applicants prioritise local contractors and suppliers in carrying out development on site and the proposal has created direct employment with 16 local employees – 1 full time and 15 part time with indirect employment with suppliers, service providers and contractors including additional part time staff at two separate laundries. Document 03 goes on to state that the facility has attracted 3,488 guests within its first year of operation and has created a tourist hub in an accessible rural location which has been underdeveloped for tourist activity. It is also indicated that the facility also generates rates income for both the

local council and the NI Executive and tax, PAYE, VAT revenues for central government.

It is accepted that the proposal attracts a high turnover of guests and consequently a significant financial turnover, however, the supporting information lacks clarity on how the proposal contributes an exceptional benefit to the Borough's tourism industry and how it will deliver local sustainability benefits. Furthermore, Policy DM 9.10 requires satisfactory information to be submitted for proposals in the countryside to demonstrate a robust business case for the development and a demonstration as to the extent the proposal will promote a sustainable form of development and complement the Council's Tourism Strategy. Letters of objection raise concerns that the proposal does not accord with the Council's Tourism Strategy. Letters of support highlight that the existing operations have increased tourists in the area, provided job opportunities, promoted and supported existing rural business and a boost to the rural economy. In addition, letters of support have also indicated the applicants willingness to engage with the local community and provide learning opportunities for local children through the educational programme held at the site.

However, the supporting information does not demonstrate how the proposal would deliver an exceptional benefit to the Borough's tourism industry, has not provided a robust tourism case for the development and does not detail the extent to which the proposal will complement the Council's Tourism Strategy. It is concluded that overall, the proposal fails the provisions of Policies DM 9.2, DM 9.6 DM 9.9 and DM 9.10.

In addition to the above, Document 03 argues that the proposal also presents farm diversification and notes that the applicants are significant farmers in the area, farming nearly 1000 acres, with 600 cattle and 1,500 sheep. It is indicated that the diversification of Cotter's Park from a traditional farming enterprise into a thriving glamping enterprise has bolstered the farm's economic sustainability. Income generated from the glamping site has facilitated re-investment into both the farm and the surrounding environment. These funds have been instrumental in offsetting any biodiversity impacts through initiatives such as the installation of owl, bird and bat nesting boxes, as well as enhancing hedgerows to support local wildlife. Document 03 goes on to state that the availability of on-site luxury accommodation has provided a unique opportunity to host farm visitors, including potential customers attending on-farm sales events. It adds that the symbiotic relationship between tourism and traditional agriculture has strengthened the farm's resilience and reinforced its commitment to environmental stewardship and rural development. Policy DM 5 addresses farm diversification schemes, where they are to be run in conjunction with existing agricultural operations, notwithstanding the above, the detail falls short of indicating how the proposal is run in conjunction with the existing farm operations. It is not disputed that the applicants have an active and established farm business, however, Policy DM 5 firstly supports the reuse or readaptation of existing buildings which is not the case in this instance. Exceptionally new buildings will be permitted where there are no existing buildings available and where this is accepted new buildings should be sited to cluster with the existing farm group or justification provided for a suitable alternative location. No exceptional reasons have been provided for either the need for new buildings or the off-site location. It is therefore considered that the proposal does not fulfil the requirements of Policy DM 5.

Notwithstanding this as indicated above a previous approval (Ref: LA03/2020/0516/F) remains extant on the site. The previous permission remains within the time parameters to commence development (27<sup>th</sup> July 2027) and there is nothing to suggest that there is no prospect of implementation, therefore the previous permission represents a valid fall back for the applicant. Thereby the applicant could enact the permission resulting in the development type proposed, that being self-catering chalets and holiday cabins at this location, although it would be of a different scale, layout and design. It is considered that the principle of development is acceptable given that the applicants have a valid fallback position subject to all other policy and environmental considerations being met.

### **Design, Layout and Appearance**

The SPPS indicates that applications for tourism development will be assessed in accordance with normal planning criteria, including design to ensure a high-quality form of development and nature, scale and design shall be appropriate to the site context. Policy DM 27 of ANPS addresses rural design and character with new buildings required to demonstrate high quality design. In addition, Policy DM 9.7 requires that for caravan, cabin or chalet proposals in the rural area visual impacts will be important considerations, whilst Policy DM 9.10 reiterates DM 27 requiring any proposal to be of a high-quality design. A number of objections have been received, raising concerns over the design of the proposed development. These largely relate to the proposal not being in keeping with the surrounding rural area and being insufficiently screened. Letters of support highlight that the design and overall appearance is sympathetic to the site and surrounding area and completed in a sustainable manner.

As indicated a previous approval was granted on site (Ref: LA03/2020/0516/F) for 6 glamping pods and welcome/communal building with associated siteworks, however, as indicated above the implementation on the site deviates from the approved permission. The current application therefore has a number of different elements from that which was previously approved.

The application site area is now larger with an increase in the site curtilage, the proposal includes the addition of; one new glamping pod and a communal building, the relocation and amendments to the office/reception building and three additional storage cabins. The proposal also includes changes to the design of three of the pods, together with the installation of two saunas and 3No. pergolas, hot tubs, additional landscaping, lighting, ancillary furniture, wooden benches with fire pits which are located around the site. Drawing No. 02 provides a site layout which is broadly similar to that which was previously approved in so far as the cabins are located around the periphery of the lake with a new communal building erected within the centre of the lake.

Access to the site is achieved via an existing laneway accessing onto the Clonkeen Road, the parking area has been extended to the southwest of the approved parking area. There is a new entrance from the car park to the glamping site, which is located approximately 1.3m northeast of the approved location, with a new wooden pergola and signage. Adjacent to the car park area there is a pod known as N7 utilised as an office together with three mobile containers providing ancillary storage facilities and staff facilities.

As you enter the site immediately to the northeast of the entrance, there are two pods' referred to as N1 and N2 on Drawing 02. N1 measures approximately 14sqm with a height of approximately 2.3 metres. N2 is a sauna with semi-enclosed seating area measuring 5sqm with a height of 2.2 metres. A pathway around the circumference of the lake leads to pod E3 which is located to the southeast, pod E3 provides accommodation of 34sqm of floorspace inclusive of a mezzanine bed area, this pod has a sloping roof with a maximum height of approximately 4.2 metres. This pod type has an external veranda to the front and side of the pod. Pods E1 and E2 are the same pod type with the same dimensions as pod E3 and are located west of the lake. To the south of the lake another pod type referred to as pod N5 is located. This pod is a Dutch cabin style providing 29sqm of floorspace with another replica of this pod referred to as N4 located to the northwest of the lake. The remaining pod is located immediately adjacent to the water's edge, N3 provides 30sqm of floorspace inclusive of a mezzanine sleeping area with a maximum height of 3.2 metres with a curved roof.

As indicated above the proposal also includes a communal building which is located on an island in the lake with access achieved via a bridge. The communal building is a curved building and is referred to as pod N6. The pod has a height of 2.4 metres providing a footprint of 42sqm with informal seating areas, a small kitchen area and a stove.

Each of the glamping pods now has individual hot tubs and there are 2 No. saunas on the site, one located adjacent to the entrance to the glamping pod site and one adjacent to the pond which extends onto the water on a wooden jetty structure. There is an additional timber jetty with composite decking and a general communal EC block. In addition, there are a number of pergolas and swing sets with a beach area adjacent to the pond, additional landscaping, lighting, ancillary furniture, wooden benches with fire pits etc which are located around the site. A package treatment plant and NIE outbuilding and backup generator area are also provided as part of the development.

Access around the glamping site is pedestrian only via a raised deck formed with galvanised steel framing with natural timber railway sleepers. All pods and the communal building have external walls finished in natural timber panels, or composite timber effect cladding with a zinc roof membrane or tin cladding.

Policy DM 9.7 indicates that with this type of development, that being, holiday chalets and cabins that the inclusion of touring caravans and tents should be encouraged, the proposal and layout does not include provision for either, however, the proposal does provide a mix of pods for differing occupancies and it is considered the lack of caravan or tent provision is not fatal to the acceptability of the proposal.

Overall it is considered that the design and layout of the site is typical of a glamping site with the design of the pods and materials being of a high-quality design and appearance.

#### **Impact on Character and Appearance of the Area**

Policy SP 6 recognises the importance of placemaking and good design with all proposals expected to respond to and enhance local character, Policy DM 25



expands on rural character and requires all proposals to integrate into the surrounding landscape without relying on substantial new landscaping or significant earthworks. DM 9.10 requires that the nature of the development will allow for its integration into the receiving environment with DM 9.7 requiring proposals to demonstrate what landscaping measures will be put in place to assist in integrating the development into its rural setting. In addition, a concern from a third party was raised regarding the impact on rural character and integration.

Drawing No. 02 provides a detailed breakdown of existing and proposed landscaping, which includes native species planting along site boundaries, with existing boundary vegetation to be augmented where necessary. The proposal also incorporates the planting of sporadically positioned trees along the site edges and native reed clusters adjacent to the water's edge. Accordingly, should planning permission be granted, it is recommended that a carefully worded condition be attached to the grant of permission to ensure that landscaping is carried out and maintained in full accordance with Drawing No. 02.

The site is surrounded primarily by agricultural land, with a scattering of detached dwellings to the north and west. Given the high levels of existing and proposed vegetation around the site, it is considered that the development would not result in any significant alteration to the character of the area. The informal layout of the proposed pods avoids excessive clustering of new buildings, thereby helping to preserve the rural character of the area.

Some objections have raised concerns about the development's compatibility with the character of the area. While long distance views of the site are possible from elevated positions along Clonkeen Road and from Ballydunmaul Road to the east, these views are limited. Due to the extent of integration through vegetation and topography, the development is perceived as being naturally absorbed into the rural landscape. The one notable exception is a critical view from Ballydunmaul Road, where pod E3 is visible. However, it is important to note that the test for integration does not require invisibility. From this viewpoint, the development is not a prominent feature and will still integrate into the landscape.

The natural topography, landscaping proposals, and use of sympathetic, natural materials contribute to the proposal's successful integration into the surrounding environment and therefore complies with the SPPS and Policies DM 9.7 and 9.10.

### **Neighbour Amenity**

The SPPS indicates that the planning system has a role to play in minimising potential adverse impacts such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. Policy DM 28 of the ANPS highlights that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. Whilst Policy DM 50 of the ANPS indicates that the Council will only support development proposals with the potential to cause significant noise pollution provided that a Noise Assessment has concluded that the proposal will not have an unacceptable adverse impact on local amenity.

As indicated above a number of residential properties are located to the west, north and east of the site. Letters of objection have raised concerns regarding noise and

general disturbance and light nuisance emanating from the site with particular reference to the large groupings and clientele attracted to the site. In addition, the Council's Environmental Health Section (EHS) has confirmed that EHS has previously received complaints of noise, mainly music and party type noise as well as artificial light trespass from the development. In addition, concerns were raised regarding the increase in site capacity from 12 guests to what appears to be 32 guests, however, the Noise Management Plan confirms that the development has a maximum capacity of 31 guests daily. It is acknowledged that the proposal increases the overall guest capacity however the Noise Impact Assessment is based on a capacity of 31 guests.

### Noise

The applicant has submitted a Noise Impact Assessment (NIA) (Document Number 06) which includes a Noise Management Plan (NMP) in support of the application. The NIA indicates that noise monitoring was undertaken on site from Thursday 8<sup>th</sup> to Tuesday 13<sup>th</sup> August 2024, while the site was in operation. EHS noted that the initial NIA lacked information regarding the number of guests on the site during this monitoring period. EHS also noted that the report states that the monitoring equipment was set to automatically record 1 minute of audio if the sound level exceeded 70dBA and that although there were multiple triggers, there was no evidence of people's voices, music or other sound generated in the glamping site. The report presents a daytime background sound level of 38dB LA90 and a nighttime background sound level of 35dB LA90. The NIA predicts the impact of the development at nearby sensitive receptors within Tables 3, 4 and 5 based on the level of raised male voices (70dBA at 1m).

The NMP seeks to regulate the activities on the site to prevent adverse effects on existing residential amenity. The NMP indicates that small loudspeakers can be used externally up until 10:30pm and goes on to predict the level of impact at nearby sensitive receptors. The report assesses music coming from a bluetooth type small loudspeaker at 10dB more than voices. The impact at nearby residential properties is predicted to be above the background sound level in the area for daytime hours, however, it is noted to meet WHO and BS8233:2014 guidelines for external amenity. EHS have indicated that there is no form of control detailed within the NIA or the NMP for loud music played by guests using external speakers during daytime hours.

The NMP refers to quiet hours and control measures during the period of 10:30pm to 7am, which include no amplified music to be played outside of the cabins or the welcome/communal building; no live entertainment is permitted e.g. DJ's, bands or any person/persons playing music through amplified speakers. However, EHS also sought clarification in relation to whether the operator intends to allow such activities during daytime hours up to 10:30pm. EHS go on to comment that the NMP refers to a 'Minut' noise monitoring device having been installed on site at the communal building and that levels are monitored and recorded. It is understood that 'Minut' technology is designed specifically for rental properties as it can track sound, motion and temperature with the system providing an alert if it detects excessive noise and/or overcrowding within the property. However, the NMP falls short on what the action level is for the site operator to control excessive noise and prevent noise disturbance to nearby residential properties.

Following EHS's request for additional information and clarification in relation to the above, further supporting information was provided (Document Number 09) which refers to the NMP being the applicant's main method of controlling any noise from the development. EHS note that Document 09 indicates that many sounds may be greater than the background level giving examples such as cattle, passing farm machinery and aircraft noise. However, these are sounds typically associated with the area whereas music playing at various levels is not typically associated with the area and more likely to attract complaints. Document 09 clarifies that music is permissible during the daytime but is limited to small devices such as a radio or combination radio/CD player/USB/flash drive player and that these devices are small and for personal use in a small group setting within the curtilage of an individual pod.

Further supporting information was provided in relation to noise (Document Number 12) which indicates the trigger threshold for the Minut system is 70dB during the day and 65dB during the late evening and night. It is noted that the applicant has indicated that they will accommodate hen parties at the site, however, no stag parties are to be permitted.

#### Artificial Light

The applicant has submitted a site lighting plan to include lux calculations (Drawing No 05) and a site lighting plan with false colours (Drawing No 06) in support of the application. In addition, EHS note that Section 4.1 of Document Number 01 advised that the existing pathway 'festive' lighting was replaced with red lights bulbs in January 2025. EHS noted a number of discrepancies in the lighting plan, noting that the information submitted has not determined an Environmental Zone for the area outlined within Table 2 of the Institution of Lighting Professionals (ILP) Guidance Note 01/21 on The Reduction of Obtrusive Light. There has been no assessment of the pre-curfew and post-curfew vertical light intrusion (vertical illuminance in lux) limits into windows of nearby dwellings from the proposed development been identified referencing Table 3 of the Institution of Lighting Professionals (ILP) Guidance Note 01/21. In addition, EHS noted that the presentation of the modelling shown around the communal building on the island appears to differ from that used elsewhere around other light sources on the site.

EHS go on to indicate that a Light Impact Assessment may be required in order to demonstrate that nearby sensitive receptors can be protected against any adverse impacts arising from artificial lighting associated with the proposed development. In the absence of such an assessment, Environmental Health would seek to condition the artificial lighting at the proposed development to that of Environmental Zone E1 (2 lx pre-curfew and 0.1 lx post curfew) at any nearby sensitive receptor. If the applicant does not agree with such a condition, then an artificial lighting impact assessment is requested following the guidance detailed above. No further information was received from the applicant/agent in this regard and as such EHS has recommended a condition to control the level of artificial light illuminance.

In conclusion having reviewed the information submitted EHS are satisfied that the proposed development can operate without adverse impact upon amenity at nearby sensitive receptors subject to the specified conditions.

#### **Natural Heritage**

Policy SP 8 of the ANPS indicates that the Council will work in partnership with DAERA, environmental organisations and developers to protect, conserve and promote the

enhancement and restoration of the diversity of the Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. Policy SP 8.3 requires appropriate weight to be afforded to the protection of designated sites, protected species and priority habitats and species together with other features of biodiversity and geological interest within the wider environment. Policy SP 8 is supported by Policies DM 37 – DM 39 and DM 42 of the ANPS. In addition, Policy DM 9.10 requires proposals to safeguard and enhance natural heritage assets.

Letters of objection raised concerns regarding the impact on ecology and in particular bats from the proposal and associated lighting. The application included supporting documentation to address natural heritage concerns, including a Ecological Impact Assessment (EclA) (Document 07) and a Newt Report (Document 05). Letters of objection raised issues regarding the potential impact of the proposal on ecology and nature conservation. Consultation was carried out with both DAERA's Natural Environment Division (NED) and Shared Environmental Service (SES).

NED acknowledge that the application site has been subject to a previous planning application Ref:LA03/2020/0516/F. NED go on to comment that the application site consists primarily of a large, semi-natural groundwater (spring-fed) pond, augmented approximately 20 years ago, and noted by the ecologist to have retained a semi-natural condition with large areas of emergent and marginal vegetation and aquatic flora and fauna.

#### Designated Sites

The application site is not situated within any nationally or internationally designated sites, it is however hydrologically linked to Lough Neagh & Lough Beg Ramsar, which is designated under the Convention on Wetlands of International Importance, Lough Neagh & Lough Beg Ramsar; Lough Neagh & Lough Beg SPA and Rea's Wood & Farr's Bay SAC, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); Lough Neagh ASSI, which is declared under the Environment Order (Northern Ireland) 2002. Shared Environmental Services (SES) has been consulted with regard to the impact on Designated Sites and has considered the impacts of the proposal and are content that there will be no likely significant impact on any designated site subject to conditions. As indicated above the Council has accepted the Habitats Regulation Assessment as carried out by SES.

#### Protected Species

NED acknowledge that the ecologist had previously completed surveying of the application site in relation the previously noted planning application (Ref:LA03/2020/0516/F). They note that the lighting proposals assessed in relation to the previous application were not strictly adhered to and consider it likely that the use of artificial lighting on site, deviating from what was proposed on the previous grant of permission, is likely to have resulted in a decrease in bat activity as observed by the ecologist.

NED are content that amended lighting proposals that have been submitted and considered by the ecologist are acceptable. NED are also content with the proposed lighting plans and predicted lightspill, as depicted on (Drawings No.05 and No.06) and consider that assuming the lighting proposals are adhered to, the artificial lighting from the proposal is unlikely to pose a significant impact to bats given the

retention of dark corridors to and from the pond, and lack of lightspill on boundary foraging and commuting resources.

The proposals made to enhance the existing pond and surrounding habitat will aid in maintaining and enhancing the biodiversity value of the site to protected/priority species, including bats.

NED go on to indicate that from previous surveying undertaken in 2021, that 2 adult newts were observed in the pond on site, however, no evidence of breeding, or field evidence to suggest breeding behaviour, was observed at that time. No newts were observed during surveying undertaken in 2023 (Document No.05), with the ecologist noting that a local breeding population had not become established. NED acknowledge and welcome the recommendations made by the ecologist regarding newts where it is indicated that patrons will be encouraged to avoid disturbing the pond and marginal vegetation during the breeding season (March-June), particularly at night. It is also indicated that the proposed replacement lighting scheme, required primarily for bats, will also be beneficial for breeding newts. Any further development works within the pond or on the banksides, including any retrospective changes to the development as built, should take place outside the newt breeding season and that it is recommended that breeding population of newts in the pond is monitored in the coming years.

#### Priority Habitats

NED do not make any reference to priority habitats in their consultation response; however, it is noted that hedgerows defining the site qualify as Northern Ireland Priority Habitat and provide important shelter and foraging areas for bats, birds, and other wildlife. Their removal would negatively affect the overall biodiversity of the area. However, as indicated above Drawing No 02 all existing trees and hedgerows will be retained and supplemented where necessary. Additionally new landscaping in the form of native species trees and hedgerow is proposed. The proposed and existing planting will maintain existing and create new foraging and resting sites for birds and create new foraging habitats for bats.

#### Water Contamination

Policy DM 50 of the ANPS indicates that the Council will not support development proposals which have the potential to cause significant pollution, including water pollution. As indicated above the proposal includes 7 hot tubs with 5 areas for hot tub emptying annotated on Drawing No 02. Consultation was carried out with DAERA Water Management Unit (WMU) which notes the drainage information provided on the application form where the proposal is for foul sewage to be disposed of to a sewage treatment plant. The treatment plant and sub surface irrigation are indicated on Drawing No 02, WMU Water Management Unit has records of issuing Consent to Discharge sewage effluent at the site; the consent number is TC 070/24\_1 (CN 1930/24/1). However, WMU note that the applicant should be aware that this consent may need to be reviewed if any aspect of the consent is altered as a result of additional development (i.e. the sewage treatment plan / soakaway / discharge point is moved to accommodate any new development, there is an increase in the volume of effluent discharged or to reflect a change in the ownership of the consented premises.

WMU notes that hot tub water will be disposed of by land spreading and should there be the intention to dispose of hot tub water via discharge to the water environment (e.g. to a pond or waterway) then the wastewater will require adequate treatment prior to discharge. Drawing No. 02 indicates the locations of the 5 areas for bandspreading which is to ensure the tanks are emptied onto different portions of land to prevent any accumulation of water on the surface. It is also indicated that prior to the emptying of the hot tubs, the water will be left to cool and dechlorinated. If the applicant ever proposes to amend the discharge into soakaways or waterways then a Consent to Discharge will be required from NIEA which is consented under a separate regulatory regime from planning. Concerns were raised regarding the land identified for the emptying of the hot tubs not being within the red line of the application site, however, the spreading of wastewater is not development and is within the ownership or control of the applicant and is therefore considered to be an acceptable outlet.

#### Land Contamination

Policies DM 50 and DM 52 of the ANPS both require consideration to be given to the potential of any proposal to cause land pollution or contamination. Consultation was carried out with both the Councils EHS and DAERA Regulation Unit (LGWRU) who have raised no issues in this regard.

#### **Access, Movement and Parking**

Policies SP 3.10 and DM 10 states that access arrangements must not prejudice road safety or significantly inconvenience the flow of traffic and that the development proposal will provide adequate parking provision. In this case the proposal would be served by an existing shared laneway which accesses onto the Clonkeen Road. The proposal includes a car parking area for up to 12 cars including a designated EV charging station.

Although the Council has adopted its Plan Strategy it has retained the parking requirements in the Departments Parking Standards document with 'Caravan/camping Sites' setting out the applicable thresholds. It is indicated that there should be one space per every 3 staff and 1 space for every 10 pitches (adjacent to the site office) and 1 space per pitch. It is considered likely that all patrons will travel by car to the facility and 1 space per pitch is appropriate with 1 space for staff requiring a total of 8 spaces. A total of 12 spaces are provided which is considered appropriate to accommodate any deliveries, maintenance vehicles or visitor cars. Although this reference made in the Design and Access Statement to cycle provision, there are no dedicated cycle store, however, it is accepted that bicycles could be accommodated within the site adjacent to the individual pods.

Concerns were raised regarding the increase in capacity and the details on the application form being inaccurate regarding the increase of traffic to the site and consequently the impact of additional traffic increasing the level of disturbance. Concerns were also raised regarding the reliance on the car and impact on climate change and the reduction of emissions. It is accepted that there will be an increase in the level of patrons attending the site, however, the traffic figures are not considered significant to impact upon the surrounding road network. The proposed development is not considered to be of a scale that would have any significant climate change effects.

DfI Roads was consulted in relation to the proposal and responded stating it has no objections to the proposal subject to conditions for the provision of adequate sightlines onto the Ballydunmaul Road as per Drawing No. 03, and the parking to be laid out as per Drawing No. 02. Therefore, it is considered that the access to the site and parking layout for the subject development is considered acceptable.

Concerns were raised regarding the ownership of third parties lands in particular the laneway and lands required for the sight splays. If planning permission is forthcoming a condition will be imposed requiring adequate sight splays to be provided within a stipulated time period. If third party lands are required in order to achieve the sight lines and the developer cannot fulfil the condition then enforcement may be taken to ensure compliance or alternatively cease the operation of the facility.

### **Flooding, Groundwater and Drainage**

Policy SP 10 recognises the need to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on the natural and built environment while SP 10.2 states that there will be a strong presumption against development proposals in floodplains. SP 10.3 requires the submission of a Drainage Assessment and promotes the use of Sustainable Urban Drainage Systems which is supported by Policy DM 47.

There are no designated or undesignated watercourses traversing the site, with the nearest watercourse being an undesignated stream which is located 165 metres west of the application site. DfI flooding maps indicates that the site is not affected by any fluvial flooding, although the site is partially affected by some pluvial (surface water) flooding. The site does not affect existing flood defence, does not propose any culverting of watercourses nor is it located within an area which is at risk from reservoir inundation.

The application site extends to some 1.33 hectares which means that the applicant has had to provide a Drainage Assessment in order to comply with Policy DM 47. The DA (Document 04) indicates that the surface water discharge for the car park area will discharge into the pond via a hydro brake which will have a controlled flow rate of 1.6 l/s. The surface water from the communal building will also discharge into the pond at greenfield runoff rate while the remaining glamping pods will discharge via individual soakaways. DfI Rivers were consulted with the DA and the Schedule 6 (Document 11) for discharging into the pond and have indicated that they are satisfied with the drainage proposals provided that the applicant has confirmation from the landowner that the applicant can discharge into the pond at the stated rate. The applicant is the owner of the pond and there is no need for further consultation with DfI Rivers on this matter.

### **Archaeology and Built Heritage**

The SPPS and Policy SP 7 of the ANPS requires that all proposals protect, conserve and promote the enhancement of the historic environment. It is noted that there are no listed buildings or protected parks or gardens within the vicinity of the site and the application site is not located within a designated area. Policy DM 30 deals with archaeology, consultation was carried out with Historic Environment Division Historic Monuments (HED-HM) which raised no objections to the development.

## **Other Matters**

### Caravans Act

Further concerns have been raised regarding the proposed pods, specifically that they do not comply with the size and construction requirements set out under the Caravans Act (NI) 1963. As outlined above, the current proposal is being assessed against the policy provisions of the ANPS, which supersedes Planning Policy Statement 16 (PPS 16).

The previous approval was granted under the context of Policy TSM 6 of PPS 16, which related to holiday parks. Under PPS 16, a holiday park is defined as a caravan site licensed under the Caravans Act (NI) 1963. This may include static caravans, holiday chalets or cabins, pitches for touring caravans, motorhomes, and tents. The Caravans Act sets out specific size and construction criteria that holiday chalets or cabins must meet in order to be classified as caravans. However, the relevant tourism policies within the ANPS do not make any reference to size or construction requirements for holiday cabins or chalets. As such, the provisions of the Caravans Act are not directly applicable to the assessment of the current proposal under the ANPS policy framework.

### **Site Extent**

Concerns were raised by a third party that the site area should measure 1.8 hectares to include land used to the northwest of the site for grazing animals as part of the site attraction. The subject application site extends to some 1.33 hectares which includes all the lands required for the development proposed. Lands utilised as a paddock for livestock grazing do not need to be included within the red line of the application site. It is normal practice for Environmental Surveys to go beyond the scope of the application site.

### Licensing

EHS note that the applicant should be aware that the proposal may require a site licence under the Caravans Act (NI) 1963. The legislation lays down standards for the conditions and facilities to be provided on sites. It is recommended that the applicant liaise with the Licensing Team within the Environmental Health Section of the Council to ensure compliance with the legislation. No live entertainment is permitted on site without an Entertainment Licence issued by the Council. The applicant is requested to contact the Licensing Team in Environmental Health for further guidance and to ensure compliance with the relevant legislation.

Letters of objection raised concerns regarding alcohol being sold on the premises, it should be noted that a licence to serve alcohol is dealt with under a separate regulatory regime which sits outside the planning framework. There is no part of the subject application which seeks permission to sell alcohol at the premises.

Other concerns raised relate to the level of illuminated signage and the impact on the rural area. A separate Advertisement Consent is required for any signage located at the site, the current proposal does not take into consideration any proposed signage. If planning permission is forthcoming an informative to this effect will be included.

## **CONCLUSION**

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



- The principle of the development is acceptable;
- The visual impact on character and appearance of the area is considered acceptable;
- The impact on neighbour amenity is considered not to be so significant as to warrant refusal of the application;
- There are no natural heritage concerns with regard to the proposal;
- There are no significant concerns in relation to access, movement or parking;
- There are no flood risk or drainage concerns associated with this development;
- There are no significant concerns in relation to archaeology or built heritage.

#### **RECOMMENDATION**

#### **GRANT PLANNING PERMISSION**

#### **PROPOSED CONDITIONS**

1. This decision is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The glamping pods hereby permitted shall be used only for holiday accommodation and shall not be used as permanent residences.

Reason: The site is located within the countryside where it is the objective of policy to restrict development and this permission is solely granted because of its proposed tourism/holiday use.

3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03 bearing date stamped 5<sup>th</sup> February 2025, within six 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.

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

4. The gradient(s) 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.

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

5. All hard surfaced areas shall be constructed and permanently marked within 6 weeks of the date of this permission, in accordance with the approved drawing No. 02 date stamped 5<sup>th</sup> February 2025 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.

6. The development shall operate in accordance with the Noise Management Plan submitted as Appendix D of Document Number 06, date-stamped 14<sup>th</sup> February 2025.

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

7. All doors and windows to the communal building marked N6 on Drawing Number 02 date stamped 5<sup>th</sup> February 2025 shall be kept in the closed position during the hours of 23:00 to 07:00 when any music is being played.

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

8. The backup generator, shown on Drawing Number 02, date-stamped 5<sup>th</sup> February 2022 shall be used for emergency use and testing only.

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

9. The site shall be subject to a maximum of 31 guests on site during the hours of 23:00 to 07:00.

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

10. No amplified music or other forms of musical entertainment shall be provided or played externally within the site at any time.

Reason: In order to preserve amenity at near-by residential dwellings.

11. Light intrusion from the development into windows at nearby sensitive properties shall not exceed 2 Ev (lux) on anytime between 07:00 and 23:00hrs and 0.1 Ev (lux) between the hours of 23:00 and 07:00.

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

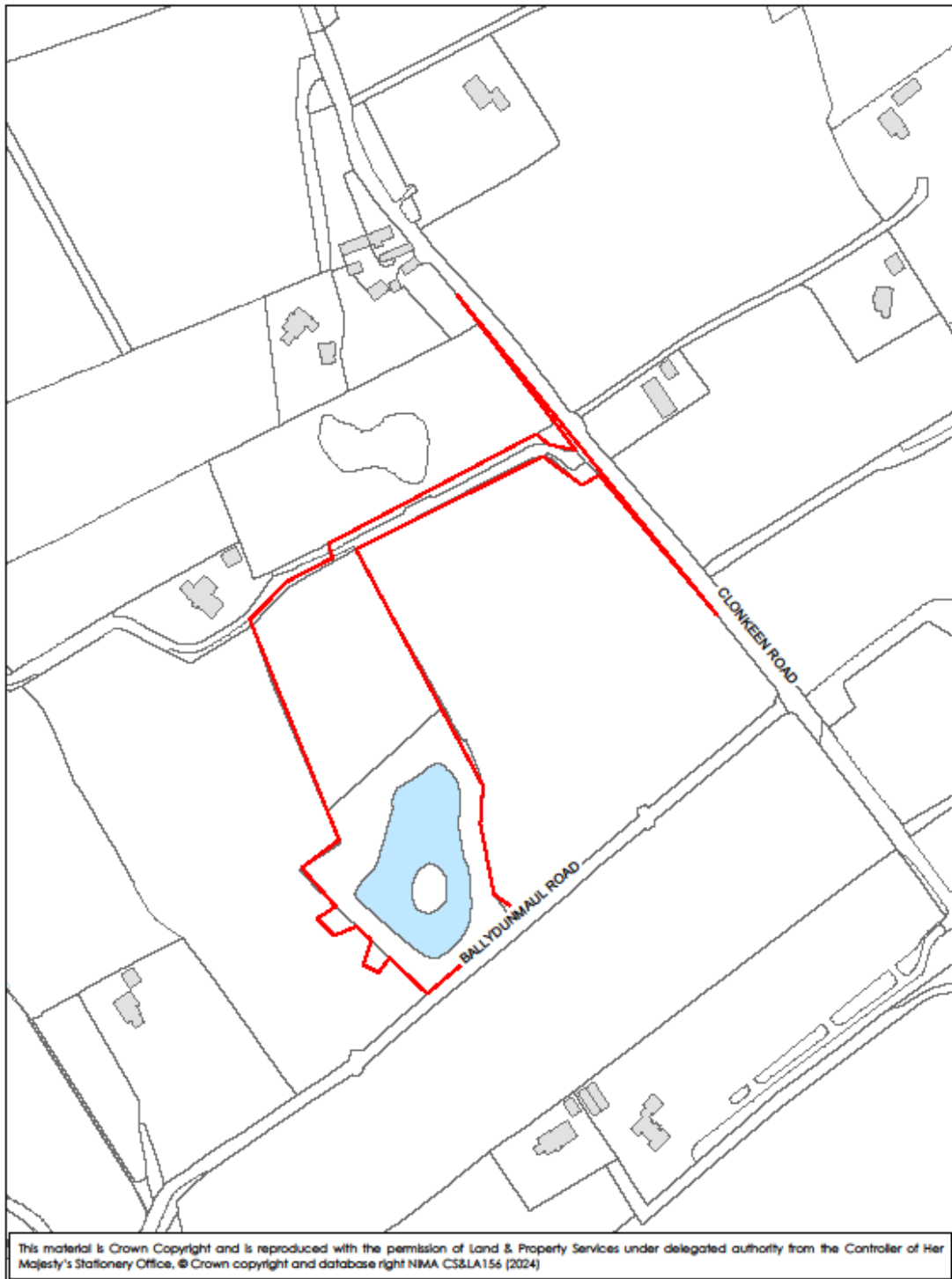
12. The proposed landscaping indicated on Drawing No. 02 date stamped 5<sup>th</sup> February 2025 shall be carried out in full within the first planting season from the date of this permission. If any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

13. The existing natural screenings within lands owned by the applicant (as indicated by the red and blue lands) as shown on approved drawings 01 date stamped received 05 February 2025 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for

compensatory planting shall be given to the Council in writing prior to their removal. Existing hedging shall be retained at a minimum height of 2m and existing trees as shown retained at a minimum height of 4m. If any retained tree or vegetation is removed, uprooted or destroyed or dies it shall be replaced within the next planting season by another tree, trees or vegetation in the same location of a species and size as specified by the Council.

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




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### Site Location Plan

1:2,500

Reference: LA03/2025/0085/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.2</b>
<b>APPLICATION NO</b>	<b>LA03/2024/0807/F</b>
<b>DEA</b>	<b>ANTRIM</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Erection of 39 no. dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Niblock Road.
<b>SITE/LOCATION</b>	Lands bound by Ballymena Road and Niblock Road and approx. 210 metres SE of No. 105 Ballymena Road, Antrim.
<b>APPLICANT</b>	Toland House Properties Ltd.
<b>AGENT</b>	Turley
<b>LAST SITE VISIT</b>	26th November 2024
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>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 : <a href="https://planningregister.planningsystemni.gov.uk/application/693989">https://planningregister.planningsystemni.gov.uk/application/693989</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on lands approximately 210 metres southeast of No. 105 Ballymena Road, Antrim. The site is bound by the Niblock Road to the southeast and the Ballymena Road to the southwest. The site lies within the development limits of Antrim Town on land zoned as 'Residential Land - Phase 2' as defined by the Antrim Area Plan 1984-2001.</p> <p>The site consists presently of part of a larger undeveloped agricultural land parcel made up mostly of grassland. The topography of the site falls gently in a southerly direction towards the Ballymena Road.</p> <p>The site is surrounded to the southeast by existing residential development, namely the large Meadow Lands development. The Junction and the Tesco Distribution Centre are located beyond the Ballymena Road to the southwest. Lands beyond the site to the north are characterised mostly by agricultural fields.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning reference: LA03/2022/1056/CLOPUD  Proposal: Proposed Completion of four dwellings comprising Plots 106,107,108 and 109 in accordance with commencement of planning permission T/2007/0908/F.  Location: Lands bound by Ballymena Road and Niblock Road and including Nos 91-93 Ballymena Road, Antrim  Decision: Application Certified – 16th June 2023</p> <p>Planning reference: T/2009/0635/F  Proposal: Revisions to previously approved application T/2007/0908/F to provide a residential development of 260 units comprising of 97 dwellings (detached, semidetached &amp; townhouses) &amp; 163 apartments with associated parking, public</p>	

square, open space, landscaping, signalisation of Niblock/Ballymena Road junction to include pedestrian crossing and associated site and access works.

Location: Lands bound by Ballymena and Niblock Road and including Nos 91-93 Ballymena Road, Antrim

Decision: Permission Granted – 23rd April 2010

Planning reference: T/2007/0908/F

Proposal: Proposed development of 260 units including a mix of detached, semi-detached, townhouses, apartments and duplexes, basement parking, a public square, open space, landscaping, signalisation of Niblock/Ballymena Road junction to include pedestrian crossing and associated site and access works.

Location: Lands bound by Ballymena Road and Niblock Road and including Nos 91-93 Ballymena Road, Antrim

Decision: Permission Granted – 3rd September 2009

Planning reference: T/2005/0756/O

Proposal: Site of residential development and associated site works with access off Niblock Road.

Location: Site off Niblock Road, Antrim to rear of 91 and 93 Ballymena Road, Antrim

Decision: Approved at Appeal 4th December 2006

## **PLANNING POLICY AND GUIDANCE**

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts, Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 - 2001: The application site is located within the settlement limits of Antrim on lands zoned within Plan and Residential Lands -Phase 2.

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.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1):** sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 – Access and Parking;
- Policy DM 12- Active Travel (Walking and Cycling)
- Policy DM 14 Public Utilities

**Strategic Policy 4 - Homes (SP 4):** sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 17 – Homes in Settlements
- Policy DM 24 – Community Facilities

**Strategic Policy 6 - Placemaking and Good Design (SP6):** sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25 – Urban Design
- Policy DM 28 - Amenity Impact

**Strategic Policy 7 - Historic Environment (SPG7):** Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policies:

- Policy DM 30 Archaeology

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 37 Designated Sites of Nature Conservation Importance
- Policy DM 38 Protected Species
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance
- Policy DM 42 Trees and Development

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 46 The Control of Development in Floodplains
- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems
- Policy DM 49 Artificial Modification of Watercourses
- Policy DM 50 Pollution
- Policy DM 52 Contaminated Land

## **CONSULTATION**

**Council Environmental Health Section – No objection subject to conditions**

**NI Water** – No objection

**DfI Roads** – No objection subject to conditions

**DfC Historic Environment Division** – No objection subject to conditions

**DfI Rivers** – No objection subject to condition

**NIEA** – No objection subject to condition

**Shared Environmental Services** – No objection subject to conditions

## **REPRESENTATION**

Sixteen (16) neighbouring properties were notified of the development proposal, and three (3) representations have been received from three (3) neighbour notified properties. Fourteen (14) representations have also been received from twelve (12) other properties that were not neighbour notified.

Full representation responses are available for Members to view via the Planning Portal: <https://planningregister.planningsystemni.gov.uk/application/693989>

A summary of the representations has been provided below:

- Lack of infrastructure in the area;
- Road safety concerns and a lack of a Risk Assessment in relation to traffic;
- Traffic congestion;
- Construction traffic;
- Concern in relation to boundary hedging along the Niblock Road and its future maintenance;
- Loss of a semi-rural outlook from existing homes;
- Concern in relation to the potential for further developments in the future;
- Impact on an already overwhelmed sewerage network;
- Concern that the application is being processed without NI Water concerns being addressed;
- The application should have been more widely advertised;
- Potential for negative impact on the environment and local wildlife;
- Potential impact on the river and increased flood risk;
- Lack of services in area – schools/dentist/doctors/shops;
- The description is not accurate as more housing will be built;
- Noise, environmental and light pollution generated from the development - particularly from cars and their impacts on the dwelling at No. 39 Meadow Lands; and
- Impact on the value of property in the area.

## **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Preliminary Matters
- Principle of Development
- Density, design, Layout, Appearance and Character
- Archaeology and Built Heritage
- Public and Private Open Space Provision



- Neighbour Amenity and Impact on Adjacent Land Uses
- Parking and Road Safety
- Flood Risk
- Natural Heritage and Impact on Trees
- Other Matters

### **Preliminary Matters**

#### Habitats Regulation Assessment

This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council. The Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the report, and conclusions therein, prepared by Shared Environmental Service, dated 30<sup>th</sup> July 2025. The report found that the project would not have any adverse effect on the integrity of any European site with the inclusion of conditions.

#### Environmental Impact Assessment

As the development falls within Schedule 2, Category 2, 10 (b) urban development projects of the Environmental Impact Assessment Regulations (Northern Ireland) 2017, the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether an application is or is not EIA development. An EIA Screening Determination was carried out and it was determined that the planning application does not require to be accompanied by an Environmental Statement.

### **Principle of Development**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim and Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the settlement limit of Antrim as defined in the Antrim Area Plan 1984-2001 on land zoned within the Plan as Residential Land – Phase 2. In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Strategic Policy SP 1 indicates that when considering individual development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS). The Council will work with applicants to find solutions which mean

that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in our Borough.

Policy SP 1.2 indicates that planning applications that accord with the provisions of the Local Development Plan (LDP) will be approved, unless material considerations indicate otherwise. In assessing proposals all relevant policies will be considered.

SPolicy 4 deals with Homes and Policy SP 4.1 advises that in order to provide a choice of housing for people in socially balanced and inclusive communities across the Borough, the Council will apply a presumption in favour of the development of new homes provided applications meet the requirements of Policy SP 4 and other relevant policies and provisions of the LDP.

SP 4.9 indicates that the Council will seek to ensure that new housing developments within the Borough are designed in a sustainable fashion and to meet the evolving needs of residents over their lifetimes, while encouraging the development of high-quality homes in accordance with Policy SP 6: Placemaking and Good Design.

As noted above, the application is for the erection of thirty-nine (39) dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Niblock Road on a site which is located within the development limits of Antrim Town on land zoned within the plan as 'Residential Land – Phase 2'.

Policy DM 17 is the specific relevant policy consideration for housing developments within settlements. Subject to the proposal complying with the policy and any other relevant policy considerations, it is considered that the principle of housing development on the application site is established.

It is further noted that there is relevant planning history associated with the application site. Planning permission was previously granted under planning application Ref: T/2007/0908/F for 'proposed development of 260 units including a mix of detached, semi-detached, townhouses, apartments and duplexes, basement parking, a public square, open space, landscaping, signalisation of the Niblock/Ballymena Road junction to include pedestrian crossing and associated site and access works'. This larger development included the lands within the application site. A Certificate of Lawfulness was granted under planning application Ref: LA03/2022/1056/CLOPUD for the 'Proposed Completion of four dwellings comprising Plots 106,107,108 and 109 in accordance with commencement of planning permission Ref: T/2007/0908/F', giving the applicant a lawful fall-back position to implement the previous grant of planning permission.

The principle of residential development is therefore considered acceptable subject to the proposed development complying with other site specific issues considered below.

### **Density, Design, Layout and Character**

Policy SP 4 of ANPS indicates that the Council will seek to ensure that new housing developments are designed in a sustainable fashion and to meet the evolving needs of residents over their lifetimes. Policy SP 4 also directs that the development of high-quality homes should adhere to the principles of placemaking and good design as

required by Policy SP 6. In addition, the Strategic Planning Policy Statement (SPPS) highlights 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 DM 17 allows for the development of quality and sustainable residential schemes in settlements, where they do not contribute to town cramming, and can meet a number of criteria. Policy DM 25 expects all development to deliver high quality design into its layout and appearance whilst demonstrating a number of additional criterion. The design and layout of the proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhood and the wider townscape.

As noted above the proposal is for thirty-nine (39) residential units to include seven (7) detached dwellings, twenty-four (24) semi-detached dwellings and eight (8) own door apartments. The proposal also includes a large area of centralised open space.

The application site measures 1.69 ha in area. The area surrounding the application site is comprised of a mixture of residential and commercial development. The large Meadow Lands residential development is located beyond the application site to the southeast. Giving consideration to the density of the nearby surrounding residential development and that the application site is located within the development limits of Antrim Town, it is considered that the number of units proposed respects the scale and size of the settlement as required by criterion (a) of policy DM 17.1.

The general layout arrangement sees the development served by a new access off the Niblock Road, which extends westwards towards a site for future residential development and to the south into the main part of the subject residential development proposal. The proposed dwellings are mostly sited to front onto the main internal estate road and towards the central portion of defined open space, which is located at the heart of the scheme. Dwellings in the most southwestern portion of the site are sited to have a frontage onto the Ballymena Road and the dwelling at the entrance to the site is designed to have dual frontage onto both the internal estate road and the Niblock Road.

There are a range of house types proposed throughout the scheme to include a number of variations, and the proposal ensures each dwelling has an attractive outlook in relation to its specific location within the development.

House types A1, A1H, A2, A2H and A3 are two-storey detached dwelling units, each providing four (4) bedrooms. There are a range of finishes proposed in the 'A' house types, to include a mix of render and brick and brick only and a mix of both red and grey roof tiles. These dwellings also include PV solar panels. House type A1/A1H and A3 have been designed to have a dual aspect given their locations on prominent corner sites within the scheme. This ensures a positive public outlook from within the development and outwards to both the Niblock Road and Ballymena Road.

There are also a range of two-storey, semi-detached dwellings each providing three (3) bedrooms, which include house types B, B1, C1 and D. The semi-detached units are of a traditional design with finishes to include a mix of red brick and render with white uPVC windows and grey concrete roof tiles. These dwellings also include PV solar panels.

The proposed apartment units (house type F/F1/ F2/ F3) are each served by their own individual entrance doors. The apartments provide two (2) bedroom accommodation and include both ground and first floor units. These apartment buildings are finished in a mix of render with red roof tiles and white uPVC windows. These units also include PV solar panels on the side roof elevation. These units have been designed to have a frontage onto public open space proposed within the scheme while also maintaining a positive outward outlook to the Niblock Road. It is noted that the Proposed Site Layout Plan, (Drawing No. 04/6 date stamped 20th June 2025), stipulates the location of the proposed house types and the proposed finishes relating to the house types in each plot.

There are two (2) in-curtilage car parking spaces provided, and an enclosed private rear garden area provided for each of the semi-detached and detached dwelling units and twelve (12) assigned car parking spaces located adjacent to the apartment units. The apartment units are also located immediately adjacent to the large area of open space but also avail of enclosed semi-private garden areas to the rear and to the side of the blocks. Bin stores are also provided adjacent to these apartment buildings.

Criterion (d) of DM 17.1 indicates that for proposals of 20 units or more, a minimum of 20% must demonstrate how the 'Lifetime Homes' approach has been taken account of and that new developments are accessible to all and will assist in the creation of a more balanced community. Taking a Lifetimes Home approach ensures that homes have been developed to ensure that they are flexible, adaptable and accessible and that there is added comfort, convenience and safety for tenants and visitors.

Following adoption of the Councils new Plan Strategy the agent has submitted revised design proposals to demonstrate that this approach has been taken account of. As per the Planning, Design & Access Statement, (Document 09/2 date stamped 7th July 2025), a total of eleven (11) units comprising seven (HTB/B1) semi-detached dwellings and four (HTF/F1) ground floor apartments have been designed to the Lifetime Homes standards. This equates to approximately 28% of the overall development scheme.

The design of the above noted house types includes features such as, provision for future lift/stairlift, enlarged ground floor toilet and shower outlet, provision for good ground floor bed space and screen, enlarged doorways and stair access, provision for future hoists at first floor level and provision to omit baths and add 'level showers'. The Lifetimes Homes Annotation Plans, Drawing Nos. 22 and 23 have been provided to show annotations of how this approach has been considered and designed into the house types. It is accepted that the proposal complies with criterion (d) of Policy DM 17.1

Criterion (e) of DM 17.1 indicates that residential developments should provide a movement pattern that promotes walking and cycling routes and supports linkages

to nearby community facilities and public transport. As outlined in the Transport Assessment Form (TAF), (Document 04 date stamped 8th November 2024), the main vehicular and pedestrian access to the site is to be taken from a new access point onto the Niblock Road. The internal carriageway is to be a shared surface design in accordance with the guidance set out in Creating Places to ensure adequate space is provided for the parking and manoeuvring of all vehicles likely to visit the site. The provision of a pedestrian footpath along the Niblock Road frontage will help in connecting the site directly to the wider footpath network in the local area and directly on towards Antrim Town Centre and the surrounding local neighbourhood facilities which will encourage the use of active and sustainable means of transport.

Criterion (f) of DM 17.1 requires that adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development. Although the proposal does not include the provision of any local neighbourhood facilities, owing to its size and location, the application site is considered to be suitably and sustainably located in order to avail of a number of existing facilities within the Junction Complex.

Lastly, criterion (g) of DM 17.1 indicates that a Design and Access Statement should accompany any housing development of 10 or more units and refers also to Policy SP 6, sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough.

The Planning, Design & Access Statement, Document 09/2 date stamped 7th July 2025, references concept design and accessibility. This report details the overall design concept to include appearance, amenity and landscaping as well as providing context in relation to accessibility with regards to access and parking, access to public transport, access by bike and sustainability. This document and the overall scheme demonstrates that the proposal has considered the core principles of placemaking and will deliver a high-quality environment in accordance with Policies SP 6 and DM 25.

Overall, it is considered that the proposed design and layout of the proposed residential development in terms of its form, materials and detailing is acceptable. It is designed to be compatible with adjacent land-uses and would not have a detrimental effect on the amenity or character of any adjoining properties or the surrounding area. The proposal is considered to comply with the policy provisions of DM 17.1 and Policy DM 25 in respect of density, design, layout and character.

### **Archaeology and Built Heritage**

The SPPS and Policy SP 7 of the ANPS requires that all proposals protect conserve and promote the enhancement of the historic environment. It is noted that there are no listed buildings or protected parks or gardens within the vicinity of the site and it is not located within a designated area. Policy DM 30 addresses archaeology while DM 30.5 deals with archaeological mitigation. According to the Department for Communities Historic Environment Map Viewer the application site does not include any designated archaeological features. However, Historic Environment Division – Historic Monuments, (HED-HM) has advised that the application site is in close proximity to Dunsilly motte (ANT 050:003) and that the application site was previously subject to an archaeological evaluation to inform the previous planning approval granted on the wider site under planning application Ref: T/2007/0908/F. HED-HM

advised that a number of possible archaeological features were uncovered at that stage, including at least two features within the current application site, but that these features were not fully resolved at that time.

HED-HM advised that it has reviewed the submitted Archaeological Programme of Works, (Document 05 date stamped 8th November 2024) and is content that the proposal satisfies the policy requirements of the SPPS and PPS 6, subject to conditions for the agreement and implementation of a developer funded programme of archaeological works. This is required to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

It is noted that the HED-HM response refers to previous planning policy, which is no longer prevailing, however, the proposal is also considered to comply with the policy requirements contained within DM 30.5. This policy indicates that in all cases where development is to be permitted, that will affect sites known to, or likely to contain archaeological remains. It will be a requirement that appropriate measures are taken and agreed for the identification and mitigation of the archaeological impacts of the development should permission be forthcoming. Where appropriate, this shall include measures for the preservation of remains in situ; licensed excavation; and recording, examination and archiving of the archaeology of the site before development commences.

With the imposition of a number of conditions in relation to the submission of a programme of archaeological works, the implementation of development in accordance with the approved programme of works, the submission of a programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive, it is considered that the proposal satisfies the requirements of the SPPS and policies contained within Policy DM 30.

### **Public and Private Open Space Provision**

DM 17.7 indicates that residential development proposals of 25 units or more, or on sites of 1 hectare or more, will be expected to provide well designed, safe and accessible public open space as an integral part of the overall scheme in accordance with a set of space standards. For 25 -100 units it is required that a minimum of 10% of the total site area is made up of public open space.

DM 25.1 further indicates that proposals should ensure that any open space required is high quality, appropriate and well integrated into the overall layout, with linkages made to existing green and blue infrastructure networks. As per the Proposed Site Layout Plan, (Drawing No. 04/6 date stamped 20th June 2025), the proposal includes approximately 14% of the overall site area as public open space. The main part of this open space is to be located centrally within the development in the form of an open green with other pockets of open space distributed throughout the development in the form of green buffers.

The proposed areas of open spaces are considered to be usable and are all overlooked by the proposed residential units meaning they avail of enhanced surveillance which can minimise opportunities for crime or anti-social behaviour.

It is noted that the application site is part of a wider site for residential development, and DM 17.7 indicates that developments with 101- 200 units will be required to provide a minimum of 15% of the total site area as public open space and that proposals for 200+ units will be required to provide a minimum of 20% of the total site area as public open space. This matter has been raised with the agent who is aware of this expectation and has forwarded an indicative Site Concept Masterplan, (Drawing No. 03/2 date stamped 16th May 2025) which provides an indicative layout of the wider site to show how this level of public open space provision could be incorporated into the overall site layout in future phases.

DM 17.9 indicates that the Council will take account of the guidance in relation to private open space provision for new residential development proposals as set out in the supplementary planning guidance document, Creating Places – Achieving Quality in Residential Developments, (DoE/DRD, 2000).

Creating Places states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40m<sup>2</sup> of private open space for each dwelling house. All of the proposed detached and semi-detached dwelling units exceed the minimum requirement for private open space, ranging from 77m<sup>2</sup> to 225m<sup>2</sup>.

Creating Spaces advises that 'in the case of apartment or flat developments, or 1 and 2 bedrooomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10m<sup>2</sup> per unit to around 30m<sup>2</sup> per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept'.

In this case, as shown on the Proposed Site Layout Plan, Drawing No. 04/6 date stamped 20th June 2025, the apartment units avail of a minimum of 340m<sup>2</sup> of private/semi-private enclosed open space which is located directly adjacent to the apartment blocks. These areas are in excess of the requirements laid out in the guidance, but it is also worth noting that there is further public open space provided within the scheme and in proximity to these apartment buildings.

Overall, it is considered that the public and private open space provision is consistent with that required by DM 17.7, DM 17.8 and DM 17.9 and DM 25.1.

### **Neighbour Amenity and Impact on Adjacent Land Uses**

Policy DM 28 deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance.

The proposal is located on a greenfield site; the closest existing residential dwellings are located at Nos.1 and 2 Niblock Road and No. 7 Meadow Lands. These dwellings are located around the most southeastern corner of the application site. There will be limited to no impact on the amenity experienced at No. 1 Niblock Road and No. 7 Meadow Lands given the spatial layout, separation distances employed within the proposed development scheme and the existing boundary treatments. There will be

two (2) new semi-detached dwellings located to the rear of the dwelling at No. 2 Niblock Road and one (1) detached dwelling located to the side and west. The dwellings to the rear will be separated by approximately 20 metres (measured from main part of the proposed dwellings to the rear elevation of No. 2 Niblock Road).

Guidance provided within Creating Places suggests that on greenfield sites, good practice indicates that a separation distance of around 20 metres or greater between the opposing rear first floor windows of new houses and existing properties is generally acceptable. In this instance, it is considered there would not be a significant detrimental impact on the existing residents at No. 2 Niblock Road owing to the separation distance employed, the existing mature boundary vegetation, which comprises a hedge with a height in excess of 2 metres, between the existing and proposed developments, the position of the existing garage at No. 2, the fenestration details and that No. 2 provides only single storey accommodation, with no rear facing first floor windows.

With regards to the amenity achieved between the proposed dwelling units. It is considered generally that the spatial layout and house type designs have ensured that the proposal would not result in an unacceptable adverse impact on the amenity of the future residents of the development. It is noted that house types A1, A2 and A3 (side/rear) each include a first-floor landing window on the side elevation. House Type C1 also includes a first-floor landing window. Although these windows do not serve habitable rooms, it would be appropriate to condition any forthcoming permission that the landing windows at each of these house types would be fitted with obscure glazing to ensure there is no opportunity for direct overlooking at opposing windows where they arise throughout the development.

The Council's Environmental Health Section (EHS) was consulted in relation to the development proposal and has recommended conditions in relation to protecting the noise climate at the new dwellings. EHS has not raised any objections in relation to the proposal causing any detrimental impact to existing properties by way of noise, odour or light pollution.

Overall, it is considered that the design and layout of the proposed residential development will not result in any significant unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties and is considered to comply with the requirements of Policy DM 28.

### **Parking and Road Safety**

Policies SP 3.10 and DM 10 states that access arrangements must not prejudice road safety or significantly inconvenience the flow of traffic and that the development proposal will provide adequate parking provision whilst Policy DM 12 provides policy in relation to Active Travel (Walking and Cycling).

A new vehicular access is proposed off the Niblock Road and a new 2 metre footway and pedestrian crossing point is provided along the site frontage to connect into the existing footpath network along the Niblock Road and provide and facilitate pedestrian access to the development and to Antrim Town Centre.



It is noted that a number of objectors have raised concerns in relation to road safety, traffic generation and congestion which could result from the proposed development.

The TAF, (Document 04 date stamped 8th November 2024), indicates that based on thirty-nine (39) privately owned houses the proposal would generate 288 two-way trips daily (07:00 and 19:00), which equates to approximately 24 trips per hour. The TAF also highlights that as part of the extant planning approval, a number of highway improvement measures were completed to mitigate the impacts of the extant development, including the upgrade and signalisation of the Niblock/Ballymena Road junction to include a pedestrian crossing, which have been implemented.

DfI Roads was consulted in relation to the development proposal and is content with the scheme and its overall access and parking arrangements proposed subject to conditions. It has raised no concerns in relation to matters of congestion or road safety.

As noted within the Planning Statement Addendum, (Document 09/2 date stamped 7<sup>th</sup> July 2025), and shown on the Proposed Site Layout Plan, (Drawing No. 04/6 date stamped 20th June 2025), assigned parking within the in-curtilage private driveways is provided at a rate of two spaces per dwelling, (sixty-two spaces in total) and 1.5 spaces per apartment, (twelve (12) spaces in total). The layout of the scheme also facilitates opportunities for a total of fifteen (15) informal on-street visitor parking spaces. The overall parking provision is considered to be to a standard outlined within Creating Places.

DM 12.1 indicates that the Council will support development that enables people to access employment, essential services and community facilities by walking and cycling. The proposed development is on lands in relative proximity and within close walking distance to a number of facilities including The Junction, which offers a mix of retail and commercial leisure facilities as well as being within an area where the roads are well maintained and of reasonable width to facilitate cycle movement according to the TAF (Document 04). As shown on the PSD Layout Plan, (Drawing No. 14/3 date stamped 24th June 2025), pedestrian links are provided from the development onto both the Niblock and Ballymena Road. The closest bus stop is located beyond this link to the east, further along the Ballymena Road.

Overall, it is considered that the proposal is acceptable with regard to access, parking and active travel in accordance with the provisions contained within Policies DM 10 and DM 12.

### **Flood Risk**

Policy SP 10 provides the strategic policy in relation to flood risk and Policy DM 46 deals with the control of development in Flood Plains. According to The Flood Maps (NI) the application site lies outside of any Fluvial Flood Plain - 1 in 100-year probability or Annual Exceedance Probability (AEP) of 1% incorporating climate change prediction.

Flood Maps (NI) does not indicate a flood plain associated with the undesignated watercourse that traverses the site from east to southwest. This is because this minor watercourse falls below the threshold in terms of catchment area for river modelling.

However, this does not mean that there is no associated flood risk with this watercourse. DfI Rivers advises that it is the applicant's responsibility to appoint a competent professional to assess the flood risk and to mitigate the risk to the development and any impacts beyond the site. An informative will be added to any permission in this regard.

Policy DM 47 relates to Surface Water Drainage and Sustainable Drainage Systems (SuDS) and DM 47.1 indicates that consideration of drainage issues is a requirement for all development proposals. DM 47.2 indicates the requirement for the submission of a Drainage Assessment for this form of development. DfI Rivers has reviewed the submitted Drainage Assessment, (Document 03/3 date stamped 15th May 2025), and has stated that whilst not being responsible for its preparation it accepts its logic and has no reason to disagree with its conclusions.

DfI Rivers have advised that the Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event, including an allowance for climate change and urban creep could be contained within the attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. It is understood that further assessment of the drainage network will be made by NI Water prior to adoption.

DfI Rivers indicated that the proposal should be subject to a condition requiring a final Drainage Assessment. It is considered that the condition is not necessary as the developer has already provided the requisite information and any substantial changes to the drainage infrastructure may require the submission of a new planning application for assessment. Provided that the drainage works are carried out as proposed, there are no objections to the proposal from a drainage perspective.

Policy DM 49 deals with the artificial modification of watercourses and indicates that the Council will operate a general presumption against development, which results in the artificial modification of a watercourse, including culverting or canalisation operations. In this instance, the proposal involves the culverting and diversion of an existing undesignated watercourse which runs along the southeastern site boundary as shown on the Drainage Layout Plan, Drawing No. 13/2 date stamped 20th June 2025. A Schedule 6 approval for the proposed culverting has been granted from DfI Rivers Directorate, Eastern Division issued on 13th May 2025, under Ref: IN1-24-14341.

The policy sets out two exceptions where culverting will be permitted, however, the proposal does not comply with either of the exceptions. The culvert diversion arrangement was previously accepted under planning approval Ref: T/2007/0908/F and given that the applicant has the lawful fallback position of implementing this previous scheme, it is considered that on this occasion the proposed artificial modification is acceptable.

DfI Rivers has requested that a working strip should be retained along the undesignated watercourse that exists on site. It is noted as per the Drainage Layout Plan, (Drawing No. 13/2 date stamped 20th June 2025) that the boundary fencing noted on Plots 24, 29, 30 and 31 is to be demountable in order to facilitate access when required and DfI Rivers has not objected to this arrangement.

### **Natural Heritage and Impact on Trees**

Policy SP 8 of the ANPS indicates that the Council will work in partnership with DAERA, environmental organisations and developers to protect, conserve and promote the enhancement and restoration of the diversity of the Boroughs natural heritage comprised of its habitats, species, landscapes and earth science features. Policy SP 8.3 requires appropriate weight to be afforded to the protection of designated sites, protected species and priority habitats and species together with other features of biodiversity and geological interest within the wider environment. Policy SP 8 is supported by Policies DM 37 – DM 39 and DM 42 of the ANPS. In addition, Policy DM 25 requires proposals to promote biodiversity.

The application site is not located within any designated sites, however it potentially has a hydrological link to Lough Neagh and Lough Beg SPA, Ramsar and ASSI and Rea's Wood and Farr's Bay SAC. A Bio-diversity Checklist and Ecological Statement, (Document 08 date stamped 19th December 2025), was submitted, which was undertaken by an Ecologist and brought forward a number of recommendations. The Statement advises that in light of the identified potential hydrological connection between the application site and downstream designated site it is recommended that a Construction Environmental Management Plan is provided to inform the application and ensure the safeguarding of the designated site and associated selection features from the proposed development works and site activities using standard procedures and protocols.

Shared Environmental Services (SES) has been consulted with regards to the impact on Designated Sites and has considered the impacts of the proposal and are content that there will be no likely significant impact on any designated site subject to conditions. As indicated above the Council has accepted and adopted the Habitats Regulation Assessment as carried out by SES.

The Bio-diversity Checklist and Ecological Statement found that there was no evidence of bats, badgers or any other protected species. According to the report a number of trees which were surveyed and referenced within the report have been removed since the primary site visit. These trees are noted to have been located on the southwestern site boundary with the Ballymena Road, and those located along the eastern boundary with Niblock Road. The specimens that were listed within the Statement as holding low suitability for protected species were recommended for removal via the soft fell method.

Tree removals were also noted as taking place outside of the bird breeding season and no impacts upon breeding birds were considered likely to have arisen as a result of the removal of these specimens. As indicated in DAREA Natural Environment Division's (NED) consultation response any remaining trees which are to be felled should be soft felled under the supervision of an Ecological Clerk of Works to ensure no roosts are disturbed. A condition will be imposed on any forthcoming permission in this regard.

The proposal will involve the removal of existing hedgerows. As indicated on the Landscape Proposals Plan, (Drawing No. 11/1 date stamped 30th April 2024), these will be replaced with new hedgerows and will also be supplemented with new planting to include native hedging and trees. Overall, NED is content with the proposal subject to conditions.

DAERA Water Management Unit (WMU) was also consulted in relation to the proposal in so far as it relates to the proposal's impact on the surface water environment. WMU advised that it was content with the proposal subject to the applicant adhering to Standing Advice and to any relevant statutory permissions being obtained.

Policy DM 42 relates to Trees and Development. The Landscape Proposals Plan proposes to enhance the quality of the living environment throughout and beyond the scheme. The proposal includes a mix of hedge and tree planting and the inclusion of a dedicated ornamentals and native trees being planted for each dwelling unit as well as enhanced planting along the site's boundaries with the Ballymena Road and Niblock Road.

A Landscape Management Plan, Document 02/1 date stamped 30th April 2025, was submitted and sets out the strategy approach for the future long-term management and maintenance of the external public spaces throughout the residential development. As noted within the Plan, a Land Management Company will be appointed by the applicant and lands transferred to the Land Management Company who will then be responsible for the maintenance of all public areas as identified in the contract.

It is considered that the proposed landscaping is acceptable and will aid in enhancing the amenity value of the area as well as contributing positively to the character of the area, providing natural habitats and contributing to good health and wellbeing.

### **Other Matters**

It is noted that the Council's recently adopted Plan Strategy incorporates a new policy in relation to Affordable Housing under DM 17.3. This policy is relevant to residential developments of 40 units or more. It is noted that the current development proposal for thirty-nine (39) residential units falls just short of this threshold. Given that the application site makes up part of a wider residential development site, Officers have raised the matter of affordable housing with the applicant's agent. Whilst the developer does not have a policy obligation to provide affordable housing within the current scheme it will become a requirement during any application for further development. It should be noted that the affordable housing element of the proposed development should be distributed throughout the general housing layout and not be easily distinguishable by means of its general design, materials or finishes from the general housing element. The agent indicated that the developer was aware of the requirement going forward and would intend to ensure a 'pepper-potting' approach across the entirety of the site.

This section of the report will address matters raised via representation that have not already been covered within the main body of this report.

Concerns were raised by objectors regarding the increased pressure on an already overwhelmed sewer system and that the application was being processed without concerns in relation to Northern Ireland Water (NI Water) being addressed. However, NI Water was consulted in relation to the development proposal and advised within its revised consultation response dated 12th May 2025 that it has no objection to the proposed development.

Concerns were raised by objectors in relation to the proposal having the potential to cause congestion, traffic flow problems, nuisance from traffic noise, prolonged travel times, pollution, parking and the impact upon road safety. As noted above, DfI Roads was consulted in relation to traffic and road safety matters and raised no objection to the proposal. The Council's Environmental Health Section and DAERA/NIEA have also raised no objection to the proposed development in relation to pollution potential.

Concerns were also raised by objectors with regards to a lack of services e.g. schools/doctors/ dentist and the impact on existing infrastructure. There have been no objections to the proposal received by medical services in the area or the Education Authority. It is therefore difficult to conclude that the existing facilities within the area would be unable to cope with the extra population. In relation to other infrastructure, the relevant statutory bodies (DfI Roads/NIW etc.) have been consulted and they have not raised any objections in relation to impacts on infrastructure. These matters are therefore considered not to be determining in this instance especially given the context of the applicants fall-back position.

In relation to matters relating to the impact on property values and loss of semi-rural environment, the application site is located within the development limits of Antrim Town and as such there is an expectation that the area of land within which the application site is located would at some stage be developed. Additionally, the impacts on individual property values is not considered to be a material planning consideration and therefore is not relevant to the decision.

Lastly, in relation to the concerns raised by objectors in relation to future developments on the wider site. The description of the development is considered accurate; however, it is recognised that the wider application site is zoned for housing and will be developed at some point in the future. The wider site also avails of a previous planning approval for 260 units granted under planning application Ref: T/2007/008/F. The description of the development is considered accurate, and the application has been neighbour notified and advertised in accordance with the Council's Statement of Community Involvement. The application has been publicly advertised in the Antrim Guardian as well as on the Antrim and Newtownabbey Council website. Any future application on the adjoining lands can only be assessed once it is submitted.

## **CONCLUSION**

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

- The principle of the development is acceptable;
- The design and layout generally respect the surrounding context;
- The proposal will not have any adverse impact on built or natural heritage features;
- Adequate public and private open space have been provided;
- Adequate and appropriate provision has been made for access and parking;
- There are no overriding concerns in relation to flooding; and
- The proposed landscaping is considered acceptable.

## **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. Prior to the occupation of any individual residential unit, all habitable rooms to the façade of the hereby approved development facing onto the Ballymena Road shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 30dB Rw+Ctr and thereafter retained for the lifetime of the development.

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

3. Prior to the occupation of any individual residential unit, all habitable rooms to the façade of the hereby approved development facing onto the Ballymena Road shall be fitted with passive and/or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside of at least 30dB Rw and thereafter retained for the lifetime of the development.

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

4. Prior to the occupation of the hereby approved dwellings, an acoustic barrier of 1.8m in height shall be erected as marked yellow on Drawing Number 04/6 date stamped 20<sup>th</sup> June 2025. The barrier shall have a surface weight of not less than 10kg/m<sup>2</sup>, be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it's a fence, it should be of the ship-lapped design. The acoustic barrier shall be maintained and retained for the lifetime of the development.

Reason: In order to protect amenity at the permitted development.

5. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised. Reason: To ensure adequate wastewater treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any designated site.

Reason: To ensure protection of the aquatic environment and to ensure that a suitable method of sewage disposal is available.

6. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 14/3 date stamped 24th June 2025 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to

provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

7. No other development hereby approved shall become operational until the roadworks indicated on Drawing No. 14/3 date stamped 24th June 2025 have been fully completed in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

8. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 14/3 date stamped 24th June 2025.

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

9. No other development hereby permitted shall be occupied until the works necessary for the improvement of the public road have been completed in accordance with the details outlined blue on Drawing No. 14/3 date stamped 24th June 2025. The Council hereby attaches to the determination a requirement under Article 3 (4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

10. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

11. A detailed programme of works and any required/ associated traffic management proposals shall be submitted to and agreed with the Council, 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.

12. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist,

submitted by the applicant and approved in writing by Antrim and Newtownabbey Borough Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by
- preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

13. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 12.

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

14. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 14. These measures shall be implemented, and a final archaeological report shall be submitted to Antrim and Newtownabbey Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Antrim and Newtownabbey Borough Council.

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

15. A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed by the Council prior to the commencement of any development on site. The CEMP shall identify the perceived risks to the aquatic environment, potential pollution pathways and detail the mitigation measures which will be employed to negate the risk to the hydrologically linked aquatic environment. The CEMP shall be prepared in accordance with the guidance provided within NIEA's Standing Advice in relation to Pollution Prevention.

Reason: To protect NI Priority Habitats within the site and to ensure the safeguarding of designated sites and associated selection features from proposed development works and site activities using standard procedures and protocols.

16. A suitable and clearly defined buffer of 10m will be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the



adjacent dry ditch as identified in blue on Figure 3 of Document 08 date stamped 19th December 2024).

Reason: To protect NI Priority Habitats hydrologically linked to the site and ensure the project will not have an adverse effect on the integrity of any European site.

17. No development, demolition, earth moving shall take place, nor material or machinery brought onto site, until protective silt fencing has been erected between the construction site and the adjacent watercourse. The silt fencing must be suitable to prevent egress of water from the construction site into the watercourse. This protective fencing is to be fully maintained for the duration of the construction period.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

18. The trees identified as having bat roost potential (as denoted in Figure 4 of the NI Biodiversity Checklist, Document 08 date stamped 19th December 2024) shall be taken down using soft felling technique under the supervision of an Ecological Clerk of Works.

Reason: To ensure no bat roosts are disturbed/harmed/destroyed.

19. The first-floor landing window coloured green on HT A1/2/3 and C as indicated on Drawing Nos. 06/1, 17 and 09/1 date stamped 30th April 2025 shall be fitted with obscure glazing. This glazing shall be retained for the lifetime of the development.

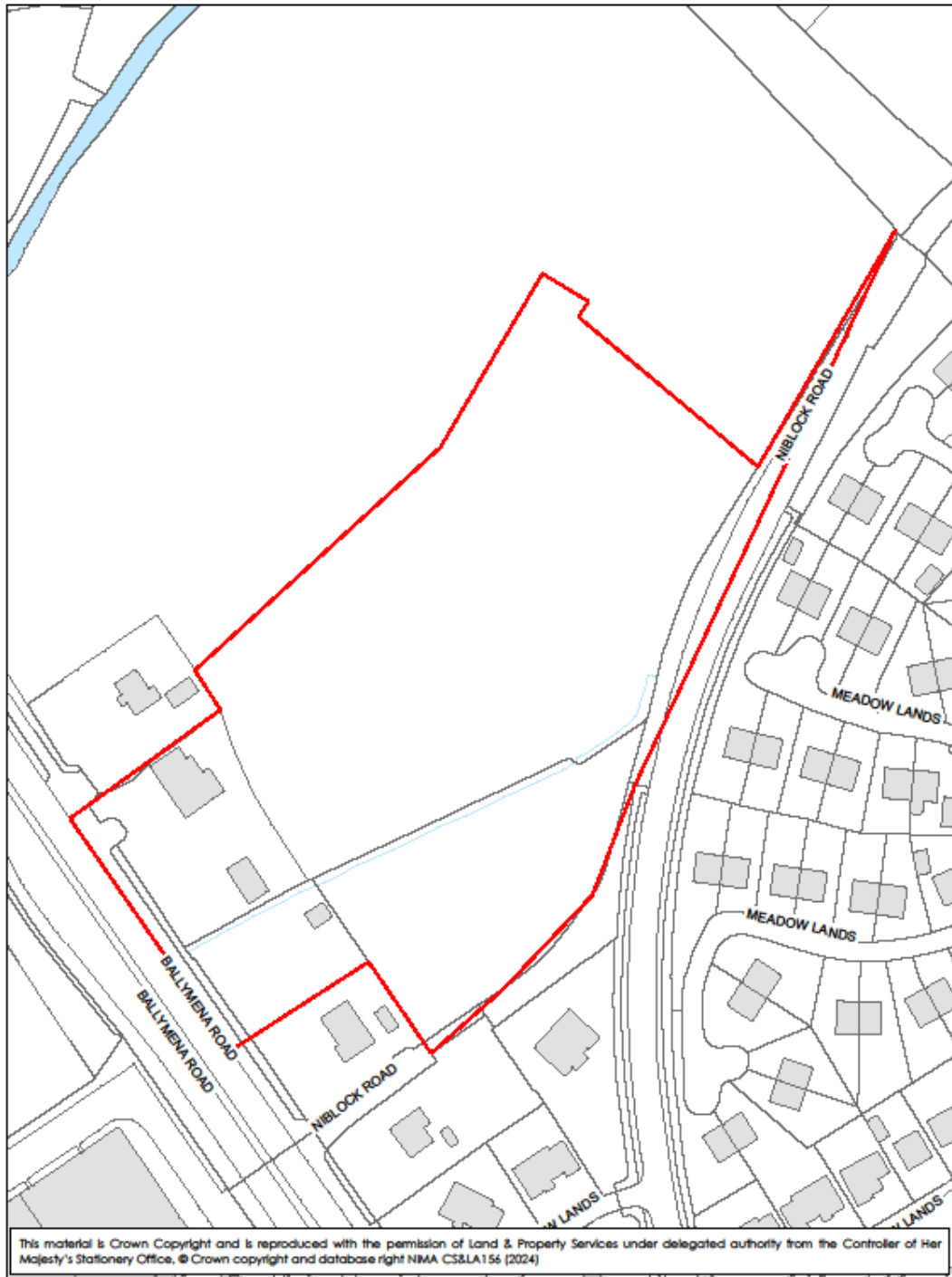
Reason: In order to protect the residential amenity of adjacent neighbouring dwelling.

20. Notwithstanding the detail provided on Drawing No. 04/6 date stamped 20th June 2025, the enclosure surrounding the bin storage adjacent to Plots 32-29 shall be constructed with 2 metre high brick walls.

Reason: In the interest of visual amenity.

21. The open space and amenity areas indicated on Drawing No. 11/1 date stamped 30th April 2025 shall be managed and maintained in accordance with the Landscape Management Plan, Document 02/1 date stamped 30th April 2025. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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



### Site Location Plan

1:1,250

Reference: LA03/2024/0807/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.3</b>
<b>APPLICATION NO</b>	<b>LA03/2024/0416/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>ADDENDUM TO COMMITTEE REPORT</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Demolition of 68-70 Doagh Road and erection of 9 new dwellings (6 semi-detached & 3 detached)
<b>SITE/LOCATION</b>	Site at 68-70 Doagh Road, Ballyclare (off Fairview Farm Road).
<b>APPLICANT</b>	James Hagan
<b>AGENT</b>	Jonathan Adair
<b>LAST SITE VISIT</b>	5th February 2025
<b>CASE OFFICER</b>	Sairead de Brún Tel: 028 90340406 Email: sairead.debrun@antrimandnewtownabbey.gov.uk
<p><b>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal</b></p> <p><a href="https://planningregister.planningsystemni.gov.uk/application/688609">https://planningregister.planningsystemni.gov.uk/application/688609</a></p>	
<b>ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS</b>	
<p>Members, this application was withdrawn from the Committee agenda by Officers at the May 2025 Planning Committee following the submission of amended drawings by the agent. Drawing Number 02/6 shows a revised site layout for the proposed development, whilst Drawing Number 10/1 provides updated street elevations. Both drawings are date stamped received 15 May 2025.</p> <p>Neighbour notification was carried out following the receipt of the amended drawings, and two additional letters of representation were received, however, no new issues were raised in these letters.</p> <p>As noted in the original Committee Report, the Council previously found the proposal to be contrary to the provisions of the Strategic Planning Policy Statement (SPPS) and Policy QD 1 of Planning Policy Statement 7 (PPS 7) Quality Residential Environments. Based on the information before the Council, it was concluded that the proposed development represented an overdevelopment of the site as it failed to respect the surrounding context and be appropriate to the character of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas. It was also determined that the design and layout would have an adverse impact on the amenity of neighbouring residents by way of overlooking.</p> <p>However, since the publication of the original Committee Report, the amended proposal has been submitted and the Council has also adopted it's Plan Strategy on the 3rd July. The Plan Strategy is Part 1 of the Antrim and Newtownabbey Local Development Plan (ANLDP) and contains strategic and operational policies. As a result, Policy QD 1 of PPS 7 is no longer applicable to the proposal. The consideration of the revised proposal in the context of the Council's Plan Strategy is set out below.</p>	

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

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1)**: sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3)**: aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by the following Policies:

- Policy DM 10 Access and Parking;
- Policy DM 12 Active Travel (Walking and Cycling); and
- Policy DM 15 Development relying on non mains sewerage

**Strategic Policy 4 - Homes (SP 4)**: sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by the following Policy:

- Policy DM 17: Homes in Settlements.

**Strategic Policy 6 - Placemaking and Good Design (SP 6)**: sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by the following Policies;

- Policy DM 25: Urban Design and
- Policy DM: 28: Amenity Impact.

**Strategic Policy 8 - Natural Heritage (SPG8)**: seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8 is supported by the following Policies:

- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance;
- Policy DM 40 Landscape Protection; and
- Policy DM 42 Trees and Development

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10)**: seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by the following Policy:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

### **Policy Context and Principle of development**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim and Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The adopted 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.

In the interim period there have been a number of decisions taken by the Planning Appeals Commission that indicate, whilst the emerging policy provisions of draft BMAP remain material considerations in the determination of planning applications, reliance cannot be placed on specific policies of the draft Plan to refuse development proposals. However, given the unique position of Ballyclare, that it is not covered by an adopted plan, and 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.

In line with the transitional arrangements set out in the SPPS, dBMAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

The application site is located within the development limit of Ballyclare on unzoned land as defined by dBMAP and dNAP. Given the site location within the settlement of Ballyclare, Policy SP 4.1 of the ANPS indicates that a presumption in favour of the development of new homes will be applied, provided the proposal meets the requirements of Strategic Policy SP 4 and other relevant policies applicable to the

development type. Policy DM 17 of the ANPS indicates that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming, and where a number of other additional criteria are met.

As the application site is located within the urban area within the defined development limits of Ballyclare, it is considered that the principle of residential development is acceptable, subject to the proposal creating a quality residential environment in accordance with the relevant policies of the Antrim and Newtownabbey Plan Strategy.

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

The Strategic Planning Policy Statement (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.

Furthermore, the aim of Policy DM 17 is to promote the development of high quality, attractive and sustainable homes within settlements, which meet the present and future needs of all sections of the population within the Borough. As set out above, DM 17.1 allows for the development of quality and sustainable residential schemes in settlements, where they do not contribute to town cramming, and can meet a number of criteria.

Criterion (c) of DM 17.1 requires all new residential developments to provide a range of housing of different types and sizes, which are well integrated as part of the overall scheme whilst ensuring that the siting and design is appropriate to the location and does not conflict with the character of the area. In addition, criterion (a) of Policy DM 25 states that the proposal should make a positive contribution and relate well to the scale, density, massing, character, appearance and use of materials of the surrounding area.

The proposed dwellings are two storey and are finished in render or facing brick with smooth concrete roof tiles. Dwellings on corner plots have been appropriately designed to bring visual variety and interest in the development. It is considered that the proposed scale, density, massing, and use of materials is acceptable for the application site and is respectful of the surrounding area and a range of housing of different types and sizes has been provided, which appears to be well integrated into the overall scheme.

As previously submitted and assessed by the Council, the layout showed an excessive amount of hardstanding to the front of the proposed dwellings on plots 3 – 9 (inclusive) to provide in-curtilage parking. It was considered that this level of hard landscaping was disproportionate to the overall scheme and had a harmful visual impact on the aesthetic of the proposal.

The amended site layout plan (drawing number 02/6) shows the realignment of the parking spaces for plots 3 and 9, and this has allowed for a new front garden area to both plots. It is also proposed to install black metal ranch railing with a semi-

mature hedge between the parking bays for plots 4 and 5, 6 and 7, and 8 and 9. The addition of this new green landscaping breaks up the expanse of the previously proposed hardstanding and has the effect of softening the visual impact of the car parking to the front of units 3 – 9. This new planting is considered acceptable in this instance and the proposal is found to comply with Policy DM 25 of the ANPS.

The application site is currently accessed via an existing 140 metre long laneway that runs along Fairview Farm Road. Under this proposal, the dwelling on plot 9 closes off this access, essentially rendering it a redundant space with the potential for attracting crime/antisocial elements. In order to reduce the potential for crime, it is considered necessary to attach a condition requiring the planting of low-level shrubbery the entire length and width of the access lane. In doing so, the scheme would be in compliance with criterion (k) of DM 25.1 in the ANPS which requires development proposals to be designed to reduce the fear of crime and anti-social behaviour.

The ANPS introduces a new policy requiring the provision of affordable homes in proposed residential developments of 40no. units or more (DM 17.3 – 17.5). As this proposal falls below the numerical threshold, there is no requirement on the applicant to provide any affordable housing within the scheme.

To conclude, the Council considers the size, scale, design, layout, and general appearance of the proposed development to be acceptable; it represents a high-quality scheme and will make a positive contribution to the wider residential development and the surrounding area. The proposal is found to be in accordance with Policy DM 17 and Policy DM 25 of the ANPS.

### **Residential Amenity**

Policy DM 28 of the ANPS deals with the amenity impact of development proposals. DM 28.1 sets out that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. DM 28.2 refers to a number of issues which may result from the development including overlooking and/or loss of light, dominance or overshadowing, noise, vibration and other forms of disturbance and odour, fumes and other forms of environmental pollution. These issues will be a material consideration in the assessment of all proposals.

In addition, criterion (c) of DM 25.1 requires new development within settlements to be designed to be compatible with adjacent land-uses and not have a detrimental effect on the amenity or character of any adjoining properties and the surrounding area.

Based on the previously assessed site layout (Drawing number 02/5), the proposed development failed to achieve a satisfactory separation distance between the opposing rear elevations of those dwellings proposed on plots 3 and 4 and the existing dwellings along Clareville Park. The separation distance between the dwellings proposed on plots 7 and 8 and the side elevation of No. 51 Grange Drive was also found to be inadequate, as was the separation distance between the rear elevation of the dwellings on plots 1 and 2 and the apartments at Nos. 18-20 Fairview Road. All separation distances fell below the recommended distance of 20 metres as per Creating Places.

The amended site layout plan (Drawing number 02/6) and the updated street elevations (Drawing 10/1) show an increase in the separation distances referred to above and demonstrate that the proposed development is capable of meeting the minimum separation distance of 20 metres. The increased separation distance reduces the potential for overshadowing, and there should be no significant detrimental impact on residential amenity by way of overlooking. The proposal is found to comply with Policy DM 28 of the ANPS.

### **Private and Public Open Space**

In terms of private amenity space, DM 17.9 sets out that the Council will take account of the guidance in relation to private open space provision for new residential development proposals as set out in the supplementary planning guidance document, 'Creating Places: Achieving Quality in Residential Developments'. Guidance within this document states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40sqm for any individual house with an average of 70sqm being required across the whole development.

The dwelling on plot 2 has the least amenity space at approximately 50sqm and plot 9 has the most at approximately 112sqm. An average of 73sqm useable private amenity space has been calculated which is acceptable. DM 17.7 of the ANPS expects residential development proposals of 25 units or more, or on sites of 1 hectare or more, to provide well designed, safe and accessible public open space as an integral part of the overall scheme.

Objection has been made to the loss of open space immediately northwest of the site due to the location of the proposed access. The access brings a loss of 76sqm to the existing area of open space which totals 620sqm. As noted in DM 23.3 of the ANPS, an exception for the loss of protected open space will be permitted, on areas of less than 2 hectares where acceptable replacement open space is provided by the applicant in the area. The proposed development includes a compensatory landscaped area of 164sqm, with seating provided, which adjoins the existing approved area of open space and creates more of an open, cohesive development overall.

On balance, it is considered that compensatory open space has been provided for the loss of the small portion of open space. In relation to the maintenance and management of the open space provided by this proposal, a planning condition is proposed requesting the submission of a suitable Landscape Management Plan prior to the occupation of the dwellings.

### **Access and Parking**

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. SP 3 is supported by Policy DM 10.

A new access is proposed at the northwestern boundary of the site to adjoin Fairview Farm Road. The existing laneway access is to be closed off by plot number 9 as shown in Drawing Number 02/6. The proposal would require 22 car parking



spaces in accordance with Creating Places. In-curtilage car parking is proposed to the front of dwellings with each dwelling having 2 car parking spaces and four visitor spaces, leaving the development with a 1.5 surplus in parking. In conclusion, the proposed access and parking arrangements are acceptable.

### **Natural Heritage**

Strategic Policy 8: Natural Heritage (SPG8) seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. This Strategic Policy is supported by Policies DM 38 Protected Species, DM 39 Habitats, Species & Features of Natural Heritage Importance, DM 40 Landscape Protection and DM 42 Trees and Development.

The site is largely surrounded by dense, native species hedgerow of approximately 5 metres high with a number of mature trees along the site boundaries. A stretch of over 50 metres of vegetation which is considered as a priority habitat is to be removed along the northwestern site boundary and one tree is shown to be removed on the southwestern boundary.

The characteristics of the site provides potential for bird nesting and foraging, and the dwellings to be demolished have been found to have bat roost potential at the edges of the roofs. Objection letters received have raised concerns about the loss of trees and impact on wildlife.

The application is supported by an ecology report (Document 03 date stamped 9 June 2024), a Bat Emergence Report (Document 04 date stamped 16 September 2024), additional information provided within Document 05 (date stamped 30 October 2024) and a Lighting Report (Document 06 date stamped 5 November 2024). DAERA Natural Environment Division (NED) confirm in their consultation response dated 21 January 2025 that they have no concerns in relation to natural heritage and informatives are recommended.

Under the ANPS, the Council will seek to retain trees wherever possible and encourage more tree planting in order to enhance the amenity value they afford to the Borough. To this end the policy promotes the achievement of a net gain in tree numbers by virtue of new development. Whilst the proposed development does include the removal of some hedging and trees, the site layout drawing (02/6) indicates the retention of existing vegetation and the planting of new hedging and trees. The detail of the trees to be planted is required and this matter has been covered by a condition at the end of this report. It is considered that the proposal is in line with Policy DM 42, subject to condition.

### **Flood Risk and Drainage**

Strategic Policy 10: Environmental Resilience and Protection of the ANPS seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. Policy DM 15 'Development Relying on Non-Mains Sewerage' states that the Council will only support development proposals relying on non-mains sewerage, where it can be demonstrated that this will not create or add to a pollution problem.

Whilst the site is not located within a flood plain, the proposal does exceed the thresholds set out in DM 47.2 of the ANPS in that it requires a Drainage Assessment (DA). The applicant had previously submitted a DA (Document 02 date stamped 09 June 2024 and Document 07 date stamped 10 December 2024). The ANPS recognises the potential harmful impacts of surface water flooding and through the ANPS, it will seek to promote a more sustainable approach to drainage and flood risk management.

The DA concludes that it will be possible to limit the discharge to a maximum of 3.0l/s from the proposed storm network which is equivalent Greenfield rate. This rate is achieved through use of flow control device with approximately 68.1m<sup>3</sup> of storage provided within oversized drainage infrastructure. Such a design would be considered a 'hard' Sustainable Urban Drainage System (SuDs). Under DM 47.4, the Council will seek to promote the use of SuDS, as the preferred means of treating surface water and managing flow rates for development proposals in locations where this is a feasible solution.

### **Other Matters**

#### *NI Water Infrastructure*

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

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

### **CONCLUSION**

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

- The principle of development is considered to be acceptable;
- The design, layout and appearance of the proposed development is appropriate for the site and surrounding area;
- The proposal will not harm the amenities of nearby residents;
- The proposal will not have a significant environmental impact on the historic environment and natural heritage; and
- There are no road safety concerns.

### **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

### **PROPOSED CONDITIONS**

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

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

2. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 13 date stamp received 10 December 2024.

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

3. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 13 date stamp received 10 December 2024.

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

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

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

5. The existing vegetation along the boundaries of the site shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

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

6. No development shall take place until there has been submitted to and approved by the Council a detailed landscaping scheme 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 the lifetime of the development 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.

7. No dwellings hereby approved shall be occupied until the completion of the open space provision has been carried out in accordance with the approved details on Drawing No 02/6, date stamped received 15<sup>th</sup> May 2025.

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

8. No dwellings hereby approved shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council. The plan shall set out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

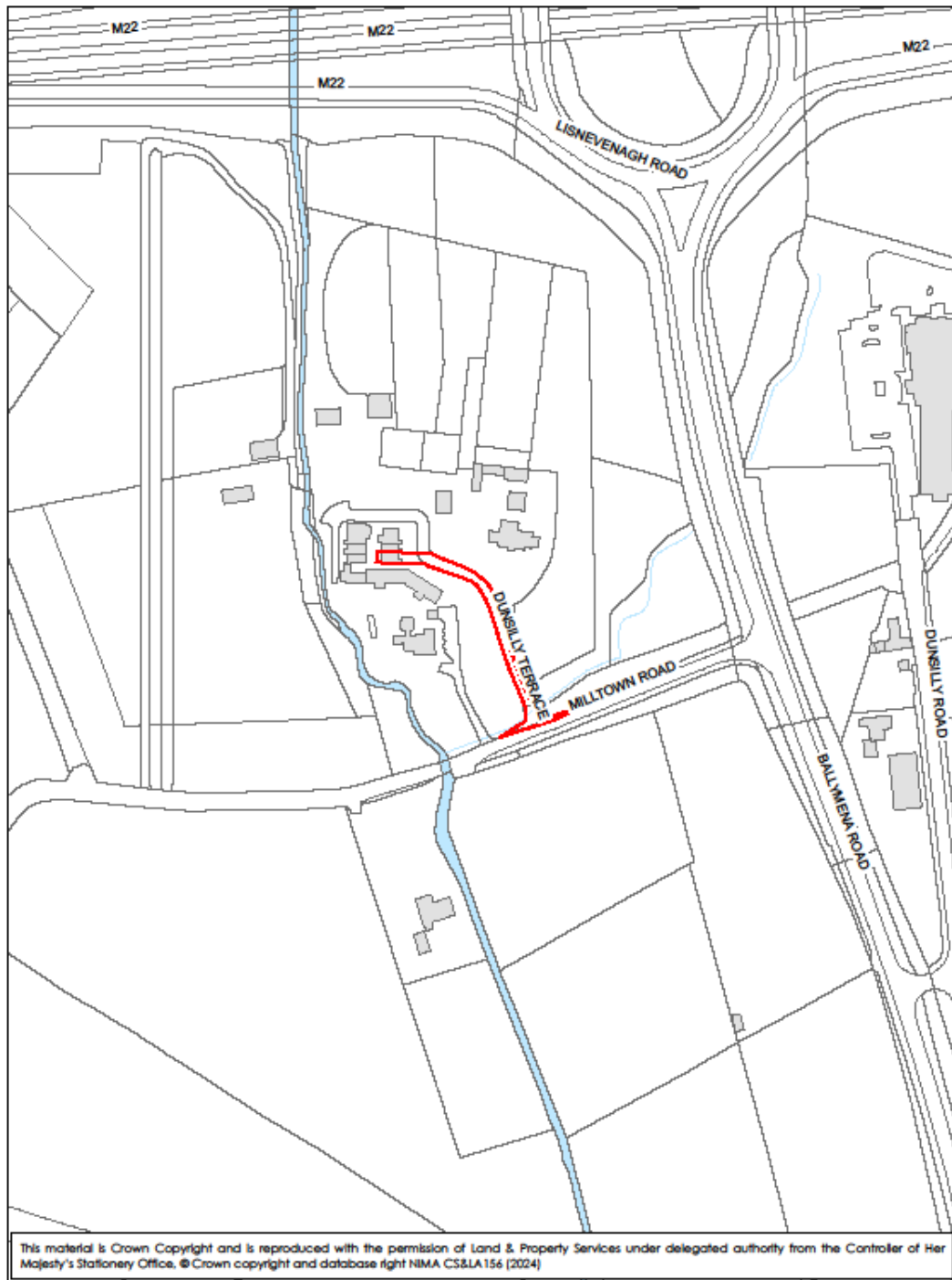
Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

9. The existing access lane, as coloured green on Drawing Number 01, date stamp received 09 June 2024, shall be planted with low level shrubbery within the first planting season following the completion of the development hereby approved, and shall be retained in thereafter at a minimum height of 2 metres unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to its removal.

Reason: In the interest of visual amenity and to deter crime.

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

Reason: To ensure that the development integrates into its surroundings in the interests of visual amenity.



### Site Location Plan

1:2,500

Reference: LA03/2024/0416/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.4</b>
<b>APPLICATION NO</b>	<b>LA03/2024/0560/F</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>LEVEL OF OBJECTION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Erection of 11no. dwellings to include 1no. detached chalet bungalow and 10no. semi-detached dwellings
<b>SITE/LOCATION</b>	Lands approx. 50m NE of No. 5 Junction Road, approx. 60m NW of No. 36 Milltown Road and approx. 70m SE of No. 7B Junction Road, Milltown, Antrim.
<b>APPLICANT</b>	Drumbreagh Limited
<b>AGENT</b>	HERE Architects
<b>LAST SITE VISIT</b>	9 <sup>th</sup> October 2024
<b>CASE OFFICER</b>	Morgan Poots Tel: 028 90340419 Email: <a href="mailto:morgan.poots@antrimandnewtownabbey.gov.uk">morgan.poots@antrimandnewtownabbey.gov.uk</a>
<b>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 <a href="https://planningregister.planningsystemni.gov.uk/application/691000">https://planningregister.planningsystemni.gov.uk/application/691000</a></b>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on lands immediately to the northeast of the junction of the Milltown Road and the Junction Road. The application site is located within the development limits of Milltown as identified within the Antrim Area Plan 1984-2001.</p> <p>The application site comprises an existing corn/flax mill building which is located immediately adjacent to the road junction together with derelict lands to the rear. The land is currently overgrown with vegetation and there are a number of mature trees located along the site's southeastern boundary.</p> <p>The surrounding area is primarily residential in nature with existing dwellings to the northwest within the Cornmill housing development and single dwellings located to the southeast and to the west along the Junction Road and Milltown Road.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2024/0523/DC</p> <p>Location: Lands to northeast of the junction of Milltown Road and Junction Road, Milltown, Antrim</p> <p>Proposal: Proposed housing development consisting of 12 units (1 no. existing building renovated and refurbished and 11 no. new dwellings with associated site works and roadways, as previously approved under T/2007/0494/RM) (Discharge of Condition 2 from planning approval LA03/2019/0757/F regarding the submission of an Archaeological Programme of Works)</p> <p>Decision: Condition Discharged (21/10/2024)</p>	

Planning Reference: LA03/2019/0757/F

Location: Lands to northeast of the junction of Milltown Road and Junction Road  
Milltown, Antrim

Proposal: Proposed housing development consisting of 12 units (1 no. existing building renovated and refurbished and 11 no. new dwellings with associated site works and roadways, as previously approved under T/2007/0494/RM)

Decision: Permission Granted (24/09/2020)

Planning Reference: T/2007/0494/RM

Location: Lands to north-east of junction of Milltown Road and Junction Road,  
Milltown

Proposal: Housing development incorporating 11 new build units and 1 no. unit on site of existing vernacular buildings

Decision: Permission Granted (03/12/2009)

Planning Reference: T/2005/0566/O

Location: Lands to north-east of junction of Milltown Road and Junction Road,  
Milltown

Proposal: Site of proposed housing development

Decision: Permission Granted (10/03/2006)

## **PLANNING POLICY AND GUIDANCE**

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3<sup>rd</sup> July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 – 2001: The application site is located within the development limit of Milltown. 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.

**Strategic Policy 1 – Sustainable Development (SP 1)**: sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking
- Policy DM 12 Active Travel (Walking and Cycling)
- Policy DM 15 Development relying on non-mains sewerage

**Strategic Policy 4 - Homes (SP 4):** sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policy:

- Policy DM 17 Homes in Settlements

**Strategic Policy 6 - Placemaking and Good Design (SP6):** sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25 Urban Design; and
- Policy DM 28 Amenity Impact

**Strategic Policy 7 - Historic Environment (SPG7):** Indicates that careful management and ongoing investment in our historic environment will help to create unique, attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policy:

- Policy DM 30 Archaeology

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. Policy SP 8 is supported by Policy:

- Policy DM 42 Trees and Development.

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems
- Policy DM 52 Contaminated Land

## CONSULTATION

**DfI Roads-** No objection, subject to conditions

**DfI Rivers-**No objection

**DAERA Water Management Unit and Regulation Unit -** No objection, subject to conditions

**Council's Environmental Health Section -** No objection, subject to conditions



## REPRESENTATION

Fifteen (15) neighbouring properties were notified of the application and three (3) letters of objection have been received from three (3) notified properties.

The full representations made regarding the proposal are available to view on the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/691000>

The issues raised in the representations have been considered as part of the assessment of this application.

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

- Sewage system cannot take any more houses;
- Plans unclear regarding boundary treatment between site and No. 34 Milltown Road;
- Stability of the wall;
- Inaccurate drainage calculations; and
- Concerns over asbestos in the mill building.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Principle of Development
- Design and Impact on the Character and Appearance of the Area
- Private Amenity Space
- Neighbour Amenity
- Access, Movement and Parking
- Flood Risk
- Land Contamination
- Archaeology and Built Heritage
- Other Matters

### Policy Context

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The application site is located within the development limit of Milltown as defined within the Antrim Area Plan 1984-2001. In line with the transitional arrangements set out in the SPPS, AAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS.

### **Principle of Development**

Given the site location within the settlement limits of Milltown, Policy SP 4.1 of the ANPS indicates that a presumption in favour of the development of new homes will be applied, provided the proposal meets the requirements of Policy SP 4 and other relevant policies applicable to the development type. Policy DM 17 of the ANPS indicates that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming, and where a number of other additional criteria are met.

In addition, Policy SP 6.4 places the onus on the developer to demonstrate that they have considered the core principles of placemaking and that the proposed scheme will deliver a high-quality development. As this proposal is for more than ten (10) residential units, a Design and Access Statement is required as set out in Policy SP 6.4 and criterion (g) of DM 17.7. The ANPS sets out that this should incorporate a detailed site analysis; a Concept Plan and / or Masterplan; and a written statement outlining how the key design criteria set out in Policy DM 25 have been addressed by the design and layout of the scheme. In line with Criterion (G) of Policy DM 17.1, a Design and Access Statement, Document 01, date stamped 2<sup>nd</sup> August 2024 was submitted alongside the application.

Policy DM 17 of the ANPS 'Homes in Settlements' states that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming subject to a number of criteria. The application seeks permission for the erection of 11no. dwellings to include 1no. detached chalet bungalow and 10no. semi-detached dwellings and involves the change of house type to the dwellings as previously approved on the application site, Ref: LA03/2019/0757/F. The previous approval on the site (Ref: LA03/2019/0757/F) granted permission for 12no. units (11no. new build units and the renovation of the existing mill building). The proposal does not seek to increase the number of units previously approved and solely relates to the reconfiguration and redesign of the previously approved 11no. new build units.

The previous approval (Ref: LA03/2019/0757/F) was granted permission on the 24<sup>th</sup> September 2020 and remains extant until the 22<sup>nd</sup> September 2025. With respect to the principle of residential development, the application site is located within the development limits of Milltown and taking into account the planning history and that there is no increase in the units proposed, it is considered that the principle of development is acceptable, subject to the proposal complying with the relevant policy provisions of the SPPS and the ANPS.

### **Design and Impact on the Character and Appearance of the Area**

Policy DM 17.1 of the ANPS 'Homes in Settlements' states that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming, and where a number of criteria are met. It is noted that Criterion (D) of Policy DM 17.1 is not applicable in this case as the proposal relates to less than 20no. dwellings.

Policy DM 25 'Urban Design' requires the development to deliver high quality design in its layout and appearance and comply with a number of criteria including that the proposal should make a positive contribution and relate well to the scale, density, massing, character, appearance and use of materials of the surrounding area.

The proposal seeks to amend the design and appearance of the 11 no. dwellings as previously approved and does not seek to add any additional dwellings. The proposal takes the form of 1 no. bungalow located on Plot 1 and 10 no. semi-detached dwellings on Plots 2-11. As previously approved, the proposal consists of 10 no. semi-detached, two storey dwellings and 1 no. detached, two storey dwelling.

In terms of density, it is noted within the applicant's supporting statement, (Document 05, date stamped 14<sup>th</sup> July 2025) that the layout is informed by the surrounding context and character of the area. The density of the development is approximately 22 no. dwellings per hectare which is noted as being lower than the adjacent housing development in 'Cornmill' which has a density of approximately 31 no. dwellings per hectare.

The proposal provides an acceptable range of dwelling types. The proposal seeks to amend the approved two storey detached dwelling on Plot 1 to a detached chalet bungalow (House Type A). Plot 1 is located on a corner plot to the front of the application site and should be designed with a dual frontage element. The amended house type consists of a large outshot to the front and rear projection, with a small dormer to the front elevation along with roof lights to the rear elevation. The dual frontage element of Plot 1 remains similar to that which was previously approved, however, it has larger bay windows proposed. It is considered that the design of this proposed dwelling is acceptable.

The proposal seeks to amend the design of House Type B on Plots 2-5 to include the removal of the first-floor window pitches and the pitched porch element, to be replaced with a large pitched outshot. The proposal also seeks to alter Plots 6-9 from House Type A and B to House Type C which consists of the removal of the side elevation access door, to be replaced with a ground floor window. The design of the dwellings has also been amended to include a hipped roof, removal of first floor window pitches and pitched porch element and removal of the ground floor bathroom window to the front elevation. It is considered that the design of these units is acceptable.

Plots 10-11 are being altered from House Type B to House Type D/E which consists of a dual frontage pair of semi-detached dwellings located on the prominent corner plot within the application site. It is considered that the proposal provides a stronger dual frontage element than previously approved with two (2) separate entrance doors located to both the front and side elevation along with three (3) first floor windows and two (2) ground floor windows to each elevation. The rear and gable elevation remain largely unaltered with the repositioning of ground floor windows and the reduction in size of the first-floor rear windows.

A 1.8m high screen wall is proposed to the front of Plots 1 and 11. The proposed screen wall is set forward of the building line, however, previously approved Drawing Number 08/1 date stamped 25<sup>th</sup> September 2020 shows 1.8m screen walls to these plots which were also set in front of the building line. Given the extant approval the wall is considered acceptable in this instance. Landscaping is proposed in front of the walls to aid screening and includes additional trees and hedgerows.

A garage is indicated to Plots 1 and 6. The garage measures approximately 2.2m in height, 3m in length and 1.8m in width. A sunroom is indicated as being available to Plots 4-11. Although these are noted on the plans as optional, these elements have formed part of the consideration as part of the proposal. The proposed sunrooms do not include any additional windows and solely repositions the location of the rear double doors and are considered acceptable.

The finishes proposed for the dwellings are being altered from roughcast walls to smooth render which is considered acceptable and will not appear out of character in the context of the wider area.

Concerns were raised through a letter of objection regarding the submitted plans being unclear in relation to the boundary treatment between the proposed development and No. 34 Milltown Road and the stability of the wall being undermined by the new landscaping. No evidence has been submitted to detail how the additional planting will undermine the structure of the wall, and this is a civil matter between the parties.

Drawing Number 04/3, date stamped 6<sup>th</sup> March 2025 shows the rear garden areas of Plots 8-11 defined by a 1.8m screen fence, while the remainder of the southeastern boundary separating the site and No. 34 Milltown Road is defined by an existing stone wall which is to be retained and was approved to be retained under the previous approval, Ref: LA03/2019/0757/F. The plans are considered to clearly demonstrate the boundary treatments and are considered acceptable.

DM 42.1 requires that development schemes provide a mix of planting with a preference for native species and to maintain existing vegetation where possible. A detailed landscaping scheme, (Drawing 16/1, date stamped 11<sup>th</sup> March 2025) has been submitted to detail that the proposal provides a mixture of native species throughout the site, with the existing native hedgerow to the western and southeastern boundary to be retained.

DM 42.2 requires that proposals provide sufficient detail on the long-term maintenance of planting. A summary of the maintenance schedule is noted on the landscaping scheme, Drawing No.16/1 and a detailed Landscape Management and Maintenance Plan, (Document 02, date stamped 15<sup>th</sup> October 2024) has been submitted which is considered acceptable.

It is considered that the details of the design and appearance of the varying house types on the subject plots are acceptable in this instance. As such, it is considered that the development proposal will not have an unacceptable impact on the local character and environmental quality of the residential development immediately surrounding the relevant plots and is therefore acceptable in this instance.

Overall, it is considered that the design and appearance of the proposal reflects the density, character and form of the existing development within Milltown and is acceptable in terms of the house types proposed and their design. The proposal complies with Policies DM 17.1 and Policy DM 25.

### **Private Amenity Space**

Policy DM 17.9 of the ANPS states that the Council will take account of the guidance in relation to private amenity space for new residential development proposals as set out in Creating Places Guidance. Guidance contained within 'Creating Places' recommends that properties with 3 or more bedrooms have 70sqm or more private amenity space as an average across the development, with a minimum of 40sqm on individual plots. In this case, private amenity spaces and overall plot sizes remain largely unaffected as a result of the development proposal. Proposed dwellings still retain an average of 105sqm amenity space which is in line with design guidance principles recommended in Creating Places. The private amenity spaces associated with the dwellings range from a minimum of 68sqm to 270sqm (this is taking account of the sunroom and garages proposed). The proposal is considered to offer sufficient private amenity space in line with Creating Places Guidance and therefore complies with DM 17.9 of the ANPS.

### **Neighbour Amenity**

Policy DM 28 of the ANPS addresses the amenity impact of development proposals. DM 28.1 sets out that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. DM 28.2 refers to a number of issues which may result from the development including overlooking and/or loss of light, dominance or overshadowing, noise, vibration and other forms of disturbance and odour, fumes and other forms of environmental pollution. These issues will be material considerations in the assessment of all proposals.

In addition, criterion (c) of DM 25.1 requires new development within settlements to be designed to be compatible with adjacent land-uses and not have a detrimental effect on the amenity or character of any adjoining properties and the surrounding area.

There are minimal changes to the location of the dwellings and the size of the plots from the previous grant of planning permission on the site which remains extant. No new first floor windows are proposed and there are no concerns with regards to an increase in overlooking. There is no increase in the height of the proposed dwellings, no new relationships between proposed and existing buildings have been created. As such it is not anticipated that there will be an unacceptable residential amenity impact as a result of this proposal.

### **Access, Movement and Parking**

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. SP 3 is supported by Policy DM 10.

Policy DM 10 gives support to development proposals where it is demonstrated that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated; where access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods; and adequate provision is made for car and cycle parking and any necessary servicing arrangements. Criterion (j) of DM 25.1 also requires development proposals to incorporate adequate and appropriate provision for parking.

The current proposal does not alter the access arrangements previously approved under planning approval Ref: LA03/2019/0757/F. The proposal does include additional parking provision.

Under the previous application, 18no. assigned spaces were provided along with 9no. unassigned spaces, providing a total of 27no. spaces. However, it is noted that Plots 7 and 8 did not have any assigned parking spaces. The proposal seeks to amend the parking provision to allocate the 11no. units with 2no. in-curtilage parking spaces and 7no. unassigned parking spaces, creating a total of 29no. spaces, a net increase in 2no. spaces from the previous approval. DfI Roads were consulted and raised no objection to the proposal, subject to conditions.

The aim of Policy DM 12 Active Travel (Walking and Cycling) is to promote measures in the design and layout of developments that will support increased walking and cycling. There is a footpath along the internal estate road that connects to the Junction Road and adjacent Milltown Road which is acceptable in terms of providing access to the wider road network.

### **Flood Risk and Drainage**

Strategic Policy 10: Environmental Resilience and Protection of the ANPS seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. Policy DM 15 'Development Relying on Non-Mains Sewerage' states that the Council will only support development proposals relying on non-mains sewerage, where it can be demonstrated that this will not create or add to a pollution problem.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within the site. The site may be affected by undesignated watercourses. The Climate Change Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100-year fluvial or 1 in 200-year coastal floodplain.

Policy DM 47 of the ANPS 'Surface Water Drainage and Sustainable Drainage Systems (SuDS)' deals with flood risk outside floodplains and aims to reduce flood risk for new developments from surface water (pluvial) sources. Policy DM 47.2 states that a Drainage Assessment will be required for all development proposals that involve residential development comprising 10 or more dwellings. Policy DM 47.4 states that whilst recognising they may not always be a suitable mitigation measure, the Council will seek to promote the use of SuDS, as the preferred means of treating surface water and managing flow rates for development proposals in locations where this is a feasible solution.

A Drainage Assessment, Document 03/1, date stamped 13<sup>th</sup> May 2025 has been submitted which indicates that the drainage system is designed to limit run off to greenfield rates through the use of a hard SuDS solution comprising oversized pipes

and a hydro brake. DfI Rivers and DAREA Water Management Unit were consulted and have indicated that they are content with the submitted Drainage Assessment.

### **Land Contamination**

Policy DM 52 of the ANPS 'Contaminated Land' states that the Council will only support development proposals on potentially contaminated land, where it can be demonstrated through site assessment has been carried out and effective mitigation measures are agreed.

Under the previous application, (Ref: LA03/2019/0757/F) which remains extant, it was reported that the application site showed the historical presence of a millpond, and concerns were raised by both Environmental Health Section (EHS) and DAERA Regulation Unit. A Preliminary Risk Assessment and Generic Quantitate Risk Assessment were submitted with the previous application which concluded that there was no significant risk of contamination to the existing or proposed residents.

The agent has submitted updated information in the form of a Preliminary Risk Assessment, (Document 04, date stamped 8<sup>th</sup> November 2024) which concludes that there are no additional sources of contamination than those previously addressed under the previous grant of planning permission. EHS and DAERA Regulation Unit were consulted on this information and responded with no objection, subject to conditions. The proposal is considered to be acceptable and comply with Policy DM 52 of the ANPS in this regard.

### **Archaeology and Built Heritage**

Policy DM 30 'Archaeology' aims to protect our Borough's archaeological remains from development that would have an adverse impact on their integrity and setting. Policy DM 30.2 considers Archaeological Remains of Regional Importance which include Monuments in State Care, Scheduled Monuments and other important sites and monuments that would merit scheduling.

The proposal does not seek to increase the number of units previously approved and solely relates to the reconfiguration and redesign of the previously approved 11 no. new build units. Under the previously approved application, Ref: LA03/2019/0757/F, Historic Environment Division were consulted and recommended a number of conditions to be attached relating to a Programme of Works and Archaeological Testing, and as such these conditions can be attached to any forthcoming approval.

The proposal is considered to comply with Policy DM 30 in this regard as the proposal is not considered to adversely affect the archaeological monuments or their setting.

### **Other Matters**

#### Objections

#### Sewage Capacity

Two (2) letters of objection stated the sewage system cannot take any more houses. It is noted that the proposal does not seek to increase the number of dwellings previously approved under Application Ref: LA03/2019/0757/F. For this reason, the matter is not considered to be determining in this instance.

### Asbestos in Mill Building

Concerns were raised that the existing mill buildings approved to be renovated under Application Ref: LA03/2019/0757/F may have the presence of asbestos. This current application seeks to amend the design and layout of the previous 11 no. new build dwellings and does not seek to alter the previously approved renovation to the mill building. Should the 'corrugated roof' referred to in objection letter dated 13 January 2025, contain asbestos it will be dealt with under Health and Safety Legislation, as an asbestos survey will be required prior to any demolition/ construction works.

### **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 site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

The identification and evaluation of archaeological remains within the site;

- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under Condition 2.

Reason: To ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under Condition 2. These measures shall be implemented, and a final archaeological report shall be submitted to Antrim and Newtownabbey Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Antrim and Newtownabbey Borough Council.



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

5. No dwelling hereby permitted shall be occupied until the remediation measures described in Section 6 of Document Number 03, stamped 'Planning Section Received 11 Mar 2020' of planning approval LA03/2019/0757/F, have been implemented.

Reason: To control any potential risks to human health arising from any land contamination present.

6. There shall be no amendments or deviations from the remediation and verification recommendations contained within Section 6 of Document Number 03, stamped 'Planning Section Received 11 Mar 2020' of planning approval Ref: LA03/2019/0757/F, without prior written approval of the Council.

Reason: To control any potential risks to human health arising from any land contamination present.

7. After completing the remediation works under Condition 5 and prior to the occupation of the affected dwelling, a verification report shall be submitted to and agreed with Council. This report shall be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable.

The verification report shall present all the remediation; waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives and shall be carried out as approved.

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

8. If, during the development works, a new source of contamination and risks are found, which had not previously been identified, works should cease and the Council shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable.

Reason: To control any potential risks to human health and environmental receptors from any undiscovered land contamination.

9. Should an unacceptable risk to identified sensitive receptors be identified, a remediation strategy shall be submitted to and agreed with the Council prior to being implemented. The remediation strategy shall be carried out as agreed.

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

10. The existing natural boundaries of the site as outlined on approved Drawing Number 16/1, date stamped 11<sup>th</sup> March 2025 shall be retained and allowed to grow on with the hedgerows retained at a minimum height of 2 metres and the trees retained at a minimum height of 4 metres.

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

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

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

12. The proposed planting shall be carried out in accordance with approved Drawing No. 16/1, date stamped 11<sup>th</sup> March 2025. The planting shall be carried out within the first available season after the occupation of the building hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

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

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

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

14. The open space and amenity areas indicated on the stamped approved Drawing Numbers 04/3 and 16/1 bearing the date stamped 6<sup>th</sup> March 2025 and 11<sup>th</sup> March 2025 respectively shall be managed and maintained during the lifetime of the development in accordance with the Landscape Management Plan, Document 02 date stamped 15<sup>th</sup> October 2024. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

15. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 19/1 date stamped 26<sup>th</sup> November 2024 prior to the commencement of any other development hereby approved. The area within the visibility splays and any forward sight line shall be cleared to

provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

16. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing 19/1 date stamped 26<sup>th</sup> November 2024.

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

17. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 19/1 date stamped 26<sup>th</sup> November 2024.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.



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## Site Location Plan

1:1,250 

Reference: LA03/2024/0560/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.5</b>
<b>APPLICATION NO</b>	<b>LA03/2024/0182/F</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>ADDENDUM TO COMMITTEE REPORT</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Battery Energy Storage System (BESS) Facility 100MW including, transformers, switch and control Room, lighting and CCTV, new site boundary fencing, new access, and ancillary development works.
<b>SITE/LOCATION</b>	Lands approx. 80m west of 92 Parkgate Road, Kells, Ballymena, BT42 3PG
<b>APPLICANT</b>	Heron Storage Ltd
<b>AGENT</b>	Gravis Planning
<b>LAST SITE VISIT</b>	19 June 2024
<b>CASE OFFICER</b>	Barry Diamond Tel: 0300 123 6677 Email: barry.diamond@antrimandnewtownabbey.gov.uk
<p><b>The full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal</b></p> <p><a href="https://planningregister.planningsystemni.gov.uk/application/685760">https://planningregister.planningsystemni.gov.uk/application/685760</a></p>	
<b>ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS</b>	
<p>Members, this application was deferred at the March 2025 Planning Committee, to facilitate a further meeting with Planning Officers.</p> <p>Since the publication of the original Planning Committee report and associated addendum reports in March 2025, one letter of support has been received. The points raised include, but are not limited to:</p> <ul style="list-style-type: none"> <li>The UFU supports the development and investment in renewable energy infrastructure in Northern Ireland and endorses the proposal.</li> </ul> <p>Planning Officers held a meeting on 09 April with the agent to discuss the concerns previously raised within the Committee Report. The following additional information was received by the Planning section on 23 May 2025; block plan (Drawing No. 03D), block plan with aerial photo (Drawing number 04D), landscape plan (Drawing No. 15), amended Drainage Assessment (Document 06B), Final Site Selection (Document 19), Landscape Specifications (Document 21), Landscape and Visual Impact Assessment (Document 23), landscape management plan (Document 24) and views methodology report (Document 25). Neighbours were notified of the amended drawings.</p> <p>Since the publication of the original Committee Report, the Council adopted their Plan Strategy on 3rd July 2025. The Plan Strategy is Part 1 of the Antrim and Newtownabbey Local Development Plan (ANLDP) and contains strategic and operational policies. As a result, the proposal has been assessed within this context.</p>	

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3<sup>rd</sup> July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Antrim Area Plan 1984 - 2001: The site is located in the rural area outside any designated development limits.

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

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1)**: sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3)**: aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking; and
- Policy DM 14 Public Utilities and Infrastructure
- Policy DM 15 Development Relying on Non – Mains Sewerage

**Strategic Policy 6 - Placemaking and Good Design (SP 6)**: sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by;

- Policy DM 27 Rural Design and Character
- Policy DM 28 Amenity Impact

**Strategic Policy 7 - Historic Environment (SPG7)**: Indicates that careful management and ongoing investment in our historic environment will help to create unique,

attractive and welcoming places to live, work and relax in and contribute significantly to our Borough's sense of place. SP 7 is supported by Policy:

- Policy DM 30 Archaeology

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. SP 8 is supported by the following Policies:

- Policy DM 37 Designated Sites of Nature Conservation Importance;
- Policy DM 38 Protected Species;
- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance;
- Policy DM 40 Landscape Protection; and
- Policy DM 42 Trees and Development

**Strategic Policy 9 – Natural Resources (SPG9):** sets out that the Council will seek to ensure the sustainable use of our natural resources. SPG 9 is supported by relevant operational policy:

- Policy DM 45 Renewable Energy Development

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 46 The Control of Development in Flood Plains; and
- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

### **Policy Context and Principle of development**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim and Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

In line with the transitional arrangements set out in the SPPS, dBMAP and the ANPS must be read together. Any conflict between the policies in the Plans must be resolved in favour of the ANPS. The application site is located outside any settlement limit as designated in the Antrim Area Plan 1986 – 2001 and is in the countryside.

Policy SP 1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there

are overriding reasons why it is essential in a countryside location and cannot be located within a settlement.

The proposed development remains the same as that assessed in the previous Committee Report; and includes the erection of a Battery Energy Storage System (BESS), comprising of 57 battery systems, 29 transformers and one 11kv transformer, two switch houses, lighting columns with CCTV cameras attached, a 3.5 metre high acoustic fence around the battery systems, a 2.4 metre high palisade fence around the area which contains the transformers, and a 1.2 metre high timber fence along the new access.

Policy SP 3 provides the overarching policy context for transportation and infrastructure in the Borough, setting out that the Council will support proposals for the delivery of enhanced water supply, wastewater treatment, drainage, electricity and gas infrastructure where these accord with Policy DM 14.

Policy DM 14 of the ANPS deals with Public Utilities and Infrastructure, with DM 14.1 stating that the Council will support the provision of new and upgraded public utilities and infrastructure where these are needed to support the growth of the Borough. Proposals for such development will be expected to demonstrate that they meet three criteria as set out in DM 14.1.

The first criterion requires there to be a specific locational need for the development related to constraints on existing networks. The need for this facility is outlined in the applicant's Planning Supporting Statement (Document 01, date stamped 11 March 2024). In this document, it is stated that BESS facilities increase the efficiency of energy generation from renewable resources and are becoming more readily recognised as an essential element of the electricity network, aiding the deployment of renewable energy generation across the electricity grid. With regards to this specific proposal, the supporting statement highlights that the proposed BESS is designed to help reduce wind power curtailments, by storing energy which would otherwise be curtailed and discharging it back to the grid at peak times or when generation from the wind turbine is low.

The agent was asked to provide further details on where the energy to be stored in the BESS would come from, and has mentioned an existing wind farm 'close by' (Corby Knowe), but has also advised that the site is co-located beside two approved single wind turbines; one on lands approximately 485 metres north-east of 92 Parkgate Road (Ref: LA03/2023/0749/F) and the second on lands approximately 342 metres north-east of No. 92 Parkgate Road (Ref: LA03/2024/0604/F). The agent has further advised that both wind turbines and the proposed BESS facility will be taken forward by the same developer. In the site selection assessment (Document 15, date stamp received 25 October 2024), the agent has identified the Kells substation and its transmission lines as the optimal connection point for a future BESS proposal.

Prior to the adoption of the ANPS, this proposal was assessed under Policy PSU 8 of the Planning Strategy for Rural Northern Ireland (PSRNI). In addition to demonstrating a need for the development, Policy PSU 8 also required the developer to carry out a 'thorough exploration of alternative sites'. The applicant provided a site selection assessment (Document 15), with a further site selection (Document 19) being



submitted following the publication of the original Committee report and office meeting with Planning Officers.

Whilst DM 14.1 states there must be a specific locational requirement for the development, there is no onus on the developer to demonstrate that alternative sites for the development have been explored. The Council has accepted there is a need for this type of development when assessing the proposal under previous planning policy; this need remains, and it is considered that its siting within the area of other renewable energy projects and the Kells substation is sufficient to comply with criterion (a) of DM 14.1.

Criterion (b) of DM 14.1 requires the development to be compatible with adjacent land uses. The application site is located within the countryside as designated in the Antrim Area Plan 1986 – 2001 and is surrounded by agricultural fields. It is considered that the proposed development would not create a conflict with adjacent land uses, nor would it impede any farming practices in the surrounding area. Criterion (c) states that the Council will support proposals which will not have an unacceptable adverse impact on local amenity or the environment. The amenity impact of the proposal is discussed further in the report.

Overall, it is considered that the proposed development aligns with the provisions of SP 1.11 and Policy DM 14 and the principle of development is acceptable.

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

The ANPS includes a number of policies that any proposed development within the countryside must demonstrate in relation to appearance and design.

Paragraph 6.34 of the ANPS highlights the importance of public utilities, including major projects, to respect and visually integrate into the landscape and townscapes. The proposal should not have an unacceptable adverse impact on local amenity or the environment in accordance with criterion (c) of DM 14.1. In addition, the Council will only support development in the countryside where it is sited to integrate sympathetically into its surroundings and respects rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context as per DM 27.1.

Policy DM 27 'Rural Design and Character' of the ANPS is also appropriate to the assessment in terms of visual impact and landscaping. DM 27.2 and DM 27.3 adds to the policy requirements for integration and the protection of rural character requiring any new building to have a suitable means of enclosure, must not be a prominent feature in the landscape and must not result in build up or a ribbon of development. In relation to design and appearance, Policy DM 27.4 of the ANPS requires that proposals respect rural design in terms of their design, scale and massing.

No changes to the overall design and layout of the proposed development have been made since the publication of the original Committee Report. The design of the proposed BESS facility does not mirror, nor respect the existing rural and agricultural design of surrounding dwellings and farm buildings is still relevant at this stage. The 3.5-metre-high acoustic fence around the boundaries of the battery compound remains. Visibility splays of 2.4 metres by 140 metres are required and

can only be provided by removing the existing grass verge, hedging and trees along the roadside boundary.

A substantial landscaping scheme has been submitted since the publication of the Committee Report. This is detailed on Drawing Nos. 15 and 16, and in Document Nos. 21 and 22. Photos of the application site from a number of public viewpoints are contained within Document No. 25. This document also provides 'after' photos following completion of the proposed development and the anticipated growth of the proposed landscaping after 5 years.

The landscaping scheme includes the planting of new trees, a mix of alder, silver birch and rowan, along the northern, southern and eastern boundaries of the BESS compound, new hedging planting along the roadside, woodland planting to the rear of the compound and in an area to the eastern side of the compound, with a grassed area between this proposed woodland and the roadside boundary.

It is accepted that this landscaping scheme is consistent with the aim of Policy DM 42 Trees and Development of the ANPS, and the Council acknowledges the attempts of the applicant to integrate the proposed development within the rural area. Document 25 indicates that it will take at least 5 years of solid growth to provide a satisfactory level of screening and integration. Criterion (d) of DM 27.2 sets out that development will not be considered acceptable where it relies on the use of substantial new landscaping.

It is considered that over the short term the proposed development would appear incongruous in the landscape over short range viewpoints. When viewed from longer vantage points, the site benefits from mature planting on the northern, southern and western boundaries which help to minimise the impact. While the roadside hedge/trees will have to be removed in order to accommodate the necessary sightlines the site does benefit from a setback of approximately 170 metres which would mitigate the impact to some degree. The proposed development requires the development of a 3-metre-high fence along the eastern boundary which would have a visual impact which could be mitigated by painting it green to help blend with the surrounding backdrop, with the landscaping to the front helping to shield it over time.

While it is accepted that there will be a short-term impact on the rural character of the area of the area, the impact does not affect the wider landscape setting and mitigation is provided through the setback, additional planting and the retention of existing boundary trees.

### **Amenity Impact**

#### Noise

Criterion (c) of DM 14.1 requires proposals to not have an unacceptable impact on local amenity. Policy DM 28 of the ANPS also deals with the amenity impact of development proposals. DM 28.1 sets out that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. DM 28.2 refers to a number of issues which may result from the development; with regards to this proposal, there is the potential for residents to be unduly affected by noise.

Since the publication of the previous Committee Report, no new noise issues were raised which required the submission of new information, therefore, based on all the information received to date, the Council is of the opinion that the amenity at nearby sensitive receptors can be suitably protected, subject to the attachment of a number of noise and artificial light control conditions.

#### Fire risk

The safety issues that can potentially result from Battery Energy Storage Systems (BESS) have been considered. Such issues include failures of lithium-ion batteries including 'thermal runaway' whereby a battery cell experiences uncontrollable overheating, often accompanied by the release of large quantities of flammable off-gasses. The failing cell may lead to thermal runaway of adjacent cells, creating a cascading failure across the system resulting in large quantities of heat and gas. If these gases accumulate in an enclosed space such as a BESS container, there is potential for explosion.

As noted in the previous Committee Report, the Fire and Safety Report (Document 10, date received 11 March 2024) sets out that the site has been arranged methodically in rows to reduce the number of batteries connected to make up one system. There are 57 battery or "groups"; these groups are then further broken down into enclosures. Eight enclosures come together to make one of the BESS systems. This is then broken down further again into one enclosure, with each enclosure being fully fire separated from the next. Each enclosure is also individually fire resistant. As described in the Fire and Safety Report, the system is a fire rated enclosure and has its own detection, suppression and cooling systems with all safety features included within the enclosure.

Section 7 of the Fire and Safety Report refers to 'fire response' and states that in the unlikely event of an uncontrolled thermal runaway incident, the inbuilt clean agent fire suppressant will deploy and be retained within the BESS enclosure, further preventing any possibility of a fire. The agent states that active firefighting tactics, such as applying water to the burning unit, is not required to stop fire spread to neighbouring units and if any firefighting resources are required these will be limited to defensive tactics to protect nearby exposures. Based on this, the proposal did not show the provision of a fire hydrant within the confines of the site.

NIFRS provides standing advice in relation to planning applications for BESS developments. With regards to fire suppression, NIFRS advise that 'whilst gaseous suppression systems have been proposed previously, current research indicates the installation of water-based suppression systems for fires involving cell modules is more effective', and that 'initial firefighting intervention will focus on defensive firefighting measures to prevent fire spread to adjacent containers'. As a minimum, NIFRS recommends that hydrant supplies for boundary cooling purposes should be located close to BESS containers and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours. As per this advice from NIFRS, the Council considered that a suitable fire suppression method had not been provided, and this could give rise to a detrimental impact on the surrounding environment and nearby residential amenity.

The proposed block plan received on 23 May 2025 (Drawing number 03D) now shows a fire hydrant, located just outside the acoustic fence and close to the BESS containers. It is anticipated that in the event of a thermal runaway; firefighting water would be used for the cooling of adjacent units. The updated Drainage Assessment (Document 06B) and further information submitted by the applicant's agent (Document 26) sets out how potential contaminated water is to be dealt with (discussed further below).

Once developed the BESS facility will become a "relevant premises" as defined by The Fire and Rescue Services (Northern Ireland) Order 2006 and The Fire Safety Regulations (Northern Ireland) 2010. NIFRS is the enforcing authority and carries out audits of relevant premises to ensure compliance and the developer will operate the facility in line with the above legislation.

It is considered that the fire risk from the proposed development has been satisfactorily considered and mitigated against, and the development will not have a detrimental impact on residential amenity.

### **Access and Parking**

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. SP 3 is supported by Policy DM 10.

Policy DM 10 gives support to development proposals where it is demonstrated that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated; where access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods; and adequate provision is made for car and cycle parking and any necessary servicing arrangements. Criterion (j) of DM 25.1 also requires development proposals to incorporate adequate and appropriate provision for parking.

Access to the site is via a new entrance off the Parkgate Road and along a new access lane. DfI Roads has raised no objection to the proposal since the publication of the initial Committee Report, and it is considered that the proposal complies with the provisions of Policy DM 10.

### **Natural Heritage**

Strategic Policy 8: Natural Heritage (SPG8) seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features. This Strategic Policy is supported by Policies DM 37 Designated Sites of Nature Conservation Importance; DM 38 Protected Species, and DM 39 Habitats, Species and Features of Natural Heritage Importance.

The Council raised no concerns previously regarding the impact of the development on natural heritage features and it is considered the proposal complies with the relevant policies as per the original Committee Report.

### **Impact on features of Archaeological Importance**

Strategic Policy 7 'Historic Environment' states that the Council will work in partnership with DfC Historic Environment Division, heritage organisations and developers to protect, conserve and promote the enhancement of a number of heritage assets, including archaeological remains, and their settings. Policy SP 7 is supported by Policy DM 30: Archaeology.

DfC Historic Environment Division (HED) provided a consultation response to the proposed development advising that there will be no impact on the settings of the surrounding monuments. Given that the closest monument is over 500m away, and that the application site is a greenfield site of less than 1 ha, it is considered, in consultation with HED, that the proposal is satisfactory to the SPPS; Strategic Policy SP 7 and Policy DM 30, and no further archaeological mitigation is required.

### **Flood Risk and Drainage**

Strategic Policy 10: Environmental Resilience and Protection of the ANPS seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. Policy SP 10 is supported by Policy DM 46 and Policy DM 47.

Since the publication of the Committee Report, the applicant submitted an updated Drainage Assessment (DA) (Document 06B). Within the DA, it is stated that the proposed development will lead to an increase in the impermeable area of the site and therefore is likely to result in an increase to the rate and volume of runoff from the site when compared to the existing scenario. The DA states that surface water drainage on proposed hardstanding areas shall be by gully and carrier pipe. Whilst the proposed drainage will not be eligible for adoption, it will be privately maintained and shall comply with mandatory standards; other drainage shall comply with Northern Ireland Building Regulations. Attenuation for approximately 327m<sup>3</sup> will be provided in the form of 130 metres of double barrel, 1.2 metre diameter pipe, with four 3000mm manholes. These SuDS features shall be designed in accordance with guidance as stated in CIRIA C753 SuDS manual.

The DA also sets out that any drainage assets shall be the responsibility of the site operator to maintain, and that the developer shall put in place drainage management procedures as part of the overall facility management. A Drainage Maintenance Schedule is set out in Table 5-1 of the DA.

DfI Rivers has reviewed the updated DA and notes that, while not being responsible for the preparation of the DA, accepts its logic and has no reason to disagree with its conclusions.

The updated DA states that if fire water used for cooling becomes contaminated, it will be controlled and prevented from leaving the site laterally (in site drainage) or by migrating vertically to groundwater. It further goes on to say that lateral migration is prevented by the installation of an emergency control shut-off isolation valve to the site drainage network upstream of the proposed drainage discharge location where it would enter a watercourse. The location of this valve is shown on the concept drainage layout general arrangement drawing, included within the DA. Vertical migration is prevented by ensuring an impermeable liner under the stone formation used to form the unbound surface and subbase at the BESS area.

The DA states that the volume of storage available within the lined gravel sub-base and drainage network is 663 cubic metres and this exceeds the minimum recommended volume (228 cubic metres) required to contain water used for boundary cooling as per NFCC Grid Scale Battery Energy Storage System Planning – Guidance for FRS. The proposed system ensures that there is sufficient storage to allow arrangement for pumping facilities to remove contaminated water for transport and disposal offsite.

Further information in relation to the emergency control shut-off isolation valve is contained within the applicants statement ANBC Plan Strategy (Document 26). The agent states that in line with NIFRS standing advice, during the construction phase and then following construction, NIFRS will be provided with details of the facility, access and water supplies and be provided with a site layout plan showing these for emergency planning purposes. This will include the location of the shutoff valve which will also be clearly signposted at the site. The developer will be responsible for the maintenance of the shut off valve. The responsibility for engaging it in a fire event will be with NIFRS in line with agreed protocols. A condition has been included at the end of this report to ensure that the functionality of the shut off valve, in terms of the responsibilities for this and how it will operate, can be submitted as part of an overall site management report prior to the commencement of development.

## **CONCLUSION**

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

- The principle of the development is considered to be acceptable;
- The design and appearance of the proposed development is acceptable;
- The proposed development will not have an unacceptable impact on the visual appearance of the rural area;
- The proposal will not result in an unacceptable impact on neighbour amenity including by reason of fire risk;
- There are no significant concerns relating to access, road safety matters and parking; and
- There is no significant flood risk associated with the site.

## **RECOMMENDATION**

## **GRANT PLANNING PERMISSION**

## **PROPOSED CONDITIONS**

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

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

2. The development hereby permitted shall cease on or before 25 years from the date when the operational use commences or as otherwise agreed in writing by the Council and the land restored to its former condition.

Reason: To enable the Council to retain control over the development.

3. The facility hereby granted shall operate at a maximum capacity of 100MW.

Reason: To enable the Council to retain control over the development.

4. The development shall not become operational until the fire hydrant, as shown on Drawing Number 03D, date stamp received 23<sup>rd</sup> May 2025, has been put in place and is fully operational and shall be retained for the lifetime of the development.

Reason: In the interests of health and safety.

5. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03D bearing the date stamp 23<sup>rd</sup> May 2025 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

6. The gradient(s) 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.

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

7. The BESS facility must not become operational until the site drainage has been constructed in accordance with the Drainage Plan (Appendix D of the Drainage Assessment, Document 06B, date stamped received 23<sup>rd</sup> May 2025), including the installation of an emergency pollution control valve, bypass separator, an impermeable membrane and the specified fire suppression attenuation volumes, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

8. Prior to the development becoming operational, a 3.5m high acoustic barrier shall be installed within the site as presented on Drawing No. 03D bearing the date stamp 23<sup>rd</sup> May 2025. The barrier shall have a surface weight of not less than 15kg/m<sup>2</sup>, be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence, it should be of the ship-lapped design. The barrier shall be maintained for the lifetime of the development.

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

9. The acoustic barrier in the form of a gate as marked on Drawing No. 03D bearing the date stamp 23<sup>rd</sup> May 2025 and detailed on Drawing Number 14 shall remain in the closed position except for ingress and egress.

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

10. Noise arising from the operation of the permitted development, shall not exceed the Rating Levels detailed within the Table below, when measured within the external amenity area of the following noise sensitive receptors, and assessed in accordance with British Standard 4142:2014 +A1:2019.

Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent, or subsequently obtain replacement dwelling approval, but are not listed in the table below, shall be represented by the physically closest location listed in the table unless otherwise agreed by Council.

Receptor Location	Predicted Level LAeq,1hr dB(A) @20% Fan Duty cycle with 'new fan design' 2025 data & Noise Barrier	Coordinates	
		X(m)	Y(m)
NSR1 – 92 Parkgate Road (F.I.)	34.7	317154	394681
NSR2 – 87 Parkgate Road (F.I.)	39.3	316956	394722
NSR3 – 84 Parkgate Road (F.I.)	34.6	316996	394858
NSR4 – 86 Parkgate Road	30.3	317161	394968
NSR5 – 41 <u>Lislunna Road</u>	32.1	316636	394760
NSR6 – 39b <u>Lislunna Road</u>	31.5	316562	394562
NSR7 – 39 <u>Lislunna Road</u>	33.5	316672	394388
NSR8 – 95 Parkgate Road	29.2	317371	394401
NSR9 - Derelict building approx. 80m south east of 92 <u>Parkgate Road</u>	34.2	317221	394619

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

11. Within 4 weeks of a written request by the Council, following a noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, or subsequently obtains replacement dwelling approval, the site operator shall, at his/her expense employ a suitably qualified and competent person, to assess the total level of noise arising from the approved development, including an assessment of the audibility of tones, at the complainant's property. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise monitoring.

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

12. The site operator shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Condition 11, including all calculations, and the raw data upon which that assessment and conclusions are based. Such information shall be provided within 1 month of the date of the



written request of the Council unless otherwise extended in writing by the Council.

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

13. Should the total level of noise arising from the approved development measured within Condition 11 exceed the levels stated within Condition 10, then mitigation measures to reduce noise levels shall be agreed in writing and carried out within a time frame specified by the Council. Within one month of the completion of further works, a noise survey shall be completed and submitted to the Council to demonstrate the noise levels stated within condition 10 are not exceeded.

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

14. Should the monitoring undertaken as required by Condition 11 indicate the presence of a tone, then mitigation measures to remove the tone shall be agreed in writing and carried out within a time frame specified by the Council. Within one month of the completion of further works, a noise survey shall be completed and submitted to the Council to demonstrate that any tone has been mitigated.

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

15. Light intrusion from the development into windows at nearby sensitive properties shall not exceed 5 Ev (lux) on anytime between 07:00 and 23:00hrs and 1 Ev(lux) on anytime between 23:00 and 07:00 hours.

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

16. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>  
Regulation Unit. 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.

17. After completing any remediation works under Condition 16, and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:  
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

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

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

18. The existing vegetation as indicated in Drawing No. 15, date stamped 23<sup>rd</sup> May 2025 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

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

19. If within the lifetime of the development, any retained tree, shrub or hedge is removed, uprooted or destroyed; or dies or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, within the first available full planting season following occupation of the dwelling hereby approved unless the Council gives its written consent to any variation.

Reason: To ensure that the development integrates into its surroundings in the interests of visual amenity.

20. No development shall take place until there has been submitted to and approved by the Council a landscaping scheme showing the location, numbers, species and sizes of trees and shrubs to be planted relevant to each edge of the eastern boundary. 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 the lifetime of the development 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.

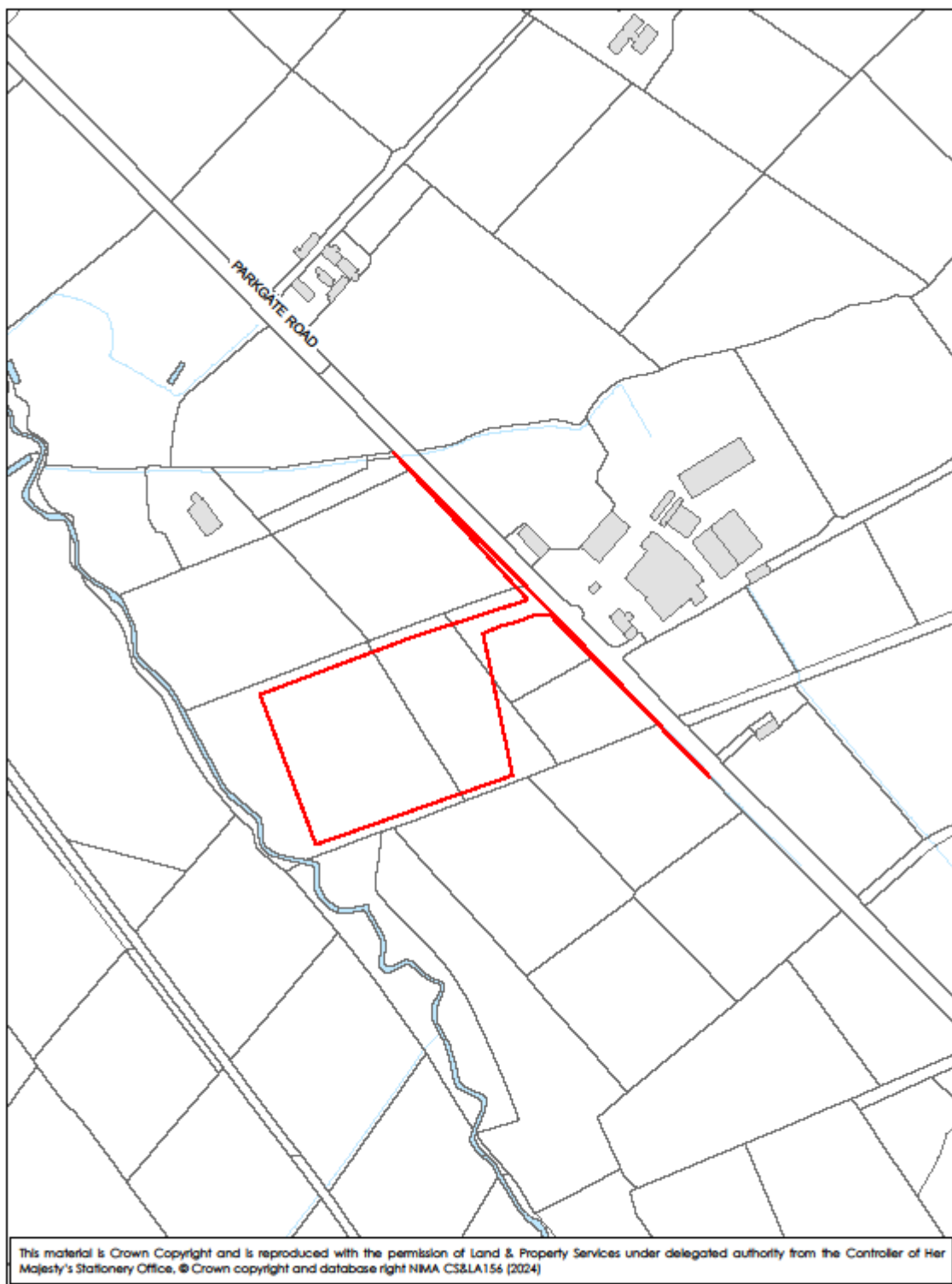
Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

21. Prior to the commencement of development, details on the functionality of a readily accessible shut off valve shall be submitted as part of an overall site management report. The site management report shall be carried out as approved and maintained for the lifetime of the development.

Reason: To ensure that any contaminated water does not infiltrate into the ground water or watercourses.

22. The acoustic fence as indicated on Drawing No. 03D bearing the date stamp 23<sup>rd</sup> May 2025 shall be painted green prior to the BESS site becoming operational.

Reason: In the interests of visual amenity of the area.



#### Site Location Plan

1:2,500

Reference: LA03/2024/0182/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.6</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0342/F</b>
<b>DEA</b>	<b>THREE MILE WATER</b>
<b>COMMITTEE INTEREST</b>	<b>COUNCILLOR CALL-IN</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>

<b>PROPOSAL</b>	Retention of extension and alterations to dwelling
<b>SITE/LOCATION</b>	9 Glenkeen Avenue, Newtownabbey, BT37 0PH.
<b>APPLICANT</b>	Kathrine Wallace
<b>AGENT</b>	JWA Design
<b>LAST SITE VISIT</b>	24th June 2025
<b>CASE OFFICER</b>	Eleanor McCann Tel: 028 90340422 Email: <a href="mailto:Eleanor.mccann@antrimandnewtownabbey.gov.uk">Eleanor.mccann@antrimandnewtownabbey.gov.uk</a>

**Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <https://planningregister.planningsystemni.gov.uk/application/699320>**

#### **SITE DESCRIPTION**

The application site is located at No. 9 Glenkeen Avenue which is within the development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan (dBMAP). It is noted that the dwelling is also located within the Lenamore Area of Townscape Character (ATC) under designation MNY 33.

The application consists of a two-storey detached dwelling which has a pitched roof to the front with a flat roof extension to the rear. The dwelling is finished in a dashed render and horizontal timber effect cladding to the rear first floor, PVC windows and doors, interlocking concrete roof tiles and flat trochal roofing.

The topography of the site is relatively flat with parking provided to the front (northwest) and northeastern side elevation of the dwelling and amenity space is provided to the rear (southeast) of the dwelling. The northwestern (front) boundary is defined by mature hedgerow approximately 3m in height. The southeastern (rear) and the southwestern boundaries are defined by mature hedgerow with maximum heights of approximately 4m.

The application site abuts No. 11 Glenkeen Avenue to the northeast and No. 7 Glenkeen Avenue to the southwest and sits at the same level as these neighbouring properties. The northeastern boundary common with No. 11 Glenkeen Avenue is defined by closed boarded timber fencing approximately 2.5m in height.

The surrounding area is predominantly residential comprising various house types.

#### **RELEVANT PLANNING HISTORY**

There is 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.

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

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

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the development limits of metropolitan Newtownabbey as defined by the Plan. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan: The application site is located within the development limits of metropolitan Newtownabbey as defined by the Plan. The Plan offers no specific guidance on this proposal

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

**Strategic Policy 1 – Sustainable Development (SP 1):** sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 – Access and Parking.

**Strategic Policy 4 - Homes (SP 4):** sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 22 Residential Extensions and Alterations

**Strategic Policy 6 - Placemaking and Good Design (SP6):** sets out that positive placemaking and good design are key components in the delivery

of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25 Urban Design; and
- Policy DM 28 Amenity Impact.

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 42 Trees and Development.

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems.

**Appendix B – Guidance for Residential Extensions and Alterations:** seeks to advise homeowners on how to extend or alter their property in a neighbourly manner that is sympathetic with the original property, respects the character and appearance of the surrounding area and contributes towards a quality environment.

- Appendix B 23 Walls and Fences

#### CONSULTATION

It was not required for consultations to be carried out.

#### REPRESENTATION

Four (4) neighbouring properties were notified, and six (6) letters of representation have been received from two (2) neighbouring properties.

The full representations made regarding the development are available for Members to view online at the planning register

<https://planningregister.planningsystemni.gov.uk/application/699320>

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

- The size and closeness of the extension;
- The number and size of windows;
- Loss of amenity including loss of light/overshadowing;
- Overlooking;
- Inaccuracies in the plans;
- Safety concerns regarding the location of a gas cannister; and
- The development was carried out without the benefit of planning permission.

#### ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Surface Water Drainage

- Other Matters

### **Preliminary Matters**

- Following objections from neighbouring properties the agent submitted amended plans, including an Existing Floor and Elevation Plan, Drawing No. 03/1 and a Light and View Diagram, Drawing No. 06 both date stamped 16th June 2025.
- On the 26th June 2025 the agent emailed a rebuttal to the concerns raised by an objector (Document 01).
- Following a request from the Planning Section the agent submitted a Planning Statement, Document 02 date stamped 17th July 2025.
- Following a request from the Planning Section, the agent submitted amended Proposed Floor Plans and Elevations, Drawing No. 04/1 and an amended Existing and Proposed Block Plan, (Drawing No. 02/1 both date stamped 21st July 2025).

### **Policy Context**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the development limit of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan (dBMAP). In line with the transitional arrangements set out in the SPPS, the BUAP, the dBMAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Policy DM 22: Residential Extensions and Alterations of the Plan Strategy sets out the planning policy context and guidance for achieving quality in relation to development proposals for residential extensions and alterations.

Policy DM 22 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) The scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area;

- (b) The proposal does not unduly affect the privacy or amenity of neighbouring residents;
- (c) The proposal does not cause the unacceptable loss of, or damage to, trees or other landscape features; and
- (d) Sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

It is considered that the principle of a residential extension is acceptable subject to the listed criteria being met. In addition, Policy DM 22 also advises that the guidance set out in Appendix B of the Plan Strategy will be taken into account when assessing proposals against the above criteria. Additionally, the DPS states that consideration of drainage issues is a requirement for all development proposals. Policy DM 47: Surface Water Drainage and Sustainable Drainage Systems (SuDS) aims to reduce flood risk for new developments from surface water (pluvial) sources, which will be considered in more detail below.

### **Siting, Design and Appearance**

Policy DM 22 indicates that the scale, massing, design and external materials of the proposal are sympathetic to the existing property and do not detract from the appearance or character of the surrounding area.

The application seeks the retention of an extension and alterations to the host dwelling at No. 9 Glenkeen Avenue. The subject rear extension to be retained serves a bathroom, a bedroom, a dressing room and an ensuite bathroom. The extension measures a maximum of approximately 7.1m in length and approximately 10.9m in width, and 2.8m in height. The rear first floor extension is approximately 0.5m below the ridge height of the host dwelling and is considered to be subordinate to the host dwelling.

Changes to the fenestration have been carried out as a result of the development. On the ground floor rear elevation, a single window has been replaced by a window and a door, which is considered to be sympathetic to the design of the host dwelling and does not detract from its appearance. The finishes of the extension include, render and horizontal cladding to the walls, white PVC windows to match the existing dwelling and a flat roof. The proposed finishes are considered acceptable as they do not detract from the host dwelling or the surrounding area.

An objector raised concern that two windows proposed on the first-floor rear elevation are especially large in relation to the size of the extension and are not in keeping with the houses along Glenkeen Avenue. However, the development is not visible when travelling along Glenkeen Avenue due to it being located to the rear of the dwelling and existing boundary treatments offering a degree of screening.

Additionally, the agent submitted a Planning Statement, (Document 02 date stamped 17th July 2025), which stated that the dormer window will be set below the existing roof ridge and is to the rear of the property, therefore the original front elevation facing Glenkeen Avenue is retained and the original character of the streetscape is retained.

In conclusion, it is considered that the scale, massing, design and external materials of the development are sympathetic with the built form and appearance of the host



property and will not detract from the appearance and character of the dwelling and the surrounding area.

### **Neighbour Amenity**

Policy DM 22 and Policy DM 28 deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance. Additionally, DM 22.2 indicates that the Council will take account of the guidance set out in Appendix B of the Plan Strategy, which replicates the details included in Annex A of the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (DoE, 2008).

Concerns were raised by objectors in relation to the windows shown on the Existing Elevation and Floor Plan, (Drawing No. 03) and the Proposed Elevation and Floor Plan, (Drawing No. 04 both date stamped 20th May 2025). Amended plans were submitted by the agent and consequently it is considered that the Existing Elevation and Floor Plan, (Drawing No. 03/1 date stamped 16th June 2025) and the Proposed Elevation and Floor Plan, (Drawing No. 04/1 date stamped 21st June 2025) are accurate depictions of the proposal.

On the first-floor northeastern gable elevation, a window serves a bedroom and on the first floor southeastern (rear) elevation, three windows serve a bathroom, a bedroom and an ensuite bathroom. On the southwestern gable elevation two windows serve a dressing room and a bedroom. Additionally, a window on the ground floor rear elevation has been replaced by a window and a door and a set of double patio doors have been replaced by two larger patio doors.

An objector at No. 7 Glenkeen Avenue raised concerns in relation to the number and size of windows on the development, specifically two windows on the southwestern gable elevation which are located 2m from the shared boundary, and two of the windows on the southeastern (rear) elevation, which they state overlook their property and rear amenity space. The objector raised additional concerns that the rear window serving the ensuite bathroom does not have permanent opaque glazing.

With regards to the window on the rear elevation serving the ensuite bathroom, any detrimental impact of overlooking can be mitigated by a condition requiring that the window shall be finished in opaque glazing and be partially opening. Additionally, the revised Existing Elevation and Floor Plan, (Drawing No. 04/1 date stamped 21 July 2025) indicates that the ensuite window is to be finished in frosted glass.

It is considered that the rear elevation window serving the bedroom does not have a significant detrimental impact of overlooking on the rear amenity space of No. 7 Glenkeen Avenue, as the room being served is a low habitable room with only oblique views achievable from it. Additionally, it is accepted that in the urban area a certain degree of overlooking is expected due to the nature of the built-up area. The two windows proposed on the side elevation are considered to have a perception of overlooking on the neighbouring property at No.7 Glenkeen Avenue and as such it is considered necessary to impose a condition for the windows to be finished in opaque glazing.

The objector at No. 7 Glenkeen Avenue raised further concerns that the development caused a loss of light to their bathroom due to the size and scale of the development and the replacement of the sloping roof with a two-storey flat roof extension. The subject development is not considered to result in a significant loss of light to the property as the existing 3m high mature hedgerow along the common boundary, which is situated approximately 0.8m from the bathroom window, currently contributes to the loss of light to the bathroom window of the property.

The objectors at No. 11 Glenkeen Avenue raised concerns in relation to the window on the northeastern gable elevation and the three windows proposed on the rear elevation of the subject dwelling at No. 9 Glenkeen Avenue, stating that they cause overlooking to their kitchen, living room and rear amenity space. It is considered that the matters raised by the objector can be mitigated by way of imposing conditions, including the window on the northeastern gable elevation and the window on the rear elevation serving the bathroom to be finished in opaque glazing and hung in the opposite direction as it is existing, in order to limit the impact of overlooking.

It is considered that the window on the first-floor rear elevation of the subject dwelling serving the bedroom does not cause a significant detrimental impact of overlooking to the dwelling at No. 11 Glenkeen Avenue or its rear amenity space as only oblique views can be achieved from it. In addition, the garage associated with No. 11 Glenkeen Avenue provides a degree of screening to the property's rear private amenity space. The first-floor rear elevation window serving the ensuite bathroom shall be conditioned to be only partially opening and finished in opaque glazing in any forthcoming approval.

In conclusion the extension is not considered to have any detrimental impact on neighbouring amenity subject to conditions placed on any forthcoming approval.

#### **Impact on Trees and Environmental Quality of the Area**

Criteria (c) of Policy DM 22 and Policy DM 42 requires that the proposal will not cause an unacceptable loss of, or damage to trees or other landscape features which contribute significantly to local environmental quality.

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 because there are no trees or other landscape features present where the proposal will be located.

#### **Amenity Space, Parking and Manoeuvring**

Criteria (d) of Policy DM 22 and criteria (c) of DM 10.1 requires that sufficient space is retained within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles. It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes. The proposal does not impact upon parking provision.

#### **Surface Water Drainage**

Policy DM 47: Surface Water Drainage and Sustainable Drainage Systems (SuDS) aims to reduce flood risk for new developments from surface water (pluvial) sources. DM 47.1 states that consideration of drainage issues is a requirement for all development proposals and that this consideration should be initiated as part of any preliminary

site assessment and should progressively inform the generation of schemes as they develop.

With regard to the subject development, the site is not located in an area of 'present day surface water' and 'climate change surface water', as indicated by the Flood Maps (NI) and as such is acceptable in this regard.

### **Other Matters**

Objectors raised concerns regarding inaccuracies in the submitted plans, namely that the Light and View Diagram, (Drawing No. 06 date stamped 16th June 2025) was inaccurate in depicting the orientation/path of the sun and in the depiction of common boundary as being a mature hedgerow. Although it is accepted that the sun path indicated on the plan is incorrect, the mature hedge as annotated on the plan is considered to be accurate and it is considered that the subject development does not have a significant impact of overshadowing on the neighbouring properties.

Concerns were raised by an objector in relation to the applicant having changed from oil to gas heating and as such, a large gas cannister has been recently installed in close proximity to the common boundary, which causes them safety concerns due to its proximity to their property. The agent addressed these concerns in an email dated 26th June 2025, stating that the gas tank has been installed by a qualified company in accordance with all the required safety regulations. Additionally, the agent stated that a wall approximately 1.8m in height was built on the applicant's side of the common boundary as part of the standard safety requirement.

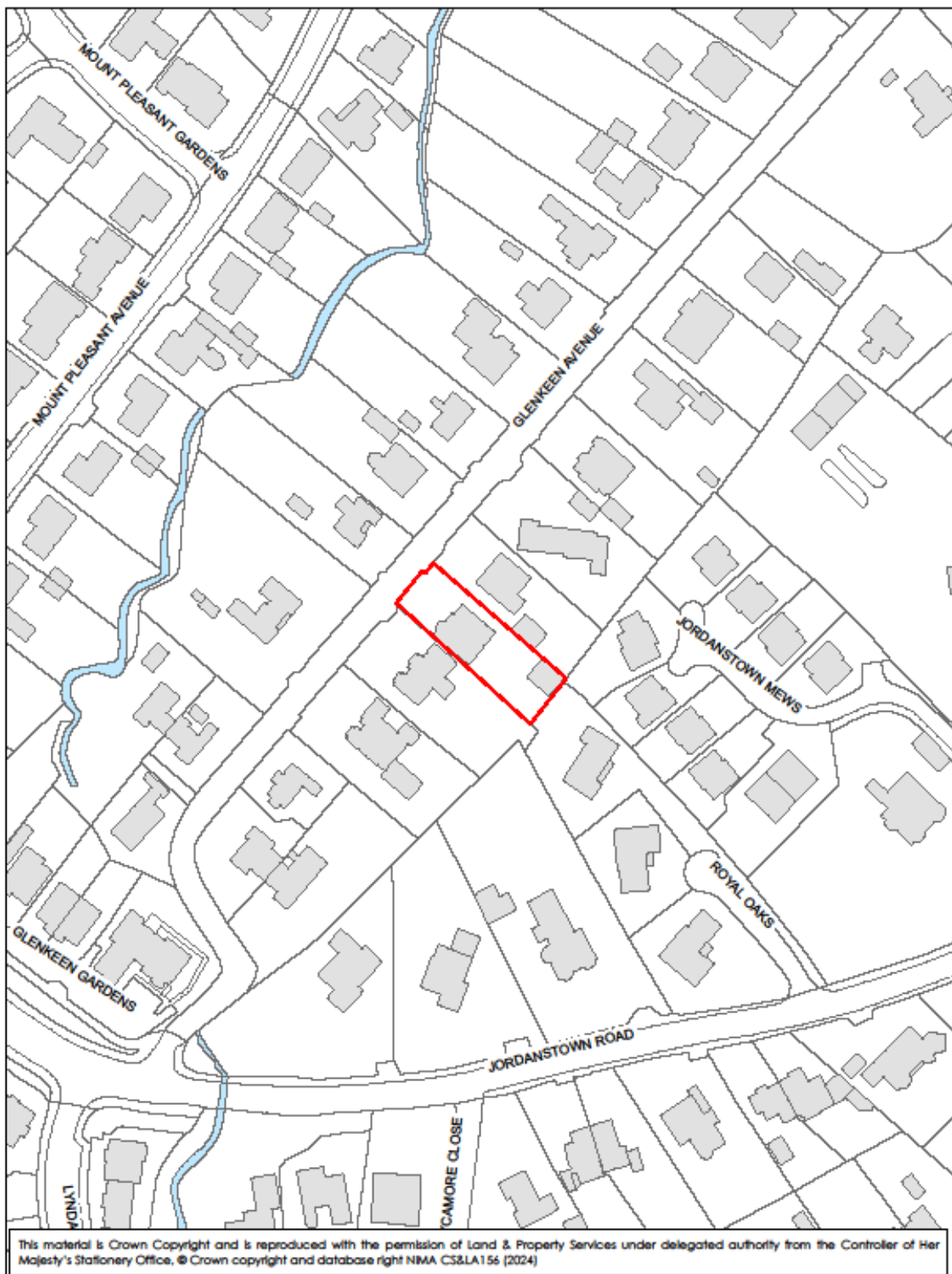
An objector raised a concern that the entire works of the development were carried out without obtaining planning permission and shows no consideration for neighbours and should therefore not be permitted to remain. The Council recognise that planning permission was not obtained before construction works were carried out, however, the application is assessed under its own merits and fully against any relevant policy.

### **CONCLUSION**

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

- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the proposal are considered acceptable;
- The proposal will not unduly affect the privacy or amenity of neighbouring properties;
- The proposal will not have a detrimental impact on trees or the environmental quality of the area;
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes; and
- Parking provision levels are considered acceptable.

RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSED CONDITIONS	
<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> <p>2. Within 8 weeks of the date of this decision, the windows coloured blue on Drawing No. 04/1 date stamped 21st July 2025, must be finished in opaque glass and shall thereafter be permanently retained.</p> <p>Reason: To protect the amenity of nearby residential properties.</p> <p>3. Within 8 weeks of the date of this approval, the windows outlined in green on Drawing No. 04/1 date stamped 21st July 2025, must be fitted with a permanently fixed restrictor catch which must restrict the external opening of the windows to less than 45 degrees and must thereafter be permanently retained for the lifetime of the development.</p> <p>Reason: To protect the amenity of nearby residential properties.</p> <p>4. Within 8 weeks of the date of this decision the first-floor window on the northeastern gable elevation, as outlined in red on Drawing No. 04/1 date stamped 21st July 2025, must be hung on the left-hand side of the frame when viewed from within the bedroom.</p> <p>Reason: To protect the amenity of nearby residential properties.</p> <p>Within 8 weeks of the date of this decision the first-floor window on the rear elevation serving the bathroom, as outline in brown on Drawing No. 04/1, date stamped 21st July 2025, must be hung on the left-hand side of the frame when viewed from within the bedroom.</p> <p>Reason: To protect the amenity of nearby residential properties.</p>	



## Site Location Plan

1:1,250

Reference: LA03/2025/0342/F

Site Location



<b>COMMITTEE ITEM</b>	<b>3.7</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0084/F</b>
<b>DEA</b>	<b>GLENGORMLEY URBAN</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Retention of existing ground floor apartment and proposed storage unit
<b>SITE/LOCATION</b>	4A and 4B Hightown Road, Glengormley, Co Antrim, BT36 7UA
<b>APPLICANT</b>	Mr Thomas Donaghy
<b>AGENT</b>	Conor Byrne
<b>LAST SITE VISIT</b>	10th February 2025
<b>CASE OFFICER</b>	Tierna McVeigh Tel: 028 90340401 Email: <a href="mailto:Tierna.mcveigh@antrimandnewtownabbey.gov.uk">Tierna.mcveigh@antrimandnewtownabbey.gov.uk</a>
<p><b>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 <a href="https://planningregister.planningsystemni.gov.uk/application/696185">https://planningregister.planningsystemni.gov.uk/application/696185</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the development limits of Metropolitan Newtownabbey and within the draft Local Centre of Glengormley as designated in draft Belfast Metropolitan Area (published 2004) (dBMAP). The site is located at Nos. 4A and 4B Hightown Road, a two storey, mid-terrace building. Each unit has a front door and vertically proportioned windows with a front mounted roller shutter overhead. The ground floor is finished in red facing brick and the upper floor in cream pebble dash render. There is a commercial unit adjacent to the ground floor of No. 4B and a residential property adjacent to No. 4A.</p> <p>On the upper floor of the building there are apartments with larger horizontal proportioned windows. These apartments are accessed by external steps on the southwestern gable. To the rear of the properties is a narrow strip of waste ground which is at a lower level than the finished floor level of the ground floor units. This area is enclosed by a fence which separates it from a higher walkway that provides rear access into the three-storey apartment development at Glen Court which is positioned to the rear.</p> <p>Both units are accessible from front doors on the Hightown Road and neither currently have rear door access. To the front of the application site is an area of hardcore that extends along the frontage of the terrace, which is currently used for car parking.</p> <p>The surrounding area is characterised predominantly by a mix of commercial uses, with residential use becoming more prevalent beyond the site, travelling north and west out of Glengormley.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2021/1029/F Location: 4 Hightown Road Glengormley Co Antrim BT36 7UA</p>	

Proposal: Retrospective change of use from shop unit to 2 no. ground floor flats (1 No 1P/1B unit and 1 no. 2P/1B unit) to include internal alterations to existing building  
Decision: Permission Refused (03.02.2022)

Planning Reference: LA03/2020/0099/F

Location: 4 Hightown Road, Glengormley

Proposal: Retention of change of use from shop unit to 2 no. ground floor flats (1 no 1P1B unit and 1 no. 2P1B unit) to include internal alterations to existing building

Decision: Permission Refused (20.08.20)

Planning Reference: U/2010/0281/F

Location: 4 Hightown Road, Glengormley, BT36 7UA

Proposal: Change of Use from 1 no. shop unit to 2 no. hot food units

Decision: Application Withdrawn

Planning Reference: U/2005/0211/F

Location: 4 Hightown Road, Glengormley, BT36 7UA

Proposal: Change of use from shop to office use

Decision: Permission granted (22/06/2005)

#### **HISTORY ON ADJACENT SITE**

Planning Reference: LA03/2020/0627/LDE

Location: 2D Hightown Road, Newtownabbey, BT36 7UA

Proposal: Retrospective change of use from commercial to residential

Decision: Consent Approved (13/01/21)

#### **PLANNING POLICY AND GUIDANCE**

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3<sup>rd</sup> July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Belfast Urban Area Plan (BUAP): The application site is located within the settlement limit of the Belfast Urban Area and is upon unzoned lands. The plan offers no specific guidance on this proposal.

Draft Newtownabbey Area Plan 2005 (NAP): The Plan advises that within the Newtownabbey urban area there are examples of urban villages, including Glengormley. Policy UBV 1 states that proposals, which heighten public awareness and improve the sense of identity of these urban villages, will be encouraged.

Draft Belfast Metropolitan Area Plan (dBMAP): The application site is located within the designation of Glengormley Local Centre (designation MNY 28).

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

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1)**: sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 2 – Employment (SP 2)**: aims to encourage the growth of indigenous business promote innovation and proactively attract investments into the Borough to support enterprise and increase employment for the benefit of all residents. SP2 is supported by Policies:

- Policy DM 1: Economic Development – Zoned Sites and Settlements;
- Policy DM 6: Development within Centres.

**Strategic Policy 3 – Transportation and Infrastructure (SP 3)**: aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10: Access and Parking; and
- Policy DM 12: Active Travel (Walking and Cycling).

**Strategic Policy 4 - Homes (SP 4)**: sets out that the Councils aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policy:

- Policy DM 17: Homes in Settlements.

**Strategic Policy 6 - Placemaking and Good Design (SP6)**: sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25: Urban Design; and
- Policy DM 28 Amenity Impact

**Strategic Policy 10 – Environmental Resilience and Protection (SPG10)**: seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policy:

- Policy DM 46: The Control of Development in Flood Plains



## CONSULTATION

**Council Environmental Health Section** – No objection, subject to conditions

**Northern Ireland Water** – No objection

**Department for Infrastructure Roads**- No objection

## REPRESENTATION

Twenty-three (23) neighbouring properties were notified, and no (0) letters of representation have been received.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context
- Principle of Development
- Design and Appearance
- Private Amenity
- Amenity Impact
- Disposal of sewerage and surface water
- Other Matters

### **Preliminary Matters**

#### Previous Applications

Two previous retrospective applications were submitted on this site (Ref's: LA03/2020/0099/F and LA03/2021/1029/F) which sought permission to retain two (2) ground floor apartments, both of which were presented to the Planning Committee in August 2020 and January 2022 and subsequently refused.

Application Ref: LA03/2020/0099/F was refused on design and inadequate provision of amenity space and application Ref: LA03/2021/1029/F was refused due to inadequate provision of private amenity space; adverse impact on amenity in terms of overlooking, noise nuisance and general disturbance; unsatisfactory means of dealing with sewage associated with the development and no provision for vehicle parking.

The current application differs in that it seeks to retain one (1) ground floor apartment and proposes a storage unit in lieu of the second apartment. Other changes include amended amenity space and parking to the front of site.

Additionally, it is noteworthy that a Certificate of Lawful Development was approved on the adjacent property, No. 2D on 13th January 2021 under application Ref: LA03/2020/0627/LDE for a change of use from commercial unit to a residential unit.

#### Engagement with Agent/Applicant

- The agent was advised of the Council's concerns on the 30th of April 2025 regarding the proposal's private amenity; vehicle parking and internal space requirements for an apartment. Other issues raised related to amending annotations on the proposed floor plans and updating the site location plan to show other lands owned by the applicant.

- The agent was further advised to submit more information regarding the proposed storage unit and the request for a Noise Impact Assessment by the Council's Environmental Health Section (EHS).
- On the 23rd of May 2025 further information and amendments were submitted by the agent. The amendments have failed to address the Council's concerns in respect of private and neighbour amenity and parking.

### **Policy Context and Principle of Development**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply.

The site is defined as being within the development limits of Metropolitan Newtownabbey within the Belfast Urban Area Plan (BUAP), the draft Newtownabbey Area Plan (dNAP) and the draft Belfast Metropolitan Area Plan (dBMAP). Within dNAP Glengormley is identified as an urban village and within dBMAP is identified within the draft Local Centre of Glengormley (MNY 28). In line with the transitional arrangements set out in the SPPS, the BUAP, dNAP, dBMAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Policy SP 1.1 of the ANPS states that when considering individual development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the SPPS. As stipulated in Policy SP 1.12 proposals in all locations, within settlements that reuse or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with the relevant policies of the LDP.

The last approved use of the site was for offices. The application site previously operated as a beauty salon without the benefit of planning permission or any certificate of lawfulness. Works have been undertaken to convert the unit into the current use as two (2) residential apartments, again without the benefit of planning permission.

The unit comprises of Nos. 4A and 4B Hightown Road and occupies the middle section of the ground floor of the existing terraced building. Retrospective planning permission is being sought to retain one (1) apartment and the proposal also seeks permission for a proposed storage unit. Although this application is part retrospective,

as illustrated in Drawing Number 03/1, further works need to be undertaken to reduce the number of bedrooms associated with the apartment to two (2); the installation of two (2) windows and a doorway to the rear elevation and a new front door/window arrangement on the front elevation.

The proposed storage unit as set out in Document 01 date stamped 23rd May 2025 is for private use by the landlord (applicant) for the storage of excess furniture and appliances from their other properties.

Draft BMAP identifies the application site as being within the designation of Glengormley Local Centre (MNY 28). DM 6.2 of the ANPS states that proposals that would result in a loss of retail units will only be permitted where it is demonstrated that the retail use of the unit is no longer viable and this will not result in a concentration of non-retail uses that would be harmful to the shopping function of the centre.

The application site previously operated as a beauty salon which is a sui generis use and before that it was in use as offices. Given that these previous uses were not retailing retail, it is considered that there is no loss of retail units and thus this policy is not applicable.

City and town centre living is widely regarded as a key element in contributing to a vibrant centre. Housing in central areas encourages a more sustainable pattern of development by assisting in urban regeneration, place shaping and optimising existing infrastructure. Strategic Policy 4.1 of the ANPS outlines that the Council will apply a presumption in favour of the development of new homes provided applications meet the requirements of Policy SP 4 and other relevant policies and provisions of the LDP.

Policy DM 17: 'Homes in Settlements' aims to promote the development of high quality, attractive and sustainable homes within settlements, which meet the present and future needs of all sections of the population within the Borough. As stipulated in DM 17.2 when assessing residential development proposals, the Council will take account of the supplementary planning guidance document, Creating Places.

With regards to the proposed storage unit for the landlord, DM 1.6 states that proposals for employment related development in other locations within settlements will be acceptable where these are in accessible locations and are of a scale and nature appropriate to the location and accord with other relevant policies in the LDP.

Within this policy context, it is considered that the principle of a residential apartment and a storage unit for the applicant's business as a landlord is acceptable, subject to the development complying with all other policy and environmental considerations as detailed below.

### **Design and Impact on Character of the Area**

Policy DM 17 supports proposals for quality and sustainable residential development in settlements where they do not contribute to town cramming and where proposals conform with seven (7) listed criterion. Particularly, the proposal must respect the scale and size of the settlement and the siting and design must be appropriate to the location. In addition, Policy DM 25 requires that development within settlements

demonstrates a clear understanding of the sites wider context and how the proposal will connect with the surrounding area.

The apartment No.4B comprises some 68sqm of internal floorspace and is a three-person two-bedroom apartment, with an open plan kitchen/living area, internal store and bathroom. Its 'L' shaped floor plan wraps around to the rear of No.4A (proposed storage unit). The apartment has a front door flanked with glazed side panels and an adjacent window facing onto Hightown Road. The window serves the open plan living and kitchen space. Each of the two (2) bedrooms have a window on the rear façade and a new rear doorway is proposed allowing access to the proposed private rear amenity space. The overall size, scale and massing of the building has been unaffected by the subject development and remains appropriate for the site and the area.

The subject development includes the retention of the red brick to the front façade. The addition of this brickwork is not reflective of the remainder of the terraced building which is pebble dashed render. The majority of the finishes within the wider area consist of render and it is considered that the addition of the red brick would not relate well to the use of materials of the surrounding area and would have a detrimental effect on the character of the adjoining properties. It is therefore considered that the subject development is contrary to DM 17.1 and DM 25.1 in that the development does not deliver a high-quality design in its appearance and it has not been demonstrated that it takes account of the use of materials of the surrounding area.

Paragraph 7.34 of Creating Places guidance stipulates that refuse storage space associated with apartment buildings may be provided communally, enclosed in a carefully designed building integrated with the overall development. At present the refuse bins associated with the proposal and existing residential units on the first floor are situated in the northwestern corner of the wider site and visible to public views. DM 25.1 criteria (j) require proposals to incorporate adequate and appropriate provision for parking and the storage and the disposal of waste. The proposed bin store is indicated outside the red line of the application site and therefore cannot be considered as part of the planning application. It is therefore considered that adequate and appropriate provision for the storage and disposal of waste has not been provided contrary to DM 25.1.

Overall, despite the proposal failing to provide arrangements for the storage of refuse bins, in the round the proposal complies with Policy DM 17 in that it does not contribute towards town cramming, is of a scale and size which respects the settlement, and its finished design is appropriate to the location and does not conflict with the character of the area.

### **Private Amenity**

Amenity space is an essential part of the character and quality of the environment of residential properties. DM 17.9 states that account will be taken of the guidance for private open space provision as set out in the supplementary planning guidance document 'Creating Places: Achieving Quality in Residential Developments'. Creating Places guidance recommends that the appropriate level of provision should be determined by having regard to the particular context of the development, and in the case of apartment or flat developments, private communal

open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. The size of these areas should range from a minimum of 10 sqm per unit to around 30 sqm per unit.

The proposed floor plan Drawing Number 03/1 date stamped 20th May 2025 indicates an area of private amenity space to the rear of the apartment No.4B equating to approximately 10sqm and extends approximately 1.3 metres from the rear elevation. Upon visiting the site, the proposed private amenity space is in fact waste ground with no identifiable means of access. Although existing and proposed rear elevations (Drawing Number 04/1) have been provided, the plans fail to show the fall in topography between the finished floor level of the apartment and the ground level to the rear of the building. To account for the change in topography the applicant seeks to erect a raised timber deck and install a doorway within the rear façade of the apartment to allow access to this area with a 1.8-metre-high wooden fence to be erected along the rear boundary of the private amenity space. However, no detail has been provided with regards to the ground levels and therefore the impact of these works cannot be assessed and therefore cannot be relied upon.

Two areas of amenity space are to be provided to the front of the building, the first space abuts the apartment, measures approximately 3.3 sqm and looks out onto the Hightown Road. Drawing Number 03/1 date stamped 20th May 2025 indicates that this area is to be enclosed with 0.6-metre-high metal railings complete with hardstanding/gravel for bicycle parking provision and seating. The second area of open space runs adjacent to the footpath and an area of hardstanding utilised for car parking by neighbouring commercial properties. Consequently, this frontage area merely serves to provide a landscaped setting for the apartment and is neither useable nor private. The proposal fails to provide the minimum standard of private amenity space for an apartment. It is considered that the lack of a suitable form of private amenity space demonstrates the restricted and overdeveloped nature of the site.

For the reasons set out above the proposal fails to comply with DM 17.9 and the associated Creating Places guidance in that it has not been demonstrated that the adequate provision has been made for private open space in the overall design and layout of the development.

### **Amenity Impact**

The SPPS indicates that the planning system has a role to play in minimising potential adverse impacts such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. Policy DM 28 of the ANPS highlights that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties with Policy DM 25 supporting this and requiring that there is no detrimental effect on the amenity or character of adjoining properties.

The subject development will require the use of adjacent lands in front of the neighbouring units adjacent to be able to manoeuvre into the parking spaces as indicated on Drawing No. 03/1 date received 20<sup>th</sup> May 2025, given their end-to-end arrangement. As indicated by the previously granted Certificate of Lawful

Development, (Ref: LA03/2020/0627/LDE), the private amenity space associated with No.2D Hightown Road is to the front of the application building. The impact of the car parking located directly in front of the application building with two windows serving the living area will also result in an adverse impact on the amenity of No.2D Hightown Road by way of disturbance and light nuisance from traffic entering and leaving the site.

Following receipt of a Noise Impact Assessment (NIA), Document 02 date stamped 21st May 2025 and information pertaining to the storage unit, Document 01 date stamped 23rd May 2025, EHS in its consultation response dated 19th June 2025 indicates that the daytime and nighttime noise levels exceed the recommended guideline levels and note the mitigation measures by way of upgrading acoustic glazing against road traffic noise. EHS also note that the NIA advises that a separating wall structure providing at least 43dB is required to protect the residential unit adjoining the proposed storage unit.

In terms of external amenity to the front of the apartment, the noise levels provided in the report show that the noise level exceeds the guideline levels and that future occupants should be aware that the area is not suitable for relaxation purposes due to road traffic noise. EHS in its conclusion is satisfied that amenity can be suitably protected from road traffic noise and the proposed storage unit, subject to conditions being attached to any forthcoming decision notice.

A three-storey apartment block known as Glencourt is positioned directly to the rear of the application site, some 1.4 metres to the southeast. The rear of Glencourt comprises of a ground floor private amenity area and second and third floor communal walkways. Living rooms associated with the ground floor apartments and bedrooms and bathrooms associated with the upper floor apartments directly abut the rear of the application site. At present an existing 1.8-metre-high wooden fence separates Glencourt apartments from the application site and the upper floor walkways associated with Glencourt are screened by 1.8-metre-high mesh panelling.

As mentioned previously, the submitted existing and proposed rear elevations (Drawing Number 04/1) plan fails to show the fall in level between the finished floor level of the apartment and the ground level to the rear of the building. From observations carried out during a site inspection, the difference in levels is estimated to be approximately 2 metres. The amenity space associated with the proposal will consist of a raised decking area screened by a 1.8-metre-high wooden fence along its rear boundary. No boundary definition has been provided to either side of the private amenity space. The height at which this decking is to be positioned above ground level is not evident from the submitted plans.

No detail has been provided on how the raised decking area is to be constructed, nor has any detail been provided in respect of the existing boundary treatments in situ and how they would/or would not be incorporated into the proposal. Notwithstanding this lack of detail, it is considered that the presence of a raised decking area some 2/2.5 metres above ground level, coupled with a 1.8-metre-high fence would cause adverse impacts on those residents occupying the ground floor apartments in Glencourt in terms of loss of light and dominance. In addition, it has not been demonstrated that there will not be a loss of privacy from being overlooked in their living rooms and within their private rear amenity space. As stipulated in DM

28.1 and DM 28.2, as well as paragraph 7.18 of Creating Places, schemes likely to result in a significant loss of privacy or overlooking, particularly to existing properties, will not be acceptable.

The proposal seeks to introduce two (2) bedroom windows and a doorway to the rear elevation. Despite the presence of the metal mesh screenings to the upper floors of the Glencourt apartments, and the proposed 1.8-metre-high wooden fence defining the rear private amenity space, there is a concern that the proposal will be overlooked by users of the upper floor walkways and thus result in a loss of privacy.

For these reasons set out above, it is considered that the proposal fails to meet Policy DM 28 and associated Creating Places guidance in that the proposal will result in an unacceptable adverse impact on the amenity of existing and future occupiers of adjoining and nearby properties in terms of overlooking, loss of privacy and dominance.

### **Access and Road Safety**

Policies SP 3.10 and DM 10 states that access arrangements must not prejudice road safety or significantly inconvenience the flow of traffic and that the development proposal will provide adequate parking provision. The application site is served by an existing access off the Hightown Road and currently hosts an area of hardstanding which is utilised for vehicle parking, both by the commercial premises on the ground floor and the residential units on the first floor of the terraced building.

With respect to the proposed storage unit, DOE Parking Standards requires 1 space per 250sqm of gross floor space is provided. In this case the unit measures some 26sqm and as detailed in Document 01 date stamped 23rd May 2025 the storage unit is for the use of the landlord (applicant) for storage purposes for his business and will be accessed by the landlord on average 1-2 hours per day/week. Document 01 further states that no HGV vehicles will be visiting the site and that the landlord will avail of the pay and display car park adjacent to the site when utilising the unit so as not to burden on the existing car parking. The lack of parking provision for the storage unit is acceptable given the frequency of access and the availability of pay and display opposite the application site.

According to 'Parking Standards' the apartment development requires 1.5 unassigned car parking spaces, which is rounded up to two (2). As illustrated on Drawing Number 03/1 the proposal indicates two (2) unassigned car parking spaces. The drawing also details that there are additional spaces available on-street and in the adjacent public pay and display car park. A pay and display car park is not considered appropriate car parking provision for a residential apartment.

In addition, there are concerns regarding the siting of these parking spaces and their cumulative impact upon the units in the wider area. The parking for the proposal is indicated to the front of the subject units in an end-to-end format and would therefore rely on lands outside the application site to be able to utilise these spaces. The applicant verbally advised that this hardstanding area is within his ownership and that restrictions on parking can be applied in this area, however no evidence of this has been submitted. It is also noted that the car park spaces protrude beyond the boundary line of the subject units.

Whilst DfI Roads have raised no road safety concerns with the proposed access arrangements, it is considered that the presence of the vehicle spaces indicated to serve the proposal has the potential to impact upon access to the commercial premises and for occupants living in the residential units above. Although Drawing Number 03/1 indicates that there is an existing tenancy agreement in place to allow access, this has not been provided for consideration. Therefore, it is considered that the arrangement of the proposed parking, would impact upon other users of the wider area, would rely upon lands outside the application site and significantly inconvenience the flow of people and therefore the proposal is contrary to Policies SP 3.10 and DM 10.2 in that it has not been demonstrated that adequate parking provision has been provided.

Policy DM 17.1 criteria (e) requires that a movement pattern is provided that promotes walking and cycling routes and supports linkages to nearby community facilities and public transport. Policy DM 12 'Active Travel (Walking and Cycling)' promotes measures in the design and layout of developments that will support increased walking and cycling. Drawing No. 03/1 shows that provision for cycling has been accounted for through the use of cycle parking to the front amenity space. A public footpath runs along the northern boundary of the application site, giving pedestrians access to Glengormley. Public transport serves both Antrim Road and Hightown Road and there are bus stops on both roads within easy walking distance of the proposed development.

#### **Drainage and Sewage Disposal**

Policy DM 47 states that consideration of drainage issues is a requirement for all development proposals. A review of DfI Flood Maps indicates that the application site is not affected by fluvial or pluvial flooding for both present day and climate change prediction. The proposal seeks to retain a ground floor apartment and proposed storage unit confined within an existing unit measuring some 98 sqm of internal floorspace. The proposal does not create any additional floorspace or hardstanding and therefore a Drainage Assessment has not been requested.

Paragraph 4.11 of the SPPS states that there are a wide range of amenity considerations that should be considered by planning authorities when managing development, including sewage. As stated on the P1 Form the proposal seeks to rely on main sewers for the disposal of sewerage. Consultation was carried out with NI Water (NIW) and in their response dated 13<sup>th</sup> May 2025 stated that on the basis of like for like discharge from the previous shop unit versus the retained apartment unit; and negligible foul discharge from the proposed storage unit, it had no objection to the proposal.

#### **CONCLUSION**

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

- The principle of development is considered acceptable;
- An appropriate level of private amenity space has not been provided;
- The proposal will result in an unacceptable adverse impact on the amenity of existing and future occupants of adjoining and nearby properties in terms of overlooking, loss of privacy and dominance.
- There is no significant flood risk associated with this development;



- It has not been demonstrated that appropriate and adequate provision has been made for the parking of vehicles and has the potential to inconvenience the flow of people; and
- There is suitable means for sewage disposal from this site.

#### **RECOMMENDATION**

#### **REFUSE PLANNING PERMISSION**

#### **PROPOSED REASONS FOR REFUSAL**

1. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and in Policy DM 25 of the Antrim and Newtownabbey Plan Strategy in that the external finishes to the front elevation detract from the character of the area and appropriate areas for the storage and disposal of waste have not been provided.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and in Policies SP 6 and DM 28 of the Antrim and Newtownabbey Plan Strategy in that it has not been demonstrated that the proposal will not have an adverse impact on the amenity of existing and future occupiers of the subject apartment and nearby properties in terms of overlooking, loss of privacy and dominance.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and in Policies DM 17.9 and DM 25 of the Antrim and Newtownabbey Plan Strategy, including the associated Creating Places guidance in that it has not been demonstrated that adequate provision has been made for private open space or bin storage in the overall design and layout of the development.
4. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and in SP 3.10 and Policy DM 10 of the Antrim and Newtownabbey Plan Strategy in that it has not been demonstrated that the proposal provides an adequate provision of car parking or that the proposed arrangement of parking spaces will not inconvenience the flow of people utilising the adjoining premises.



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### Site Location Plan

1:1,250

Reference: LA03/2025/0084/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.8</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0165/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed conversion of upper floor of existing and approved two storey apartment to new standalone 2 bedroom apartment, incorporating internal alterations
<b>SITE/LOCATION</b>	14-16 Rashee Road, Ballyclare, BT39 9HJ
<b>APPLICANT</b>	Sam Thompson
<b>AGENT</b>	A.C.E. Architectural Services Ltd.
<b>LAST SITE VISIT</b>	14 <sup>th</sup> April 2025
<b>CASE OFFICER</b>	Morgan Poots Tel: 028 90340419 Email: <a href="mailto:morgan.poots@antrimandnewtownabbey.gov.uk">morgan.poots@antrimandnewtownabbey.gov.uk</a>
<b>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 <a href="https://planningregister.planningsystemni.gov.uk/application/697947">https://planningregister.planningsystemni.gov.uk/application/697947</a></b>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at Nos. 14-16 Rashee Road, Ballyclare which is located within the Town Centre of Ballyclare as identified in draft Belfast Metropolitan Area Plan (published 2004) (dBMAP).</p> <p>The application site hosts an existing two storey mid-terrace building finished in dashed render. The application site currently hosts a ground floor barbers and cafe unit, whilst the first floor has planning approval for residential units. The front of the site opens onto a public footpath whilst there is an enclosed yard area to the rear accessed by an existing archway. The surrounding area is a mix of residential uses along the Rashee Road and to the rear of the site along Ballyeaston Road, with a number of commercial premises in close proximity to the site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/2012/0106/F  Location: Nos 14 and 16 Rashee Road, Ballyclare  Proposal: Erection of single storey rear extension to dwelling to create bedroom and kitchen accommodation. Also single storey rear extension to existing shop unit consisting of WC and shower room facilities  Decision: Permission Granted (01/08/2012)</p> <p>Planning Reference: LA03/2016/0105/F  Location: Nos 14 and 16 Rashee Road, Ballyclare  Proposal: Conversion at ground floor of 4 bed 2 storey dwelling (No.14) to cafe, restaurant or shop. First floor conversion of No.14 and No.16 to provide two apartments with rear two storey extension.  Decision: Permission Granted (29/07/2016)</p>	

Planning Reference: LA03/2021/1102/F

Location: 14-16 Rashee Road Ballyclare BT39 9HJ (Excluding ground floor commercial unit at No. 14)

Proposal: Reconfiguration of previously approved cafe on ground floor of no. 16 (planning reference LA03/2016/0105/f) and change of use of dwelling at no. 14 - 16 to 1 no. apartment at 1st floor and 1 no. apartment covering 1st and 2nd floor (in lieu of previously approved two apartments approved under LA03/2016/0105/F)

Decision: Permission Granted (14/06/2022)

## **PLANNING POLICY AND GUIDANCE**

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

The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3<sup>rd</sup> July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the development limit and town centre boundary of Ballyclare. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit and town centre boundary of Ballyclare. The application site is within an Area of Townscape Character as designated within the plan.

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

Antrim and Newtownabbey Plan Strategy 2015-2030 (ANPS): sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1):** sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 2 – Employment (SP 2):** aims to encourage growth and investment to support enterprise and increase employment benefits. SP2 is supported by Policy:

- Policy DM 6 Development within Centres

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM 10 Access and Parking
- Policy DM 12 Active Travel (Walking and Cycling)

**Strategic Policy 4 - Homes (SP 4):** sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policy:

- Policy DM 17 Homes in Settlements

**Strategic Policy 6 - Placemaking and Good Design (SP6):** sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 25 Urban Design
- Policy DM 28 Amenity Impact

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policy:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems

## CONSULTATION

**DfI Roads-** Advice

**Environmental Health Section-** No objection

**Northern Ireland Water Multi Units East-** No objection

## REPRESENTATION

Eleven (11) neighbouring properties were notified of the application and no letters of representation have been received.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context
- Principle of Development

- Design, Layout and Impact on Character and Appearance of the Area
- Private Amenity Space
- Residential Amenity
- Access, Movement and Parking
- Flood Risk
- Other Matters

### **Preliminary Matters**

#### Engagement with the Agent

- The agent was contacted on the 16<sup>th</sup> April to detail that the proposal does not offer any parking provision or amenity space. The agent responded on the 28<sup>th</sup> April with supporting information in relation to the concerns. The concerns regarding the shortfall in parking and amenity provision remain and are discussed in detail below.

### **Policy Context**

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The application site is located within the development limit of Ballyclare as defined within the draft Newtownabbey Area Plan 2005 and dBMAP (published 2004). In line with the transitional arrangements set out in the SPPS, draft BMAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

### **Principle of Development**

Given the site location within the settlement limits of Ballyclare, Policy SP 4.1 of the ANPS indicates that a presumption in favour of the development of new homes will be applied, provided the proposal meets the requirements of Policy SP 4 and other relevant policies applicable to the development type. Policy DM 17 of the ANPS indicates that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming, and where a number of other additional criteria are met.

In addition, Policy SP 6.4 places the onus on the developer to demonstrate that they have considered the core principles of placemaking and that the proposed scheme will deliver a high-quality development.

DM 17.1 of the ANPS 'Living over the Shop' states that the Council will support appropriate residential proposals above shops and other businesses as these contribute to the safety, viability and vitality of our settlements. The site is located within the town centre boundary of Ballyclare and seeks full planning permission for the conversion of the upper floor of the existing and approved two storey apartment to a standalone 2no. bedroom apartment, including internal alterations. The application site has a history of planning approvals for residential development dating back to 2012. Given the site's planning history and town centre location, it is considered that the principle of residential development on the site is acceptable, subject to the development complying with all other policy and environmental considerations.

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

Policy DM 17 of the ANPS 'Homes in Settlements' states that the Council will support proposals for quality and sustainable residential development in settlements, where they do not contribute to town cramming. Policy DM 25 'Urban Design' requires the development to deliver high quality design in its layout and appearance and conform with a number of criteria including that the proposal should make a positive contribution and relate well to the scale, density, massing, character, appearance and use of materials of the surrounding area.

The proposal relates to the second floor of the existing and approved apartment development, Refs: LA03/2021/1102/F and LA03/2016/0105/F and seeks to introduce an additional 2no. bedroom apartment on the second floor, resulting in 3no. apartments on site as opposed to the 2no. apartments previously approved. The proposal does not involve any external alterations, with the exception of 1no. additional rooflight, and will therefore have a limited impact on the subject building when viewed along Rashee Road. Internally, the floorspace of the first and second floor is to be reconfigured to accommodate the 2no. approved apartments on the first floor with the additional third apartment on the second floor. An enclosed bin store is located to the rear of the building, accessed via the existing archway.

It is considered that the proposed development respects the surrounding context and character of the area and therefore complies with Policies DM 17.1 and DM 25 of the ANPS.

### **Private Amenity Space**

DM 17.9 of the ANPS 'Private Open Space' details that the Council will take account of the guidance in relation to private open space provision for new residential development proposals as set out in the supplementary planning guidance document, Creating Places – Achieving Quality in Residential Developments, (DoE/DRD, 2000).

Creating Places states that the appropriate level of provision should be determined by having regard to the particular context of the development. 'Creating Places' further acknowledges that in inner urban locations and high-density areas such as this application site within the town centre, open space is likely to be more limited. In

the case of apartment developments, Creating Places indicates that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens, which should range from a minimum of 10sqm to 30sqm per unit, within higher density areas the allocation of open space may be closer to the lower figure.

It is noted that the proposal does not offer any amenity space, and a letter was submitted from the agent in support of this, dated 28<sup>th</sup> April 2025, stating that there was no requirement for amenity space under the previously approved scheme for 2no. apartments. Whilst it may have been considered acceptable previously to approve residential development with no amenity space, this proposal seeks an additional residential unit to the previously approved scheme (Planning Ref: LA03/2016/0105/F and LA03/2021/1102/F) and seeks to introduce an additional 2no. bedroom apartment on the second floor, resulting in 3no. apartments on site as opposed to the 2no. apartments previously approved.

The agent details in a letter dated 28<sup>th</sup> April 2025, that the application site is located within the town centre and an enlarged bin storage area is provided. It is noted that the application site is within walking distance to the Ballyclare Memorial Park (0.4 miles from the site) and Six Mile Water Park (0.7 miles from the site) which offer public areas of open space and therefore a reduced level of amenity space for the apartments would be acceptable within this location.

However, the proposal offers no amenity space area and is therefore considered unacceptable. It is considered that in the absence of amenity space to serve the development; it is contrary to Creating Places guidance and Policy DM 17.9 of the ANPS. The proposal is considered unacceptable in this regard.

### **Residential Amenity**

Policy DM 28 of the ANPS deals with the amenity impact of development proposals. DM 28.1 sets out that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties. DM 28.2 refers to a number of issues which may result from the development including overlooking and/or loss of light, dominance or overshadowing, noise, vibration and other forms of disturbance and odour, fumes and other forms of environmental pollution. These issues will be a material consideration in the assessment of all proposals.

The proposal involves an additional two bed apartment on the second floor of the existing building at Nos. 14-16 Rashee Road. There is extant approval for 2no. apartments on the first floor, (Ref: LA03/2021/1102/F). The rear of the building partially backs onto existing residential properties along Ballyeaston Road. There is a limited separation distance of 5m between the application site and existing properties, however, the scheme does not seek to introduce any new windows, except for 1no. rooflight. Given the dense urban nature and location of the site, a degree of overlooking is inevitable, however, this has been minimised by way of the window



arrangement. The proposal is considered to comply with Policy DM 28 in this regard and there are no significant concerns in relation to neighbour amenity.

### **Access, Movement and Parking**

Policy SP 3.10 of the ANPS sets out that the Council will seek to ensure that all new development provides safe access arrangements that will not significantly inhibit the free flow of traffic, and that sufficient car and cycle parking is provided. SP 3 is supported by Policy DM 10.

Policy DM 10 of the ANPS 'Access and Parking' requires that there is the capacity on the road network to accommodate the type and amount of traffic likely to be generated, and access arrangements do not prejudice road safety or significantly inconvenience the flow of people or goods. In addition, DM 10.1 requires adequate provision is made for car and cycle parking and any necessary servicing arrangements.

The proposal is located within the town centre of Ballyclare and does not impact upon the access arrangements for the site and therefore complies with Criteria (a) and (b) of DM 10.1 of the ANPS.

DM 10. 2 of the ANPS details that in assessing parking arrangements, the Council will continue to take account of supplementary guidance including Parking Standards (DoE, 2005) The proposal does not provide any assigned parking spaces for the 2-bed apartment which would require an additional 1.5 parking spaces. On-street parking is located along Rashee Road, however, it is noted that the site has a series of approvals for residential apartments with no assigned parking. The agent has submitted supporting information regarding the lack of car parking, in a letter dated 28<sup>th</sup> April 2025. The letter details that the site enjoys a high level of pedestrian accessibility to local facilities and public transport, and that car ownership is likely to be below average amongst future residents. The site is also served by a dense network of pedestrian footpaths and can be accessed by pedestrians, cyclists and motorists. The agent further details that measures are proposed to actively encourage bus travel at the site, but no details have been submitted as to what these measures entail. DfI Roads has been consulted and indicated that if the Council is content to approve the proposal with no parking provision, informatives have been provided.

The amplification of Policy DM 10 indicates that a reduction in car parking provision may be acceptable in the following circumstances:

- Where it forms part of a package of measures to promote alternative transport modes, particularly where this has been demonstrated and accepted through the Transport Assessment process;
- In locations which are highly accessible and well served by public transport;
- Where co-location of facilities provide opportunities for shared parking arrangements; and/or
- Where new development is proposed close to existing public car parking and it is demonstrated there is available spare capacity.

Whilst planning permission was previously granted for 2no. apartment units (Ref's: LA03/2016/0105/F and LA03/2021/1102/F) with no assigned parking, this proposal seeks an additional residential unit to the previously approved scheme and seeks to introduce an additional 2no. bedroom apartment on the second floor, resulting in 3no. apartments on site as opposed to the 2no. apartments previously approved.

The agent details in a letter dated 28<sup>th</sup> April 2025 that there are a number of large town centre car parks in close proximity. However, no details have been provided as to the location of these car parks, whether they are free and how far away they are from the site.

It is noted that the closest public car park is located approximately 0.2 miles south of the site within The Square which is a paid car park and is not considered to be appropriate for use by residents requiring long term parking. Car parking is also available within the Asda site which is located approximately 0.1 miles east of the site, however, it is noted that this car park is for use of customers only and subject to time restrictions which would not be appropriate for residential use.

Further on-street parking within the town centre of Ballyclare is subject to parking restrictions with a parking time of only 60 minutes allowed between 09:00 and 17:00, and no return within one hour. It is considered that these spaces may not be suitable for potential residents to the apartment who may require parking for their vehicle during these times of the day.

The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and criterion (C) of Policy DM 10.1 of the ANPS in that adequate provision has not been made for car parking.

### **Flood Risk**

The application site is not located within the 1 in 100-year fluvial or 1 in 100-year coastal floodplain. Policy DM 47.2 of the ANPS sets out the threshold where a Drainage Assessment is required. The proposal does not exceed the threshold set out within Policy DM 47.2 to require the submission of a Drainage Assessment. However, the applicant should carry out their own assessment of flood risk. The proposal is not considered to increase the risk of flooding to the site or elsewhere and as such is compliant with Policy DM 47.2 in this regard.

The proposal seeks to rely on mains sewerage for both foul and surface water discharge. Northern Ireland Water (Multi Units East) has been consulted on the proposal due to the increase in sewage load associated with the development, however, they offered no objection.

<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
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<b>PROPOSED REASONS FOR REFUSAL</b>
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- |  |
|--|
| 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and criterion (C) of Policy DM 10.1 of the Antrim |
|--|

and Newtownabbey Plan Strategy in that adequate provision has not been made for car parking.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policy DM 17.9 of the Antrim and Newtownabbey Plan Strategy in that adequate provision has not been made for any areas of private open space.




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### Site Location Plan

1:1,250

Reference: LA03/2025/0165/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.9</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0425/O</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	2No. Dwellings and detached garages
<b>SITE/LOCATION</b>	Site 70m North of 64 Thornhill Road, Antrim, BT41 2LG
<b>APPLICANT</b>	Stephen McDonald
<b>AGENT</b>	Andrew Wisener
<b>LAST SITE VISIT</b>	4th July 2025
<b>CASE OFFICER</b>	Harry Russell Tel: 028 903 40408 Email: <a href="mailto:harry.russell@antrimandnewtownabbey.gov.uk">harry.russell@antrimandnewtownabbey.gov.uk</a>
<p><b>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: <a href="https://planningregister.planningsystemni.gov.uk/application/700333">https://planningregister.planningsystemni.gov.uk/application/700333</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on lands 70m north of 64 Thornhill Road, Antrim is within the countryside outside any development limit as defined in the Antrim Area Plan 1984-2001.</p> <p>The application site is situated off the Thornhill Road and consists of an area of grassland which is overgrown in parts. The eastern (roadside) boundary is defined by mature trees and hedgerows approximately 4-5m in height. The southern and western boundaries are defined by a 1m high post and wire fence, and the northern boundary is undefined. The topography of the site is generally flat.</p> <p>The surrounding character is open countryside; however, the site abuts development to the north and south.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
There is no relevant planning history.	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the</p>	

Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.

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

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.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1):** sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3):** aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM10 – Access and Parking; and
- Policy DM 15 – Development Relying on Non-Mains Sewage.

**Strategic Policy 4 - Homes (SP 4):** sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 18 – Homes in the Countryside; and
- Policy DM 18C – Dwellings within a Built-up Frontage.

**Strategic Policy 6 - Placemaking and Good Design (SP6):** sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character;
- Policy DM 28 Amenity Impact.

**Strategic Policy 8 - Natural Heritage (SPG8):** seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10):** seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems.

#### **CONSULTATION**

**Council Environmental Health Section** - No objection

**Department for Infrastructure Roads** - No objection

#### **REPRESENTATION**

Five (5) neighbouring properties were notified and one letter of representation has been received from a neighbour notified property.

A summary of the key points raised in the objection is listed below:

- Loss of privacy;
- Loss of light;
- Overshadowing;
- Road safety concerns;
- Objector alleges they were previously advised that planning permission for houses would not be approved;
- Addresses of houses labelled incorrectly on plans; and
- Loss of property value.

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Preliminary Matters
- Policy Context and Principle of Development
- Rural Design, Integration and Impact on the Character of the Area
- Neighbour Amenity
- Access and Parking
- Natural Heritage
- Sewerage and Drainage

##### **Preliminary Matters**

The Council contacted the agent on 24th July 2025 to advise of the Council's concerns regarding the principle of development.

##### **Policy Context and Principle of Development**

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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies

Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Antrim Area Plan 1984-2001 (AAP). In line with the transitional arrangements set out in the SPPS, the AAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Strategic Policy SP1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. DM 18.1 of the ANPS indicates that the Council will support the development of new homes in the countryside provided that it meets with the range of development types permitted by policy. One such development type is for a development within a built-up frontage as provided for by Policy DM 18C which sets criteria for the assessment of dwellings within an otherwise substantial and continuously built-up frontage.

DM 18.6 indicates that the Council will support an application for the development of a small gap site, sufficient only to accommodate up to a maximum of two dwellings within an otherwise substantial and continuously built-up frontage where the five listed criteria can be met:

Criterion (a) indicates the frontage comprises five or more substantial buildings consisting of at least three dwellings but excluding ancillary buildings such as garages, small outbuildings and open sided structures. Criterion (b) further indicates the frontage appears as a visual entity in the landscape and all the existing buildings front directly onto a public road or private shared laneway.

In this instance, the two dwellings at Nos. 62 and 64 Thornhill Road are situated to the south of the application site and have a frontage onto the Thornhill Road. Nos. 64A and 64B Thornhill Road are situated to the north/northwest of the application site, however, these dwellings have no frontage onto the Thornhill Road and are situated at the end of a private laneway which abuts the (rear) western boundary of the site. As such, it is not considered that a built-up frontage comprising of five or more substantial buildings consisting of at least three dwellings but excluding ancillary buildings, exists at this location. As such, the proposal does not meet criteria (a) and (b) of DM 18C and is not considered to represent a gap site in an otherwise substantial and continuously built-up frontage.

Notwithstanding that the proposal does not meet criteria (a) and (b) of DM 18C, criterion (c) indicates that as a general rule, the gap site for up to two dwellings is no greater than 60m between the existing buildings. Whilst it is considered the site does not represent a gap in a built-up frontage, there is an approximately 120m separation distance between Nos. 64 and 64A Thornhill Road, between which the application site is situated. As such, the proposal does not satisfy criterion (c) of DM 18C.



Accordingly, the proposal is contrary to Policy DM 18C and the principle of development is unable to be established.

### **Design, Integration and Rural Character**

DM 18.2 of the Plan Strategy indicates that in all cases, the Council will expect proposals for new residential development to be sited and designed to integrate sympathetically with their surroundings and not to have an adverse impact on the landscape character or rural amenity of the countryside. Criteria (d) and (e) of Policy DM 18C require the proposed site to have a suitable degree of enclosure to allow the proposed development to integrate into the countryside and for the development to respect the existing development pattern and not significantly alter its existing character or visually intrude into the open countryside. Furthermore, Policy DM 27 indicates that the Council will support development in the countryside where it is sited to integrate sympathetically into its surroundings and respects rural character. New buildings will be expected to demonstrate high quality rural design, appropriate to the proposed site and its context.

As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling. However, in terms of integration, limited views of the site will be achieved when travelling in both directions along the Thornhill Road by intermittent vegetation and neighbouring dwellings. The majority of the existing roadside trees are indicated to be retained on the Proposed Concept Plan, Drawing No. 02 date stamped 12th June 2025, which provides screening to the site and assists in enclosing the site alongside the neighbouring development.

In order to further aid integration, a number of conditions would be attached if the application is to be deemed acceptable. A siting condition will ensure the dwellings are sited appropriately within the site in order to reduce their visual impact from the roadway, whilst respecting the existing built form. A condition restricting the ridge height to 6.2m will ensure the proposal respects the existing character of buildings along that section of the Thornhill Road. Lastly, conditions relating to the retention of boundary treatments and the submission of a landscaping scheme (as required by DM 27.5) will ensure the proposal integrates sensitively within the landscape. The landscape would also provide compensatory planting for any trees lost by the development in accordance with Policy DM 42.

In terms of rural character, the dwellings do not appear overly prominent due to the screening of the site. The proposal does however, site at the end of two existing roadside dwellings to the south, comprising Nos. 62 and 64 Thornhill Road. The development of the application site would create a linear form of development along the Thornhill Road leading to the creation of a ribbon of development. As such, the proposal is contrary to DM 27.3 as it erodes the rural character of the area by creating a ribbon of development.

### **Neighbour Amenity**

DM 28.1 indicates that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or

future occupiers of adjoining or nearby properties. Both the individual and cumulative impacts of proposals on amenity will be considered in assessing their acceptability.

The objector has raised concerns regarding loss of light, loss of privacy and overshadowing. As this application seeks outline permission, limited details have been provided regarding the siting, layout or proposed design. Nonetheless, the agent has provided an indicative site layout within the Proposed Concept Plan, Drawing No. 02 date stamped 12th June 2025, which denotes that Dwelling A would have a separation distance of over 45m from No. 64 Thornhill Road and Dwelling B would have a separation distance of over 30m from Nos. 64A and 64B Thornhill Road. As such, given the separation distances, it is considered that two appropriately designed dwellings could be erected at this location without detrimentally impacting the amenity of the neighbouring dwellings by way of overshadowing/loss of light and loss of privacy.

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

The objector also raised concerns that the house numbers were not labelled correctly on the plans. On the submitted Location Plan, Drawing No. 01 and the Proposed Concept Plan, both date stamped 12th June 2025, Nos. 64A and 64B have been labelled the wrong way round. Whilst this is an error, both dwellings are shown on the plans and as discussed above, it is not considered that two appropriately designed dwellings would unduly impact the amenity of the neighbouring dwellings of the site.

### **Access and Parking**

The objector raised concerns regarding road safety at the proposed access to the development. Policies SP 3.10 and DM 10 indicate that any access for a dwelling must not prejudice road safety or significantly inconvenience the flow of traffic. Access to the application site is to be gained from a new access onto the Thornhill Road. DfI Roads were consulted regarding the development proposal and responded with no objections to the proposed means of access subject to the submission of a scale plan and an accurate site survey at the Reserved Matters stage.

### **Natural Heritage**

The indicative Concept Plan, Drawing No. 02 date stamped 12th June 2025, indicates that less than 10m of the roadside hedgerow is to be removed to facilitate the visibility splays. Given that the hedgerow to be removed is less than 30m, which would require the submission of a biodiversity checklist, it is considered that appropriate mitigation could be provided by the submission of a landscaping scheme at the Reserved Matters stage indicating the provision of compensatory planting.

Accordingly, the proposal does not result in unacceptable damage to a priority habitat and mitigation measures for the priority habitat which would be removed can be conditioned should planning permission be forthcoming. As such, the proposal is considered to comply with Policies SP 8 and DM 39.

### **Sewerage & Drainage**

Policy DM 15 indicates that the Council will only support development proposals for non-mains sewerage where it is demonstrated that this will not create or add to a pollution problem. In addition, Policy DM 47 indicates that consideration of drainage issues is a requirement for all development proposals.

As the proposal is for outline permission, it does not include any details of the location of the proposed septic tank. The site is not known to be located in an area known to be at risk from pollution risk. A septic tank also requires a Discharge Consent to be granted by DAERA Water Management Unit. Details of the location of the septic tank and the soakaways would be provided at the Reserved Matters stage.

The proposed dwelling is not proposed in an area where there is evidence of a history of surface water flooding, and the indicative site plan indicates the development would not involve buildings and/or hard surfacing of 1,000sqm or greater in area. As such a Drainage Assessment (DA) was not required.

### **CONCLUSION**

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

- The principle of development cannot be established under Policy DM 18;
- The proposal will integrate appropriately with the surrounding landscape;
- The proposal erodes rural character by extending a ribbon of development;
- The proposal is not considered to result in adverse impacts on neighbouring properties;
- The development proposal is not considered to prejudice road safety; and
- The proposal does not result in an unacceptable loss of a priority habitat.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL	
<ol style="list-style-type: none"> <li>1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies SP 4 and DM 18C of the Antrim and Newtownabbey Plan Strategy, as the proposal is not located within a gap site, sufficient only to accommodate up to a maximum of two dwellings within an otherwise substantial and continuously built-up frontage.</li> <li>2. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policies SP 6 and DM 27 of the Antrim and Newtownabbey Plan Strategy, in that the proposal detrimentally impacts rural character by creating a ribbon of development along the Thornhill Road.</li> </ol>	




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### Site Location Plan

1:2,500

Reference: LA03/2025/0425/F

 Site Location



<b>COMMITTEE ITEM</b>	<b>3.10</b>
<b>APPLICATION NO</b>	<b>LA03/2025/0305/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Dwelling and garage
<b>SITE/LOCATION</b>	80m Northwest of 696 Doagh Road, Newtownabbey
<b>APPLICANT</b>	Kerry Bradley, Elizabeth Weatherup, Leanne McKinty
<b>AGENT</b>	Robert Logan
<b>LAST SITE VISIT</b>	21/05/25
<b>CASE OFFICER</b>	Eleanor McCann Tel: 028 903 40422 Email: <a href="mailto:Eleanor.mccann@antrimandnewtownabbey.gov.uk">Eleanor.mccann@antrimandnewtownabbey.gov.uk</a>
<p><b>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: <a href="https://planningregister.planningsystemni.gov.uk/application/698872">https://planningregister.planningsystemni.gov.uk/application/698872</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located on part of a larger agricultural field approximately 80m northwest of No. 696 Doagh Road. The site is within the countryside and outside the development limit of any settlement as defined by the Draft Belfast Metropolitan Area Plan (2004).</p> <p>The application site abuts the Doagh Road to the northeast and No. 696 Doagh Road to the southeast. The topography of the site is relatively flat. The northeastern and southeastern boundaries are defined by mature hedgerow approximately 1.5m in height. The northwestern and southwestern boundaries are undefined.</p> <p>The surrounding area is rural in character; however, the application site is situated within a suburban style built up frontage of dwellings and is located approximately 350m east of the settlement of Ballyrobert.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
There is no relevant planning history.	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>The Antrim and Newtownabbey Local Development Plan (ANLDP) will comprise of two parts; Part 1 is the Plan Strategy which contains strategic and operational policies and was adopted on 3rd July 2025. Part 2 is the Local Policies Plan which will identify the boundaries of settlement limits, local designations and zonings which has not yet been published. As such the settlement limits, local designations, and zonings of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan) remain applicable. Account will also be taken of the draft Newtownabbey Area Plan and its associated Interim Statement and the provisions of the draft Belfast Metropolitan Area Plan.</p>	

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located outside any development limit. The Plan offers no specific guidance on this proposal.

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.

Antrim and Newtownabbey Plan Strategy 2015-2030: sets out the relevant planning policies for assessing planning applications and other planning consents. The relevant strategic and operational policies for the assessment of the current proposal are listed below.

**Strategic Policy 1 – Sustainable Development (SP 1)**: sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Strategic Planning Policy Statement (SPPS).

**Strategic Policy 3 – Transportation and Infrastructure (SP 3)**: aims to encourage the continued development and growth of high-quality transportation, communications and utilities infrastructure in a timely and co-ordinated fashion to meet the current and future needs of our Borough and support sustainable development in accordance with the Council's Spatial Growth Strategy. SP3 is supported by Policies:

- Policy DM10 – Access and Parking; and
- Policy DM 15 – Development Relying on Non-Mains Sewage.

**Strategic Policy 4 - Homes (SP 4)**: sets out that the Council's aims of achieving quality in new residential development both within urban settlements and the countryside. SP4 is supported by Policies:

- Policy DM 18 – Homes in the Countryside.

**Strategic Policy 6 - Placemaking and Good Design (SP6)**: sets out that positive placemaking and good design are key components in the delivery of high quality, attractive and sustainable places within our Borough. SP6 is supported by Policies:

- Policy DM 27 Rural Design and Character;
- Policy DM 28 Amenity Impact.

**Strategic Policy 8 - Natural Heritage (SPG8)**: seeks to protect, conserve and promote the enhancement and restoration of the diversity of our Borough's natural heritage comprised of its habitats, species, landscapes and earth science features.

- Policy DM 39 Habitats, Species & Features of Natural Heritage Importance; and
- Policy DM 42 Trees and Development.

**Strategic Policy 10 - Environmental Resilience and Protection (SPG10)**: seeks to promote environmental resilience by mitigating and adapting to the harmful effects of climate change on our built and natural environment. SPG10 is supported by Policies:

- Policy DM 47 Surface Water Drainage & Sustainable Drainage Systems. Missing policy on septic tanks

## CONSULTATION

**Council Environmental Health Section** - No objection

**Department for Infrastructure Roads** -No objection subject to condition

## REPRESENTATION

Five (5) neighbouring properties were notified and no letters of representation have been received.

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Rural Design, Integration and Impact on the Character of the Area
- Neighbour Amenity
- Access and Parking
- Natural Heritage
- Sewerage and Drainage

### Preliminary Matters

The agent was invited to submit a Planning Statement to indicate how the application meets with the policies contained within the Plan Strategy. However, no information was forthcoming.

### Policy Context and Principle of Development

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.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The Antrim & Newtownabbey Plan Strategy (ANPS) sets out the relevant planning policies for the determination of planning applications in the Borough. However, until such times as the Local Policies Plan (LPP) identifies the boundaries of settlement limits, local designations and zonings, the provisions of the current legacy plans, both adopted and in draft form will continue to apply. The site is defined as being within the countryside in the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan (dBMAP). In line with the transitional arrangements set out in the SPPS, the BUAP, the dBMAP and the ANPS must be read together. Any conflict between the policies in with the Plans must be resolved in favour of the ANPS.

Strategic Policy SP1.11 of the ANPS indicates that development proposals in the countryside will be supported in principle provided that they accord with the relevant policies applicable to the development type otherwise it will not be permitted unless there are overriding reasons why it is essential in a countryside location and cannot be located within a settlement. DM 18.1 of the ANPS indicates that the Council will support the development of new homes in the countryside provided that it meets with the range of development types permitted by policy. One such development type is for a development within a built-up frontage as provided for by Policy DM 18C



which sets criteria for the assessment of dwellings within otherwise substantial and continuously built-up frontage.

DM 18.16 indicates that the Council will support an application for the development of a small gap site, sufficient only to accommodate up to a maximum of two dwellings within an otherwise substantial and continuously built-up frontage where the five listed criteria can be met:

Criterion (a) indicates the frontage should comprise five or more substantial buildings consisting of at least three dwellings but excluding ancillary buildings such as garages, small outbuildings and open sided structures. Criterion (b) further indicates the frontage should appear as a visual entity in the landscape and all the existing buildings front directly onto a public road or private shared laneway. In this instance, two dwellings at Nos. 2 and 6 Mossley Road are located to the northwest of the application site and a single dwelling at No. 696 Doagh Road is located to the southeast of the application site. Whilst all the dwellings front onto the same road the application site is not considered to be sited within a built-up frontage as there are only three substantial buildings rather than the five required by criterion (a) of DM 18C and is not considered to represent a gap site in an otherwise substantial and continuously built-up frontage.

While notwithstanding that the proposal does not meet criterion (a) of DM 18C, criterion (c) states that as a general rule, the gap site for up to two dwellings is no greater than 60m between the existing buildings. Whilst it is considered that the site does not represent a gap in a built-up frontage, there is a 102m separation distance between No. 696 Doagh Road and No. 2 Mossley Road which are the nearest two buildings on each side of the application site and therefore the proposal fails criteria c of the policy.

It is noted that an outline planning permission was granted for a dwelling and garage immediately adjacent to and northwest of the application site under application Ref: LA03/2024/0839/O. This permission is extant, although no application for Reserved Matters has been submitted in relation to the approved outline at this time. Regardless, the proposal does not satisfy criterion (c) of DM 18C.

Accordingly, the proposal is contrary to criteria a & c of Policy DM 18C and the principle of development is unable to be established.

### **Design, Integration and Rural Character**

DM 18.2 of the Plan Strategy indicates that in all cases, the Council will expect proposals for new residential development to be sited and designed to integrate sympathetically with their surroundings and not to have an adverse impact on the landscape character or rural amenity of the countryside. DM 27.2 and DM 27.3 adds to the policy requirements for integration and the protection of rural character requiring any new building to have a suitable means of enclosure, must not be a prominent feature in the landscape and must not result in build up or a ribbon of development. In addition, Criteria (d) and (e) of DM 18C require the proposed site to have a suitable degree of enclosure and for the development to respect the existing development pattern and not significantly alter its existing character or visually intrude into the open countryside.

The proposed site is screened from long views when travelling eastwards along the Doagh Road by the dwelling at No. 2 Mossley Road as well as from intermittent boundary treatments, which also provide a backdrop to the proposal when travelling westwards along the Doagh Road. Additionally, the existing dwelling at No. 696 Doagh Road provides screening to the application site from long views when travelling westwards along the Doagh Road. Short views of the proposal will be achievable when travelling in both directions along the Doagh Road.

Although the proposal requires the removal of a portion of roadside hedging to provide visibility splays, the land rises southwards behind the application site to provide a backdrop. In the interests of visual amenity, it is recommended that conditions relating to the retention of boundary treatments and the submission of a landscaping scheme (as required by DM 27.5 and Policy DM 42) to ensure the proposal integrates sensitively within the landscape should planning permission be forthcoming.

In terms of rural character, the proposal is to be sited between a number of road frontage dwellings comprising Nos. 2 and 6 Mossley Road to the northwest of the application site and a No. 696 Doagh Road. Given that the proposed dwelling will link these existing buildings together it is considered that it would create a ribbon of development along the Doagh Road/Mossley Road. As such, the proposal would be contrary to DM 27.3 (c) as it erodes the rural character of the area by adding to a ribbon of development.

### **Neighbour Amenity**

Policy DM 28 deals with impact on amenity and states that the Council will only support development proposals where they will not result in an unacceptable adverse impact on the amenity of existing or future occupiers of adjoining or nearby properties by way of overlooking, loss of privacy, dominance, overshadowing, or other form of disturbance.

As this application seeks outline permission, limited details have been provided regarding the siting, layout or proposed design. However, the nearest neighbouring dwelling is No. 696 Doagh Road which has a separation distance of approximately 8.1m from the southeastern site boundary of the application site to the western elevation of the dwelling at No. 696 Doagh Road. Existing boundary treatments along the southeastern boundary offer a degree of screening between the application site and No. 696 Doagh Road. It is considered that an appropriately designed dwelling will not have a detrimental impact upon neighbour amenity.

### **Access and Parking**

Policies SP 3.10 and DM 10 state that any access for a dwelling must not prejudice road safety or significantly inconvenience the flow of traffic. Access to the application site is to be gained from a new access onto the Doagh Road. DfI Roads was consulted regarding the development proposal and responded with no objections to the proposed means of access subject to the submission of a 1:500 scale plan and an accurate site survey to be submitted at the Reserved Matters stage showing the access location to be constructed in accordance with the RS1 form.

### **Natural Heritage**

Policy SP 1.4 states that the Council will adopt a precautionary approach where there are significant risks of damage to the environment while Policy SP 8.3 requires that appropriate weight in the decision-making process is given to the protection of designated sites, priority habitats, protected species and other features of biodiversity interest. Specific policies for protected species are also provided under Policy DM 38 whilst Policy DM 39 addresses other Habitats, Species and Features of Natural Heritage Importance.

Although the proposal requires the removal of a portion of roadside hedging along the northeastern site boundary to provide access and visibility splays, the submitted Biodiversity Checklist, Document 01 date stamped 29th May 2025 indicates that less than 30m of hedge removal is required to provide visibility splays. Therefore, it was not considered necessary to consult DAERA-NED with regards to the development proposal and as such, the proposal is considered to comply with Policies SP 8 and DM 39.

### **Sewerage & Drainage**

Policy DM 15 indicates that the Council will only support development proposals for non-mains sewerage where it is demonstrated that this will not create or add to a pollution problem. In addition, Policy DM 47 states that consideration of drainage issues is a requirement for all development proposals.

As the proposal is for outline permission, it does not include any details of the location of the proposed septic tank. The site is not known to be located in an area known to be at risk from pollution. A septic tank would also require a Discharge Consent to be granted by DAERA Water Management Unit. Details of the location of the septic tank and the soakaways would be provided at the Reserved Matters stage.

The application site is not proposed in an area where there is evidence of a history of surface water flooding, as per the DfI Flood Maps NI, and as such a Drainage Assessment (DA) is not required to be submitted.

### **CONCLUSION**

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

- The principle of development is not established under Policy DM 18;
- It is considered that the proposal will integrate appropriately with the surrounding landscape;
- The proposal erodes rural character by extending a ribbon of development;
- The proposal is not considered to result in adverse impacts on neighbouring properties;
- The proposal is not considered to prejudice road safety;
- The proposal does not result in an unacceptable loss of a priority habitat; and
- The proposal does not create or add to a pollution problem.

### **RECOMMENDATION**

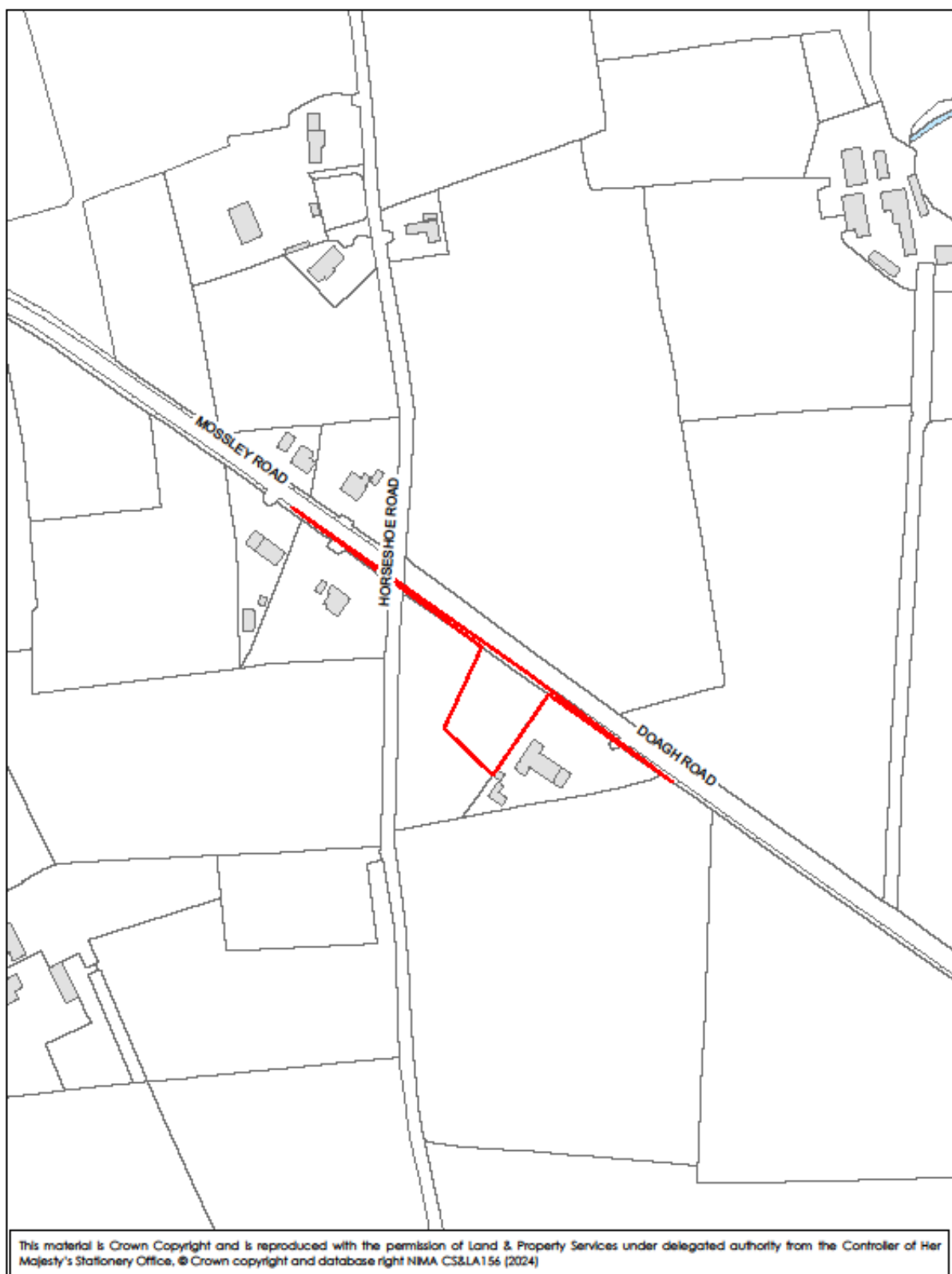
### **REFUSE OUTLINE PLANNING PERMISSION**

### **PROPOSED REASONS FOR REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies SP 4 and DM 18C of the Antrim and Newtownabbey Plan Strategy, as the proposal is not located within a continuously and substantially

built up frontage and the gap between the existing buildings exceeds the acceptable gap size stipulated in the policy.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies SP 6 and DM 27 of the Antrim and Newtownabbey Plan Strategy as the proposal has a detrimental impact upon the rural character as it will create a ribbon of development along the Doagh Road/Mossley Road.



### Site Location Plan

1:2,500



Reference: LA03/2025/0305/O

 Site Location



## **PART TWO**

### **OTHER PLANNING MATTERS**

## ITEM 3.11

### P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS JULY 2025

#### 1. Purpose

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

#### 2. Delegated Decisions of Council

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

#### 3. Planning Appeal Commission Decisions

One (1) appeal was dismissed during July 2025 by the PAC.

<b>Planning application:</b>	<b>LA03/2024/0552/O</b>
PAC reference:	2024/A0085
Proposed Development:	Dwelling and garage
Location:	60m northwest of 73 Carlane Road, Toomebridge
Date of Appeal Submission:	28/11/24
Date of Appeal Decision:	1/7/2025
<b>Decision:</b>	<b>Appeal Dismissed – Council Decision Upheld</b>

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

One (1) appeal was allowed subject to conditions during July 2025 by the PAC.

<b>Planning application:</b>	<b>LA03/2023/0959/F</b>
PAC reference:	2024/A0125
Proposed Development:	Demolition of 6 Station Road and extension of retail unit and associated car parking, EV charging and landscaping and relocation of bulk fuel.
Location:	6-10 Station Road, Doagh, BT39 0QT
Date of Appeal Submission:	24/2/2025
Date of Appeal Decision:	2/7/2025
<b>Decision:</b>	<b>Appeal allowed, subject to conditions, permission is granted – Council Decision not upheld.</b>

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

#### 4. Recommendation

It is recommended that the report be noted.

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

Agreed by: Barry Diamond, Head of Planning Development Management

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



## ITEM 3.12

### P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT JULY 2025

#### 1. Purpose

The purpose of this report is to update Members on the Proposal of Application Notices received during July 2025.

#### 2. Background

Under Section 27 of the 2011 Planning Act prospective applicants for all development proposals which fall into the Major development category are required to;

- give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted.
- 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 the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

#### 3. Proposal of Application Notice

<b>PAN Reference:</b>	LA03/2025/0538/PAN
<b>Proposal:</b>	Proposed extension to the existing shopping centre to provide additional retail floorspace and cafe/restaurant units, reconfiguration and extension of car parking, landscaping and associated site works
<b>Location:</b>	Lands at Lesley Abbeycentre Shopping Centre, Lesley Abbeycentre Shopping Centre, Longwood Road, Newtownabbey, BT37 9UH
<b>Applicant:</b>	Lesley Abbeycentre Limited
<b>Date Received:</b>	24 July 2025
<b>12 week expiry:</b>	16 October 2025

<b>PAN Reference:</b>	LA03/2025/0510/PAN
<b>Proposal:</b>	Proposed c.20mw solar farm and ancillary development – Phase 2
<b>Location:</b>	Lands approx. 250m southwest of 99 Dublin Road, Antrim, BT41 4PN.
<b>Applicant:</b>	H6 Energy Limited
<b>Date Received:</b>	10 July 2025
<b>12 week expiry:</b>	2 October 2025

<b>PAN Reference:</b>	LA03/2025/0493/PAN
<b>Proposal:</b>	Proposed erection of 3 no. storage and distribution units, associated car parking, existing site access from Doagh Road, landscaping and all associated site and access works.
<b>Location:</b>	Lands situated to the south of 610-626 Doagh Road, Newtownabbey
<b>Applicant:</b>	Kemark No 2 Limited
<b>Date Received:</b>	7 July 2025
<b>12 week expiry:</b>	29 September 2025

#### 4. Recommendation

**It is recommended that the report be noted.**

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

Agreed by: Barry Diamond, Head of Planning Development Management

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

## ITEM 3.13

### P/PLAN/1 UPDATE ON THE REVIEW OF DEVELOPMENT MANAGEMENT REGULATIONS

#### 1. Purpose

**The purpose of this report is to recommend to Members to note the update in relation to The Planning (Development Management) Regulations (Northern Ireland) 2025.**

#### 2. Introduction/Background

The Department for Infrastructure has advised it has made a Statutory Rule entitled "The Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2025 which came into operation on 1 August 2025.

#### 3. Key Issues

Members will recall the Department for Infrastructure carried out consultation in relation to The Planning (Development Management) Regulations (Northern Ireland) 2025.

The Department has now written to the Council to advise it has made a Statutory Rule which amends regulation 5 of the Planning ( Development Management Regulations (Northern Ireland) 2025 to set out the revised procedures for pre-application community consultation. The Statutory Rule also revokes regulation 7 (Pre-determination hearings), removing the mandatory requirement to hold a pre-determination hearing.

In summary this places a requirement on the applicant for a web site to be maintained in relation to the pre-application requirements for major planning applications and also removes the mandatory requirement for pre-determination hearings for those major developments which have been subject to notification i.e. referred to the Department for call-in consideration but which have been returned to a council to determine.

The Statutory Rule also amended two errors in the legislation relating to the Annual Monitoring Report required for the Local Development Plan and the definition of EIA development to align with the Planning (Environmental Impact Assessment) Regulations (NI) 2017.

A copy of the notification and the Statutory Rule is **enclosed** for information.

#### 4. Recommendation

**It is recommended that the report be noted.**

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

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

## ITEM 3.14

### P/PLAN/1 PLANNING APPLICATION VALIDATION CHECKLISTS

#### 1. Purpose

**The purpose of this report is to provide Members with an update on the new Planning Application Validation Checklists and to recommend that public consultation be progressed.**

#### 2. Background

Members were previously advised that the Department for Infrastructure has made a Statutory Rule entitled "The Planning (General Development Procedure) (Amendment) Order (NI) 2024 which came into operation on 1 April 2025. Officers have engaged with Planning Committee Members in relation to the proposed Council's Validation Checklist. In addition, the Department has held a workshop for stakeholders and has brought forward a practice note for planning application validation checklists.

#### 3. Key issues

The Department for Infrastructure has made a Statutory Rule entitled "The Planning (General Development Procedure) (Amendment) Order (NI) (GDPO) 2024 which came into operation on 1 April 2025. Officers have engaged with Planning Committee Members in relation to the proposed Council's Validation Checklist.

Councils will need to consider specifying a Direction in writing and publishing a checklist of information requirements on their websites to ensure that the validation checklist prepared becomes mandatory and that applicants have the right to appeal. Where a Direction is not made, the validation checklist will largely remain voluntary in nature bar the limited statutory requirements as set out in the GDPO.

The Department is also recommending that in the interests of stakeholder buy in, Councils take into account the views of the local community in the preparation of their planning validation checklists. While not a statutory requirement it is recommended that proposed checklists (or later revisions) are subject to engagement with the local community, including with statutory and other planning consultees, applicants, and planning agents. It will be a matter for Councils to decide the manner and approach to such engagement.

At the December 2024 Planning Committee, it was agreed that the draft validation checklist would be piloted on an informal basis to assess how it operated and how it may be adjusted to improve efficiency. This trial has been ongoing for a number of months, however, the planned roll out to stakeholders and public engagement has been delayed due to preparations for the adoption of the Plan Strategy. It is now considered prudent to move forward with the public consultation and engagement in October for a period of 4 weeks with a view to presenting a finalised version of the validation checklist to the Committee before the end of the calendar year. A copy of the proposed draft validation checklist is enclosed for information.

#### **4.     Recommendation**

**It is recommended that the public consultation and engagement on the draft Validation Checklist be progressed as outlined.**

Prepared by: Barry Diamond, Head of Planning Development Management

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

## ITEM 3.15

### **P/PLAN/1 ROYAL TOWN PLANNING INSTITUTE (RTPI) AWARDS FOR PLANNING EXCELLENCE 2025, NATIONAL AWARDS CEREMONY**

#### **1. Purpose**

The purpose of this report is to advise Members of the arrangements for the Royal Town Planning Institute National Awards Ceremony which will take place this year on the evening of 27 November 2025 at the Bloomsbury Big Top, London.

#### **2. Background**

As Members are aware, in June 2025, the Council's Planning Section was awarded the RTPI(NI) Local Planning Authority of the Year 2025. As the regional winner, the Council has been automatically shortlisted as a finalist for the Royal Town Planning Institute (RTPI) National Awards for Planning Excellence 2025.

National Awards Ceremony Details

- Date: Thursday, 27 November 2025
- Time: 6:00 PM to 11:30 PM
- Venue: The Bloomsbury Big Top, 93 Guilford Street, London, WC1N 1DN

The RTPI Awards for Planning Excellence celebrate outstanding achievements in planning, highlighting the significant contributions made by professionals to the communities they serve.

Tickets for the event are £186.00, including VAT, and the event layout will be tables of ten. Due to the timings of the event, an overnight stay in London will be required. The following options are recommended for Members' consideration:-

Option 1: Council is represented by a selection of Members and Officers and a table of 10 is booked at a cost of £1,860 plus flights and accommodation;

Option 2: Council is represented by The Mayor, Chairperson of the Planning Committee, or their nominee, along with the Deputy Director of Planning, the Northern Ireland Chairperson of the RPTI (Ms. Emma Aldridge from Antrim and Newtownabbey Borough Council) and a nominee from the Planning Section of Antrim and Newtownabbey Borough Council, and a table is booked for 5 at a cost of £930 plus flights and accommodation.

#### **3. Recommendation**

**Members' instructions are requested.**

Prepared by: Kathryn Bradley, Planning & Economic Development Business Support Manager

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

## ITEM 3.16

### **P/PLAN/1 DEPARTMENT FOR INFRASTRUCTURE ANALYSIS AND RESEARCH BRANCH (ASRB) PLANNING STATISTIC USER SURVEY 2025**

#### **1. Purpose**

**The purpose of this report is to advise the Planning Committee that the Department for Infrastructure's Analysis, Statistics and Research Branch (ASRB) is seeking feedback on the Northern Ireland Planning Accredited Official Statistics and associated customer service, and to encourage participation in the survey currently open to users.**

#### **2. Background**

The ASRB within the Department for Infrastructure (DfI) produces Accredited Official Statistics on planning activity across Northern Ireland. These statistics are a vital resource for informing planning policy, monitoring planning performance, and supporting evidence-based decision-making at local and regional levels.

In line with their commitment to continuous improvement and user engagement, the ASRB is conducting a feedback exercise to better understand how its planning statistics and customer service are being used and received.

#### **3. Details of the Consultation**

The ASRB has launched a user feedback survey which will run from **25 July to 31 August 2025**. This survey aims to gather views on:

- The relevance and usefulness of the published planning statistics;
- The accessibility and clarity of the reports;
- The quality and responsiveness of the customer service provided.

The feedback received will be used to enhance the quality, presentation, and accessibility of future statistical publications and associated services.

The survey can be accessed via the following link:

<https://consultations2.nidirect.gov.uk/dfi-1/northern-ireland-planning-statistics-user-survey/>

#### **4. Recommendation**

**It is recommended that due to the survey end date of 31 August Members respond on an individual or party-political basis, and that Planning Officers respond on behalf of the Planning Section.**

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



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

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

## ITEM 3.17

### **P/FP/LDP/2 THE DEPARTMENT FOR INFRASTRUCTURE, DRAFT TRANSPORT STRATEGY 2035, PUBLIC CONSULTATION (JUNE 2025)**

#### **1. Purpose**

**The purpose of this report is to advise Members that the Department of Infrastructure has launched a Draft Transport Strategy to 2035 and are seeking comments from the Council through an online public consultation response.**

#### **2. Introduction/Background**

The Department has prepared a Draft Transport Strategy to 2035 (enclosed) and are now conducting a 12-week public consultation exercise to gather the views of stakeholders. The Transport Strategy sets out a new vision and strategic priorities for the transport system through to 2035. It articulates the role of transport as a social, economic, and environmental enabler and establishes a set of transport priorities for the Department to deliver against.

The last Transport Strategy was published in 2002. The Transport Strategy aims to bring together the policy messages into one comprehensive and overarching Strategy. This will enable stakeholders to have a clearer understanding of the context of the Department's decisions and their vision for sustainable transport and the actions required to achieve this.

#### **3. Key Issues**

The strategy is developed around four (4) Strategic Priorities for Transport, each of which contribute to Sustainable Development Goals. The Strategy reflects on the contribution that the transport system can make to the improvement of people's everyday lives.

The consultation concentrates on emerging policies and does not revisit those elements of the strategy which are established practice or have been subject to previous consultations.

The consultation process opened on 24 June 2025 and will be open for twelve (12) weeks until 16 September 2025.

#### **4. Summary**

A draft response is enclosed for Members' consideration and subject to agreement, to be issued to the Department's public consultation as the Council's formal response.

#### **5. Recommendation**

**It is recommended that the report be noted, and the enclosed draft public consultation response is agreed and issued to the Department in advance of 16 September 2025 as the Council's formal response to the Transport Strategy 2035.**

Prepared by: Emma Aldridge, Senior Planning Officer

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

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

## ITEM 3.18

### **P/PLAN/1 CONSIDERATION OF CHANGES TO THE COUNCIL'S SCHEME OF DELEGATION OF PLANNING POWERS**

#### **1. Purpose**

**The purpose of this report is to enable the Planning Committee to formally consider and agree the Council's position on whether the Council's Scheme of Delegation should be amended to require all applications for retrospective development to be decided by the Planning Committee.**

#### **2. Background**

At the June Planning Committee it was agreed that a paper would be presented to the Planning Committee to consider whether all retrospective planning applications should be decided by the Planning Committee.

Section 55 of the Planning (Northern Ireland) Act 2011 allows persons to submit an application for planning permission for development carried out before the date of the application. When assessing the planning application, the Council must have regard to the relevant development plan and all other material considerations. The process for assessing a retrospective application largely mirrors that for a proposed application save for the requirement to ensure that the description of development is accurately portrayed as being retrospective.

The number of live planning applications is constantly fluctuating, however, as of the 1 August 2025 there was a total of 295 live planning applications in the system of which 24 included the term 'retention' or retrospective' within the description of development.

The Council's Scheme of Delegation currently allows for any Member to refer an application to be decided by the Planning Committee up to 21 calendar days from the date that the application is validated provided that the request is accompanied by a sound planning reason.

In addition, applications will also be presented to Committee due to a range of other factors including; where the application is recommended for refusal, where there are more than 2 neighbouring properties objecting from within the Neighbour Notification area or 5 objections from occupied properties in the wider area, or where the application is a significant departure from the Development Plan and is recommended for approval.

All applications noted as being retrospective are classified as local planning applications with a statutory processing target of 50% of all cases being processed in 15 weeks or less. As there are currently 24 retrospective planning applications it is conceivable that if all retrospective applications are presented to Committee, then the majority of these would be presented over the next three to four months, based on the 15-week processing target. This would represent a significant increase in the number of applications being decided by the Planning Committee; however, it is recognised that some retrospective applications would be presented to the Committee under the current Scheme of Delegation.

There are already a variety of reasons what a retrospective application would be presented to Planning Committee which provides sufficient safeguards to ensure that the Committee is considering those applications which raise the most significant issues for the development of the Borough. To present all retrospective planning applications to the Committee would have an adverse effect on the efficient functioning of the Committee and the ability to refer applications to Committee already exists on a case-by-case basis.

### **3. Recommendation**

**It is recommended that the Scheme of Delegation is not amended and delegated decision-making powers for retrospective applications be retained by Officers with referral to Committee being considered on a case-by-case basis.**

Prepared and Agreed by: Barry Diamond, Head of Planning Development Management

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

## ITEM 3.19

### **NOTICE OF OPINION BY THE DEPARTMENT FOR INFRASTRUCTURE (DfI) – SECTION 54 APPLICATIONS MADE TO DFI TO VARY PLANNING CONDITIONS ATTACHED TO OUTLINE PERMISSION Ref: LA03/2018/0605/O IN BALLYCLARE - REFERENCE SPD/2024/0052/F**

#### **1. Purpose**

**The purpose of this report is to enable the Planning Committee to formally consider and agree the Council's position on the Notice of Opinion issued by DfI Planning on planning application Ref: SPD/2024/0052/F.**

#### **2. Background**

The Department for Infrastructure has issued a Notice of Opinion to the Council for the following Section 54 application which was previously reported to the November 2024 Planning Committee meeting.

SPD/2024/0052/F - Planning reference LA03/2018/0605/O – application under section 54 to develop land without compliance with conditions 10 and 32 – proposed variation of the wording of conditions 10 (change in trigger point for Ballyrobert crossroads junction works) and condition 32 (part removal of wording to delete reference to town park) Land adjacent to the north-west of Ballyclare including lands bounded by Cogry Road/Rashee Road north of Ross' Avenue/Clare Heights and northeast and west of Ballyclare Rugby Club.

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

<https://planningregister.planningsystemni.gov.uk/application/691271>

The Section 54 application is seeking to vary two conditions attached to the previous grant of planning permission for major residential development incorporating the proposed Ballyclare Relief Road on lands to the west of Ballyclare. As the application is seeking to vary conditions attached to outline planning permissions granted by DfI Planning and previously 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 November Planning Committee that this application had been made to DfI Planning (see Item 3.21) and the Council at that time did not offer any opinion on the application.

#### **Condition 10 states:**

No more than 750 dwellings shall be occupied in the overall Ballyclare West development as outlined in the Concept Masterplan Drawing No 2 bearing Planning Service date stamp 15 June 2010 until separate planning approval has been obtained and implemented for the appropriate road works/signalisation of the

Longshot/Ballyclare Road/Ballyrobert Road/Mossley Road junction as indicated generally on Drawing no: IBT0294/2018 bearing the date stamp 22 October 2010.

Reason: To ensure that the road works considered necessary to provide a proper, safe, and convenient means of access to the development are carried out.

The proposal seeks to vary the threshold of this condition from 750 to 1318 dwellings and the condition proposed will now read:

Condition 10 amended

'No more than 1318 dwellings shall be occupied in the overall Ballyclare West development as outlined in the Concept Masterplan Drawing No. 02 bearing Planning Service date stamp 15 June 2010 until separate planning approval has been obtained and implemented for the appropriate road works/signalisation of Longshot Road /Ballyclare Road /Ballyrobert Road /Mossley Road junction as indicated generally on Drawing No: IBT0294/2018 bearing the date stamp 22 October 2010.

Reason: To ensure that the road works considered necessary to provide a proper, safe, and convenient means of access to the development are carried out.'

Condition 32 states:

'All hard and soft landscape works shall be completed in full accordance with the approved details.

All hard and soft landscape works shall be completed in accordance with the details submitted to and approved at Reserved Matters stage. The Area of Strategic Open Space, defined as the Town Park in the Landscape Concept Masterplan Drawing no.4624-L10 included in the Environmental Statement Addendum date stamped 15 June 2010 and accompanying Landscape Design and Management Strategy (ref CLGB1002 date stamped 01 October 2010, shall be fully completed, functioning and managed in accordance with the approved design before the occupation of the 750<sup>th</sup> dwelling.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations (excluding hard surfaces).'

Any trees, shrubs or hedges planted in accordance with this condition which are removed, uprooted, die or become in the opinion of the Council severely damaged or defective within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Council gives its written consent to any request for variation.

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

The proposal seeks to remove the provision of a Town Park and the proposed condition will now read:-

Condition 32 amended

'All hard and soft landscape works shall be completed in full accordance with the approved details.

All hard and soft landscape works shall be completed in accordance with the details submitted to and approved at Reserved Matters stage.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock.'

All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations (excluding hard surfaces)'.

Any trees, shrubs or hedges planted in accordance with this condition which are removed, uprooted, die or become in the opinion of the Council severely damaged or defective within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Council gives its written consent to any request for variation.

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

The Notice of Opinion (enclosed) indicates that DfI Planning propose to grant planning permission to amend the wording of the conditions. Officers have a number of concerns with the information provided.

The description of development is not clear to the reader as to the nature of the development being applied for in this instance, in fact, it does not contain a description of development at all, rather, it refers to the variation of conditions. Officers are of the view that the core permission being altered should be referenced in full in order to alert the public as to the true nature of the application.

The Notice of Opinion fails to take account of the adoption of the Antrim and Newtownabbey Plan Strategy on the 3 July 2025 and refers to it in draft form.

The amendment to Condition 10 is based on survey data carried out by MRA Partnership in February 2023, however, there is no detail available on the Planning Portal to indicate on what date the survey was carried out, or over what timeframe. It is notable that DfI Roads, while they did not object to the application, they did not indicate approval either.

The variation of Condition 32 seeks to remove 8 acres of open space land which was granted under the core outline planning permission and represents a significant loss of planned open space. The rationale for the loss of open space appears to be due to the lands not being available to purchase by the developer, the time period



to submit a reserved matters being expired and that 18 percent of the remaining lands are dedicated to open space provision.

DM 17.7 of the adopted Antrim and Newtownabbey expects residential development proposals of 200 units or more to provide 20 percent of the total site area for open space. DM 23.1 states that the Council will operate a presumption against development that would result in the loss of, or have a significant adverse impact on, an area of open space irrespective of ownership, physical condition, or appearance. Whereas DM 23.2 provides some exceptions for the loss of open space, none of these have been engaged in the Officers Report.

When considering these applications DfI Planning 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.

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.

Given that the description of development for the application does not appear to be accurately described, that the report; does not recognise the adoption of the Antrim and Newtownabbey Plan Strategy, does not indicate why it is setting aside the thresholds for open space provision in the Plan Strategy, does not refer to the listed exceptions within the Policy and there is no information on the roads survey data, it may be prudent to advise the Department that we cannot reach an opinion on this application due to the lack of information provided.

### **3. Recommendation**

**Members' instructions are requested.**

Prepared and Agreed by: Barry Diamond, Head of Planning Development Management

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

### **3.20 ANY OTHER RELEVANT BUSINESS**

Any Other Relevant Business (AORB) may be taken at this point.