



12 April 2022

Committee Chair: Councillor S Flanagan
Committee Vice-Chair: Alderman F Agnew
Committee Members: Aldermen – P Brett, T Campbell and J Smyth
Councillors – J Archibald-Brown, H Cushinan, R Lynch,
M Magill, N Ramsay, R Swann and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Wednesday 20 April 2022 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

For any queries please contact Member Services:

Tel: 028 9034 0048 / 028 9448 1301
memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – April 2022

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 LA03/2021/0893/F
Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development at 333-335 Antrim Road, Glengormley. BT36 5DY.
- 3.2 Planning Application No LA03/2020/0653/F
Proposed (Phase Two) development of 56 dwellings, (10 detached; 38 semi-detached and 8 apartments) with garages and associated site works and landscaping at Proposed (Phase Two) development of 56 dwellings, (10 detached; 38 semi-detached and 8 apartments) with garages and associated site works and landscaping at former site of Northern Regional College, Fountain Street, Antrim, BT41 4AL.
- 3.3 Planning Application LA03/2021/0862/F
Change of use of existing dwelling (The Mill House) to hotel accommodation including kitchen, dining area, lounge, drawing room, pantry, and storage on the ground floor and 5no. bedrooms on the first floor at The Mill House, Dunadry Hotel, 2 Islandreagh Drive, Dunadry
- 3.4 Planning Application LA03/2021/1103/F
Proposed new free range poultry house 32k birds, new meal bins, litter store, swale and improved access onto Ahoghill Road at approximately 76m NW of 196 Ahoghill Road, Randalstown
- 3.5 Planning Application No LA03/2022/0076/O
Site for dwelling and garage at approximately 30m South of 82 Belfast Road, Ballyclare, BT39 9LS

- 3.6 Planning Application No LA03/2022/0034/O
Site for 1 no detached dwelling at 90 metres South East of 49 Ballycraigy Road, Newtownabbey with access 55 metres north of No. 4 Kiln Road, Newtownabbey
- 3.7 Planning Application LA03/2022/0053/O
Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21) at 50m south of 10a Ballyhill Lane, Nutts Corner, Crumlin
- 3.8 Planning Application LA03/2022/0054/O
Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21) at 50m north of 14 Ballyhill Lane, Nutts Corner, Crumlin, BT29 4YP
- 3.9 Planning Application No LA03/2021/0743/F
Retrospective application for raised single storey sunroom extension to rear of existing dwelling at 21 Shore Road, Greenisland, Carrickfergus, BT38 8UA.
- 3.10 Planning Application No LA03/2021/0455/F
Farm dwelling and detached garage with new access lane (Renewal of previous permission LA03/2015/0604/F) at site adjacent to and 50m North of 9 Old Stone Hill Antrim BT41 4SB
- 3.11 Planning Application No LA03/2021/1068/O
Proposed site for proposed infilling of a single dwelling at lands between 22 and 24 Long Rig Road, Nutts Corner, Crumlin
- 3.12 Planning Application No LA03/2021/0990/F
Proposed dwelling at approx. 20m West of 42 Loughbeg Road, Toomebridge
- 3.13 Planning Application No LA03/2021/1121/F
Retention of detached garage at 30 Park Road, Mallusk, Newtownabbey, BT36 4QF
- 3.14 Planning Application no LA03/2021/0645/F
Proposed cattle/storage/dual purpose shed and cattle crush facilities at approx. 65m NNE of 7 Creggan Road, Randalstown, BT41 3LN
- 3.15 Planning Application No LA03/2021/0435/F
Below ground agricultural effluent storage tank at 130 metres North West of 8 Ballydonnelly Road BT41 3JG and access taken 20 metres East of 135 Church Road Antrim
- 3.16 Planning Application No LA03/2021/1008/F
Proposed farm shed for storage at approx. 300m South of 7 Ballylurgan Road, Randalstown, BT41 2NN
- 3.17 Planning Application LA03/2021/0972/F
Change of use of dwelling to religious meeting room with associated parking at 36 Ballyrobin Road, Templepatrick, BT39 0JH

- 3.18 Planning Application LA03/2021/0322/F
Proposed drive thru bakery/coffee shop, kiosk, indoor/outdoor seating, public toilets, landscaping and car parking

PART TWO – Other Planning Matters

- 3.19 Delegated Planning Decisions and Appeals March 2022
- 3.20 Outcome of Planning Appeal LA03/2018/1138/F
- 3.21 Proposal of Application Notifications
- 3.22 Northern Ireland Planning Statistics Third Quarter 2021/22 Statistical Bulletin
- 3.23 Northern Ireland Assembly Public Accounts Committee Report “Planning in Northern Ireland”.
- 3.24 Local Development Plan – Quarterly Update/Independent Examination Update
- 3.25 DfI Correspondence – Update on Planning Portal

PART TWO – Other Planning Matters - IN CONFIDENCE

- 3.26 Planning Enforcement Report 2021-22 – Third Quarter

4. Any Other Business

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 20 APRIL 2022**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2021/0893/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Demolition of existing buildings and construction of 63 no. apartments at 3 storey rising to 5 storey. Scheme includes a retail unit at ground floor level, parking provision, new vehicular access and associated development.
SITE/LOCATION	333-335 Antrim Road, Glengormley, BT36 5DY
APPLICANT	KC 2021 GG Limited
AGENT	Clyde Shanks Ltd
LAST SITE VISIT	8 October 2021
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the designated local centre of Glengormley and includes a number of commercial and retail properties along the Antrim Road and the Ballyclare Road.</p> <p>The site extends to approximately 0.3ha in size and is roughly V-shaped and is located at the junction of the Antrim and Ballyclare Roads with frontages onto both roads. The application site is a former petrol filling station and ancillary shop which are currently used as a car wash. The remainder of the site consists of a mix of vacant buildings and single trader retail/commercial units fronting onto the Antrim Road and the Ballyclare Road. These buildings consist of two storey flat roof premises finished with red brick and have a somewhat dated appearance.</p> <p>The wider area surrounding the application site is characterised by a mix of commercial and residential properties of varying heights. The southern side of the Antrim Road is characterised by eight semi-detached bungalows with two storey commercial premises on either side with a two storey commercial snooker club and décor shop particularly prominent features in the streetscene.</p> <p>Immediately adjacent to the northwestern boundary of the application site is a two storey detached building which contains a groundfloor fish and chip shop which sits forward of the building line. Beyond this building the area is dominated by two storey terrace dwellings with small front gardens/yards that act as defensible space to the public footpath and Antrim Road. Further to the northwest beyond these properties is Glenann Court (a Clanmill social housing scheme) consisting of three-four storey apartments of modern design.</p> <p>On the eastern side of the application site the area is characterised by commercial properties largely consisting of two storey flat roof buildings. There are also single</p>	

storey flat roof commercial properties at the junction of Portland Avenue and this street is also dominated by commercial properties.

On the northern most side of the application site fronting onto the Ballyclare Road there are three small single storey retail/commercial units abutting the application site. These three buildings are the exception in height terms along this stretch of the Ballyclare Road, with the properties beyond consisting of a mix of two storey commercial and residential properties. The Lilian Bland Community Park is 150m northwest of the application site.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2020/0768/F

Location: Lands at 333 Antrim Road, Glengormley, BT36 5DY

Proposal: Proposed petrol filling station (6no pumps) with replacement canopy and underground storage tanks, car wash, landscaping, reconfiguration of existing access and all other site works

Decision: Permission Granted (28.10.2021)

Planning Reference: LA03/2018/1016/F

Location: 333 Antrim Road, Newtownabbey, BT36 5DZ.

Proposal: Retrospective change of use from former petrol station to car wash facility.

Decision: Permission Granted (11.04.2019)

Planning Reference: U/2008/0550/F

Location: Car Wash 333 Antrim Road, Glengormley, Newtownabbey, BT36 5D

Proposal: Retention of existing car-wash with ancillary building

Decision: Permission Granted (21.10.2009)

Planning Reference: U/2003/0023/F

Location: 331 Antrim Road, Glengormley.

Proposal: Erection of 2 shop units with first floor storage.

Decision: Permission Granted (10.11.2004)

Planning Reference: U/2003/0589/F

Location: Unit 3-4 Ferbro Bulidings, 333 Antrim Road, Glengormley

Proposal: Change of use from shop unit to restaurant with extension to existing takeaway unit.

Decision: Permission Granted (05.12.2003)

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to

the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey and is also within the designated local centre for Glengormley (policy ref MNY 28). Policy R6 indicates that within designated commercial nodes on Arterial Routes planning permission will be granted for retail proposals to serve local needs provided that they do not exceed 500sqm gross floor space for convenience shopping and 100 sqm floor space for comparison shopping.

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

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

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

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

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

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

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

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

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

Control of Development in Airport Public Safety Zones: sets out the planning controls which apply to the Belfast International Airport Public Safety Zones.

CONSULTATION

Council Environmental Health Section

No objection subject to conditions.

Northern Ireland Water

No objection subject to condition.

Department for Infrastructure Roads

DfI Roads has considered the transport and parking information provided and are of the opinion that there should be a minimum of 1 space per unit for this proposed development. DfI Roads advise that if the Council are minded to approve this application with substandard parking then conditions are proposed.

Northern Ireland Environment Agency: Water Management Unit (WMU)

WMU has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment.

WMU is concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Whitehouse Waste Water Treatment Works (WWTW).

WMU note NI Water's response uploaded to the planning portal on 5 October 2021. This response details issues with capacity of the sewer network and recommends a refusal. In light of this response, WMU would request clarification from the applicant on proposals for the foul sewage from this development.

Regulation Unit

No objection to this development subject to conditions.

Natural Environment Division (NED)

No objection.

Department for Communities Historic Environment Division (HED)

No objection.

Belfast City Airport (BCA)

No objection.

DfI Rivers

No objection subject to condition.

Shared Environmental Services

No objection subject to condition.

REPRESENTATION

Fifty-five (55) neighbouring properties were notified and one (1) letter of objection on behalf of the business owners of three properties in the area. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Object to any further business opening up in the area.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Retailing and Town Centres
- Design, Layout and Appearance
- Density
- Public and Private Open Space
- Neighbour Amenity
- Parking and Road Safety
- Crime and Personal Safety
- Flood Risk
- NIW infrastructure/Sewage Disposal
- Archaeology and Built Heritage
- Natural Heritage
- Contamination
- Economic Impacts

Pre-Application Matters:

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 16 April 2021. Residents within a 150metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements which were to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency. Elected Members for the District Electoral Area, relevant MP's and MLA's, residents and local businesses were included in the consultation. There was a total of four representations made to the consultation process which raised a variety of concerns. The planning application

was received following expiration of the 12 week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) was declared unlawful by the Court of Appeal on 18 May 2017. As a result of this, the Belfast Urban Area Plan 2001 (BUAP) operates as the statutory development plan for the area. Draft BMAP, published in 2004 as opposed to that published in 2014, and draft Newtownabbey Plan 2005 (NAP) remain material considerations in the determination of the application.

In the BUAP the site is located within the settlement limit and is not zoned for any particular use. Within NAP Glengormley is identified as an urban village. Within Draft BMAP the application site is identified being with the designated Local Centre for Glengormley (MNY 28). Within local centres, Policy R6 states that planning permission will be granted for retail development proposals to serve local needs provided that they do not exceed two stated gross floorspace requirements and that planning permission will be granted for small scale retail services and catering outlets. Policy R6 is however subject to objection and whilst it cannot be known at this stage what any future adopted BMAP or local development plan will contain in relation to retail development in areas such as Glengormley greater weight is therefore given to published planning policy.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). The SPPS, provides the regional policy for retailing, under which consideration must be given.

In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPSs which provide the relevant regional policy context for consideration of the proposal:

- PPS 7: Quality Residential Environments;
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas;
- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 8: Open Space, Sport and Outdoor Recreation; and

- PPS 15: Planning and Flood Risk.

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. City and town living encourages the development of walkable communities with environmental benefits through reducing the need for the use of a private car and community benefits to people such as the elderly and young people who do not have access to a car. It can also help to revitalise the physical fabric with the redevelopment of vacant/derelict and unattractive land. There are also a number of social benefits with the addition of new households for as communities often bringing children to support local schools. Housing can also provide benefits in terms of activity and surveillance outside of normal commercial hours.

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

Retailing and Town Centres

The SPPS contains a dedicated section on Town Centres and Retailing, which replaced retail policy as was previously contained in Planning Policy Statement 5 – Retailing and Town Centres. At paragraph 6.271 it lists a series of regional strategic objectives for town centres, including to secure a town centres first approach for the location of future retailing and other main town centre uses and to adopt a sequential approach to the identification of retail and main town centre uses in LDPs and when decision taking.

Paragraph 6.276 of the SPPS sets out that planning authorities should retain and consolidate existing district and local centres as a focus for local everyday shopping and ensure their role is complementary to the role and function of the town centre.

Paragraph 6.282 of the SPPS states that in the absence of a current and up-to-date LDP, Councils should require applicant's to prepare an assessment of need which is proportionate to support their application. It is noted that the use of the word 'should' suggests this is not mandatory. The policy goes on to state that this may incorporate a quantitative and qualitative assessment of need taking account of the sustainably and objectively assessed needs of the local town and take account of committed development proposals and allocated sites. Whilst the LDP in this case is not up to-date, no assessment of need has been submitted regarding the retailing element other than a statement to say that the retail unit (395 sqm) falls below the 500sqm threshold for retail developments indicated within the designated local centre in accordance with the DBMAP provisions. A third party objector who owns three business in the surrounding area has indicated concern with the introduction of a new retail unit at this location due to the competition it may have on their businesses. The overall proposal sees a number of commercial units demolished to facilitate the proposed development reducing the overall

commercial floorspace in the immediate area, the impact of the proposed retail unit is considered minimal and offset by the reduction in commercial units to provide for what is primarily a residential development with one shop. In terms of impact on Glengormley urban village (BUAP) and the draft local centre (DBMAP) and nearby commercial properties, the proposed development is considered acceptable in principle and complimentary to the surrounding area.

Design, Layout and Appearance

The Council's Preferred Options Paper (POP) for the Local Development Plan 2030, and in its Housing Investment Plan 2018, identifies a need for more social housing across the entire Borough while Paragraph 6.133 of the SPPS states that the planning system can play a positive and supportive role in the delivery of homes to meet the full range of the housing needs of society. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Policy QD 1 of PPS7 promotes a high quality of design, layout and landscaping in all new housing developments to ensure more attractive and sustainable residential environments for present and future generations. 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. Policy QD1 states that development which would result in unacceptable damage to the local character, environmental quality or residential amenity of established residential areas will not be permitted and requires compliance with a number of listed criteria.

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

The proposal comprises the demolition of the existing buildings located at No.333-335 Antrim Road, Glengormley and the construction of 63 no. apartments for those on the Northern Ireland Housing Executive waiting list in order to help address the housing need in this area. The proposal also includes one groundfloor retail unit, the provision of 19 parking spaces and a new vehicular access onto the Ballyclare Road

The applicant has provided email correspondence from the Northern Ireland Housing Executive (NIHE) and Radius Housing indicating that the NIHE can support the need for:

- 15 x 2person 1 bedroom apartments
- 12 x 3person 2bedroom apartments
- 20 x 3 person 2 bedroom CAT 1 older person apartments
- Mix to include 10% wheelchair accessible units.

The applicant indicates a mix of accommodation to include; 1 bed 2 person, 2 bed 3 person, 2 bed 4 person and 3 bed 4 person units of accommodation.

Notwithstanding the existing buildings on the application site, the topography of the site itself is relatively flat. The applicant indicates that the siting of the proposed development ensures that there will be a strong built and active frontage that addresses the nearby roads, whilst ensuring a defensible space is created between the public footway and each of the proposed groundfloor apartments. Internally, the courtyard will be overlooked by the apartments to assist with eliminating anti-social behaviour and deterring crime. The applicant also indicates that areas of communal open space and parking are to be provided within the development. Both open space provision and parking are considered in more detail below.

The proposed apartments are designed over three stories (8.4m) rising to five stories (15m) at the apex between the Antrim Road and the Ballyclare Road. The applicant considers this necessary in order to satisfactorily address what is generally considered to be a focal point within the Glengormley area. With regard to the three storey element of the proposal this is considered to be compatible with the surrounding buildings which vary in height from single storey to three storey. In terms of the fifth storey element there may be concerns with regard to the potential impact this may have on the streetscene, however, this highly prominent corner site, offers an opportunity to develop a focal building which would benefit the overall visual appearance of this particular area and act as a stimulus for further investment and regeneration.

The applicant has provided a series of photomontages of the proposed building from various vantage points to give an understanding of the impact this development may have on the area. The photomontages illustrate that on the approach to the site when travelling south along Antrim Road, there is a significant fluctuation in ridge height levels. The applicant indicates that increased ridge heights are in response to the commercial premises (greater floor to ceiling heights) that are positioned adjacent to the site which ensures that the proposal would not be incongruous within its setting.

When travelling south along Ballyclare Road, it is illustrated within the photomontages that the scheme responds sympathetically with the scale of the existing built form, with the development gradually stepping up towards the nodal point of the Antrim Road and the Ballyclare Road, thereby forming the focal section of the development which the applicant considers essential given the prominent nature of the site.

Having regard to the information provided in support of the application, it is considered that the impact of this building is offset to some extent by the presence of the snooker club which measures 12.2m (two stories) and sits on the opposite side (southwest) of the Antrim Road to the application site. This ensures that the potential impact of the height is not so significant as to result in a detrimental impact on the character and appearance of this area. It is also noted that there are a number of other large buildings in the surrounding area with a recent approval for a four storey building on the site of the Thunderdome complex.

The building is to be finished in white/buff facing brick with dark grey zinc feature cladding on upper floors, with green painted copper feature cladding to the windows and the roof is a dark grey trochal membrane. The proposed finishes provide interest and variety in the streetscape and while they may differ to what is otherwise existing in this area, they are unlikely to have a significant impact on the character and appearance of this area given the wide variety of finishes which are evident on the surrounding buildings.

On balance, it is considered that the proposed scheme is acceptable in terms of general arrangement, form, materials and detailing. The proposal will respect its surrounding context and is appropriate to the character and topography of the site in terms of scale, massing appearance of buildings, landscaped and hard surfaced areas.

Density

Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity of the second addendum to PPS7 deals with the issue of density within residential areas. It states that the proposed density should not be significantly higher than that found in the established residential area. The applicant indicates that the developable area of the site amounts to 0.3ha in which a total of 63no. apartments are proposed representing a density of 210 dwelling per hectare. The applicant indicates that the level of density is reflective of other apartment developments in the locality such as Glenann Court that is also positioned along the Antrim Road in Glengormley. Given the layout and density of existing and approved neighbouring residential development, it is considered that the density of the proposed development will not result in an adverse impact on the character of this area.

Public and Private Amenity Space

Criterion (c) of Policy QD1 of PPS 7 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments'. It states that the appropriate level of provision should be determined by having regard to the particular context of the development. 'Creating Places' acknowledges that in inner urban locations and high density areas such as this particular application site, open space provision is likely to be more limited. In the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, 'Creating Places' indicates that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10sqm per unit to around 30sqm per unit, however, within high density areas this tends to be closer to the lower figure.

Private amenity space will be provided for 16 apartments in the form of balconies. Amenity space for the apartments is also proposed in the form of landscaped areas within an internal courtyard and isolated pockets of landscaped space around the buildings in the form of hard and soft landscaped areas. The applicant indicates that an area of 500sqm of communal amenity space would be delivered to 47 apartments, while 6.5-8sqm per apartment will be provided for the remaining 16 apartments. An area of public open space is provided at the front of the proposed retail unit which equates to 50sqm to enhance the visual amenity of the area. The

applicant indicates that the open space provided equates to 9.6sqm per apartment which generally conforms to the 'Creating Places' requirement for development in inner urban areas. In addition, Glengormley Park and the Lilian Bland Community Park are within a few minutes' walk of the application site and both areas contain sufficient amenity space for any residents within the area to use for recreation and amenity purposes including those from the prospective apartments. In this instance given that the site is located in a highly accessible inner urban location and is also in close proximity to public parks, it is considered that sufficient amenity space is available within the application site and the wider area to accommodate this development.

The applicant has indicated that the landscaped areas within the development site will be taken up by a social housing provider who will assume responsibility for managing and maintaining the landscaped areas. Details of the long term management and maintenance arrangements can be submitted post planning should planning permission be forthcoming.

Neighbour Amenity

The proposed scheme has been designed to ensure there will be no detrimental impact on the amenity of adjacent properties. The layout of the proposed apartments has been designed and arranged to ensure all properties will have sufficient separation distance from one another to ensure that there will be no significant adverse impact on the amenity of potential future occupants.

The applicant indicates that the positioning and orientation of habitable room windows has been carefully considered as part of the development. This is to ensure that there would be no significant adverse impact caused by way of loss of amenity, in terms of loss of light, overshadowing or loss of privacy to future residents.

To the rear of apartment nos. 8, 20, 37 and 54, it has been carefully designed to ensure that no units are positioned directly behind. This ensures that there is no adverse impact caused by way of loss of amenity to these units or others. It is important to note that these unit numbers are not served by window openings along their rear elevations but do benefit from having large window openings along their front, which ensures that the maximum amount of light available can project through the combined living/dining/kitchen areas thus ensuring that there is no unacceptable impact to the amenity of these units.

With regards to apartment nos. 19, 36 and 53, no window openings are proposed along the rear elevations of these units, thus ensuring that the residential amenity of residents is protected from any loss of privacy or overshadowing. The proposed window openings serving these units along the southwestern elevations are considered by the applicant to be sufficiently large to enable light and ventilation to spill into the apartments.

The proposed bedroom windows of units 25, 42 and 55 would face into the amenity areas providing an open aspect to them without being directly opposite any habitable room windows.

In relation to the potential impact on adjacent properties, it is noted that a section of the proposed development would be positioned opposite the dwellings at 334-

348 Antrim Road. The separation distance between these dwellings and the proposed development measures between 23m and almost 30m, while the topography of the site remains unchanged. This separation distance is considered acceptable and ensures that there will be no significant adverse impact caused to the residential amenity of these units.

Odour

The applicant has submitted an Odour Impact Assessment, prepared by Irwin Carr Consulting, Document Number 09, stamped 'Planning Section Received 15 Sep 2021'. The assessment references the Institute of Air Quality Management (IAQM) guidance and concludes that the proposed development will experience at most, a 'Slight Adverse' effect on amenity, with regard to odour releases from businesses existing in the area, prior to any control or mitigation measures applied. The report states that it is envisaged that the extraction systems associated with food premises will require to be properly maintained on a regular basis. The Council's Environmental Health Section advise that it is unlikely that odour would cause an adverse effect on amenity at the proposed development.

Noise

With regard to potential noise impacts due to the location of the site being bounded by public roads on two sides the applicant has provided a Noise Impact Assessment (Doc 10/1) to understand the potential impact that this may have on future occupants. The Council's Environmental Health Section (EHS) acknowledge that the site adjoins the busy Antrim Road and Ballyclare Road junction, resulting in it being an area of higher noise levels.

Internal Amenity

In terms of the internal noise climate within the apartment development, the report recommends upgrading the glazing to all facades along with the provision of acoustic ventilation to ensure internal noise levels should not exceed those detailed in BS8233:2014. The report states that double glazing of 6/12/6.4lam is adequate mitigation for the facades overlooking the Antrim Road and the façade at receptor location R6 along Ballyclare Road. This standard of glazing provides a sound reduction of 38dB R_w according to the report and reference is made to Appendix B which details receptor and glazing locations. The provision of acoustic ventilation will ensure that internal noise levels will not exceed those stipulated with BS 8233:2014. EHS has no objection with this element of the proposal.

External Amenity

EHS note that 16 of the proposed 63 apartments would have access to an external amenity area described as a balcony. The information submitted indicates that the balcony areas to the proposed apartments are exposed to levels exceeding the upper external amenity level of 55dB L_{Aeq} as recommended within BS8233:2014 and the balconies as proposed would not be suitable for relaxation purposes. Levels at the proposed balconies are 60/61dB L_{Aeq} . While EHO has raised this matter as a concern they have not indicated that the application should be refused on this basis. The NIA at paragraph 6.3.2 states that '*In this case, the glazing barrier deliver a sizable reduction in noise levels experienced at balcony areas, whilst positively impacting living conditions and quality of life as inhabitants are not restricted through fixed unopenable glazing*'.

EHS also note that both BS8233:2014 and ProPG Planning & Noise, requires consideration regarding whether or not an external amenity area or amenity space is intrinsic to the required design for acoustic reasons or for other reasons. However, the advice in BS8233:2014 states that the resulting noise levels outside are never a reason for refusal as long as levels are designed to be as low as practicable, whereas, to comply with policy guidance any amenity space must have an acoustic environment so that it can be enjoyed as intended. It is considered that the location of the apartments in what is essentially the centre of Glengormley would fall under the criteria as defined in Section 7.7.3.2 of BS 8233 where the lowest practicable noise level should be achieved in these areas. The provision of glazing barriers are proposed in order to achieve the lowest practicable noise levels in the balcony areas.

The applicant has indicated that there are many examples of balconies having been approved by Councils throughout the province whereby the recommended noise levels are marginally exceeded, which in this case is by 5dB. Furthermore, the applicant states that the betterment that the development would deliver (in terms of social housing provision, removal of unsightly existing development and the regeneration of site, greater occupation of area by future residents and the delivery of a focal building) all outweigh the 5dB difference.

EHS advise that the Planning Section are best placed to balance the developmental needs for the Borough and whether or not the benefits of the proposal outweigh the high levels of noise that will be experienced in the balcony amenity areas. The guidance contained in "Creating Places" envisages balconies in high density inner urban areas such as this and that they may be used for recreational purposes. It is considered that while these balconies may be used by prospective residents as amenity areas, they also serve as part of the overall design aesthetic as opposed to quiet relaxation space for the proposed residents and while some disturbance may be experienced from occupants using the balcony areas, it is unlikely to have a significant impact on the residential amenity of the individual occupants.

The consultant advises that the landscaped/planted areas to the rear of the proposed apartments are classed as external amenity areas and within walking distance to Glengormley Park. It is EHS's opinion that the areas to the rear of the proposed apartments are planted areas of landscaping rather than external amenity as there are no design features which would encourage the future residents to use this for rest or relaxation purposes. The EHS points are noted and merited to some extent, however, while there are minimal features to encourage rest and relaxation in these areas, there is nothing to suggest that they could not be used for such purposes by prospective residents. It is considered overall that that there will be no significant impact on amenity should the future residents wish to use the spaces to the rear of the apartments as an amenity area.

EHS advise that DAERA noise maps indicate that the noise environment within Lilian Bland Community Park would be 55-59dB and therefore this area would not be classed as a relatively quiet, protected, publically accessible, external amenity space as per Element 3 within ProPG Planning & Noise, May 2017. Following several site inspections to the area, there was no evidence that the park was particularly noisy to the point that amenity would be significantly impacted upon. Given the

extensive size and scale of the Lilian Bland Community Park, it is difficult to establish that there are no areas within the park that would not fall below the upper noise threshold particularly in the central areas away from the public roads and these areas could be used for relaxation purposes. On balance, it is considered that the perceived noise levels associated with Lilian Bland Community Park are not so adverse that residents of the proposed apartment could not use the park for relaxation, leisure and recreational purposes.

Retail Unit

The Planning Section have confirmed that the proposed retail unit at ground floor level is for the retail sale of goods. Therefore, no commercial kitchen will be fitted to the unit and as such there is unlikely to be any significant impact on the amenity of existing or proposed residents.

Parking and Road Safety

Criterion (f) of Policy QD 1 requires that adequate and appropriate provision is made for parking. Section 20 of Creating Places sets out the requirements for the total numbers of parking spaces to be provided for residents, visitors and other callers. DfI Roads has been consulted in relation to the development and has indicated that it is their preference that parking is provided on a one for one basis, however, defers consideration of this matter of the Council.

The applicant has provided a Parking Statement (Doc 06/1) which indicates that a maximum of 110 spaces is required for a development of this type based on DoE Parking Standards, however this does not take into account the specific characteristics of this area or the development itself. Within town centres it is generally accepted that a reduction to 1:1 is appropriate in town centres and highly accessible locations within urban areas (emphasis added).

Provision is made within the scheme for a total of 19 spaces to serve the proposed apartments. The provision is arranged in a mix of on-street parking and an internal communal car park.

In terms of this geographical area the applicant has indicated (para 3.2) that a small majority of existing apartment occupants do not own cars (55.88%). Overall car ownership is 1 car per household. Apartments are thought to be lower car owners than households in general in this ward where car ownership or apartment occupants averages 0.51 cars per household. Based on this value 32 spaces would sustain parking by residents. The applicant also indicates that car ownership with the apartments will be deterred by the lack of in-curtilage parking in the development and the intended residents being social housing/over 55's tenants. The applicant therefore believes that car ownership will be below the low average due to the location of the development.

In addition, parking surveys have been undertaken to demonstrate parking is available on surrounding streets. The applicant indicates that whilst these spaces are not expected to be required, it has to be demonstrated that full parking can be accommodated, supplementing any onsite provision with available on street parking. In general terms the applicant's parking surveys (1-4) indicate that there are a number of on-street parking spaces available with additional spaces available at Lilian Bland car park giving somewhere in the region of 93-108

available spaces within 200m walk of the application site. The existing site currently accommodates 12 of these spaces, however, there will still be a minimum of 81 spaces available nearby to accommodate surplus parking requirements. The applicant's surveys demonstrate that adequate parking is available on the surrounding streets to accommodate the parking demand generated by this proposal. Accounting for the 19 spaces being provided, the demand for off-site parking will be 13 spaces (based on census data), 73 spaces (based on maximum application of policy) or 44 spaces (based on DfI Roads reduction of 1:1 parking).

Having regard to the information provided in support of the application, there is no evidence to dispute the information provided by the applicant. DfI Roads preference for 1:1 car parking is noted, however, this does not factor in the specific nature of this development nor does it considered its geographical location on a highly accessible arterial route where a number of bus stops are within a short walking distance. In addition, the applicant has provided confirmation (Doc 16) that they have entered into an agreement with the Council to rent 20 car parking spaces at Farmely car park for a period of 5 years subject to planning permission for the current proposal being granted in an attempt to reduce the shortfall in parking for this development. This goes some way to ensuring that there will be an appropriate level of parking provided as an integral part of this development while any potential shortfall in parking within the application site can be absorbed within the surrounding area. In addition, as the applicant's parking calculations are based in part on the proposed residents being from those on the social housing waiting lists and may not require the same amount of parking as private apartments, it is considered necessary to condition the occupation of these apartments to those on the NIHE social housing waiting lists. This is included below at condition 16. It is important to note that applicant's arrangement with the Council for the rental of 20 spaces at Farmely car park will take the form of a legal agreement under Section 76 of the Planning Act 2011. This will be engaged should planning permission be forthcoming.

Overall, it is considered that the proposed access and internal road network are safe and adequate provision is made for parking for a development of this nature having regard to the sites highly accessible location along a main arterial route and presence of various amenities surrounding the application site.

Crime and Personal Safety

Criterion (i) of Policy QD 1 of PPS 7 states that the proposed residential development should be designed to deter crime and promote personal safety. The proposed scheme has been designed to ensure the site and individual properties are adequately enclosed and defended by appropriate boundary treatments.

Consideration has also been given to the site layout to ensure that there are no isolated areas of communal space which are not overlooked and that could give rise to anti-social behaviour. The apartments have been arranged to overlook the areas of open space within the site to allow passive surveillance for the safety and security of those using the areas. Overall, it is considered that the proposed development has been designed to deter crime and personal safety with windows on gable elevations allowing for passive surveillance of the public open space.

Flood Risk

The main policy objectives of PPS 15 seek to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere; to ensure that the most up to date information on flood risk is taken into account when determining planning applications; to adopt a precautionary approach to the determination of development proposals in those areas susceptible to flooding where there is a lack of precise information on present day flood risk or future uncertainties associated with flood estimation, climate change predictions and scientific evidence; to seek to protect development that is permitted within flood risk areas by ensuring that adequate and appropriate measures are employed to mitigate and manage the flood risks to the development and elsewhere.

DfI Rivers Flood Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or in 200 year coastal flood plain, nor are there any watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. DfI Rivers advise that the site may be affected by undesignated watercourses of which we have no record, in the event of an undesignated watercourse being discovered, Policy FLD 2 will apply, however based on the information available there are no significant concerns regarding Policy FLD 2.

With regard to flood risk associated with this development the applicant has provided a Drainage Assessment by AMK Consulting dated June 2021 the Drainage Assessment Addendum by AMK Consulting date stamped 05 APR 2022 and the additional drainage information date stamped 06 APR 2022. The DA has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event could be contained in the online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. DfI Rivers advise that further assessment of the drainage network will be made by NIW prior to adoption. However, in order ensure compliance with PPS 15, DfI Rivers requests that the potential flood risk from exceedance of the network, in the 1 in 100 year event, is managed by way of a condition. A suggested condition (No.15) is provided below should planning permission be forthcoming.

DfI River's also advise there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site and there are no proposals have been submitted to culvert any watercourse while Policy FLD 5 – Development in Proximity to Reservoirs is not applicable.

NI Water Infrastructure/Sewage Disposal

NIW has raised concerns with network and wastewater treatment capacity not being available to service the site. However, the applicant has subsequently went through the NIW Pre-Development Enquiry process and is currently going through the Waste Water Impact Assessment process which is likely to find a solution to allow the development to proceed. NIW has agreed to a condition that ensures no development takes place until the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from this development and a connection to the sewer has been granted under the Water and Sewerage Services Act (Northern Ireland) 2016. This condition is considered necessary to ensure adequate waste water treatment capacity is available to serve this development and to ensure that there will not be adverse

effects on the integrity of European sites in line with Shared Environmental Services comments.

NIEA Water Management Unit (WMU) has advised that the proposal has the potential to adversely affect the surface water environment, due to the potential sewage loading associated with the proposal. While WMU note NI Waters' response uploaded to the planning portal on 5 October 2021 highlighting capacity issues, in light of this response, Water Management Unit requested clarification on proposals for the foul sewage from this development. The foul sewage associated with this development is proposed to be directed to the mains sewer subject to a final engineering solution being found through the NIW Waster Water Impact Assessment process. NIW has confirmed (06/04/2022) that on this occasion they are content for planning permission to be granted subject to condition No.6 below. As the proposal is to be served by the mains sewer and a connection can only be granted if the receiving WWTW has sufficient capacity, then it is unlikely that there will be any significant impact on the surface water environment and no further requirement to consult NIEA WMU.

Archaeology and Built Heritage

DfC Historic Environment Division (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements without conditions. It is considered that there are no archaeological or built heritage concerns with this proposal.

Natural Heritage

A Biodiversity Checklist (DOC 08 date stamped 7 September 2021) has been submitted by the applicant for consideration. NIEA Natural Environment Division (NED) has reviewed the documents and on the basis of the information provided is content that the proposed development is unlikely significantly impact protected or priority species or their habitats. In addition, NED has also considered the impacts of the proposal on designated sites and other natural heritage interests and on the basis of the information provided, has no concerns.

Overall, it is therefore considered that the development proposal will have no detrimental impact on natural heritage interests and the proposal complies with the policy provisions of PPS 2.

Contamination

The applicant has provided a number of documents in order to satisfactorily understand and mitigate any contamination that may be on site. These include:

- A Contaminated Land Preliminary Risk & Generic Quantitative Risk Assessment prepared by RSK, Document Number 03, stamped 'Planning Section received 07 Sept 2021'.
- Generic Quantitative Risk Assessment prepared by RSK, Document Number 11, stamped 'Planning Section Received 14 Jan 2022' and
- Remedial Strategy prepared by RSK, Document Number 12, stamped 'Planning Section received 14 Jun 2021'.

A Generic Quantitative Risk Assessment (GQRA) and a Remedial Strategy have been provided by RSK Ireland Limited (RSK) in support of this application. No

unacceptable risks to the water environment or human health have been identified subject to remediation. RSK present a Remedial Strategy to mitigate risks across the whole site. Risks to the water environment due to the presence of underground storage tanks and infrastructure are identified in a refined CSM and excavation of tanks and infrastructure is identified as the associated remedial objective. Source removal is identified as a remedial measure to protect human health from elevated levels of hydrocarbons present in soils and groundwater due to the former use of the site as a petrol filling station. RSK also advise completion of a pre-demolition asbestos survey and removal of any asbestos containing materials by a competent contractor in compliance with the Control of Asbestos Regulations (NI) 2012.

NIEA Regulation Unit (RU) Land and Groundwater Team has no objection to this development provided conditions as detailed below are attached to any grant of planning permission.

The Council's Environmental Health Section also considered the above documentation and are satisfied that amenity can be suitably controlled with regards to contaminated land based on the information submitted and has recommend conditions similar to those proposed by NIEA RU. It is therefore considered that there is unlikely to be any significant impacts on nearby receptors as a result of potential contamination.

Economic Impact

The applicant has indicated that this proposal represents a significant investment proposal in the Borough, this is summarised below:

- The site cost and construction cost will be approx. £9m;
- There would be approx. 100 jobs created during construction; and
- There would be approx. 40 full and part time jobs created by the retail unit.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The design, layout and appearance and density is considered acceptable;
- There are no significant neighbour amenity concerns;
- Adequate amenity space is available to serve this proposal;
- There are no significant parking, road, or personal safety concerns with this proposal;
- There are no significant flood risk associated with this development;
- There are no archaeological, natural or built heritage concerns with the proposal;
- There are no significant contamination concerns with this proposal; and
- There are a number of benefits to this proposal including, regeneration of a brownfield site, provision of social housing in an area of housing need and associated economic benefits through the construction and operational phases of the development.

RECOMMENDATION :	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

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

2. No development shall take place until full details of all proposed tree and shrub planting and a programme of works, have been approved by the Council and all tree and shrub planting shall be carried out in accordance with those details and at those times and shall be retained thereafter.

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

3. No apartments shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council for the open spaces indicated on drawing No03/2 date stamped 27/01/2022. The plan shall set out the period of the plan, long term objectives, management, responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

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

4. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03/1 bearing the date stamp 02/12/2021 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.

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

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

6. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (Northern Ireland) Order 1999.

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

7. All habitable rooms to the dwellings shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least the R_w values detailed within Appendix B and Appendix C of Document Number 10/1, stamped Planning Section Received 13 Oct 2021.'

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

8. All habitable rooms to the dwellings shall be fitted with acoustic passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least the R_w values, detailed within Appendix B and Appendix C of Document Number 10/1, stamped Planning Section Received 13 Oct 2021.

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

9. The separating floor between the ground floor retail unit and first floor apartments shall be at least 200mm in depth and provide a sound reduction index of at least 56dB.

Reason: In order to protect internal noise levels within first floor apartments above the retail unit.

10. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned and removed, where necessary, in line with the remedial measures as detailed in the RSK Remedial Strategy dated January 2022, report ref: 603620 – R3 (00) and in the Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27). The quality of surrounding soils and groundwater shall be verified and, should any additional contamination be identified during this process, conditions 13 and 14 will apply.

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

11. The development hereby permitted shall not be occupied until the remediation measures as described in the RSK Remedial Strategy dated January 2022, report ref: 603620 – R3 (00) have been fully implemented and verified to the satisfaction of the Council. There shall be no amendments or deviations from the remediation measures and the validation and verification details provided.

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

12. In the event that piling is required at the site, no development or piling work should commence until a piling risk assessment has been submitted in writing

and agreed with the Council. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at:

<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf>

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

13. If during the development works, new contamination or risks to the water environment 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>.

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, human health and to ensure the site is suitable for use.

14. After completing any remediation works required and prior to occupation 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 and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

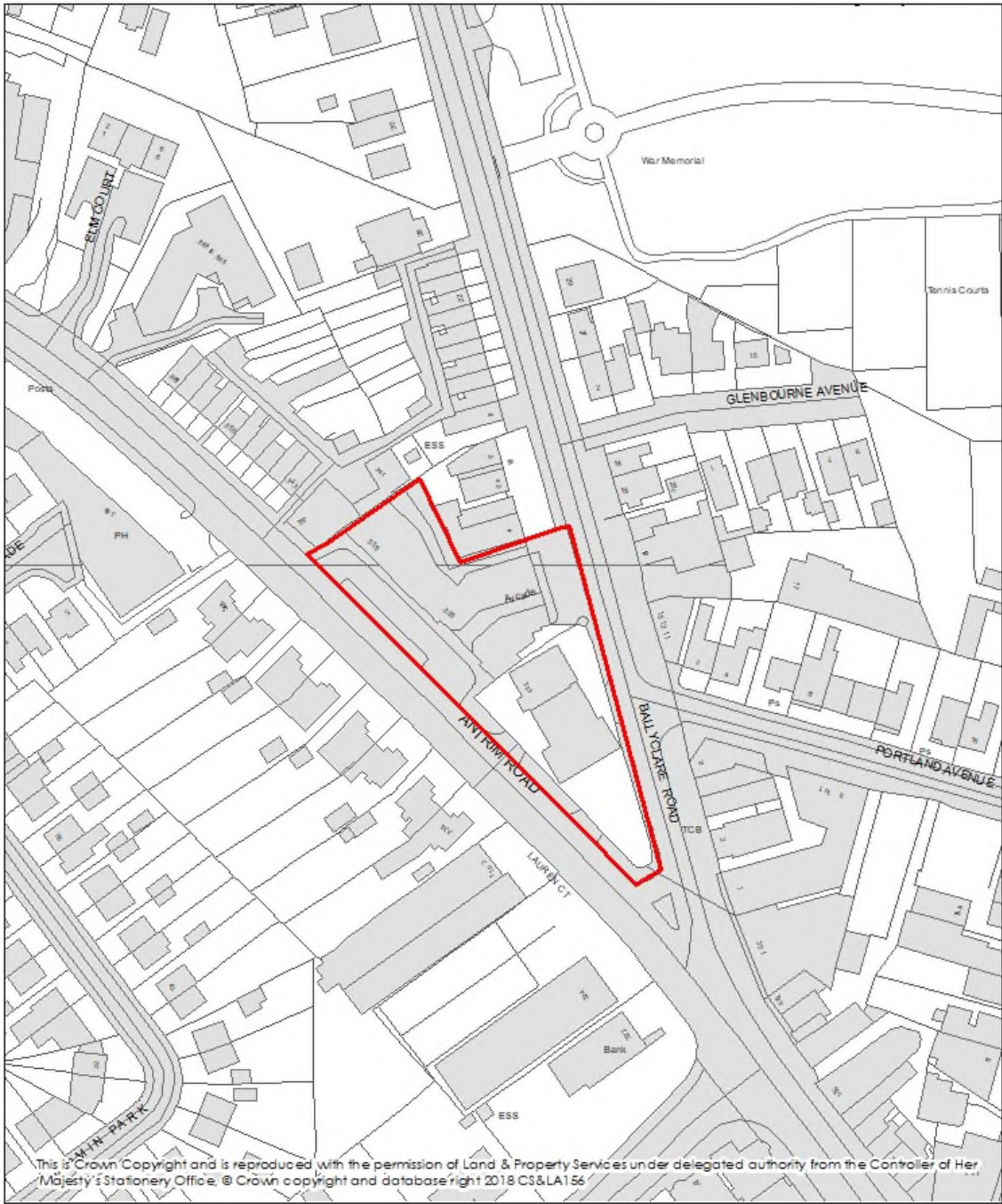
Reason: Protection of environmental receptors, human health and to ensure the site is suitable for use.

15. Prior to the commencement of development, the applicant shall submit evidence to the Council demonstrating how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161, in a 1 in 100 year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere.

Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

16. The apartments hereby approved shall be operated by a social housing provider and shall be occupied only by a person or persons who have been selected from the Northern Ireland Housing Executive waiting list.

Reason: To ensure that the level of parking is adequate to meet the needs of the development.

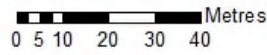



Site Location Plan

Application Reference: LA03/2021/0893/F

Proposal: Erection of 63 apts and 1 No. Retail Shop

Location: 333-335 Antrim Road, Glengormley



 Site boundary



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2020/0653/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed (Phase Two) development of 56 dwellings, (10 detached; 38 semi-detached and 8 apartments) with garages and associated site works and landscaping
SITE/LOCATION	Former site of Northern Regional College, Fountain Street, Antrim, BT41 4AL.
APPLICANT	Simpson Developments Ltd
AGENT	Donaldson Planning Ltd
LAST SITE VISIT	Nov 2021
CASE OFFICER	John Davison
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site covers 2.23 hectares of previously developed land, formerly occupied by the Northern Regional College (Antrim Campus). The overall college site includes an adjoining 1.43 ha. immediately to the east which was granted planning consent in 2016 for “phase one” of the residential redevelopment of the former college complex, (currently comprised of vacant land and educational buildings).</p> <p>Roughly rectangular in shape, the application site is accessed from an existing roadway located between the terraced properties on the north side of Fountain Street, (this junction is just within the Antrim Town Centre Conservation Area boundary). While the terraced properties in question are mainly residential a number to the west of the access are in commercial use.</p> <p>The northwestern site boundary abuts the rear elevation of a Tesco's Extra store and a Child Development Centre while the northeastern boundary is defined by a railway line. The eastern boundary of the proposal is contiguous with the boundary of the recent planning consent for 30 dwellings obtained by the applicant for this proposal.</p> <p>There is a single row of mature trees along the northeastern boundary with the railway line located just beyond the southeastern boundary of the site. The site topography is relatively flat with a gentle fall from east to west.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2016/0266/F Location: Former Northern Regional College site, Fountain Street, Antrim Proposal: Erection of 30 no. dwellings (4 detached & 26 semi detached), associated access and landscape works. Decision: Full Consent Granted (12.02.2018)</p>	
PLANNING POLICY AND GUIDANCE	

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 -2001 (AAP):

The application site is located within the settlement limits of Antrim. However, the AAP offer no specific guidance on proposals for the site.

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

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

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

PPS6: Planning, Archaeology and the Built Heritage: sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water (NIW) – No objections subject to condition.

Department for Infrastructure Roads - No objection subject to conditions.

Department for Infrastructure Rivers – No objection.

Department for Communities Historic Environment Division (HED) –No objection subject to conditions.

Northern Ireland Environment Agency – (Natural Environment) (NIEA)

No objections subject to conditions.

Shared Environmental Services (SES) No objection subject to conditions.

REPRESENTATION

Sixty neighbouring properties were notified of the application submission and one unsolicited representation was received. The full representation made regarding this proposal is available for Members to view online at the Planning Portal (www.planningni.gov.uk).

The objection raised is:

- The development will have the potential to exacerbate traffic flow problems on Fountain St. and Castle St.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Material issues in the determination of this application are:

- Planning History
- Pre-Application Matters
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Residential Amenity
- Access and Traffic
- Flood Risk
- Other Matters

Planning History:

A previous full planning consent , ref: LA03/2016/0266/F was granted on 12 February 2018 for 30 new dwellings (4 detached & 26 semi-detached) on the eastern part of the Regional College site comprising 1.4 hectares and accessed via the former college entrance from Fountain Street. The planning policy framework within which LA03/2016/0266/F was made remains unaltered and there has been no change in circumstances material to the determination of the current proposal since its approval. The proposal constitutes a discreet extension of the residential development approved in 2018 and as such the principle of residential development at this location is considered acceptable.

Pre-Application Matters:

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 03 March 2020. Residents within a 200 metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements which were to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency. Elected Members for the District Electoral Area, relevant MP's and MLA's, residents and local businesses were included in the consultation. Arising out of the consultation process were some concerns relating to the possibility of increased traffic congestion in the locality. The planning application was received following expiration of the 12 week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

Policy Context and Principle of Development

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

The Antrim Area Plan 1984 – 2001 (AAP) is currently the statutory development plan for the area within which the proposal is located and the application site is within the settlement limit of Antrim Town. While the AAP offers no direction on the redevelopment of the application site, its location within the settlement limit indicates a presumption in favour of development proposals which are considered appropriate. The access to the application site is at Fountain Street and this portion of the site is within Antrim Town Centre Conservation Area (CA). The CA designation seeks, amongst its stated objectives, to protect the facades and terraced frontages of the street. However, it is considered that the proposal will not have an unacceptable impact upon the CA objectives since redevelopment of the derelict educational buildings will have no substantive visual impact on the Fountain Street frontages. This view was held to be valid /material in granting full planning consent for LA03/2016/0266/F in 2018. In the interim there has been no variation of the principles which prevailing policies set out or any other change in circumstances and no conflict or change of policy direction between the SPPS and the other material policies which include:

- PPS 7 Quality Residential Environments;
- 2nd Addendum PPS 7 Safeguarding the Character of Established Residential Areas;
- PPS 2 Natural Heritage;
- PPS3 Access, Movement and Parking;
- PPS6 Planning Archaeology and Built Heritage
- PPS 8 Open Space, Sport and Outdoor Recreation
- PPS15 Planning and Flood Risk

Taking into account the strategic SPPS objective of securing the prudent and efficient use of land without the overdevelopment of sites, that the application site is within the development limit, and the previous grant of planning permission on the adjoining lands, it is considered that the principle of residential development is acceptable subject to compliance with the relevant policies and environmental matters arising.

Design, Layout and Appearance

In delivering the SPPS requirement to make more efficient use of urban land it is considered essential that proposals do not result in "town cramming" and the density of proposals combined with their form, scale massing and layout respect local character, environmental quality and the amenity of all residents. Policy QD1 of PPS7 requires that permission may only be granted for new residential development where it is *demonstrated* that the proposal will create a quality and sustainable residential environment. The design and layout of the proposal must therefore contribute to the amenity and appearance of the neighbourhood in which it is to be set.

Policy QD1 sets out nine criteria necessary to achieve this; criterion one is that the development respects the surrounding built environment and is appropriate to the topography and character of the site.

As with the previous approval adjoining (LA03/2016/0266/F) the application site is visually discreet surrounded by a range of town centre uses which screen it from wider views. Topographically, the site comprises of a brownfield area which is without any physical features of interest (the site is essentially flat). The proposed house types include a mixture of single storey and two storey detached and semi-detached dwellings, with gardens front and rear, laid out in a traditional format providing vehicular and pedestrian access. Similarly, the 8 apartments (housing type H) are located in two blocks of 4 with the buildings designed to reflect the scale and massing of large semi-detached units with design, finish and styling cues which are visually consistent with the overall design approach adopted in phase one of the overall site. There are very limited views of the site from Fountain Street and the proposal is not considered to have any unacceptable visual impact upon the character of the CA with the massing of dwelling units being broadly consistent with the surrounding residential built form. It is considered therefore that the proposal will meet the first criterion of policy QD 1.

HED remark on the proximity of the application site to the (supposed) Battle of Antrim site and the historic core of the town but offer no objections in terms of the proposals impact on built heritage. A condition requiring a programme of archaeological works is however requested. The proposal is thus considered capable of conforming to the requirements of criterion 2 of QD1, i.e., the identification and protection of archaeological, built heritage or landscape features, and it is also considered compliant with the requirements of PPS6 Planning, Archaeology and the Built Heritage.

Criterion c of PPS 7 QD 1 requires that the provision of public and private open space and landscaped areas should satisfy the guidance in Creating Places. Properties with three or more bedrooms should therefore provide an average of 70 square metres of private amenity space. There are 6 two bedroom; 32 three bedroom, and 10 four bedroom dwelling units proposed; plots 28-30 and 41-44 comprise 3 bed dwellings which fall short of the 70 metres optimum private open space guidance. It is recommended in Creating Places that to promote choice the space calculation for the development as a whole will generally be acceptable if it exceeds an average of 70 sq. metres. The proposal offers an average of around 100 sq. metres and all gardens offer secure and private open space provision while the public open space proposed is both secure and easily accessible.

Eight apartments are proposed in two blocks and the proposed open space provision is considered acceptable being in excess of the 30 metres per unit recommended by Creating Places. The proposed communal landscaped areas proposed are well integrated and comprise just over 10 % of the developable site area which exceeds the Creating

Places minimum recommendation for greenfield developments. Given its location and its former use it is considered Criterion 3 of QD1 is satisfied in this case.

Policy QD 1, criterion d indicates that where necessary appropriate local neighbourhood facilities will be sought. The proposal does not offer the provision of any such facilities. However, because of the proposal's proximity to the town centre facilities in Antrim Town Centre it is not considered material in the determination of the application.

Criterion e of Policy QD 1 requires that the proposal supports walking, cycling and the provision of adequate and convenient access to public transport. As with the previous criterion the proposal's central location and its proposed provision of access infrastructure (required under the mandatory Private Streets Determination) fulfils the recommended QD1 requirements.

QD 1 criterion f requires that the proposed layout provide an appropriate standard of in-curtilage parking and parking for casual visitors. Car parking should be visually unobtrusive, provide for the passive surveillance of vehicles and reduce hazards for other road users and be of a sufficient quantum to meet the needs of both car and cycle parking. It is considered that the proposal satisfies this guidance with individual in-curtilage parking of two spaces per dwelling and space for cycle storage. Parking for casual callers should facilitate in the order of 29 spaces for the proposed development and parking for 12 vehicles for the eight apartments (Creating Places); the development proposal is satisfactory in this respect.

QD 1 Criterion g requires that proposals exhibit the best local traditions of form, materials and detailing. The proposed development comprises a mixture of dwelling units to include single and two storey dwellings, in both semi-detached and detached styles, ranging from apartments of 750 sq ft to detached houses of 1360 sq ft. The buildings combine red brick and white render finishes with simple Victorian /Edwardian styles of fenestration and entrances. The roof style is principally pitched (some of hipped design, with a number of dwellings having single storey flat roofed rear extensions). In overall terms they represent a current iteration of a traditional style to be found in the wider locale and are unobtrusive in the receiving environment.

Criterion h requires that the development is a "good neighbour". (A detailed assessment of the impact of the development on existing nearby properties in this respect is set out in the assessment of residential amenity below and it is considered that the proposal will conform to this requirement).

The final criterion (i) indicates that the development layout should deter crime and promote personal safety. Within the application site the proposed dwellings are orientated to provide a suitable level of passive surveillance over the proposed area of public open space within the development and it is considered that the layout facilitates safe and secure movement for residents and visitors within the development. In light of the assessment of the foregoing matters the proposal can be considered to conform to the requirements of policy QD1 of PPS 7.

Impact on Character and Appearance of the Area

Policy LC1 of the 2nd addendum to PPS 7 Protecting Local Character, Environmental Quality and Residential Amenity reinforces the requirements of policy QD1 of PPS 7 and seeks to safeguard the quality of established residential areas by requiring that a proposal should not

be of significantly higher density and that the pattern of development compliments that of the receiving environment.

The southern boundary of the proposal abuts the rear of existing properties (both residential and commercial) on the north side of Fountain Street, however, with the exception of an existing apartment block in the back lands of the Fountain Street terrace which would have a separation distance of approximately 18 metres from the proposed dwellings on plots 6-8 (inclusive) the separation distances between existing and proposed are in excess of 40 metres and the development is considered to pose no unacceptable amenity impact on existing residents/occupants. Similarly the application seeks to introduce a medium density development of 25 dwellings per hectare into a town centre location where residential densities nearby on, for e.g., Fountain Street, Kilbride Drive or adjacent to Birch Hill Road are broadly similar or indeed greater. The strongly defined boundaries, the traditional approach to the overall layout, the massing and finishes to be adopted, and the limited views into the site from other parts of the town centre are considered to limit any significant impact upon the character of the area.

Residential Amenity

Criterion (h) of policy QD1 of PPS 7 requires that there are no unacceptable effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. In respect of noise or other disturbance (vibration)" emissions" to the site have two sources; that of the railway traffic noise/vibration and that from the Tesco service yard and the rooftop plant associated with the Tesco store. Document 8 (Inward Sound and Vibration Assessment) advises that railway and traffic noise is not considered unacceptably intrusive, with the assessment methodology and conclusion being accepted as valid. However, findings on commercial activity noise from the Tesco's site were considered invalid and potentially unacceptable without further mitigation. A follow-up assessment, (Doc. 8A) was submitted identifying additional mitigation measures which can be secured through the imposition of conditions to protect the noise sensitive dwelling groups identified.

The layout and massing, positioning and orientation of the dwellings offers no potential for loss of light or overshadowing. The interrelationship between individual dwellings is considered to be satisfactory with a minimum back-to-back separation distance of around 20 metres being achieved between, for e.g., plots 25 – 31 and 22 – 24 and plots 45 – 56 and those approved in phase 1 of the development. The proposal thus avoids the potential for an unacceptable degree of overlooking while the shortest rear garden depth is an acceptable 9 metres in plots 41 – 44 along the railway line boundary. Criterion (h) above is considered to be satisfied.

Access and Traffic

Policy AMP 2 of PPS 3 Access, Movement and Parking, advises that planning permission will only be granted for development proposals involving direct access or the intensification of use of an existing access onto a public road where it does not prejudice road safety or significantly inconvenience the flow of traffic. Policy AMP2 also advises that the standard of the existing road network and the expected impact of the proposal on that network will also be taken into account when determining applications. To facilitate this, Policy AMP6 of PPS 3 requires that the developer shall submit a Transport Assessment (TA) to evaluate the transport implications of the proposal.

Access to the application site is from Fountain Street via the existing access formerly used for the Regional College. Use of the access previously received consent under

LA03/2016/0266/F (Phase 1 of the residential redevelopment of the college site). The single representation received in respect of this application suggested that the proposal would have the potential for increased traffic congestion along Fountain Street. A Transport Assessment was submitted (Ref: Application Document 03) and the assertion that the transport infrastructure in the locality has ample capacity to serve the proposal in a satisfactory manner was analysed and validated by DfI Roads. The matters raised in the representation are not therefore considered to be of weight in determination of the proposal.

Additionally, and on the foot of a Private Streets Determination under the Roads Order, the proposed layout is considered to facilitate the safe movement of pedestrian, cyclists and vehicles through all parts of the development. Car parking provision is satisfactory and the number of residential units which may be comfortably served by the shared surfaces within the development is compliant with the guidance in Creating Places being well below the maximum of 25 units which are allowed to be served by shared surface arrangements. It is therefore considered that the proposal satisfies requirements of PPS 3 Access, Movement and Parking.

Other Matters

Policy OS 1 of PPS 8: Open Space, Sport and outdoor recreation, states that there will be a presumption against the loss of existing open space irrespective of its physical condition or appearance. However, it is not considered that application site may reasonably be regarded as existing open space as defined by PPS8 (see PPS8: annex. A) or that it makes a material contribution to the strategic functions or urban quality of Antrim Town. It is not considered to represent a community resource, nor as having a biodiversity or visual amenity value. Accordingly, it is found to be the case that no conflict arises between the proposal and the objectives of Policy OS 1 of PPS 8.

Northern Ireland Water (NIW) have advised the Council that they wish to applicant to provide a Waste Water Capacity Assessment but in their consultation reply they have indicated that network capacity exists. It is therefore considered that the capacity assessment sought by NIW and the network connection required under the Water and Sewerage Services (NI) Order 2016 may be secured through a negative planning condition should planning permission be forthcoming.

CONCLUSION

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

- The statutory requirements in terms of pre-application notification have been appropriately discharged;
- The principle of the development is acceptable;
- There is no significant detrimental impact on the character and appearance of the area;
- Consultation with DfI Roads confirms that access to the application site can be provided to a suitable standard and that the traffic generated by the proposal will not have an unacceptable impact upon the adjoining road network;
- Sufficient private and public open space exists within the development; and
- There is reasonable prospect that a negative condition will secure the required connection to the waste water network.

RECOMMENDATION :

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 04 bearing the date stamp 23 September 2020, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter

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

3. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 38/2 bearing the date stamped 27 October 2021.

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

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

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

5. 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.

Reason: To ensure adequate waste water treatment capacity is available.

6. All habitable rooms of dwellings within 35 metres of the boundary with the Tesco's, supermarket and service yard shown coloured yellow on the approved plan drawing No. 01 stamped 23 September 2020, shall be fitted with:
 - (i) Frames and glazing which achieves a sound reduction of 33 dB R_{Tra} (external to internal) in accordance with the sound reduction measures detailed in document no. 08 bearing the Council date stamp 23 September 2020, and
 - (ii) Passive / mechanical ventilation (in addition to opening lights) which can achieve a sound reduction (external to internal) of 33 dB R_{Tra} in accordance with the sound reduction measures set out in document no. 08 bearing the Council date stamp 23 September 2020.

Reason: To ensure a suitable noise environment within the approved dwellings in the interests of the residential amenity of the occupants.

7. All habitable rooms of dwellings beyond 35 metres of the boundary of the Tesco's supermarket and service yard, which is shown coloured yellow on the approved plan drawing no. 01 stamped 23 September 2020, shall be fitted with:
 - (i) Frames and glazing which achieve a sound reduction of 23 dB R_{Tra} (external to internal) in accordance with the sound reduction measures set out in document no. 08 bearing the Council date stamp 23 September 2020, and
 - (ii) Passive / mechanical ventilation (in addition to opening lights) which achieves a sound reduction (external to internal) of 23 dB R_{Tra} in accordance with the sound reduction measures set out in document no. 08 bearing the Council date stamp 23 September 2020

Reason: To ensure a suitable noise environment within the approved dwellings in the interests of the residential amenity of the occupants.

8. The dwellings which occupy sites 13 -21 and 25-31 shall not be occupied until the acoustic barriers shown yellow on Figure A within approved Document 08A bearing the Council date stamp 27 May 2021 has been erected. The barriers shall have a surface weight of not less than 8 Kg/Metre Sq. and shall be of solid construction.

Reason: To ensure a suitable noise environment within the approved dwellings in the interests of the residential amenity of the occupants of the development.

9. No dwelling permitted herein shall be occupied until the remediation measures set out in Section 7 of the Generic Quantitative Risk Assessment, stamped Document No. 09 and bearing the Council date stamp 24 December 2020 have been fully implemented and are deemed effective. The effectiveness of implementation works shall be ascertained by submission of a verification report for the Council's consideration and written approval.

Reason: To ensure the protection of environmental receptors to control any potential risks to human health from land contamination

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

Reason: To ensure the protection of environmental receptors to control any potential risks to human health from land contamination

11. After completing such remediation works as may be required under Condition 9 and prior to occupation of the development, a verification report shall be submitted to and agreed with the Council. This report shall be completed by competent persons in

accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

The verification report shall present all the remediation, waste management and monitoring works undertaken and shall demonstrate that the works will be effective in managing all the wastes and risks posed by contamination and achieve the agreed remedial objectives.

Reason: To ensure the protection of environmental receptors to control any potential risks to human health from land contamination.

12. The proposed landscaping works as indicated on drawing No. 39 date stamped 23 September 2020 shall be carried out in accordance with the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development.

Reason: To ensure the provision, establishment of a high standard of landscape in the interests of the amenity of residents.

13. The open space and amenity areas indicated on the stamped approved drawing No. 39 date stamped 23 September 2020 shall be managed and maintained in accordance with the Landscape Management Plan, Doc no. 01 received on 23 September 2020. 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.

14. 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. The POW shall provide for:
- a. The identification and evaluation of archaeological remains within the site;
 - b. Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - c. Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - d. Preparation of the digital, documentary and material archive for deposition.

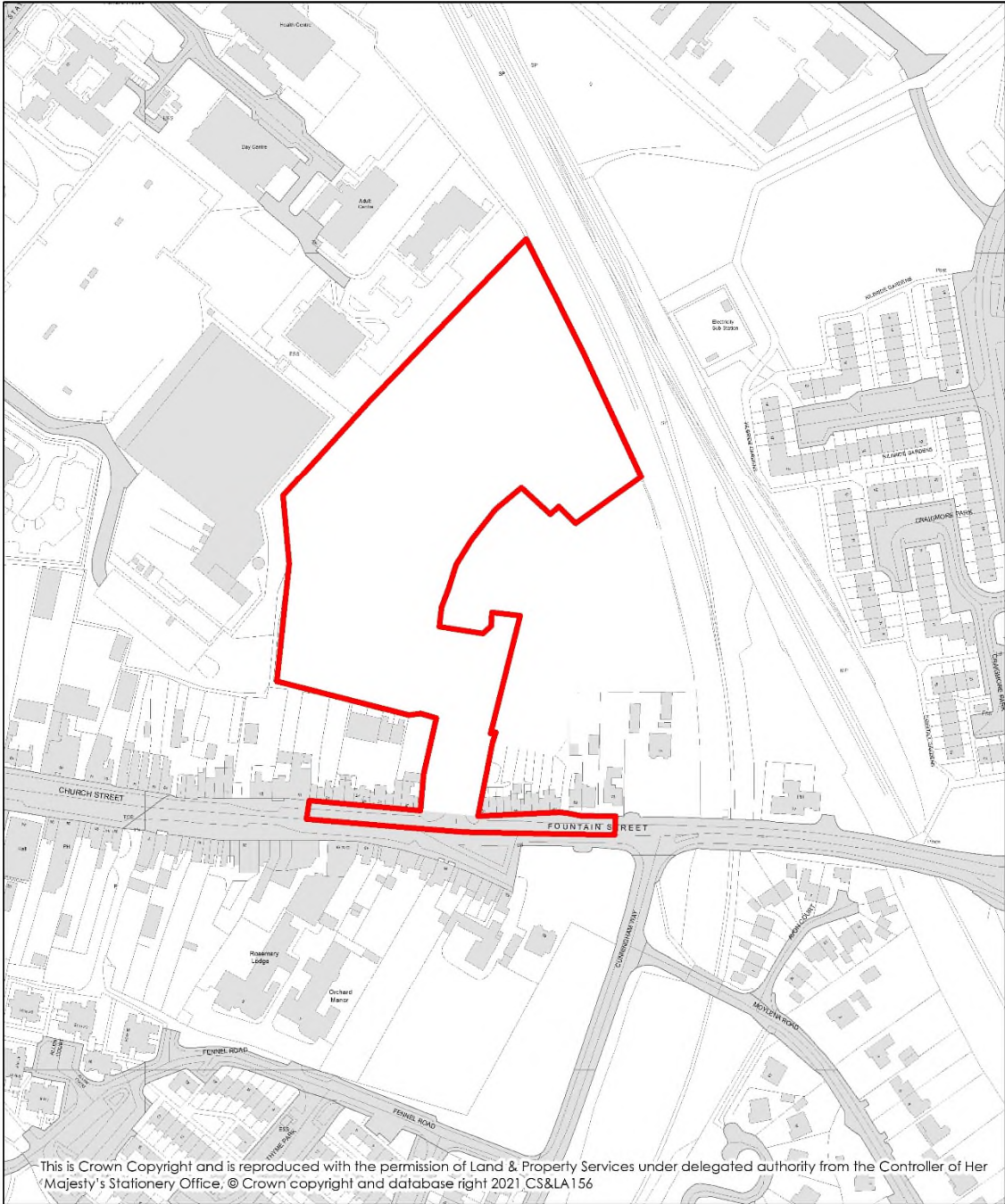
Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

15. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 14.

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

16. 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 17. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.


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



Reference: LA03/2020/0653/F

Location: Former site of Northern Regional College,
Fountain Street, Antrim, BT41 4AL

Proposal: Proposed development of 56 dwellings
(10 detached; 38 semi-detached and 8 apartments) with garages
and associated site works and landscaping. (Development is Phase
2 of development already approved for 30 houses)

Scale: 1:2500 

 Site Location



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2021/0862/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Change of use of existing dwelling (The Mill House) to hotel accommodation including kitchen, dining area, lounge, drawing room, pantry, and storage on the ground floor and 5no. bedrooms on the first floor
SITE/LOCATION	The Mill House, Dunadry Hotel, 2 Islandreagh Drive, Dunadry
APPLICANT	E & C Inns T/A Dunsilly Hotel
AGENT	Quinn Design Associates
LAST SITE VISIT	6 October 2021
CASE OFFICER	Ashleigh Wilson Tel: 028 90340429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located at Dunadry Hotel and is within the settlement limit of Dunadry as defined in the Antrim Area Plan 1984 – 2001.</p> <p>The application site is a narrow strip of land along the western side of the larger Dunadry Hotel site. It comprises 'The Mill House,' previously used as a dwelling and finished in stone and white brick, 'The Cottage,' a split level 2 storey building and 'The Beauty Stone' building which houses a salon. The topography of the land drops dramatically from the eastern portion to the western portion with retaining walls between. The garden area sits approximately two metres higher than the existing driveway leading to the buildings.</p> <p>The northwestern boundary of the site is defined by a low stone wall with an area of tall, mature trees within the northwestern corner of the application site. The western boundary is defined by low retaining walls and fencing of approximately two (2) metres in height and some areas of vegetation where the application site abuts existing residential development within Bleach Green. The southern boundary is partly undefined where it abuts an area of hardstanding and is partially defined by a stone retaining wall separating it from further garden areas at the Six Mile Water within the hotel grounds. The eastern boundary of the site is partially defined by the hotel building walls and, where it abuts the cottage garden, a four (4) metre high stone wall.</p>	
RELEVANT PLANNING HISTORY	
Planning Reference: LA03/2022/0199/F	

Location: The Cottage Dunadry Hotel 2 Islandreagh Drive Dunadry Co Antrim BT41 2HA

Proposal: Construction of dormer on eastern side of existing pitched roof. The dormer is needed to improve the layout of the existing en-suite

Decision: Current application

Planning Reference: LA03/2018/0423/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry

Proposal: Construction of two storey entrance porch and stairwell incorporating a passenger lift. Two storey extension to front of building, northern elevation, to provide fire escape from first floor, on ground floor, a grill bar, lounge bar and toilets, at first floor, extension will provide two additional conference rooms

Decision: Permission Granted (07.08.2018)

Planning Reference: T/2014/0046/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry, BT412HA

Proposal: Extension of existing leisure/fitness centre to provide dance/exercise space

Decision: Permission Granted (16.09.2014)

Planning Reference: T/2011/0514/RM

Location: Land adjacent to Dunadry Hotel, Dunadry

Proposal: Construction of new dedicated access for hotel

Decision: Permission Granted (13.05.2013)

Planning Reference: T/2007/0833/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry

Proposal: Proposed single storey smoking shelter

Decision: Permission Granted (20.12.2007)

Planning Reference: T/1998/0099/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry

Proposal: Extensions and renovations to hotel

Decision: Permission Granted (30.04.1998)

Planning Reference: T/1998/0003/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry

Proposal: Extension to existing hotel

Decision: Permission Granted (02.03.1998)

Planning Reference: T/1997/0050/F

Location: Dunadry Hotel, 2 Islandreagh Drive, Dunadry

Proposal: Extension to country club

Decision: Permission Granted (01.04.1997)

PLANNING POLICY AND GUIDANCE

PLANNING POLICY

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

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limit of Dunadry. Para 3.6 states that land at the Dunadry Inn is included inside the development limit for hotel use only.

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

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

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

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

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

PPS 16: Tourism: sets out planning policy for tourism development and also for the safeguarding of tourism assets.

CONSULTATION

Council Environmental Health Section – No objection

DfI Roads – No objection

DfC Historic Environment Division – No objection

NI Water – Refusal recommended

REPRESENTATION

Twenty Four (24) neighbouring properties were notified and twenty five (25) letters of objection have been received from thirteen (13) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Inaccuracies in the P1 form and drawings;
- Increased traffic;
- Inadequate parking;
- Parking spaces labelled as 'existing' when they are proposed;
- Misleading description of proposal and plans;
- Noise pollution;
- Impact on quality of life for existing residents;
- Proposed development too close to a residential area;
- Air pollution from exhaust fumes and increased carbon emissions;
- Light pollution;
- Unauthorised works at the hotel site;
- Anti-social behaviour;
- Comments sought from tenants - not owners, with short deadlines;
- Loss of privacy;
- Decrease in property value;
- Increased building insurance costs;
- Detrimental impact on NI Water infrastructure;
- History of evidence of sewage and flooding problems;
- Impact on bats from noise and light pollution;
- Impact on biodiversity including pollution threat to Sixmilewater impacting riverwater crowfoot, trout and salmon as traffic increase creates potential pollution via storm drainage lacking suds;
- Ample space for the proposal elsewhere within the site.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Design and Appearance

- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Other Matters

Preliminary Matters

The original proposal referred to 3no. dining rooms and a kitchen on the plans and objectors raised concerns that the description of development was misleading and that the accommodation was in reality a wedding venue. The proposal and plans have been amended throughout the processing of the application and the current proposal involves the change of use from a dwelling to hotel accommodation. The ground floor is to remain largely as is with drawing room, dining room, kitchen, pantry, entrance hall and lounge in a similar arrangement as the existing dwelling with the addition of a small WC and bag store. The first floor indicates two additional bedrooms and en-suites within the existing building.

Policy Context and Principle of Development

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal. The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPS's).

The application seeks the change of use of an existing dwelling (The Mill House) located within the hotel grounds to additional hotel accommodation. The site is occupied by the existing Dunadry Hotel, which is a lawful development. A number of previous planning approvals on the site exist dating back to the 1990's. The proposed development does not purport to change or introduce a new use onto the site. Given the existing historical use of the site the principle of a hotel on the site is established.

In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following Planning Policy Statements (PPS's) which provide the relevant regional policy context for consideration of the proposal. Policy PED 1 of PPS 4 states that a development proposal to extend an existing economic development use or premises within settlements will be determined on its individual merits having regard to Policy PED 9 of PPS 4, which sets out general criteria for economic development. Policy TSM 1 'Tourism Development in Settlements' of PPS 16 states that planning permission will be granted for tourism development provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design and has regard

to the provisions of a development plan. The proposed change of use is within the existing hotel site and is considered to respect the site context in terms of scale, size and design. The principle of development is considered to be acceptable subject to all other policy and environmental considerations.

Design and Impact on the Character and Appearance of the Area

The proposed change of use of the existing 'Mil House' is to provide for additional hotel accommodation within the footprint of the existing building. External alterations to the building involve blocking up 4no. windows on the ground floor and the installation of a galvanised steel fire escape on the northern elevation with blocking up of a first floor en-suite window and change from a first floor window to a door to access the stairs. Parking for the hotel accommodation will be located where there are existing areas of hardstanding within the application site. Overall, the proposal is not likely to have a significant visual impact. The buildings are set back from the public road and external changes to the building are minimal in the context of the hotel complex.

Neighbour Amenity

The proposed hotel accommodation is located within close proximity to several residential dwellings, Nos. 10, 11 and 25 Bleach Green are closest at a distance of eight (8) metres from the proposal to the neighbouring boundary. In addition, the access laneway runs along the rear of a number of residential properties within Bleach Green.

Concerns have been raised through letters of objection that the proposal is located near to the quieter, residential side of the site and that it has been noted that there is ample room elsewhere within the site. The proposal must, however, be considered based on the current application drawings. Concerns were also raised about the potential loss of privacy the proposal will potentially cause and the impact it will have on existing residents' quality of life. Concern has been raised with regards to people walking and driving by being able to look through gaps in the fencing and overhear private conversations. It is considered that the addition of 10no. persons daily to the site are not likely to have a significantly greater impact in this regard. Further objections raised issues with regards to overlooking from the proposed hotel accommodation. There are currently five bedroom windows serving three bedrooms on the first floor of the western elevation. The proposal seeks to retain these five (5) windows to continue to serve hotel bedrooms. It is considered any overlooking impact will not be significantly greater than that which currently exists.

Policy PED 9 of PPS 4 further requires that a proposal must not harm nearby residential amenity by creating a noise nuisance. Objections have been received raising concerns regarding the potential noise impact from the increased traffic, car doors, engine noise, horns sounding, from patrons using the facility and from music being played at the facility. The Council's Environmental Health Section has been consulted and made aware of the objections regarding noise. Environmental Health recommended conditions that no amplified music or plant is within the application site boundary. Further objections stated that these conditions were unacceptable, however, it is considered that the use of the conditions will mitigate against the potential for noise disturbance. Some additional noise and disturbance may be experienced from the additional traffic and parking of cars as has been raised through letters of objection, however, the addition of 10no. people or 5 no.

cars attracted to the site is not likely to have a significantly greater impact in this regard.

The potential for light pollution and the impact this could potentially have on residential amenity was a further issue raised in the letters of objection. The proposal does not indicate any additional lighting within the application site. There may be some impact from car lights however, an additional 5no. cars to the site is not likely to have a significant impact given the scale of the operations presently within the wider hotel site. The proposed car parking spaces are indicated on areas of existing hardstanding where cars could park informally at present and therefore it is considered that the proposal will not have a detrimental impact by way of light pollution.

It has been raised through letters of objection that the proposal will lead to a rise in anti-social behaviour. No evidence has been submitted to demonstrate that the proposal would lead to increased levels of anti-social behaviour, however, if at any time it is considered that anti-social behaviour is taking place at the site this should be reported to the business operator or the PSNI who can investigate. Accordingly, it is considered that the proposal would not result in an unacceptable impact on neighbour amenity.

Archaeological Interests

The application site is located within close proximity to an archaeological monument. Historic Environment Division: Historic Monuments has assessed the application and on the basis of the information has no objection to the proposal. It is considered that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Access

Policy AMP 7 (Car Parking and Servicing Arrangements) of PPS 3 and PED 9 (h) of PPS 4 require the provision of adequate provision for car parking and appropriate servicing arrangements for new development proposals. The hotel currently provides parking to the front of the existing hotel building abutting Belfast Road and on the corner of Belfast Road and Islandreagh Road.

An objection has been received regarding the increase in traffic the proposal will generate and inadequate parking. It was also pointed out that the drawings indicate 'existing parking' spaces where the parking spaces are proposed and that DfI Roads referred to 'existing spaces' and therefore should be reconsulted. These areas are currently hardstanding and there is nothing preventing cars from parking on the hardstanding within the confines of the site.

The P1 application form indicates that there is an expected increase of 5no. vehicles at the premises daily from visitors / customers and an expected increase of 10no. persons attending the premises daily. Drawing No. 02/2 indicates the parking arrangements for the hotel site with a total number of 196 car parking spaces for the overall site which includes the use of areas of hardstanding to the west of 'The Cottage' for 9no. cars, to the north of 'The Mill House' for 4no. spaces and 1no. disabled parking space to the west of 'The Mill House'.

DfI Roads has been consulted and alerted to the objections received. DfI Roads has raised no objection to the proposal, however, they have recommended a condition that the change of use shall not come into effect until the hard surfaces are constructed and permanently marked in accordance with the drawings. It is considered there is adequate parking for the facility and that the proposal complies with PPS 3 'Access, Movement and Parking'.

Other Matters

Inaccuracies on the P1 application form

It was raised through a letter of objection that the declaration on the P1 form was signed and dated 25 April 2018 despite being date stamped by the Planning Section on 1 September 2021 and that the postcode given for the agents address was inaccurate. The agent was contacted and provided a revised P1 form correcting the date of signature and correcting the postcode. A further issue was raised regarding the P1 form at question 6 that the applicant's agent ticked the box for 'Alteration or Extension of Buildings' when it should have been 'Change of Use'. The proposal involves not only a change of use but also alterations to the building. In this case, the applicant's agent has amended question 6 to tick both boxes. It was also noted through letters of objection that there was no detail of increased water requirements however, this has been amended and the figures provided.

There were a number of discrepancies within the plans which made reference to the original proposal. The applicant's agent has updated the drawings and has indicated the parking spaces without referring to these as 'existing spaces' as per the objector's request, albeit they are located on areas of existing hardstanding. In addition, the retention of the existing vegetation along the boundary with the Bleach Green development has been noted.

Sewage

Concern has been raised through letters of objection regarding the increased level of sewage generated by the proposal and that levels have not been indicated. It has been pointed out by objectors that there is a history of sewage and flooding problems in the area. In addition, concern has been raised that the proposal will have a significant impact on NI Water infrastructure which will have an impact on pollution and wildlife and a request has been made by objectors that the sewage pumping station is upgraded.

NI Water has been consulted and has advised there is a public foul sewer within 20m of the proposed development boundary which cannot adequately service these proposals. The receiving foul sewerage network has reached capacity. NI Water has responded to the consultation stating that the public system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties. NI Water has no plans within its current investment cycle to upgrade the sewerage system in this area and is recommending connections to the system are curtailed.

While these comments have been noted, this application is for the change of use from a single residential unit to hotel accommodation with the internal changes including an increase from 3 bedrooms to 5 bedrooms within the existing footprint. In addition, one additional en-suite is indicated within the first floor footprint and one additional WC will be on the ground floor. It is considered that this is a very minor

increase within the confines of the hotel site where numbers are likely to fluctuate on a daily basis and the figures provide for the hotel operating at maximum capacity. The proposed changes are not considered significant, and it is worth noting that the existing residential property could reconfigure the internal arrangements and add a downstairs WC and first floor en-suites without the requirement for planning permission. For the reasons indicated above it is considered that there will not be a significant additional load and foul sewage discharge as a result from the proposal and it is considered that this matter would not warrant a refusal of the application.

Natural Heritage

It has been raised through letters of objection that the proposal has the potential to harm the wildlife in the area including a pollution threat to the Six Mile Water impacting riverwater crowfoot, trout and salmon. The concern is that the additional traffic increase creates the potential for pollution via storm drainage and the additional load to NI Water infrastructure will create pollution given the capacity issues as highlighted by NI Water.

The proposal initially involved the loss of vegetation and a biodiversity checklist was requested from the applicant's agent. The proposal was subsequently revised and the impact on natural heritage features has been assessed without the submission of the biodiversity checklist. The proposal does not involve any loss of vegetation and as discussed above any additional load and traffic attracted to the site is not considered to be so significant as to have a detrimental impact by way of flooding or pollution. Further objection was received regarding the impact on bats from noise and light pollution. It is considered that any additional traffic or persons attracted to the site would be unlikely to have a detrimental impact on wildlife including bats.

Unauthorised Works

It has been raised through letters of objection that there are unauthorised works ongoing at the hotel, this matter is being investigated.

Description of Development

The originally submitted description of development read "Proposed change of use of existing dwelling (The Mill House) to hotel accommodation" and an objection highlighted that this was misleading as the initial proposal included dining rooms and it was suggested that the proposal could be used as a wedding venue. This description was amended to "Change of use of existing dwelling (The Mill House) to hotel accommodation including kitchen and dining areas, service and storage on the ground floor and 5no. bedrooms on the first floor" and the plans were amended. The proposal was re-advertised and neighbours were re-notified. Further objections were received that the size of the dining rooms was unimportant and that the change of use was key. Objectors raised concerns that if the change from a residential use is granted this could be a wedding venue in the future. The Council must assess the proposal based on the information provided which seeks permission for hotel accommodation only, however, in order to ensure residential amenity is not adversely affected this can be tightly controlled by a planning condition.

Neighbour notification

Concern was raised through letters of objection that almost all the apartments are now rented and therefore the Council is not giving the owners of the properties,

those who pay rates, a chance to comment as many are let by agents and the owners are unknown to the tenants. In addition, it has been raised that there are short deadlines so if a letter was passed to an owner there would be no time to comment. Neighbour notification was carried out as per Article 8 (1) (b) of The Planning (General Development Procedure) Order (Northern Ireland) 2015. The prescribed period is set out in accordance with Article 8 (1) (d) and Article 8 (2) (f) of the Planning (General Development Procedure) Order (Northern Ireland) 2015. There is a duty on the Planning Authority not to determine applications within the specified period but does not specify a timescale in which representations must be submitted. In practice therefore, representations can be submitted and must be taken into account up until the point at which the decision is made. Representations have continued to be made throughout the processing of the planning application.

Decrease in property value and increased building insurance costs

Concerns have been raised through letters of objection that the proposal will decrease neighbouring property values and that building insurance costs will be greater as a result of the proposal. It should be noted that the impact of a development on the value of property is not generally considered to be a material planning consideration. In any case no evidence has been adduced to support these concerns and given the lack of evidence it would be difficult to attribute any significant weight to the issue.

Alleged unauthorised development

It has been alleged through letters of objection that Garden Room 2 has been developed on the upper floor of The Mill House and has been used as a conference room for some time, despite the fact that the Mill House has always been designated as a residential dwelling. In addition, the ground floor of the Mill House has been gutted and left with wooden floors and it has also been queried whether the 'Fiona Higgins Beauty Boutique' has planning permission. These matters are being investigated.

Environmental Assessment

The application does not fall to be considered within The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 due to the size of the site which is approximately 0.32 hectares.

Pollution and air quality

It has been raised through letters of objection that the proposal will have a detrimental impact on air quality and result in air pollution from exhaust fumes and increase in carbon emissions. Given the additional traffic to the site it is not considered that this would be significant. The potential for light pollution has also been raised, however, the proposal does not indicate any lighting proposed. A further request has been made for no external lighting, strobes, fireworks and lasers. Conditions must be reasonable, and it is considered that the application for hotel accommodation does not require such conditions.

CONCLUSION

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

- The principle of development is acceptable;
- The design and appearance of the proposal is considered acceptable;

- Neighbour amenity will not be significantly impacted;
- The proposal will not have a significant impact on the character and appearance of the area;
- Adequate arrangements are provided for parking; and
- It is considered there will not be a significant additional load to NI Water infrastructure generated from this proposal to warrant refusal of the application.

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 change of use hereby permitted shall not come into effect until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No 02/2 bearing date stamped 5 April 2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

3. There shall be no provision of musical entertainment or the use of amplified speakers within the area outlined in red as presented on Drawing No. 01/1, date stamped received 5 April 2022.

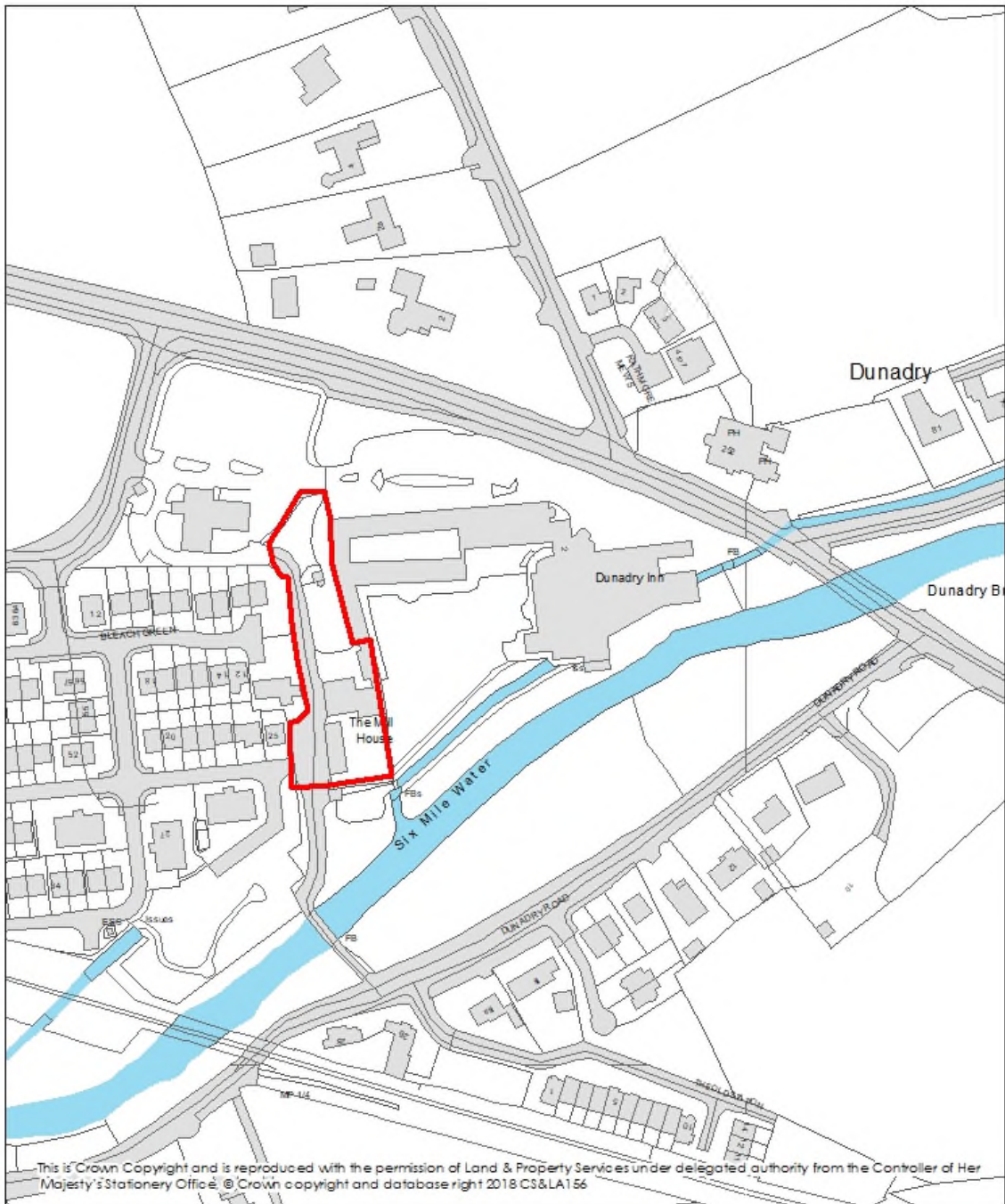
Reason: In order to preserve amenity at nearby residential dwellings.

4. There shall be no external plant associated with the permitted development within the area outlined in red on Drawing No. 01/1, date stamped received 5 April 2022, unless prior planning approval is obtained.

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

5. The hotel accommodation hereby approved shall be used only as ancillary guest accommodation in association with the existing hotel facility.

Reason: In the interest of residential amenity.




Site Location Plan

Application Reference: LA03/2021/0862/F

Change of use of existing dwelling (The Mill House) to hotel accommodation including kitchen, dining area, lounge, drawing room, pantry and storage on the ground floor and 5no. bedrooms on the first floor

The Mill House, Dunadry Hotel, 2 Islandreagh Drive, Dunadry



 Site boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2021/1103/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed new free range poultry house 32k birds, new meal bins, litter store, swale and improved access onto Ahoghill Road.
SITE/LOCATION	Approximately 76m NW of 196 Ahoghill Road, Randalstown.
APPLICANT	W & M Anderson Portmore Farms Ltd
AGENT	Revelins Hill Design
LAST SITE VISIT	February 2021
CASE OFFICER	Michael O'Reilly Tel: 028 9034 0424 Email: michael.oreilly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 76m northwest of 196 Ahoghill Road, Randalstown. The site is a countryside location lying outside of any settlement development limits identified in the adopted Antrim Area Plan 1984 – 2001.</p> <p>The application site comprises an area of 0.93 hectares and is set back some 220 metres from the Ahoghill Road from which it is accessed. The identified site location is a natural hollow in the landscape with the lands rising to the west and falling to the east towards the Ahoghill Road.</p> <p>The application site traverses two fields. The first field forms the southern part of the application site and has a linear copse of trees and hedgerow at its western edge. The second field forms the northern portion of the application site and has a tall and mature linear copse of trees and hedgerow at its eastern side. An existing surfaced laneway is contiguous with the eastern edge of these fields and has an established hedgerow on either side.</p> <p>The application site is located approximately 80 metres to the northwest of the established group of buildings on the farm holding and consists of a dwelling and a series of existing agricultural buildings. Several of these buildings are existing low slung chicken sheds which have a narrow and elongated floorplan. The remaining buildings are of stone construction and range in height between one and two storeys. At the time of the site visit, access to these buildings was not possible although they take the general appearance of being in decline with roof tiles missing in some locations.</p> <p>The application site is within 7.5 kilometres of Lough Neagh and Lough Beg Special Protection Area, RAMSAR site and Area of Special Scientific Interest. The nearest</p>	

watercourses are some 50 metres to the north and south of the application site and these are hydrologically connected to Lough Neagh/Lough Beg via the River Maine. The application site is also within 7.5 kilometres of Shane's Castle and Culnafay Area of Special Scientific Interest.

RELEVANT PLANNING HISTORY

No relevant planning history.

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection subject to conditions.

Department for Infrastructure Rivers – No objection.

Department of Agriculture, the Environment and Rural Affairs (various teams)

Countryside Management Inspectorate Branch – Farm business has been in existence for more than 6 years and Basic Payment Scheme or Agri-Environment scheme claimed.

Water Management Unit – No objection.

Natural Environment Division – No objection subject to condition.

Industrial Pollution and Radiochemical Inspectorate – No objection.

Shared Environmental Services – No objection subject to conditions.

REPRESENTATION

Three (3) neighbouring properties were notified and eight (8) letters of objection have been received. Six (6) of the objections have identified the address of the property from which it originates with one objection not providing an address and one objection from an independent planning consultancy acting on behalf of one of the objections with an address. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Health impacts associated with the spread of disease by flies, mice and rats, increased dust, feathers and allergens on neighbouring properties and people;
- Environmental impact on the area which would affect bats and badgers along with manure in watercourses and the removal of hedgerow;
- Noise impact given the large number of chickens, noise from extractor fans and noise from deliveries;
- Odour impact;
- Increased ammonia emissions, phosphates and nitrates;
- The scale of development is out of keeping with the character of the area and will have a detrimental visual impact. The required stock proof fencing will be visually dominant and unappealing;
- Farm maps are out of date and no details of the farm business associated with this holding have been provided and it is not therefore possible to determine

whether it is an active and established business or whether the proposal is necessary for the efficient use of the holding;

- The proposed poultry shed is huge and some ten times the size of a typical poultry house;
- The development will be particularly prominent from critical views on Ahoghill Road and Whitesides Road. The unacceptable large scale of the development will be prominent and fail to visually integrate into the local landscape; and
- The application site is hydrologically connected to a number of sites protected at a national and European level and there is potential for significant adverse impacts to these sites.

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.
- Pollution Prevention Control (PPC) Permits.
- Layout, Design and Appearance.
- Impact on Character and Appearance of the Area.
- Neighbour Amenity.
- Flood Risk and Drainage.
- Natural Heritage.
- Access, Movement and Parking; and
- 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 Antrim and Newtownabbey Borough Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it is concluded that, provided the identified mitigation is conditioned in any planning permission, the proposal will not have an adverse effect on the site integrity of any European site.

Environmental Impact Assessment

As the development is within Category 1 (C) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether the application is or is not EIA development. An EIA Determination was carried out and it is determined that the planning application does not require to be accompanied by an Environmental Statement.

Policy Context and Principle of Development

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

otherwise.

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal. The application site is located within the countryside outside any settlement limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development, namely agricultural development in accordance with Policy CTY 12. Policy CTY12 states that planning permission will be granted for development on an active and established agricultural holding subject to other material considerations discussed in the following paragraphs.

DAERA has been consulted and has confirmed that the farm holding has been established since 2005 and has claimed farm payments in each of the last 6 years. Although the provided farm maps are dated 2009 and 2013 this is not deemed to be of critical importance to the assessment of the development proposal as the response from DAERA indicates that the farm business is active and established for the purposes of Policy CTY 12. DAERA has stated in its consultation response that the application site is associated with another farm business. DAERA also notes that the applicant has a second farm business identification number but that no claims or payments have been made to that farm business over the last 6 years.

There are a number of buildings present on the farm holding. It is noted that several of these buildings are currently in use for the rearing of poultry and are not therefore appropriate to accommodate the development proposal currently being considered. Other buildings on the farm holding appear as being in a poor state of repair and are not of a sufficient size or scale such that they can be considered as being suitable for poultry use, which requires specialist requirements in the construction and operation of such a use.

It is considered that the proposed poultry house represents a viable expansion of the existing business to improve farm income and contribute to the long term viability of the farm holding. Additionally in this case the proposed chicken shed is located in proximity to a group of established farm buildings and the proposed vehicular access is taken from the Ahoghill Road along the frontage of the farm holding and which leads directly to the existing farm buildings and the proposed siting location of the

development. The application site is not archaeologically sensitive.

For the reasons set out above it is considered that the principle of development is acceptable subject to consideration of all other relevant planning matters. In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPS's which provide the relevant regional policy context for consideration of the proposal:

- PPS 2: Natural Heritage.
- PPS 3: Parking and Movement.
- PPS 11: Planning and Waste Management.
- PPS 15: Planning and Flood Risk; and
- PPS 21: Sustainable Development in the Countryside.

The consideration of the merit of the proposal with respect to these planning policy statements is set out below.

Pollution Prevention Control (PPC) Permit

The planning and pollution control regimes are separate but complementary systems for the regulation of proposals of this nature. Advice on the relationship between the planning and pollution control regime is set out in Planning Policy Statement 11 'Planning and Waste Management'. This advises that planning control primarily focuses on whether the development itself is an acceptable use of the land rather than on the control of processes or substances involved as well as regulating the location of the development in order to minimise adverse effects on people, the use of land and the environment.

It further advises that the pollution control regime is concerned with the control and regulation of proposed operations and processes along with their day to day operation. The objective is to ensure that the activity is undertaken, and any waste associated with it is disposed of appropriately or suitably treated, without endangering human health or causing harm to the environment.

PPS 11 also states that planning control should not duplicate other statutory controls or be used to achieve objectives relating to other legislation. As such the Council in exercising its role as the planning authority must make its decisions on the basis that the relevant pollution control regime will be properly applied and enforced. The relevant expertise and statutory responsibility for pollution control rests with the relevant pollution control authority, in this instance the Department of Agriculture, the Environment and Rural Affairs (DAERA).

Consultation was carried out with DAERA, Industrial Pollution and Radiochemical Inspectorate who advised that the proposed installation for a free range poultry unit (egg production) for up to 32,000 laying hens falls below the threshold (40,000) at which a Pollution Prevention and Control (PPC) permit is required. In the future if the capacity of the installation goes above the PPC threshold (i.e. places for 40,000 poultry), the applicant will be required to apply for and obtain a PPC permit prior to first operating above the PPC threshold. As such DAERA Industrial Pollution and Radiochemical Inspectorate has no objections to the proposal.

Layout, Design and Appearance

Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy CTY 12 of PPS 21 states that the development proposal must demonstrate that in terms of character and scale it is appropriate to its location and that the development proposal visually integrates into the local landscape and additional landscaping is provided as necessary. Policy CTY 13 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of appropriate design. Criterion (a) of this policy notes that a building will be unacceptable where it is a prominent feature in the landscape.

The proposal seeks full planning permission for a new free range poultry house accommodating 32,000 birds, new meal bins, litter store, swale and improved access onto Ahoghill Road. The proposal also involves the provision of an underground tank to store dirty water with submitted plans indicating that uncontaminated storm water will be directed to a swale. The poultry shed measures 89 metres long, 16.5 metres wide and has a ridge height of 6.5 metres maximum and 4.5 metres minimum to the peaked ridge. An objector states that the building is 'massive' and some ten times the size of a normal poultry shed. No other information or other forms of evidence are provided to inform this position. It is noted that the assessment of every development proposal is based on its own merits and that every piece of land is unique by definition. Simply then because the objector asserts that the building is 'massive' is not a persuasive argument and no determining weight in the decision making process is being attributed to this point of objection as made.

Finishing materials comprise smooth pre-cast concrete units at the lower level with the upper level being finished with profiled green cladding that will also be used for the roof structure. Rainwater goods are to be coloured black with the large access doors being finished with green powder coated aluminium. The litter shed is to be 15 metres long, 14 metres wide and 6.8 metres tall. The meal silos are to be 9.5 metres tall. It is considered that the construction and finishing materials of the poultry shed, litter shed and meal silos are typical of modern agricultural development and are acceptable.

The proposed poultry shed is indicated as being sited some 200 metres approximately from the Ahoghill Road and positioned some 70 metres approximately to the northwest of the existing farm buildings. An objector has stated the buildings will be unacceptably prominent in the landscape when viewed from critical viewpoints on the Ahoghill Road and Whitesides Road. It is considered that when viewing the proposed development from the Ahoghill Road looking westwards the natural hollow on which the development is to be sited coupled with the relatively low ridge height of the poultry shed and the portion of the field boundary just to the east of the application site that is well treed will significantly reduce the visual impact of the poultry shed, the litter shed and meal silos. From this viewpoint it is considered that the development will integrate into the landscape and will not be visually prominent. When viewing the development from the Whitesides Road to the north of the application site it is noted that the view towards the development is over a distance in excess of 350 metres and taken from a public road where the speed limit is 60 miles an hour and where there is no footpath. While it is accepted that the northern side of the development will be visible from this viewpoint it is considered that the distance of the view is significant, is interrupted by peripheral field boundaries and that the

development will also be read with the well treed section of the boundary of the northern field in which the development proposal is sited and existing buildings on the holding. For these reasons it is considered that the development proposal will integrate into the landscape and will not be prominent. Additionally, it is considered that the application site and the surrounding landform are able to provide a suitable degree of enclosure for the development to integrate into the landscape, the proposal does not rely upon new landscaping for integration and ancillary works (hardstanding areas) will integrate into the landscape. Overall, it is considered that the development proposal complies with the relevant policy provisions of the SPPS and Policies CTY 12 and CTY 13 of PPS 21 and is therefore acceptable in this regard. An objector notes that the provision of large swathes of stock proof fencing will have a detrimental impact to the visual amenity of the area. It is considered however that the provision of stock proof fencing to protect and enclose the animals is no different from multiple other examples of this type of fencing evident throughout the countryside in Northern Ireland. No determining weight in the decision making process is therefore being attributed to the point of objection.

Impact on Character and Appearance of the Area

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Criterion (b) of Policy CTY 12 of PPS 21 notes that a proposal for new agricultural buildings should be appropriate to its location in terms of character and scale. Policy CTY 14 of PPS 21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of the area and is subject to five criterion based tests.

For the reasons set out in the preceding section of this report it is considered that the development proposal will not be unduly prominent in the landscape nor shall the impact of ancillary works damage rural character. It is also considered that the development proposal will not result in a suburban style build-up of development when viewed with existing and approved buildings nor create or add to a ribbon of development. Furthermore, it is noted that the development proposal is to be sited to cluster and have a visual relationship with the existing buildings on the farm holding and for this reason it is considered that the development proposal respects the traditional pattern of settlement exhibited in the area.

For the reasons noted, it is considered the proposal will not have an unacceptable impact on the character or appearance of this area of the countryside and is therefore considered to be compliant with the relevant policy provisions of the SPPS and Policies CTY 12 and CTY 14 of PPS 21.

Neighbour Amenity

Policy CTY 12 of PPS21 states the proposal must not detrimentally impact on the amenity of residential dwellings outside the holding. It is considered the main potential impact on neighbour amenity is odour. The Council's Planning Section issued three neighbour notification letters to occupiers of buildings within 250 metres of the application site in accordance with the Council's Statement of Community Involvement.

The applicant has submitted an Air Quality Impact Assessment in support of the application. Consultation was carried out with the Council's Environmental Health

Section (EH) and Department of Agriculture, Environment and Rural Affairs (DAERA), neither of which has objected to this aspect of the development proposal subject to the imposition of planning conditions to control the identified mitigation techniques. In relation to odour, ammonia and air quality matters, the applicant indicates the intention to remove poultry litter weekly from the poultry unit using a manure belt to a litter store. The applicant indicates that all litter will then be moved to an anaerobic digester plant and there will be no land spreading of poultry litter in Northern Ireland associated with this application. A Litter Utilisation Statement has been provided indicating that the poultry litter generated by this proposal will be supplied to a licensed AD plant; 36 Taughlumny Road, Donaghcloney, Co. Down. The proposed poultry sheds are mechanically ventilated sheds that are designed with a 'baffle' below the stack that ensures there is no air escape through the chimneys should the fans be turned off. Similar to the ridge fans all inlets will close over to ensure that there is no air escaping when the extraction fans are off/closed. Both EH and DAERA considered the detail of the Air Quality Impact Assessment and have raised no objections to the proposal subject to conditions.

Other sources of noise and disturbance include that caused by traffic and transport to and from the site as well as that during the construction phase. These sources of noise and disturbance are not considered significant or determining in this case with construction noise likely to be restricted to normal working hours and will be temporary in nature. The level of traffic attracted to the site is not considered to be of such significance as to cause a significant loss of amenity to third parties and the timing of deliveries to the poultry house will be controlled by an appropriately worded planning condition.

A number of objection letters refer to both the environmental impact of the proposal and its impact on residential properties in the area relevant to nuisances such as noise and odour. Given that both EH and DAERA have considered the details of the proposal and have offered no objections subject to the imposition of planning conditions controlling the mitigation techniques indicated it is considered that determining weight in the decision making process cannot be attributed to the points of objection as made.

Overall, it is considered that there will be no significant detrimental impact on residential amenity of third party receptors by way of noise, odour or ammonia dispersal and for these reasons the proposal is considered to be compliant with the relevant policy provisions of the SPPS and Policy CTY12 of PPS21 and is therefore acceptable.

Flood Risk and Drainage

A Drainage Assessment (DA) has been submitted in support of the development proposal. The Department for Infrastructure (DfI) Rivers and the Water Management Unit (WMU) of DAERA have been consulted and neither body has raised any objections in relation to drainage and the associated impact on watercourses. The DA states that the application site does not lie within either a fluvial or coastal floodplain nor does it lie within any reservoir inundation zones. A portion of the application site is subject to pluvial ponding at its southern side. The DA describes that surface water will be attenuated by means of a swale that will accommodate surface water run-off from impermeable areas that includes the poultry shed, litter store and its southern concrete apron. The swale is to be located on the western side

of the poultry shed in the southern portion of the application site. A swale is described as being a long shallow grass lined channel which mimics natural drainage patterns by allowing rainwater to run in sheets through vegetation, slowing and filtering the flow of the water while allowing sources of light contamination such as faecal matter, feed, bedding or feathers to fall to the bottom of the swale and not enter watercourses. The use of the proposed swale avoids increased pressure on existing infrastructure and ensures surface water discharge from the proposed development is of an appropriate standard.

The impermeable area of the development is described as being 5,290 sq.m with surface water discharge restricted to green field run-off rates of 10 litres per second per hectare of land and such that the storage requirement of the swale is 104.27 cubic metres and providing for +10% climate change. Additionally, a 50m long field drain shall be used to collect any surface water that doesn't infiltrate into the sides and base of the swale. The field drain shall be 50m long and with a perforated pipe installed at its base. The DA states that if the field drain overtops, water will simply flow over the grassed field in similar fashion to what would occur normally via overland flow.

The DA concludes by referring to Policies FLD1 to FLD5 inclusive of PPS15 setting out that as the application site is not within either a 1:100 year fluvial or 1:200 year coastal floodplain the development proposal is compliant with Policy FLD1 of PPS15. It is stated that no obstacles will be erected within 5m of the watercourse, that no watercourses will be modified by reason of the proposed development and a full wayleave will be maintained such that the proposal is compliant with Policy FLD2 and Policy FLD4 of PPS15. It has been noted above that the application site does not lie within the inundation path of a reservoir and is therefore compliant with FLD 5. With respect to Policy FLD3 the DA states that pluvial ponding will be managed at the application site.

In its consultation response DfI Rivers records no objection to the development proposal and concludes that it accepts the logic of the DA and has no reason to disagree with its conclusions. DfI Rivers has advised that the responsibility for justifying the Drainage Assessment and implementation of the proposed flood risk measures, as laid out in the assessment, rests with the developer and their professional advisors. DAERA Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to conditions and the applicant referring and adhering to standing advice and any relevant statutory permissions being obtained. It is considered that it has been demonstrated that the proposal will not be subject to flooding nor exacerbate flooding elsewhere and as such the proposal is considered to be compliant with the relevant policy provisions of PPS15 and the SPPS and is therefore acceptable.

Natural Heritage

Designated Sites

Undesignated watercourses are located approximately 50 metres to the north and the south of the application site. These are hydrologically connected to the River Main, which in turn is hydrologically connected to Lough Neagh/Lough Beg SPA/RAMSAR/ASSI, which are within 7.5 kilometres of the application site and which are both internationally and nationally important. The application site is also within 7.5

kilometres of Shane's Castle and Culnafay Area of Special Scientific Interest. These 'designated' sites are of international and national importance and are protected by the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended) and The Environment Order (NI) 2002.

The applicant has submitted an Air Quality Impact Assessment. The Department of Agriculture, the Environment and Rural Affairs (DAERA) provides the Council with advice regarding the impact of developments on natural habitats and wildlife issues. With regards to ammonia emissions, Natural Environment Division (NED) has noted that reducing ammonia emissions across Northern Ireland is a key priority and that there are significant challenges regarding agricultural development in areas where the Critical Loads and Levels of protected sites are currently exceeded. As outlined earlier in this report, the applicant has confirmed that all litter will be moved to an Anaerobic Digester plant and that there will be no land spreading of poultry litter in Northern Ireland associated with this development proposal.

Water Management Unit (WMU) has no objections subject to the imposition of planning conditions requiring the applicant to adhere to all mitigation and disposal methods for poultry litter generated by the development proposal as detailed in the litter disposal agreement. WMU has also indicated that the applicant must ensure that the site and any tanks comply with the Nutrient Action Plan Regulations (NI) 2019 and that sustainable utilisation of manure is a critical environmental aspect of the operation of poultry farms, particularly since the cumulative impact of manure generated by this and other proposals may be significant. Additionally, NED has confirmed that Table 15 of the Air Quality Impact Assessment details the modelled ammonia concentration, i.e: the Process Contribution (PC) from the proposal at the following Designated Sites which are within 7.5 Km of the application site: Shanes Castle ASSI, Lough Neagh and Lough Beg SPA/RAMSAR and Lough Beg ASSI. For each of these sites the PC has been calculated as less than 1% of the Critical Level. This is in line with DAERA's operational protocol. NED are content that all of the litter from the proposed facility will be utilised as detailed within the Litter Utilisation Statement.

Further to NED's response the Council's Shared Environmental Services (SES) has considered the application in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) on behalf of the Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. SES has informed the Council's Planning Section that having considered the nature, scale, timing, duration and location of the project, that it has no determining concerns with regard to the proposal and its effects on the integrity of European sites so long as planning conditions are included within any decision notice relating to litter disposal, that bird numbers do not exceed 32,000, that the manure belt must be installed and made operational prior to stocking the poultry house and that stock proof fencing must be installed to permanently fence off watercourses, sheughs and swales to ensure the development will not have an adverse effect on the integrity of any European site.

Non-Designated Sites

In relation to non-designated sites, NED acknowledges receipt of a Preliminary Ecological Assessment and an Air Quality Impact Assessment and has considered the

contents of these documents.

NED is content that the proposal is unlikely to have an unacceptable adverse impact on protected /priority habitats within the consultation area. The Air Quality Impact Assessment indicates that the process contribution at this site is less than 50%, which is in line with the current protocol for habitats outside designated sites.

NED comments that it is content that the development proposal is unlikely to significantly impact upon bats, badgers or smooth newts. Regarding the loss of some hedgerow to facilitate access to the application site NED comments that hedgerow removal should not occur during the bird breeding season which occurs from 1 March to 31 August each year.

In summary, for the reasons set out above it is considered that the proposal shall not have a detrimental impact on 'designated' sites, non-designated sites and that other natural heritage interests are unlikely to be negatively impacted upon by reason of the development proposal. Subsequently, it is considered that the proposal complies with the relevant provision of the SPPS and PPS 2 in addition to the legislative provisions of The Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended) and The Environment Order (NI) 2002.

Access, Movement and Parking

The development proposal seeks to provide an improved vehicular access arrangement to the existing vehicular access at the Ahoghill Road. Visibility splays of 2.4 x 120m are proposed.

The Transport Assessment From (TAF) submitted with the application indicates that the development proposal will generate 2 – 3 egg collections per week, 1 litter removal per week and 1 meal delivery per week with a total of 4 – 5 additional traffic movements per week. The TAF indicates that there will be no peak times for traffic accessing the application site and the Council's Environmental Health Section has proposed a draft planning condition controlling the hours of deliveries to be between the hours of 07:00 – 23:00.

Policy AMP 2 of PPS3 is entitled "Access to Public Roads". The policy headnote states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road subject to two criterion.

The requirement of the first criterion of Policy AMP2 is that the proposed vehicular access will not prejudice road safety or significantly inconvenience the flow of traffic. In this instance visibility splays for the new vehicular access are dimensioned at 2.4 x 120m. In its consultation response DfI Roads, the competent authority for such matters, offers no objections to the details of the vehicular access to the Ahoghill Road subject to the imposition of planning conditions requiring that the visibility splays are provided prior to any other development commencing. For this reason it is considered that the proposal is compliant with the first criterion of Policy AMP2 of PPS3 and in turn the relevant policy provisions of the SPPS.

The second criterion requires the proposal not to conflict with Policy AMP3 of PPS3, which is entitled "Access to Protected Routes." The Ahoghill Road is not a 'Protected

Route' and for this reason criterion 'b' of Policy AMP 2 of PPS 3 is not applicable to the assessment of this development proposal. For the reason set out above it is considered that the development proposal complies with the relevant policy provisions of the SPPS and Policy AMP 2 of PPS 3.

CONCLUSION

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

- The principle of development is considered acceptable;
- The design and appearance of the buildings is considered acceptable;
- The impact on character and appearance of the area is considered acceptable;
- The impact on neighbour amenity by way of potential noise disturbance and potential odour is considered acceptable;
- There are no concerns with regard to the associated land spreading;
- There are no natural heritage concerns with regard to the proposal;
- There 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.
- There are no objections from consultees; and
- Matters raised in the letters of representation have been considered in the body of this report.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. There shall be a maximum of 32,000 birds within the permitted poultry unit.

Reason: To ensure the proposal will not have an adverse effect on the integrity of any European site and in the interests of environmental protection from the proposed development and in order to protect amenity at nearby residential properties.

3. Each of the two permitted poultry houses shall have mechanical ventilation of 4 No. ridge fans, each with a 0.82m diameter and a flow rate of at least 10,000m³/hr as stated within Table 7 of Document Number 05, date stamped received 10 Nov 2021.

Reason: In order to protect amenity at nearby residential properties.

4. Deliveries to the feed silos shall not occur on anytime between 23:00 and 07:00 hours.

Reason: In order to protect night time amenity at nearby residential properties.

5. The developer shall adhere to all mitigation and disposal methods for poultry litter generated by this proposal as detailed in Document 06 - Litter Utilisation

Statement, date stamped received 10 November 2021 and Document 05 - Air Quality Impact Assessment, date stamped received 10 November 2021. There shall be no deviation regarding the disposal of poultry litter without the express written consent of the Council.

Reason: To ensure the proposal will not have an adverse effect on the integrity of any European Site and in the interests of environmental protection and to ensure that the poultry litter arising from this proposal will be utilised in a sustainable manner.

6. A suitable buffer of 10 metres shall 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 any watercourses or soakaways, within or adjacent to, the application site.

Reason: In the interests of environmental protection.

7. All contaminated run-off (from the facility, concrete apron and areas surrounding the popholes) must be directed to an appropriate collection tank, with no overflow or outlet to any waterway or soakaway, as detailed within Drawing Number 03, date stamped, 10 November 2021.

Reason: In the interests of environmental protection.

8. Prior to stocking the facility, the mitigation measures (ridge ventilation fans and ventilated manure belts) detailed within the Air Quality Impact Assessment (Document 05), date stamped received 10 November 2021 dated, must be installed. The mitigation measures must be fully operational whilst livestock are housed within the poultry shed.

Reason: In the interests of environmental protection.

9. All watercourses, sheughs and swales within or adjoining the range area shall be permanently fenced with poultry proof fencing or netting to ensure protection of water quality as detailed on Drawing 02, date stamped received 10 November 2021.

Reason: In the interests of environmental protection.

10. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.03 bearing the date stamp 10 November 2021, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

11. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m

outside the road boundary.

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

12. The existing natural screenings of the application site, as indicated edged orange, on approved Drawing Ref: 01, date stamped received 10 November 2021, shall be retained at a minimum height of 2 metres 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.

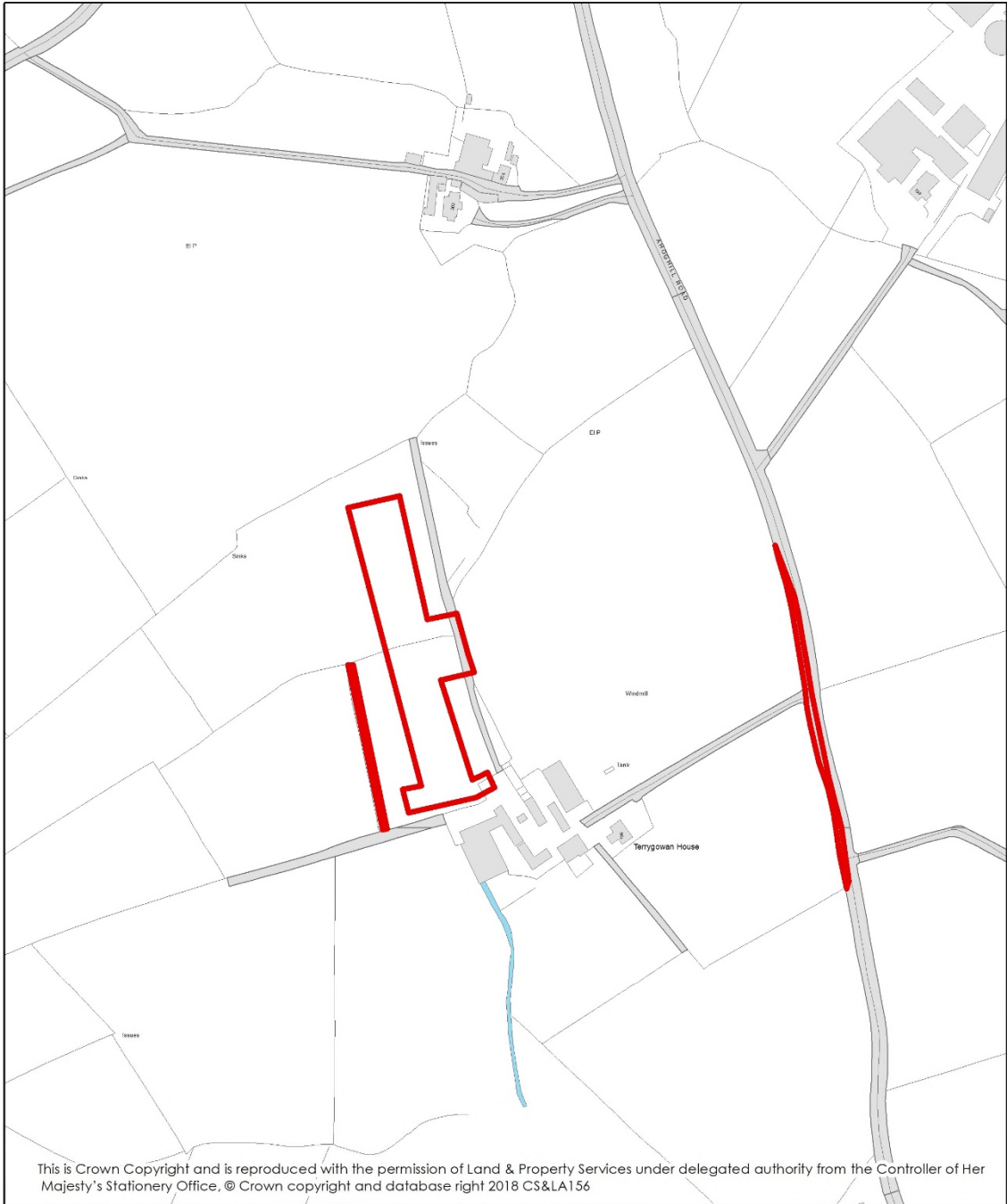
Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

13. The proposed landscaping works as indicated in Drawing Ref: 03, date stamped received 10 November 2021, shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development.

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

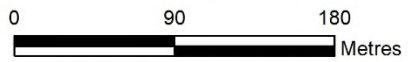
14. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that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

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




Site Location Plan

Application Reference: LA03/2021/1103/F



Approximately 76m NW of 196 Ahoghill Road, Randalstown

 Site boundary

Proposed new free range poultry house 32k birds, new meal bins, litter store, swale and improved access onto Ahoghill Road.



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2022/0076/O
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling and garage
SITE/LOCATION	Approximately 30m South of 82 Belfast Road, Ballyclare, BT39 9LS
APPLICANT	Samuel Millar
AGENT	Chris Millar
LAST SITE VISIT	15 February 2022
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: Alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 30 metres south of No. 82 Belfast Road, Ballyclare. It is outside of any development limits and lies directly adjacent to the development limits of Bruslee designated in the draft Belfast Metropolitan Area Plan (2004). The development limit of Bruslee abuts the southern boundary of the application site.</p> <p>The application site is presently used for the grazing of sheep. It lies at a lower level than the Belfast Road and is bounded to the rear by the new A8 Belfast – Larne carriageway. There are a number of trees and overgrown vegetation along the sites roadside (western) site boundary. The northern boundary in common with No. 82 is defined with post and wire fencing while mature trees and hedging define the eastern boundary to the rear of the site. The southern boundary in common with the now redundant Bruslee Primary School building is defined with trees and overgrown vegetation.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Regulation 3(1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 requires that the Council exercise its powers in relation to advertisement control only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and any other relevant factors.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the draft</p>	

Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which remains at the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located outside of any settlement development limits designated in the 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.

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

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

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

CONSULTATION

Department for Infrastructure Roads – No Objection

Environmental Health Section - No Objection

Northern Ireland Water – No Objection

Department for Infrastructure Rivers – No Objection

REPRESENTATION

Four (4) neighbours have been notified of the application and no letters of objection/support have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Setting of Settlements
- Impact on Character and Appearance of the Area

- Neighbour Amenity
- Other Matters

Policy Context and Principle of Development

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

The provisions of both the draft Newtownabbey Area Plan and the draft Belfast Metropolitan Area Plan (2004) are considered to be material considerations in assessment of the current application. These Plans identify the application site as being outside of any settlement development limits and therefore within the countryside. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

The proposal is for a site for a single dwelling and garage. As the application site lies within the countryside the appropriate policy provisions are provided within Planning Policy Statement 21: Sustainable Development in the Countryside. Policy CTY 1 states that there are a range of types of development which in principle are acceptable in the countryside. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8 and another is new dwellings in existing clusters in accordance with Policy CTY 2a.

In this case the agent/applicant has made no indication as to which policy they intend for the proposal to be considered against, so the application has been assessed against the provisions of the above noted policies as these would be considered to be most applicable given the site and its surroundings. Policy CTY 2a states that planning permission will be granted for a dwelling at an existing cluster of development provided a number of criteria can be met.

Criteria (a) requires that the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings) of which at least three are dwellings. In this case, the application site lies outwith a farm and is surrounded by a number of dwellings to the north and the existing Bruslee School building to the south. It is bound by the dwelling at No. 82 to the north and the redundant school to the south. The dwellings at Nos. 80, 78, 76 and 79 also lie in close proximity to the site.

Criteria (b) – (d) of Policy CTY 2a requires that the cluster appears as a visual entity in the landscape, that the cluster is associated with a focal point, that the site provides a suitable degree of enclosure and is bound on at least two sides with other development within the cluster. As noted above the application site is bound to the

north by the dwelling at No. 82 and to the south by Bruslee Primary School, which could also be taken as the focal point for the cluster.

Although the application site appears to fulfil the requirements of criterion (c) and (d), the Bruslee Primary School building is located within the development limits of Bruslee and therefore must be discounted from consideration. This approach of discounting buildings which lie within development limits has been previously supported by the Council and is consistent with various decisions taken by the Planning Appeals Commission (2016/A0145 & 2014/A0112). On the basis that the Bruslee Primary School building cannot be taken into consideration in defining an existing cluster of development, the proposal cannot comply with criteria (c) in that there is no focal point for the cluster and criteria (d) in that the proposal is only bound fully on one side by one existing dwelling at No. 82.

Given that there is for the purposes of Policy CTY 2a no valid existing cluster at the application site the proposal cannot comply overall with the policy criteria of Policy CTY 2a. The proposal was also considered against the policy provisions of Policy CTY 8. Which permits the development of a small gap site within an otherwise substantial and continuously built up frontage. Policy CTY 8 states that a gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage is considered acceptable provided that this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. The policy also advises that a substantial and continuous frontage includes a line of three or more buildings along the road frontage without accompanying development to the rear.

As discussed above the application site lies between the redundant primary school to the south and the dwelling at No. 82 to the north. Beyond No. 82 and further to the north there are a number of additional dwellings at No. 82, 80, 78, 76. For the purposes of Policy CTY 8 the application site would be considered the gap site between the school building and the dwelling at No. 82.

As noted above for the purposes of PPS 21 and the policy provisions within it, consideration cannot be taken of development that falls within the development limits. On this basis, the Bruslee School building cannot be included for the purposes of defining a substantial and continual built up frontage along the Belfast Road. Therefore there is essentially no 'gap site' to be infilled under Policy CTY 8.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY 1 – of PPS 21. Furthermore it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

Setting of Settlements

Policy CTY 15 – The Setting of Settlements states that planning permission will be refused for development that would mar the distinction between the settlement development limit and the surrounding countryside or that otherwise results in urban sprawl.

As noted above the application site is located outside of the settlement limit of Bruslee as designated in dBMAP (2004). The aim of a plan in designating settlement limits is partly to consolidate development within settlements, and partly to prevent further encroachment into the countryside.

It is considered that the application site provides a critical visual break that acts as a buffer between No.82 Belfast Road and the redundant Bruslee Primary School building that lies within the settlement of Bruslee. It is considered that the infilling of this critical visual break would mar the distinction between the settlement of Bruslee and the countryside in which the application site is located and result in urban sprawl. The proposed development of this site is not considered to consolidate or round off what will be the settlement of Bruslee. The proposal is therefore contrary to Policy CTY 15 of PPS 21.

Integration and Impact on Character and Appearance of the Area

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed.

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. It is considered that the proposed development would create the opportunity for ribbon development along the Belfast Road and would see the infilling of a critical visual break between the dwelling at No. 82 and the Bruslee Primary School building which at present helps in providing a distinction between the settlement of Bruslee and the rural area.

It is acknowledged that there is a degree of build up to the north of the application site (beyond the settlement development limits) and that there are two semi-detached dwellings located directly on the roadside. Regardless of this the typical pattern of development outside of the settlement development limits is characterised by interspersed detached dwellings with no real uniform pattern.

A dwelling on the application site will erode the rural character of this area and create an opportunity for linear development along Belfast Road resulting in significant erosion of rural character and irreparable damage. On this basis, it is considered important to preserve the remaining visual breaks along the road frontage to ensure that urban sprawl is prevented and to protect the integrity of this area of countryside.

Overall, it is considered that a dwelling on this site would not be respectful of the traditional development pattern within the rural area and would instead erode the rural character at this location, add to ribbon development and be at odds with the policy criteria laid out in Policy CTY 14.

As the application is for outline permission no specific details of a house type or design have been submitted. Policy CTY 13 – Integration and Design of Buildings in the Countryside states that a new building will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape. In this instance it is noted that the application site is bound by mature trees/hedging on three sides (albeit one

side may require some vegetation removal to facilitate visibility splays). The eastern boundary in particular would provide a substantial backdrop to a dwelling on the application site which is also lower than the Belfast Road meaning a dwelling on the site would also not be a prominent feature in the landscape.

This considered and setting aside the principle of development it is accepted that an appropriately designed dwelling could integrate into the surrounding rural landscape in accordance with the policy criteria laid out in CTY 13.

Neighbour Amenity

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout. It is however considered that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of neighbouring properties is retained.

Other Matters

DfI Roads have responded with no objections to the proposal. They have asked that if the outline permission is granted that a scale plan and accurate site survey be submitted at Reserved Matters stage.

It was evident upon site visit that the site is subject to surface water flooding. While a drainage assessment has not been requested from DfI Rivers (unless the proposal includes more than 1000sqm of hardstanding), developers would be advised to obtain advice from competent, suitably qualified persons to assist them with this matter and in determining appropriate siting and finished floor levels for a dwelling on the application site.

CONCLUSION

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

- The principle of the development cannot be established as there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and the proposal fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 or a dwelling within an existing cluster in accordance with Policy CTY 2a of PPS 21.
- It is considered that a dwelling at this location would mar the distinction between the settlement of Bruslee and the countryside.
- It is considered that the proposal would add to a ribbon of development and have a detrimental impact on the character and appearance of the area.
- It is considered that a suitably designed dwelling would have no detrimental impact on neighbour amenity and could successfully integrate into the rural landscape.

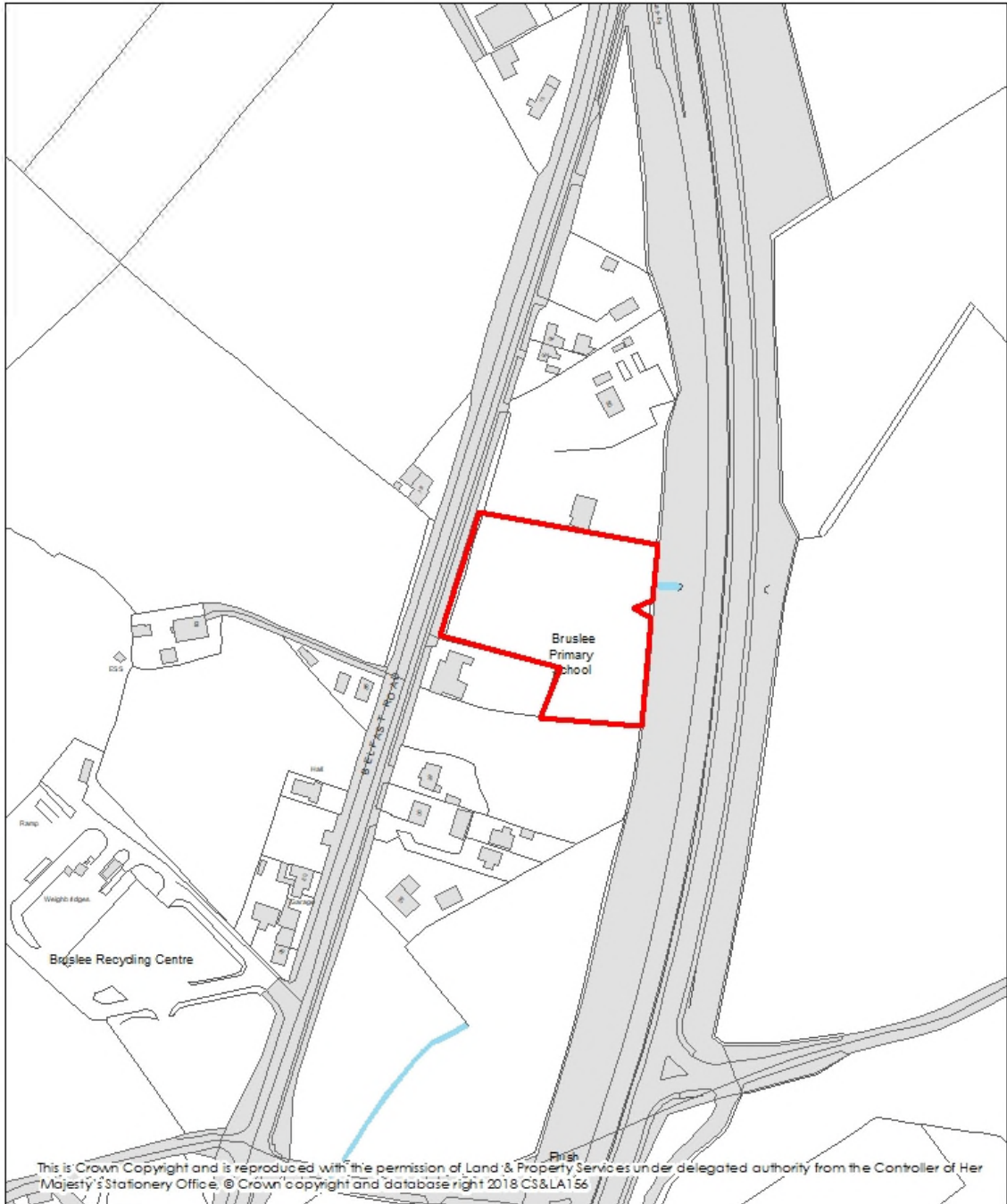
RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 1, CTY 2a and CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 or a dwelling in an existing cluster in accordance with Policy CTY 2a of PPS21.

2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 15 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the development would, if permitted, mar the distinction between the settlement of Bruslee and the surrounding countryside.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a build-up and ribbon of development and would therefore result in a detrimental change to, and further erode, the rural character of the countryside.

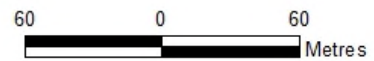


Site Location Plan

Application Reference: LA03/2022/0076/O

Location: Approximately 30m South of 82 Belfast Road Ballyclare

Proposal: Site for dwelling and garage



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2022/0034/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for 1 no detached dwelling
SITE/LOCATION	90 metres South East of 49 Ballycraig Road, Newtownabbey with access 55 metres north of No. 4 Kiln Road, Newtownabbey
APPLICANT	Jason Reid
AGENT	David Mills Architect
LAST SITE VISIT	15 February 2022
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 90 metres South East of 49 Ballycraig Road Newtownabbey with access 55 metres north of No. 4 Kiln Road, Newtownabbey. It lies outside of any development limit designated in the draft Belfast Metropolitan Area Plan (published September 2004) and is therefore within the countryside. The application site consists of part of a larger agricultural field which fronts onto the Ballycraig Road. The topography of the site falls away gradually from the Ballycraig Road in a northerly direction towards the rear of the application site. The sites northern boundary remains undefined given the site is a cut out from a wider agricultural field, the eastern and southern boundaries are defined with hedging at a height in excess of 2 metres and the western boundary with a mixture of ranch style fencing and low hedging. The area is typically rural in character with a number of roadside dwellings, stables and a horse track apparent in the area. The entrance to the 'Sentry Hill' historic house also lies directly opposite to the application site.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging</p>	

provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Newtownabbey Area Plan and draft Belfast Metropolitan Area Plan: The application site is located outside any settlement limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection

Historic Environment Division – Additional information required

REPRESENTATION

Three (3) neighbouring properties were notified of the application and two (2) letters of representation has been received from one (1) property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

The main points raised in these representation are outlined below-

- The lands on which the application site lies contains a soakaway for the neighbouring dwelling at No. 4 Kiln Road. The applicant should ensure this is not infringed upon;
- Recognition that the application site is large for one dwelling;
- Querying as to whether the application site falls within the green belt.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance
- Neighbour Amenity
- Design, Layout and Appearance of the Area
- Other Matters

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18 May 2017. Up until the publication of draft BMAP (dBMAP) in 2004, 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 in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in the assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process.

Both of the relevant development plans identify the application site as being within the countryside outside any settlement limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. The agent/applicant has indicated verbally that the policy they see as most fitting for the assessment of the application would be that provided under Policy CTY 8 of PPS 21 for an infill dwelling.

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- a) The gap site is within an otherwise substantial and continuously built up frontage;
- b) the gap site is small sufficient only to accommodate up to a maximum of two houses;
- c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- d) the proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. A building has frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case, the application site comprises part of a large agricultural field that fronts onto the Ballycraigy Road. The site is located adjacent and to the west of the existing dwellings at No. 2 and No. 4 Kiln Road with the proposed access cutting through the field and out onto the Kiln Road. A field exists immediately beyond the western boundary of the application site and then the access laneway for the dwelling at No. 49 lies adjacent to this field. Beyond the access laneway and further to the west there is a small building which appears to be used as a stable block. Beyond this stable building there is an old building/dwelling which lies with its side gable fronting on to the Ballycraigy Road. This building appears to be used for storage purposes and has a large horse walker located adjacent to it and to the west.

It is accepted that the dwelling at No. 2 Kiln Road (although not facing onto the Ballycraigy Road) has a frontage onto the Ballycraigy Road given that the plot on which it stands directly abuts the Ballycraigy Road. The dwelling at No. 49 would not be considered to have a frontage on to the Ballycraigy Road as it is considered that it is merely the access laneway to this dwelling that fronts onto the main road and that the site on which the dwelling is located is set to the rear of a grassed field area.

Therefore the closest building with a frontage onto the road on the western side of the application site is the block of stables. The redundant building/dwelling further to the west of this stable block and the associated horse walker would also present a frontage onto the Ballycraigy Road. With all considered it is concluded that there are

three buildings in proximity to the site that present a frontage onto the Ballycraigy Road. For the purposes of clarity these are the dwelling at No. 2 Kiln Road, the stable block (that sits forward of No. 49) and the building and horse walker to the west of the stables. Although there is a relatively substantial gap between the dwelling at No. 2 and the stables, the proposal is considered to generally comply with criteria (a) of Policy CTY 8.

Criteria (b) states that the gap site shall be small and sufficient only to accommodate up to a maximum of two houses, while criteria (c) goes on to require that the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size. While there is a built up frontage along the Ballycraigy Road, the exclusion of the dwelling at No. 49 (for not having its own frontage) means that the measurement of the gap is taken from the dwelling at No. 2 Kiln Road and the stable block to the west of the application site measures 140 metres. Based on the average plot size (approx. 35 metres) along this stretch the gap could facilitate up to 4 dwellings. It is therefore considered that the application site cannot comply with criterion (b) and (c) of Policy CTY 8 in that the gap site is not considered to be small gap and could accommodate more than two dwellings when taking into consideration the existing development pattern in the area.

Other planning and environmental considerations will be discussed below but given that the gap site would be able to accommodate more than two dwellings based on the existing development pattern in the area, the proposal is contrary to criteria (b) and (c) of Policy CTY 8. The principle of a new dwelling on the application site therefore cannot be established as there are no overriding reasons as to why this development is necessary in the rural area.

The proposal has been considered against other potential policy provisions such as Policy CTY 2a but fails to meet the policy criteria. The principle of a new dwelling on the application site therefore cannot be established as there are no overriding reasons as to why this development is necessary in the rural area.

Design, Layout and Appearance of the Area

All dwellings in the countryside must integrate with their surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21.

Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings, whilst Policy CTY 14 states that planning permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area. As the application seeks outline permission, full and proper details to include, scale, siting and design have not been provided.

The application site consists of part of a wider agricultural field which fronts onto the Ballycraigy Road. The proposed access for the application site is taken from the Kiln Road and cuts through a section of the open field to the rear of the application site. Given that the access is to be taken off the Kiln Road, the mature boundary hedge along the Ballycraigy Road (southern) boundary could be retained together with the hedge boundaries to the east and west. Given the enclosure provided by this existing boundary vegetation and that the boundaries are to be supplemented with a 'planting belt' as per Drawing No. 02 bearing the date stamp 28 March 2022, it is

considered that an appropriately designed dwelling could integrate into the surrounding rural context of the site in accordance with Policy CTY 13 of PPS 21.

Criteria (d) of Policy CTY 13 specifically relates to ancillary works. It states that a new building will be unacceptable where; ancillary works do not integrate with their surroundings. In this case, although it is considered that a dwelling could sufficiently integrate into the landscape at the site, the impact of the proposed access laneway would be considered to have a detrimental impact on this rural landscape. The access laneway extends beyond the application site by approximately 50 metres and cuts through an open field out onto the Kiln Road. It will also involve the removal of existing roadside hedging along this road in order to achieve visibility splays, making views to these ancillary works more publicly apparent. The proposal is therefore considered to be contrary to Policy CTY 13.

Policy CY14 advises that a new building in the countryside will not be acceptable where; it results in a suburban style build-up of development when viewed with existing and approved buildings or it creates or adds to a ribbon of development. In this case, given that the application site does not qualify to be considered as an infill site accepted under Policy CTY 8 and does not meet any other potentially relevant policy criteria for a dwelling in the countryside, it is considered that a dwelling on the application site would result in an unnecessary suburban style build-up of development in this rural area. It is also considered that the infilling of this critical green gap along the road frontage at the Ballycraigy Road would create a ribbon of development. Both the suburban style build up and the creation of ribbon development would have a detrimental impact on the existing rural character of the area and thus the proposal is considered to be contrary to Policy CTY 14.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed siting and design, however, it is considered that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

Other Matters

It is noted that there have been two representations received from the neighbouring dwelling at No. 4 Kiln Road. The first letter details that the occupant of this dwelling has no objections in principle to a new dwelling on the site but advises that the applicant should be made aware that a soakaway running from the septic tank on this neighbouring property lies within the application site. This is considered a civil matter that should be appropriately dealt with by the two involved parties. The second representation relates to the size of the application site and queries whether this land would be used for more than one dwelling and also whether the lands are located within the 'Greenbelt'. The current policy provisions no longer refer to 'Greenbelts' however, the application site is located outside of any development limit and therefore is within the rural area. Any development proposal must comply with the policy provisions for the rural area provided within Planning Policy Statement 21: Sustainable Development in the Countryside.

It is also noted that an Archaeological Evaluation has been requested by HED (Historic Monuments) given that aerial photography images identify a large semi-circular feature, bisected by the hedgerow and curving into the northwestern corner

of the site. This information although requested during a PAD and prior to the submission of this application has not been formally requested from the applicant given that the principle of development has not been established. As a precautionary measure a refusal reason has been attached in relation to this matter.

CONCLUSION

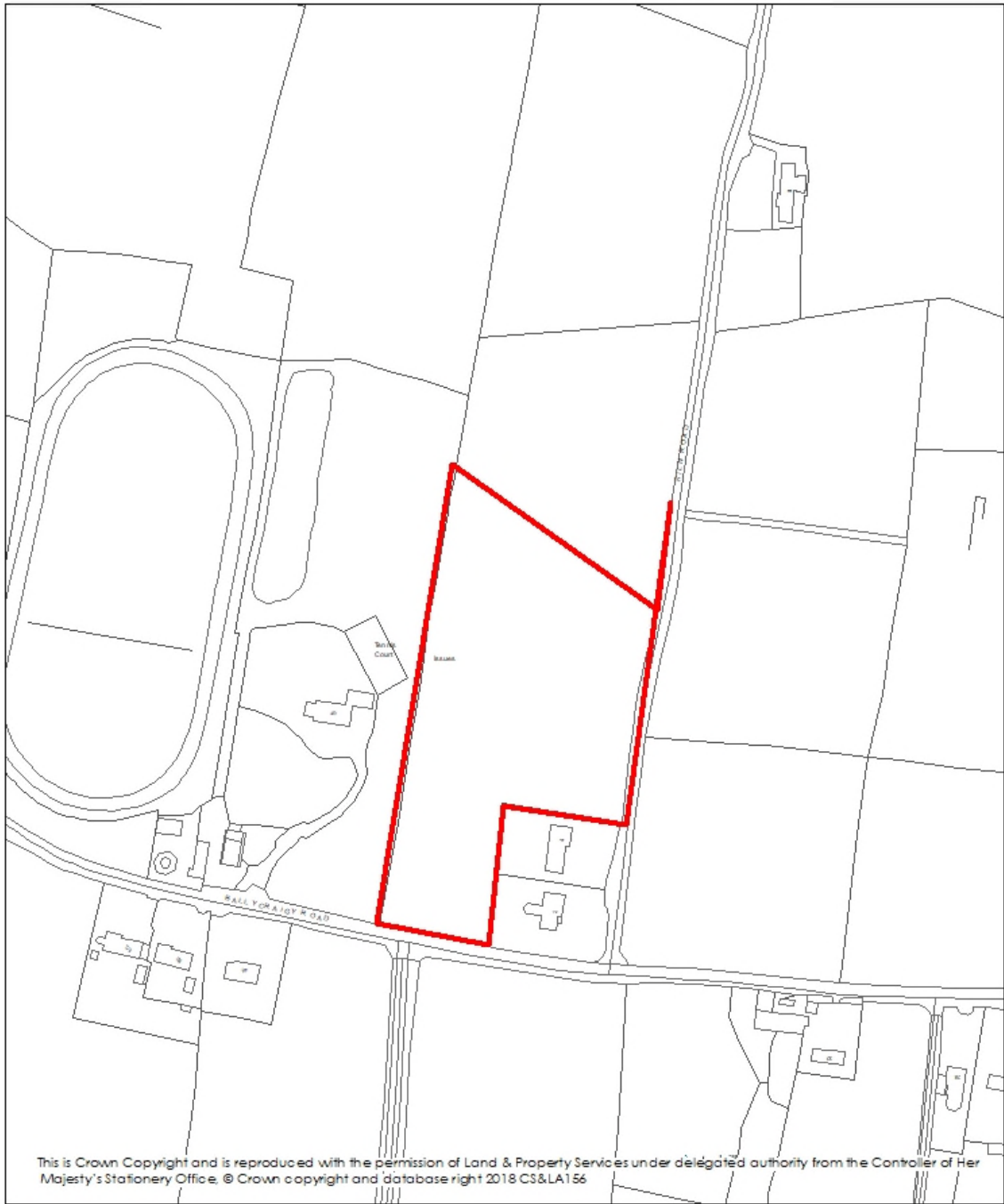
The following is a summary of the main reasons for the recommendation:

- The principle of the development is not acceptable;
- The proposal would not integrate into its surroundings due to the ancillary works associated with the proposal;
- The proposal would result in a detrimental impact on the character of the area;
- An appropriately designed dwelling on the application site would not have any significant impact on neighbouring amenity.

RECOMMENDATION : REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

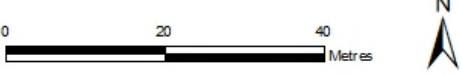
1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with CTY8 of PPS21 in that the application site does not comprise a small gap (sufficient only to accommodate a maximum of two dwellings) within a substantial and continuously built up frontage.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, in the ancillary works associated with the proposed dwelling, if permitted, would fail to integrate into the landscape.
4. The proposal is contrary to the policy provisions of Policy BH 3 of Planning Policy Statement 6, Planning Archaeology and Built Heritage in that It has not been demonstrated through the submission of an Archaeological Evaluation that the proposal would not have any detrimental impacts upon potential archaeological remains at the application site.



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Location Map

Application Reference: LA03/2022/0034/O
 Location: 70m East of 49 Ballycraigy Road
 Newtownabbey
 Proposal: Site for 1 no detached dwelling



 Site Boundary



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2022/0053/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21)
SITE/LOCATION	50m south of 10a Ballyhill Lane, Nutts Corner, Crumlin
APPLICANT	Mr JH Carson
AGENT	Planning Services
LAST SITE VISIT	22 February 2022
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located between No. 10A and No. 14 Ballyhill Lane and is within the countryside as defined within the Antrim Area Plan (1984-2001). The site encompasses part of an agricultural field, extending approximately 50 metres along the road frontage with a maximum depth of 50 metres. The application site is one part of a double infill opportunity, with the adjacent site pending consideration under planning application Ref: LA03/2022/0054/O. The gap incorporating both sites has a 112 metre width frontage to the road.</p> <p>Access to the site is achieved from an agricultural access off Ballyhill Lane. The western roadside boundary is defined by a belt of mature trees and vegetation approximately 4-5 metres in height, the eastern and southern boundaries are undefined as the application site is cut out of a wider agricultural field. The northern boundary shared with No. 10A is defined by a row of dense trees and hedging that varies in height between 3-5 metres. The topography of the application site falls considerably in a northern direction which also follows the natural contours of the public road.</p> <p>The site is located within a rural area with the land use being predominantly agriculture. There are a number of detached single storey dwellings located along this section of Ballyhill Lane resulting in a strong ribbon of development at this location.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1988/0490 Location: Ballyhill Lane Crumlin Proposal: Site Of Dwelling Decision: Appeal Dismissed</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to condition.

REPRESENTATION

Four (4) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development

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

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18 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 in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the countryside outside any settlement limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the development of

a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- (a) The gap site is within an otherwise substantial and continuously built up frontage;
- (b) the gap site is small sufficient only to accommodate up to a maximum of two houses;
- (c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- (d) the proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. A building has a frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

For the purposes of the assessment of this proposal, the application is being assessed alongside the adjacent site under planning reference LA03/2022/0054/O collectively as part of a double infill opportunity.

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the application site comprises part of a larger field between No 10A Ballyhill Lane to the north and No. 14 Ballyhill Lane to the south. The application site is accessed off Ballyhill Lane from an existing agricultural gate towards the southwestern corner of the agricultural field.

In this case the application is sited within a linear ribbon of development located to the eastern side of Ballyhill Lane. It is considered that the buildings providing the substantial and continuously built up frontage include dwelling No's 10A, 14, 14A, 14B, 16 and 18 Ballyhill Lane and therefore the proposal is considered to meet the policy provision of criterion (a) of CTY 8. It is noted here that there are two additional dwellings No. 10C and No. 12 Ballyhill Lane located behind the above-mentioned roadside dwellings comprising the ribbon of development, however, these properties are not considered to constitute part of the substantial and continuously built up frontage given that they do not front the public road.

The second element of Policy of CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Additionally, the third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.

In this case the frontage width; No. 10A measures approximately 40 metres, No. 14 measures approximately 34 metres, No. 14A measures approximately 28 metres, No. 14B measures approximately 28 metres, No. 16 measures approximately 36 metres and lastly the frontage width of No. 18 measures approximately 38 metres. In this case the overall average plot frontage width along this ribbon of development is

approximately 34 metres. The agricultural field comprising the application site and the adjacent site LA03/2022/0054/O under consideration for a dwelling and garage features a roadside frontage of approximately 112 metres. The application site features a roadside frontage plot of approximately 50 metres.

The justification and amplification text at paragraph 5.34 of policy CTY8 is clear that the gap is between dwellings or other buildings, and not the frontage of the application site. Therefore, in this case the gap between dwellings No. 10A and No. 14 Ballyhill Lane measures approximately 130 metres. However, it is noted that a driveway serving No. 12 Ballyhill Lane directly abuts the southern field boundary associated with the application site which limits the gap for a development opportunity. Therefore, taking into consideration the existing driveway, the gap between No. 10A and the driveway measures approximately 120 metres

Taking into consideration the average frontage plot size, a gap width of 120 metres would result in three plots widths that would be capable of respecting the existing established pattern of development. Therefore, the gap is considered to be a significant gap which could accommodate more than two dwellings and as such is not considered small. The visual gap between No. 10A and No. 14 provides an important visual break in the developed appearance of the existing ribbon of development characterising the eastern side of Ballyhill Lane. Consequently, it is considered that the proposal fails to meet element 'b' of this policy as the gap is not considered to be a small gap sufficient to accommodate a maximum of two (2) dwellings.

Additionally, the agent has provided the curtilage sizes of all of the dwellings comprising the substantially and continuously built up frontage within Drawing No. 02 date stamped 17 January 2021. It is acknowledged that the application site would feature a plot size of 0.22 Ha which is broadly similar to nearby dwellings No's 10C, 14 and 12 Ballyhill Lane. However, as stated above the plot frontage width of both the application site and the adjacent site under consideration would extend to approximately 50 metres each, which would be notably larger than the pattern of established development expressed along this section of the Ballyhill Lane. Given that the plot frontage width would be the part of the site most observed from public viewpoints, it is considered that the development of the application site would not respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and is therefore contrary to criterion 'c' of CTY 8.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

All dwellings in the countryside must integrate with its surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings, whilst Policy CTY 14 states that

planning permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.

As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling, however, it is noted that all of the dwellings located along this section of ribbon development are characterised as detached single storey dwellings.

Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. The application site is a roadside location that is accessed directly off Ballyhill Lane.

In this case the application site lacks established boundaries along the eastern and southern boundaries. The western roadside boundary of the site is defined by a substantial belt of mature trees and vegetation approximately 4-5 metres in height. However, in order to achieve the required visibility splays, the entirety of the existing western boundary would require removal which would open the site up to public views. It is noted that critical views of a dwelling within the application site would be limited when travelling from a northern direction toward the site given the presence of mature vegetation along the northern boundary shared with No. 10A, which would effectively screen views from this direction. However, on approach to the site from a southerly direction, the site would be widely visible due to the lack of established landscaping to the southern boundary of the site.

Therefore, given the removal of the roadside vegetation along the western boundary the application relies heavily on new planting in order to integrate the proposal into this rural setting. With the exception of the northern common boundary shared with No. 10A the application site lacks long established boundaries. The proposed development within the application site would be highly prominent and open to critical long views on approach to the site from a southerly direction along Ballyhill Lane.

Taking into account the limited natural vegetation providing a backdrop to the development, it is considered that this site cannot provide a suitable degree of enclosure for the proposed dwelling to integrate into the landscape as critical views of the dwelling would be achieved via a long stretch of public road. The proposed development therefore relies on new planting to successfully integrate a new dwelling at this location and is therefore contrary to Policy CTY 13.

Policy CTY 8 and Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. The proposed development and the adjacent site under consideration (LA03/2022/0054/O) will result in the addition of two dwellings along this stretch of Ballyhill Lane, which would be visually linked with existing buildings and would represent a linear form of development creating a ribbon of development. The addition of two dwellings within this existing open gap would cumulatively lead to a suburban style of build-up within this rural area. In addition, as noted above, the development if granted approval would result in the development of two plots with frontage widths of approximately 50 metres along the roadside edge which is not in keeping with the development pattern in the direct vicinity of the application site. Therefore, due to the failure to comply with Policy CTY

8 which has been discussed above; and the subsequent creation of ribbon development, resulting in a suburban style build-up of development and not respecting the traditional pattern of settlement exhibited in the area, the proposal fails to comply with criterion (b), (c) and (d) of Policy CTY 14 of PPS21.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, it is considered that a dwelling could be appropriately designed within the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

Movement, Access and Parking

The agent has outlined within Drawing 02 date stamped 17 January 2022 that one access point off Ballyhill Lane will be used to serve both the application site and the adjacent site LA03/2022/0054/O. Consultation was carried out with DfI Roads and it is considered that the required visibility splays are achievable, subject to the appropriate plans being submitted at Reserved Matters stage. It is deemed that the proposed access will not prejudice road safety or cause a significant inconvenience to traffic.

Other Matters

It is noted that the northern section of the application site is designated as a Pluvial Surface Water Flood Zone as defined within DfI's Flood Maps. However, it was not considered necessary to consult DfI Rivers on this occasion given that only a small section to the northern part of the site is affected by this pluvial flood zone. If the application were to be recommended for approval it would be considered necessary to impose a siting condition that would site the dwelling outwith this area to prevent any potential flood risk to future occupants.

CONCLUSION

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

- The principle of the development cannot be established as the proposal is contrary to the policy requirements of CTY 8 of PPS 21.
- The application site is unable to provide a suitable degree of enclosure for the proposed development and is contrary to CTY 13 of PPS 21.
- The proposal would result in a suburban style build-up of development that would not respect the existing pattern of development and would be unduly prominent in the landscape contrary to CTY 8 and CTY 14.
- There are no road safety concerns with the proposal
- There are no flood concerns with the proposal.

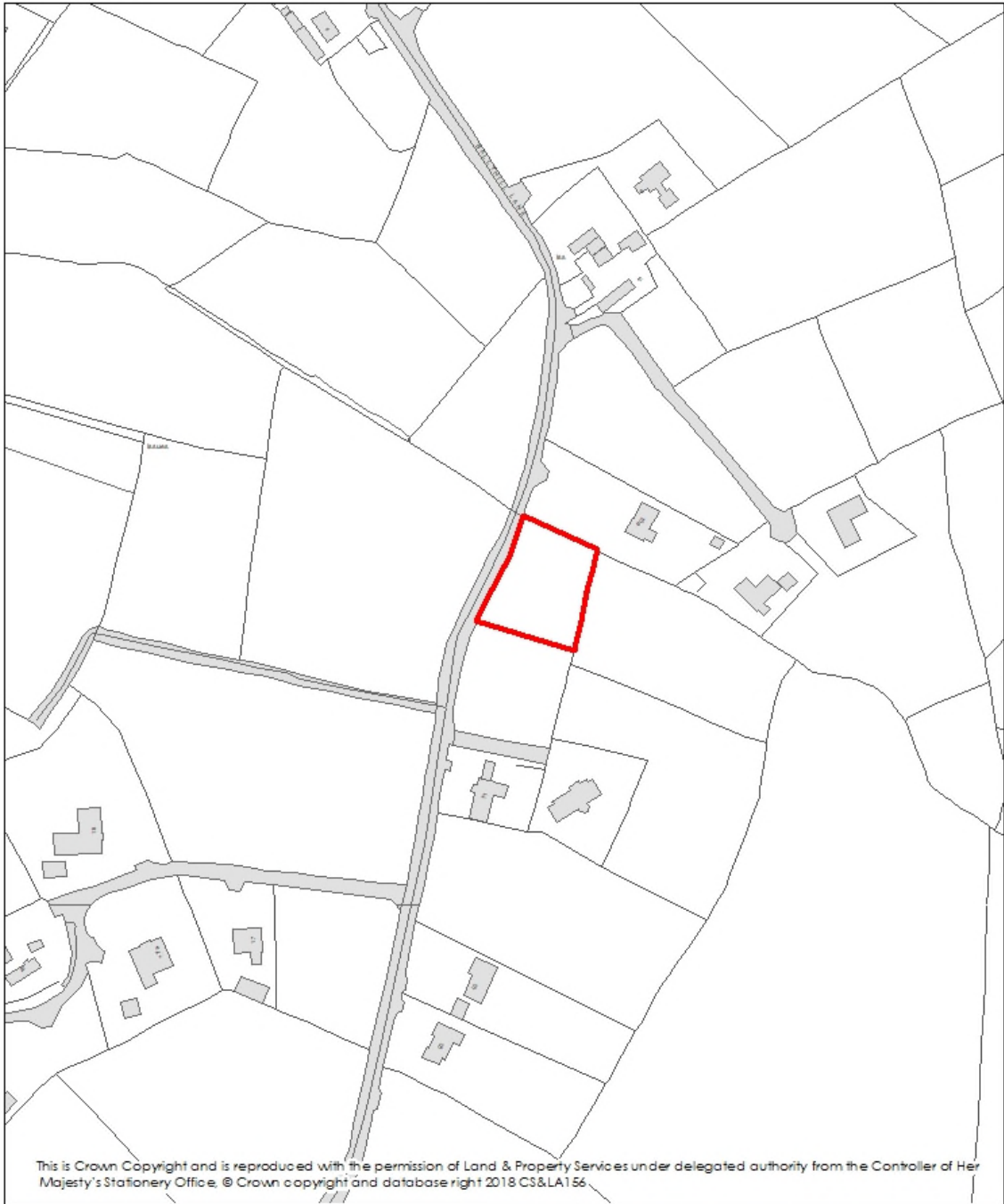
RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, would result in a suburban style build-up of development; and the creation of ribbon development along Ballyhill Lane.




Site Location Plan

Application Reference: LA03/2022/0053/O

Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21)

50m south of 10a Ballyhill Lane, Nutts Corner
Crumlin, BT29 4YP



 Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2022/0054/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21)
SITE/LOCATION	50m north of 14 Ballyhill Lane, Nutts Corner, Crumlin, BT29 4YP
APPLICANT	Mr JH Carson
AGENT	Planning Services
LAST SITE VISIT	22 February 2022
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located between No. 10A and No. 14 Ballyhill Lane and within the countryside as defined within the Antrim Area Plan (1984-2001).</p> <p>The application site encompasses part of an agricultural field, extending approximately 50 metres along the road frontage with a maximum depth of 50 metres. The application site is one part of a double infill opportunity, with the adjacent site pending consideration under LA03/2022/0053/O. The gap incorporating both sites has a 112 metre width frontage to the road.</p> <p>Access to the site is achieved from an agricultural access off Ballyhill Lane. The western roadside boundary is defined by a belt of mature trees and vegetation approximately 4-5 metres in height, the northern and eastern boundaries are undefined as the application site is cut out of a wider agricultural field. The southern boundary that runs adjacent to No. 12's driveway is defined by a post and wire fence. The topography of the application site falls considerably in a northern direction which also follows the natural contours of the public road.</p> <p>The site is located within a rural area with the land use being predominantly agriculture. There are a number of detached single storey dwellings located along this section of Ballyhill Lane resulting in a strong ribbon of development at this location.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1988/0491 Location: Ballyhill Lane Crumlin Proposal: Site Of Dwelling Decision: Appeal Dismissed</p> <p>Planning Reference: T/2003/1252/O</p>	

Location: 70m North East of 14 Ballyhill Lane, Nutts Corner, Crumlin.
Proposal: Site of Dwelling
Decision: Permission Refused (06.12.2004)

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to conditions

REPRESENTATION

Four (4) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Movement, Access 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18 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 in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the countryside outside any settlement limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission

will be granted for an individual dwelling house. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Whilst the main thrust of Policy CTY8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- (e) The gap site is within an otherwise substantial and continuously built up frontage;
- (f) the gap site is small sufficient only to accommodate up to a maximum of two houses;
- (g) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- (h) the proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. A building has frontage to the road if the plot in which it stands abuts or shares a boundary with the road. For the purposes of the assessment of this proposal, the application is being assessed alongside the adjacent site under planning reference LA03/2022/0053/O collectively as part of a double infill opportunity.

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the application site comprises part of a larger field between No 10A Ballyhill Lane to the north and No. 14 Ballyhill Lane to the south. The application site is accessed off Ballyhill Lane from an existing agricultural gate towards the southwestern corner of the agricultural field.

In this case the application is sited within a linear ribbon of development located to the eastern side of Ballyhill Lane. It is considered that the buildings providing the substantial and continuously built up frontage include dwelling No's 10A, 14, 14A, 14B, 16 and 18 Ballyhill Lane and therefore the proposal is considered to meet the policy provision of criterion (a) of CTY 8. It is noted here that there are two additional dwellings No. 10C and No. 12 Ballyhill Lane located behind the above-mentioned roadside dwellings comprising the ribbon of development, however, these properties are not considered to constitute part of the substantial and continuously built up frontage given that they do not front the public road.

The second element of Policy of CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Additionally, the third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.

In this case the frontage width; No. 10A measures approximately 40 metres, No. 14 measures approximately 34 metres, No. 14A measures approximately 28 metres, No. 14B measures approximately 28 metres, No. 16 measures approximately 36 metres and lastly the frontage width of No. 18 measures approximately 38 metres. In this case the overall average plot frontage width along this ribbon of development is

approximately 34 metres. The agricultural field comprising the application site and the adjacent site LA03/2022/0053/O under consideration for a dwelling and garage features a roadside frontage of approximately 112 metres. The application site features a roadside frontage plot of approximately 50 metres.

The justification and amplification text at paragraph 5.34 of policy CTY8 is clear that the gap is between dwellings or other buildings, and not the frontage of the application site. Therefore, in this case the gap between dwellings No. 10A and No. 14 Ballyhill Lane measures approximately 130 metres. However, it is noted that a driveway serving No. 12 Ballyhill Lane directly abuts the southern boundary of the application site which limits the gap for a development opportunity. Therefore, taking into consideration the existing driveway, the gap between No. 10A and the driveway measures approximately 120 metres

Taking into consideration the average frontage plot size, a gap width of 120 metres would result in three plots widths that would be capable of respecting the existing established pattern of development. The visual gap between No. 10A and No. 14 provides an important visual break in the developed appearance of the existing ribbon of development characterising the eastern side of Ballyhill Lane.

Consequently, it is considered that the proposal fails to meet element 'b' of this policy as the gap is not considered to be a small gap sufficient to accommodate a maximum of two (2) dwellings.

Additionally, the agent has provided the curtilage sizes of all of the dwellings comprising the substantially and continuously built up frontages within Drawing No. 02 date stamped 17 January 2021. It is acknowledged that the application site would feature a plot size of 0.24 Ha which is broadly similar to nearby dwellings No's 10, 14 and 12 Ballyhill Lane. However, as stated above the plot frontage width of both the application site and adjacent site under consideration would extend to approximately 50 metres each, which would be notably larger than the pattern of established development expressed along this section of Ballyhill Lane. Given that the plot frontage width would be the part of the site most observed from the public viewpoints, it is considered that the development of the application site would not respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and is therefore contrary to criterion 'c' of CTY 8.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY1 of PPS 21. Furthermore, it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

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

As the application seeks outline planning permission, no details have been provided regarding the proposed design or layout of the dwelling, however, it is noted that all of the dwellings located along this section of ribbon development are characterised as detached single storey dwellings.

Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. The application site is a roadside location that is accessed directly off Ballyhill Lane.

In this case the application site lacks established boundaries along the northern, eastern and southern boundaries. The western roadside boundary of the application site is defined by a substantial belt of mature trees and vegetation approximately 4-5 metres in height. However, in order to achieve the required visibility splays, the entirety of the existing western boundary would require removal which would open the site up to public views. It is noted that critical views of a dwelling within the application site would be achieved when travelling in both directions along Ballyhill Lane. Given the rise in topography across the site in a southerly direction, the proposed development would be visually prominent from the public road due to the lack of established landscaping to all site boundaries.

Therefore, given the removal of the roadside vegetation along the western boundary the application relies heavily on new planting in order to integrate the proposal into this rural setting. As a result, the proposed development within the application site would be highly prominent and open to critical long views on approach to the site from both a northern and southern direction along Ballyhill Lane.

Taking into account the limited natural vegetation providing a backdrop to the development, it is considered that this site cannot provide a suitable degree of enclosure for the proposed dwelling to integrate into the landscape as critical views of the dwelling would be achieved via a long stretch of public road. The proposed development therefore relies on new planting to successfully integrate a new dwelling at this location and is therefore contrary to Policy CTY 13.

Policy CTY 8 and Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. The proposed development and the adjacent site under consideration (LA03/2022/0053/O) will result in the addition of two dwellings along this stretch of Ballyhill Lane, which would be visually linked with existing buildings and would represent a linear form of development creating a ribbon of development. The addition of two dwellings within this existing open gap would cumulatively lead to a suburban style of build-up within this rural area. In addition, as noted above, the development if granted approval would result in the development of two plots with frontage widths of approximately 50 metres along the roadside edge which is not in keeping with the development pattern in the direct vicinity of the application site.

Therefore, due to the failure to comply with Policy CTY 8 which has been discussed above; and the subsequent creation of ribbon development, resulting in a suburban style build-up of development and not respecting the traditional pattern of settlement exhibited in the area, the proposal fails to comply with criterion (b), (c) and (d) of Policy CTY 14 of PPS21.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, it is considered that a dwelling could be appropriately designed within the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon.

Movement, Access and Parking

The agent has outlined within Drawing 02 date stamped 17 January 2022 that one access point off Ballyhill Lane will be used to serve both the application site and the adjacent site LA03/2022/0053/O. Consultation was carried out with DfI Roads and it is considered that the required visibility splays are achievable, subject to the appropriate plans being submitted at Reserved Matters stage. It is deemed that the proposed access will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

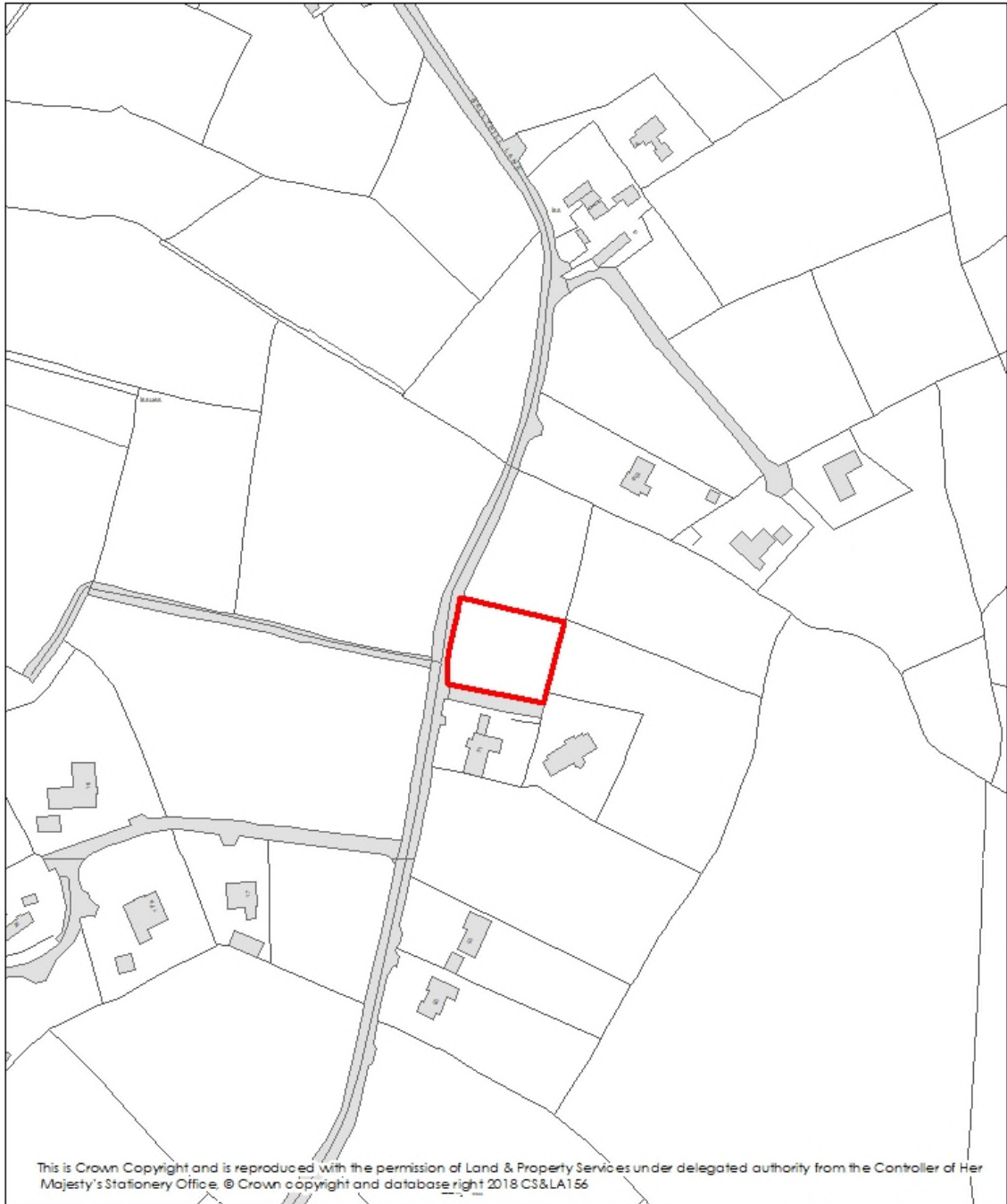
- The principle of the development cannot be established as the proposal is contrary to the policy requirements of CTY 8 of PPS 21.
- The application site is unable to provide a suitable degree of enclosure for the proposed development and is contrary to CTY 13 of PPS 21.
- The proposal will result in a suburban style build-up of development that would not respect the existing pattern of development and would be unduly prominent in the landscape contrary to CTY 8 and CTY 14.
- There are no road safety concerns with the proposal

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, would result in a suburban style build-up of development; and the creation of ribbon development along Ballyhill Lane.




Site Location Plan

Application Reference: LA03/2022/0054/O

Site for a dwelling and garage and associated ancillary works (infill opportunity as per CTY8 of PPS21)

50m north of 14 Ballyhill Lane, Nutts Corner
Crumlin, BT29 4YP



 Site boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2021/0743/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retrospective application for raised single storey sunroom extension to rear of existing dwelling.
SITE/LOCATION	21 Shore Road, Greenisland, Carrickfergus, BT38 8UA.
APPLICANT	Rosie Brotherson
AGENT	DA Architects Ltd
LAST SITE VISIT	1 September 2021
CASE OFFICER	Jordan Jenkins Tel: 028 903 40411 Email: jordan.jenkins@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Since the preparation and publication of the Committee report for March 2022 Committee meeting, additional information in support of the application has been submitted by the agent, DA Architects Ltd. The supporting information (Drawing No. 03/2 date stamped 21 March 2022) is available for Members to view online at the Planning Portal (www.planningni.gov.uk)</p> <p>The amended plans Drawing No. 03/2 date stamped 21 March 2022 show the removal of the louvres located along the eastern elevation of the sunroom extension which is adjacent to the neighbouring property of No. 23 Shore Road. The proposed louvres will be replaced with a solid gable wall rendered white to match the existing dwelling. It is accepted that the removal of the louvres and the already existing glass window will remove the impact on the amenity of the adjacent property in relation to overlooking and loss of privacy.</p> <p>The previous recommendation for a refusal of this application was based on the grounds that the proposal would overlook the neighbouring property of No. 23 Shore Road as the existing frosted temporary glass would give the perception of overlooking. It was also unclear whether the proposed louvres were adjustable and therefore this did not remove the issue of overlooking into the adjacent property.</p> <p>It is considered that the amended design of the retrospective sunroom extension, satisfies Policy EXT 1 of APPS 7 on the issue of neighbour amenity and the previous recommendation for refusal would no longer be applicable given the amendments submitted.</p>	

CONCLUSION

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

- The proposal will not unduly affect the privacy or amenity of neighbouring residents.

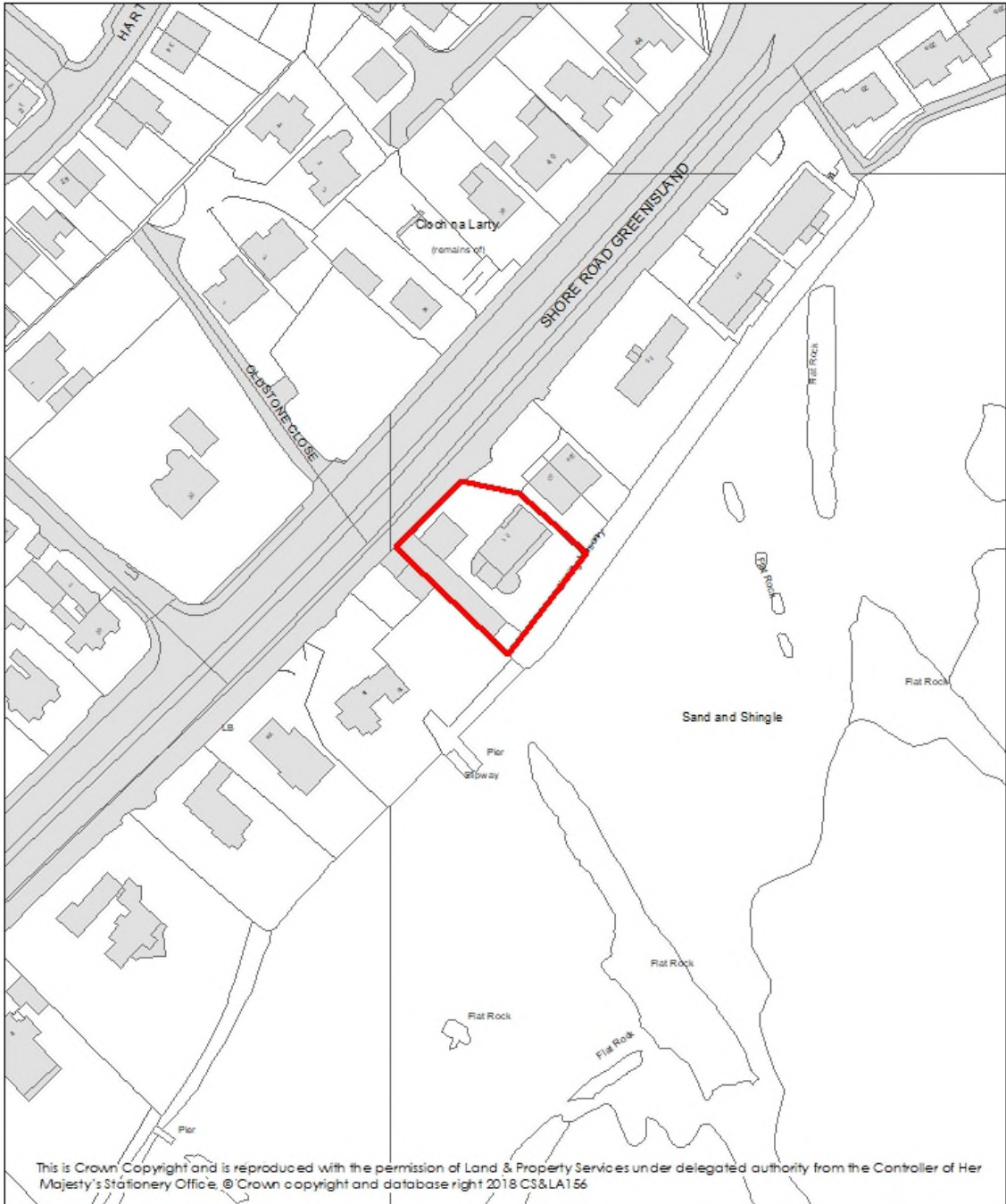
RECOMMENDATION**GRANT PLANNING PERMISSION****PROPOSED CONDITIONS**

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

Reason: This is a retrospective application.

2. The existing glazing to be replaced by solid wall along the eastern elevation of the sunroom as indicated on Drawing No. 03/2 bearing the date stamp 21 March 2022 shall be carried out within two months from the date of this permission and permanently retained for the lifetime of the development hereby approved.

Reason: To protect the amenity of nearby residential properties.




Site Location Plan

Application Reference: LA03/2021 /0743/F

Retrospective application for raised single storey sunroom extension to rear of existing dwelling

21 Shore Road, Greenisland
Carrickfergus, BT38 8UA



 Site boundary



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2021/0455/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Farm dwelling and detached garage with new access lane (Renewal of previous permission LA03/2015/0604/F)
SITE/LOCATION	Site adjacent to and 50m North of 9 Old Stone Hill Antrim BT41 4SB
APPLICANT	Andrew McMinn
AGENT	Jackie Milliken
LAST SITE VISIT	5 August 2021
CASE OFFICER	Name: Ashleigh Wilson Tel: 028 903 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located outside any settlement limits, within the rural area as defined within the Antrim Area Plan 1984 – 2001. The application site is located adjacent to and approximately 50 metres north of No. 9 Oldstone Hill, Antrim.</p> <p>The site is located within a predominantly agricultural area and comprises a portion of a larger agricultural field. The access is to be taken from Oldstone Hill and follows an existing row of mature trees and hedging along its southern boundary and wraps around an existing dwelling, No. 9 Oldstone Hill. An existing post and wire fence with newly planted saplings defining the eastern boundary of the access where it abuts the front garden area of No. 9 Oldstone Hill. The application site is set to the northeastern side of No. 9 Oldstone Hill with the current southwestern boundary between the site and the existing dwelling defined by a post and wire fence and mature trees ranging from approximately 4 – 5 metres in height to approximately 12 metres. The eastern boundary of the application site is defined by mature trees and hedging.</p> <p>The area is rural in nature with a number of rural dwellings located to the south of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2015/0604/F Location: Site adjacent to and 50m north of 9 Old Stone Hill, Antrim, BT41 4SB. Proposal: Farm dwelling and detached garage with new access lane Decision: Permission Granted (02/06/2016)</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located within the rural area outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Rivers – No objection

Department for Infrastructure Roads- No objection

Department for Agriculture, Environment and Rural Affairs – No objection

Belfast International Airport – No objection

Northern Ireland Water – No objection

UK Crown Bodies D.I.O. LMS - No objection

REPRESENTATION

Four (4) neighbouring properties were notified and one (1) letter of objection has been received. The full representations made regarding this proposal are available to view online at the Planning Portal (www.planningni.gov.uk).

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

- Impact of access on neighbouring vegetation and ecology.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Principle of Development
- Design, appearance and Impact on Character of the Area
- Neighbour Amenity
- Access, Movement and Parking
- 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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

The application site is located within the countryside outside any settlement limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the development of a dwelling on a farm in accordance with Policy CTY 10 of PPS 21.

Principle of development

The planning history on site forms a material consideration in the determination of this application for renewal. Permission for this development was granted previously under planning application Ref: LA03/2015/0604/F, which granted full planning permission on 23 May 2016 for a farm dwelling with a detached garage and new access lane.

The current application seeks to renew the previous permission and was made valid on 6 May 2021 prior to the expiry date of the previous permission on 22 May 2021. As the current application was submitted before the extant permission expired it forms a valid application for the renewal of LA03/2015/0604/F. Notwithstanding the above planning history, Policy CTY 10 of PSS 21 sets out the criteria which proposals for farm dwellings must satisfy.

Criterion (a) requires the farm business to be currently active and established for at least 6 years. In this case DAERA Countryside Management Inspectorate Branch have confirmed that the applicant has an active farm business which has been established for over 6 years. However, DAERA has advised that the farm business has not claimed payments through the Basic Payment Scheme in each of the last six years and the application site is located on land associated with another farm business. Through email with DAERA it has been confirmed that during the period 2005-2014, all EU Member States received Agricultural Support/ Subsidy Payments under the Single Farm Payment (SFP) Scheme. Here in Northern Ireland, all land owners were entitled to receive these payments (regardless of whether they were actually farming the land or had let their land in conacre). In this case previously the applicant's farm business could submit claims for SFP and still let the land in conacre. DAERA confirmed that the applicant's farm business submitted claims for SFP up to 2015. Therefore, at the time that the previous application was approved DAERA confirmed that SFP was claimed and this was accepted as sufficient to demonstrate that the farm business was active and established for at least 6 years and a dwelling on a farm under Policy CTY 10 was granted on this site on that basis. Since then, following a review of the Common Agricultural Policy (CAP), the SFP scheme was replaced by the Basic Payment Scheme (BPS) in 2015. To be eligible to receive payment under BPS, businesses had to be actively farming all of their land. Therefore, land owners who were letting their land in conacre were no longer eligible to receive payment.

Agricultural activity for the purposes of planning policy is defined as the production, rearing or growing of agricultural products, including harvesting, milking, breeding animals and keeping animals for agricultural purposes and also includes maintaining the land in good agricultural and environmental condition.

Evidence to suggest that the farm lands are kept in good agricultural condition was requested from the applicant on 24 August 2021.

The applicant submitted the following information in response dated 10 September 2021:

1. It is difficult to understand that the criteria for a dwelling on a farm has changed;
2. Confirmation that the applicant has retired and is no longer an active farmer;
3. The farm is let in conacre;

4. The applicant is being deprived of their right to a dwelling due to time passing;
5. Confirmation that no land has been sold or disposed of;
6. No invoices are available as the applicants no longer actively farm;
7. Any work undertaken is done so by Mr McMinn which consists of maintenance of boundary fences, hedges, waterways, grass topping and weed control

The above information was considered inadequate to confirm the principle of development. An agent was appointed and a further request for the information was made on 17 November 2021. The applicant's agent provided a letter from the applicant's accountant stating that the office had acted on the applicant's behalf in respect of the farming partnership continuously since 1989 and an email stating that there was farm machinery and agricultural activity in the fields.

On 8 December 2021 it was again requested that sufficient evidence was required to demonstrate that the applicant's themselves had maintained the land in good agricultural condition or carried out agricultural activity at the farm for each of the last 6 years in order to demonstrate they were 'actively farming'. A further reminder was issued on 8 February 2022. The agent emailed on 14 February asking for an extension of time for one further week and this was granted. A further reminder for the information was issued on 24 March 2022 with a final deadline of 31 March 2022. To date no further information has been received.

It is considered that insufficient information has been provided to demonstrate that the applicant maintains the land in good agricultural condition and has done so for the past six years. As a consequence, it is considered that the applicant fails to meet criterion (a) of Policy CTY 10.

Criterion (b) requires that no dwellings or development opportunities out-with the settlement limits should have been sold off from the farm holding within 10 years from the date of the application. The policy also states that planning permission granted under Policy CTY 10 will only be forthcoming once every 10 years. For the purposes of this policy "sold-off" means any development opportunity disposed of from the farm holding to any other person including a member of the family. The applicant has confirmed in Question No. 05 on the P1C form accompanying the application that no dwellings or development opportunities have been sold-off from the farm holding since 25 November 2008. A history search of the farm lands indicates no recent approvals. It is therefore accepted that no development opportunities have been sold off the farm within the last ten (10) years. It is considered that the application meets the relevant policy requirements identified under criterion (b).

The applicant is not able to demonstrate active farming on the holding and therefore the principle of development cannot be established.

The Siting of the Proposed Dwelling.

The third criteria states that any farm dwelling should be visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. The planning history on the site is a material consideration. The siting of the dwelling is as per the previous approval and is considered acceptable. The proposed access was amended under the previous application so that the proposed laneway to access the site runs along the southern agricultural field boundary running parallel to the boundaries of Nos. 5 &

9 Oldstone Hill. Para 5.72 of Policy CTY 13 of PPS 21 indicates that any proposed access and laneway should run unobtrusively alongside existing hedgerows and should be accompanied by landscaping measures. In this regard there is no determining concern with this aspect of the development.

Design, appearance and Impact on Character of the Area

Policy CTY 13 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of appropriate design. Criterion (a) of this policy notes that a building will be unacceptable where it is a prominent feature in the landscape, whilst Policy CTY 14 of PPS 21 requires that any building in the countryside does not cause a detrimental change to, or further erode the rural character of an area.

The proposed dwelling is sited approximately 200 metres from the public road. The proposed dwelling is a 1.5 storey detached with a pitched roof with a ridge height of approximately 6.4 metres. The proposed dwelling has approximately 313.5 square metres total floorspace to include five bedrooms, two bathrooms, a utility room, open plan kitchen, living, dining area and a sunroom. The proposed dwelling has an irregular shape with a maximum width of approximately 20.8 metres (including the sunroom annex on the southern elevation) and a maximum depth of approximately 11.85 metres (including the proposed front porch).

The proposed dwelling is finished in a smooth white render with black roof slates. The proposed dwelling has fenestration predominantly with a vertical emphasis to include two half dormers on the principal elevation. There is a detached double garage with a pitched roof located to the rear of the proposed dwelling which is subordinate to the proposed dwelling and has matching external finishes.

The design and appearance of the proposal is as was previously approved and accepted on this site under planning application Ref: LA03/2015/0604/F. The proposed dwelling is set a significant distance from the public road and benefits from a vegetated backdrop and does not form a prominent feature in the landscape. Policy CTY 13 of PPS 21 requires ancillary site works also to integrate with the surrounding landscape. The proposed laneway runs unobtrusively along the existing field boundaries and is accompanied by proposed landscaping measures to further aid integration.

Neighbour amenity

The proposal is located approximately 50 metres from the nearest neighbouring dwelling located at No. 9 Oldstone Hill. Given the separation distance, the proposal does not have an unacceptable impact on the privacy or amenity of neighbouring residents. Furthermore, there is sufficient boundary treatment along the common boundary with No. 9 Oldstone Hill provided by the existing mature vegetation and there are no first-floor windows located on the southern elevation to overlook the private amenity space of No. 9 Oldstone Hill, only roof lights which do not contribute to overlooking given their position on the roof slope.

The proposed access is to run along the front boundary of No. 9 Oldstone Hill and although this is likely to cause some noise and disturbance the access was previously deemed acceptable under the previous application LA03/2015/0422/F. In the previous application the two neighbours submitted letters of support with regards the

proposed access. They have both been notified of the proposal and albeit No. 5 has raised ecological concerns due to the potential impact on the hedgerow along the boundary between No. 5 and the proposed access, these have been addressed below. Neither has raised concerns regarding the 'location' of the access.

Access, Movement and Parking

Policy AMP 2 of PPS 3 stipulates that planning permission will only be granted for a development proposal involving an access onto a public road where the access will not prejudice road safety or significantly inconvenience the flow of traffic.

There is ample space within the curtilage of the site for the parking and manoeuvring of vehicles and the proposed garage provides parking for two cars. DfI Roads have been consulted and have made no objection to the proposed access, therefore the proposal satisfies Policy AMP2.

Other Matters

Natural Heritage

An objection letter received from the neighbouring residents of No. 5 Oldstone Hill raises concern of the proposed access resulting in ecological damage by way of disturbing the root system of the portion of mature hedgerow that runs adjacent to the proposed access and is under their ownership forming the northern site boundary of No. 5 Oldstone Hill.

This objector wrote in support of planning application LA03/2015/0604/F by stating in their letter date received 14 April 2016 that they "have no objection to our neighbours constructing a laneway alongside our boundary hedge, at a reasonable distance from the aforesaid hedge root system."

In relation to this application for the renewal of LA03/2015/0604/F, the objector has requested that an ecological assessment is carried out to ensure there is no adverse impact on the aforementioned hedgerow. The proposed access is indicated as set back from the hedgerow and is set a sufficient distance between the common boundary and the proposed laneway. Damage to the root system of the hedgerow is unlikely and it is considered there will not be a significant impact on the hedgerow or ecology resulting from the proposed access works.

Belfast International Airport

There are no concerns regarding aerodrome safeguarding associated with this development, Belfast International Airport (BIA) has been consulted and they have raised no objections to the proposal although conditions have been suggested. The BIA response received suggested conditions be included firstly relating to any external lighting, the proposal does not include any aspects of external lighting so this condition is not necessary although given the proximity to the airport it may be included as an informative. Another condition is suggested regarding the use of cranes at the site; this is also not seen as necessary, the final condition suggested related to landscape proposals and ensuring the proposal does not increase the risk of bird strikes. These matters can be added as informatives should planning permission be forthcoming

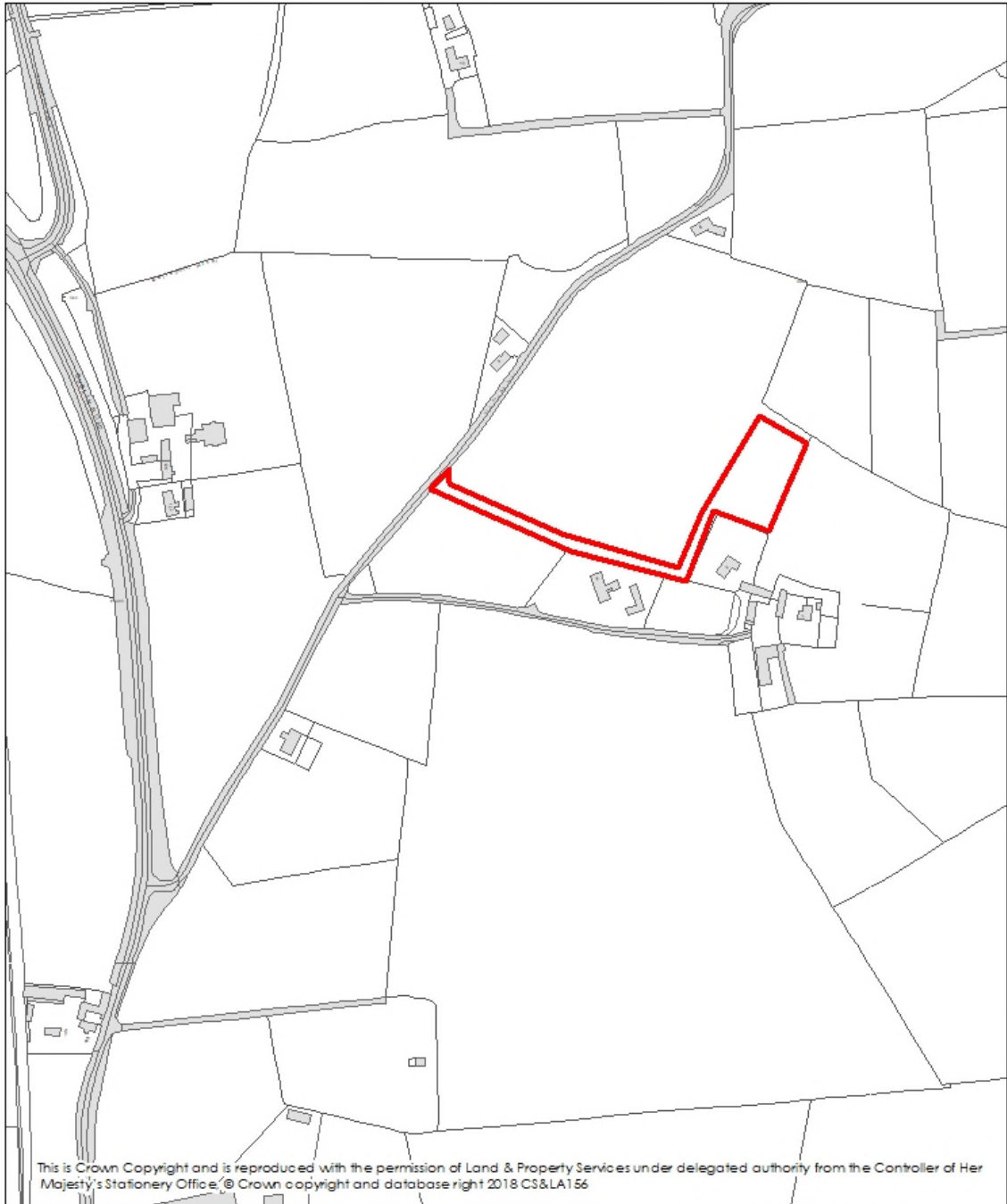
CONCLUSION

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

- The principle of development is considered unacceptable;
- The design and appearance is acceptable and not detrimental to rural character;
- The proposal does not prejudice neighbour amenity;
- The access, movement and parking is acceptable; and
- The points of objection made do not have determining weight in this application for renewal of an extant permission.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY1 and CTY10 of PPS 21: Sustainable Development in the Countryside, and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business is currently active and established.




Site Location Plan

Application Reference: LA03/2021/0455/F

Site adjacent to and 50m North of 9 Old Stone Hill,
Antrim BT41 4SB

Farm dwelling and detached garage with new access lane
(Renewal of previous permission LA03/2015/0604/F)



 Site boundary



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2021/1068/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed site for proposed infilling of a single dwelling
SITE/LOCATION	Lands between 22 and 24 Long Rig Road, Nutts Corner, Crumlin
APPLICANT	Mr White
AGENT	PJ Design
LAST SITE VISIT	8 December 2021
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located in the countryside outside any development limit as designated in the Antrim Area Plan 1984 – 2001 and is approximately 6 kilometres northeast of Crumlin.</p> <p>The site is accessed by a shared laneway off the Long Rig Road, which serves three existing dwellings. The access lane runs straight from the main road to No. 24 Long Rig Road, before sweeping to the north to serve No. 22A Long Rig Road, and then turning westwards towards No. 22B Long Rig Road. The application site occupies a corner plot on the laneway and is located immediately west of No. 24 Long Rig Road. The site is relatively flat and bounded on all sides by a black, one-metre-high post and rail fence. The eastern boundary is also defined by a number of tall, mature trees and hedging.</p> <p>The immediate surrounding area is quite suburban in character, due to the four existing dwellings, some outbuildings and two accesses that adjoin the application site.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which</p>	

contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads – Amendments required to visibility splays.

Belfast International Airport – No objection.

Historic Environment Division – No objection.

REPRESENTATION

Six (6) neighbouring properties were notified, and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Other Issues

Policy Context and Principle of Development

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal.

The application site is located within the countryside outside any settlement limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. One of these is the infilling of a small gap site in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Whilst the main thrust of Policy CTY 8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- a) The gap site is within an otherwise substantial and continuously built up frontage;
- b) The gap site is small sufficient only to accommodate up to a maximum of two houses;
- c) The proposal respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size; and
- d) The proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without

accompanying development to the rear. A building has a frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

This application site is located along a shared laneway that provides access to three other dwellings, namely Nos. 22A, 22B and 24 Long Rig Road. No. 24 Long Rig Road sits forward of the other two dwellings, however as noted in Policy CTY 8, the building line does not have to be uniform; and a ribbon development can be represented by buildings sited back, staggered or angled, provided they have a common frontage, or they are visually linked. All three dwellings on this shared laneway occupy plots that abut and share a boundary with the laneway, and all are visually linked. For these reasons, it is considered that Nos. 22A, 22B, and 24 Long Rig Road provide a substantial and continuously built up frontage, and that the proposed site is a small gap located within this frontage and is suitable for infilling with one dwelling.

The size, scale, and siting of the proposal are details to be dealt with at Reserved Matters stage however, if appropriately conditioned, it is considered that the new development will respect the existing development pattern along the frontage.

From the indicative layout submitted as part of the planning application, the plot size appears slightly smaller than the surrounding plots, albeit the difference is not significant. However, failure to meet with every aspect of the policy may not necessarily result in a refusal of the proposal, and it would appear unreasonable to resist this proposal based solely on plot size, when the development meets all the other criteria of Policy CTY 8. As the criteria of Policy CTY 8 have been met by the proposed development, the principle of development is considered acceptable.

Design, Layout and Appearance

Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 'Integration and Design of Buildings in the Countryside' states that a new building will be unacceptable where it would be a prominent feature in the landscape and as such would not integrate.

The application site is set back approximately 180 metres from the main Long Rig Road. Critical views of the site from this main road are limited given the separation distance, the row of mature trees to the front of the application site along the southern boundary, and a belt of mature trees in the agricultural field between the site and the public road.

On approach from the shared laneway, the proposed site will appear as a visual entity with the surrounding existing development and will sufficiently be integrated and absorbed into landscape. The new development will not appear as a prominent feature in the landscape from any public viewpoints.

Both Nos. 22A and 24 Long Rig Road are two storey dwellings, while Nos. 22 and 22B Long Rig Road are both single storey. There are also a number of outbuildings associated with No. 24 Long Rig Road that are two storeys high. In the context of the surrounding development, and given the mature boundary vegetation, it is considered that the application site can accommodate a new dwelling with a ridge height of no more than 8 metres above finished floor level.

The design of the dwelling is a matter of detail to be considered at Reserved Matters stage, however, it is considered that if appropriately conditioned, the new dwelling will be satisfactorily integrated and will not appear unduly prominent in the landscape. The proposal meets the criteria of Policy CTY 13 of PPS 21.

Neighbour Amenity

The proposed site is located within an existing cluster of development and is bounded to the east by No. 24 Long Rig Road, to the north by No. 22A Long Rig Road, and No. 22 Long Rig Road to the west with a separation distance of approximately 20 metres.

In order to maintain the privacy of existing and proposed residents, the dwelling must be designed in such a way as to limit the potential for overlooking to both Nos. 22 and 24 Long Rig Road, while also ensuring that there is no overlooking to the rear of the proposed dwelling from No. 22A Long Rig Road to the north. Appropriate boundary treatment is required along the western and northern boundaries of the site, and the proposed dwelling requires to have only obscured glazing on the first floor of the western elevation.

The Council's Environmental Health Section was notified of the proposal and offered no objections.

Impact on the Character and Appearance of the Area

Policy CTY 14 of PPS 21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of the area. It identifies that a new building will be unacceptable where, in relation to criterion 'd' it creates or adds to a ribbon of development.

This development for a dwelling is considered as an exception to Policy CTY 14, ribbon development and involves the infilling of a small gap site within a built up frontage with one dwelling. It is considered that the proposal respects the surrounding settlement pattern and would not conflict with Policy CTY 14.

Other issues

Access, Movement and Parking

Access to the application site is via a shared laneway off the Long Rig Road. DfI Roads has assessed the proposal as initially submitted and requested the red line of the application site to be amended for the required 2.4 metres by 150 metres visibility splays in both directions fully triangulated. Question 12 of the P1 form also needs to be amended to indicate that an existing access is to be altered to accommodate access to the new dwelling, with notice to be served on the landowner to the southwest (critical side) of the access. The agent was asked to provide hard copies of the amendments on 21 December 2021 and 26 January 2022. PDF copies of an amended site location plan were received via email from the agent on 3 February, and again he was requested to submit hard copies of the information on 9 February and 2 March 2022. To date, the required information has not been submitted, and the agent was advised on 29 March that the Council would move to a recommendation based on the information currently before it. As the agent has been unable to satisfactorily demonstrate that the access will not prejudice road safety or significantly inconvenience the flow of traffic, the proposal is contrary to Policy AMP 2 of PPS 3 and it is recommended that the application be refused.

Historic Environment

DfC Historic Environment Division (HED) was consulted with the proposal as the application site is located within the area of influence of an archaeological site and monument. On assessment of the proposal, HED is content that the proposal is satisfactory to the SPPS and PPS 6 archaeological policy requirements.

Aviation safety

Belfast International Airport has advised that a building on this proposed site will not infringe on the protected surface, provided the height is restricted to 18 metres.

CONCLUSION

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

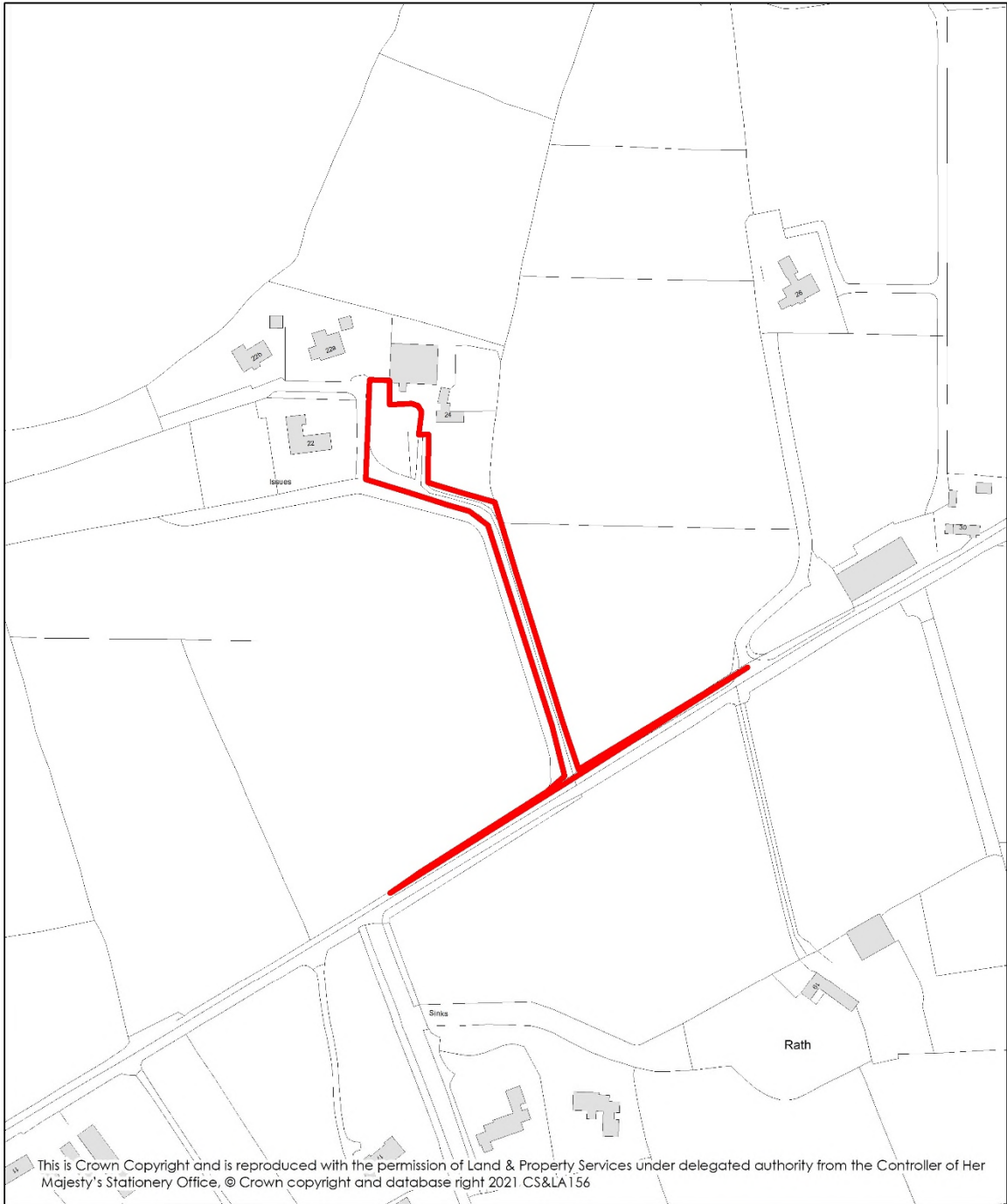
- The principle of the development is acceptable.
- There are no concerns in relation to neighbour amenity.
- The development respects the character of the surrounding area.
- A safe and appropriate access arrangement has not been provided.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the SPPS and Policy AMP 2 of Planning Policy Statement 3 Access, Movement and Parking as it has not been demonstrated that the access will not prejudice road safety or significantly inconvenience the flow of traffic on the Long Rig Road.



Site Location Map

 Site Boundary

Reference: LA03/2021/1068/O

Location: Lands between 22 and 24 Long Rig Road, Nutts Corner
Crumlin, BT29 4SX

Proposal: Proposed infill site for single dwelling



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2021/0990/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed dwelling
SITE/LOCATION	Approx 20m West of 42 Loughbeg Road, Toomebridge
APPLICANT	Michael Magee
AGENT	CMI Planners
LAST SITE VISIT	14 January 2022
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at Loughbeg Road, approximately 4 kilometres (2.5 miles) north of Toome, within the countryside and outside any settlement limit as defined by the Antrim Area Plan 1984-2001 (AAP).</p> <p>The site is set back from the public road to the rear of an existing bungalow at No.42 Loughbeg Road. Nos. 42a and 42b Loughbeg Road are located southwest of the site and have individual accesses onto the public road.</p> <p>The site is currently surrounded by a mixture of ranch-style and post and wire fencing approximately 1 metre in height, and a line of mature trees, approximately 6-7 metres in height, defines the western boundary. The topography within the site is relatively level.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0671/O Location: Approx 20m west of No.42 Loughbeg Road, Toomebridge Proposal: Proposed site for a single storey dwelling and domestic garage. Decision: Appeal Upheld (05.10.2018)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.</p>	

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

Antrim Area Plan 1984-2001: The application site is located outside any settlement development limit and lies in the countryside as designated by the Plan. The site is also located within the Lough Shore Rural Policy Area, however the policies within PPS 21 take precedence and therefore the policies in respect of residential policy in this rural policy area are not determining. Therefore the AAP offers no specific policy or guidance pertinent to this proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objection.

Northern Ireland Water - No objection.

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

Department for Infrastructure Rivers – No objection

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:

- Policy Context and Principle of Development.
- Integration, Design and Impact on Character and Appearance of the Area; and
- Neighbour Amenity.
- Other Matters

Policy Context and Principle of Development

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

The application site is located within the countryside outside any settlement development limit defined in AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

The policy headnote for Policy CTY 1 of PPS 21 also states "all proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations including those for drainage, access and road safety. Access arrangements must be in accordance with the Department's published guidance."

Whilst the main thrust of Policy CTY 8 is to resist ribbon development as this is detrimental to the character, appearance and amenity of the countryside, the policy exceptionally provides for the development of a gap site where the following four specific criteria are met:

- a) The gap site is within an otherwise substantial and continuously built up frontage;

- b) the gap site is small sufficient only to accommodate up to a maximum of two houses;
- c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and
- d) the proposal meets other planning and environmental requirements.

For the purposes of the policy the definition of a substantial and continuously built up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. A building has a frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

An application for a site for a single storey dwelling and domestic garage was allowed on the application site under planning appeal reference 2017/A0249 (planning application reference LA03/2017/0671/O) on 5 October 2018. As the current application was lodged within a period of 5 years from the granting of this outline approval, significant weight will be afforded to this planning history.

Given the planning history on the site, it is considered that the principle of development has been established for a dwelling on the site under Policy CTY 8 of PPS 21, subject to an acceptable and appropriate rural design, no significant impact upon neighbour amenity, and no objections from consultees.

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

There are two further policy provisions of PPS 21 that pertain to the design and impact of buildings in the countryside; Policy CTY 13 of PPS 21 is entitled "Integration and Design of Buildings in the Countryside" and Policy CTY 14 of PPS 21 is entitled "Rural Character".

The application proposes a single storey detached dwelling which has a maximum ridge height of 3.4 metres above ground level and a floor area of approximately 105sqm. These measurements fall within conditions of the outline approval on the site, which stipulated a ridge height less than 5.5 metres above ground level and a floor area not exceeding 110sqm.

The proposed dwelling has a mono pitch roof which is to be finished in black profile metal cladding and the external walls are finished in white render. There is also an element of larch cladding to the front and side elevations. It is considered that the proposal has the appearance of a temporary modular building, due to the proposed design and finishing materials of the building. The design of the proposed dwelling, is considered incongruous in this rural location and does not display the essential characteristics of vernacular buildings that are evident in a traditional dwelling in the Northern Ireland countryside.

There are critical views into the site from the Loughbeg Road, particularly on the approach from the northwest. Given the design of the proposed building is out of keeping with the design and character of the neighbouring and surrounding bungalows, which are of a traditional appearance, of block construction with concrete tiles the proposed dwelling is considered contrary to part (e) of Policy CTY 13 of PPS 21, in that the proposal has a design that is inappropriate for the site and its locality.

Correspondence with the agent on 15 March 2022 outlined the concerns with the design. Following the agent's failure to respond, a follow up telephone call was made and the agent advised they would inform the Council before the close of business that day how they intended to proceed, however, no further contact was made by the agent.

The proposal is in accordance with the remainder of the criteria set out within Policy CTY 13 and Policy CTY 14 and complies with all further conditions set out at outline approval LA03/2017/0671/O.

Neighbour Amenity

The closest neighbouring properties to the site are No. 42 Loughbeg Road, which is located 21 metres east of the proposed dwelling, and No. 42a Loughbeg Road, which is located 36 metres southwest of the proposed dwelling. No. 42a Loughbeg Road is sited beyond a mature row of trees to the southwest of the site and there will be little inter-visibility between the proposed and existing dwellings except when travelling in a southwesterly direction towards No. 42a when passing the application site. It is proposed to provide a 1.5-metre-high hedge which would provide suitable screening.

With regards No. 42 Loughbeg Road there is a 1-metre-high fence between the existing dwelling and the application site, which is to be augmented with a new hedge should planning approval for a dwelling on the site be forthcoming. There will be a degree of overlooking towards the rear of No. 42 Loughbeg Road, however only part of the proposed and existing dwellings will overlap at the southern end of the proposed dwelling and due to the separation distance of 21 metres between the two properties this aspect of the development proposal is considered to be acceptable. Additionally, the siting condition imposed at the outline planning stage, which has been complied with, therefore, it is considered there will be no significant detrimental impact upon the residential amenity of No. 42 Loughbeg Road or any other neighbouring property.

Other Matters

No letters of objection or other representations have been received with respect to the proposed development and no objections have been received from consultees.

CONCLUSION

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

- The principle of the development has previously been established;
- The design of the proposed dwelling is considered unacceptable and contrary to Policy CTY 13 of PPS 21, in that the design of the proposed dwelling is inappropriate for the site and is not in keeping with the character of the surrounding area;
- There is no detrimental impact upon neighbouring properties; and
- There are no objections from the public or consultees.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 and Policy 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design of the proposed dwelling is inappropriate for the site and is not in keeping with the character of the surrounding area.

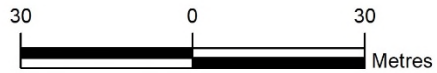


Site Location Plan

Application Reference: LA03/2021/0990/F

Proposed dwelling

Approx 20m West of 42 Loughbeg Road
Toomebridge



COMMITTEE ITEM	3.13
APPLICATION NO	LA03/2021/1121/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of detached garage
SITE/LOCATION	30 Park Road, Mallusk, Newtownabbey, BT36 4QF
APPLICANT	Matthew Wilson
AGENT	Robin Park, Park Design Associates
LAST SITE VISIT	12/01/2022
CASE OFFICER	Tierna Mc Veigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 30 Park Road, Mallusk, which is within the development limit of Metropolitan Newtownabbey as defined by the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan published 2004 (dBMAP).</p> <p>The site hosts a single storey detached bungalow finished in grey pebble dash, with white uPVC windows/ doors and black roof slates. Access to the dwelling is off Park Road via a private shared laneway. The dwelling is surrounded by hardstanding and there is ample parking provision to the front and side of the dwelling. A small, grassed area is associated with the rear garden.</p> <p>The topography of the site is relatively flat and the surrounding land use is a mixture of residential and industrial. The northern boundary of the site is undefined, however directly fronting the site is a tree lined boundary some 6 metres in height. The eastern common boundary with No. 32 Park Road comprises a 1.8 metre high timber fence and the southern boundary is defined by concrete posts and wire mesh 1.8 metres in height. Directly abutting this boundary is a tree-lined boundary associated with the neighbouring property, SCAN Alarms. The western boundary comprises a 1 metre high wall which directly abuts the Park Road and is directly adjacent to Mallusk Cemetery, a mid-eighteenth century cemetery and is recorded within the DfC Historic Environment Division historic building database under reference HB21/01/006.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	

PLANNING POLICY AND GUIDANCE

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

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

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

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

Draft Newtownabbey Area Plan (dNAP): The application site is located within the settlement limit of Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

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

CONSULTATION

DfC Historic Environment Division – No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Flooding

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 application site is located inside the development limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). There are no specific operational policies relevant to the determination of the application in the plans.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Considering the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

Under the Planning (General Permitted Development) Order (Northern Ireland) 2015, the erection of a garage can be carried out as permitted development, given that the development complies with the requirements of Class D. In this case, the garage does not comply with the requirements and thus retrospective planning permission is being sought.

Proposals for a domestic garage or an outbuilding, or other built development ancillary to a residential property is considered under the provisions of Policy EXT 1 of APPS7, which states 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 with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- (b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;

- (c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- (d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles

APPS7 also advises that the guidance set out in Annex A of the document will be considered when assessing proposals against the above criteria. Paragraph A11 of Annex A stipulates those buildings within the residential curtilage such as garages should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character, and the level of visibility of the building from surrounding views.

As the garage building is within the curtilage of an existing dwelling it is considered that the principle of development is acceptable subject to a number of site specific issues.

Scale, Massing, Design and Appearance

The garage occupies the southwestern corner of the application site and is positioned 5 metres to the rear of the dwelling, however, it is directly adjacent to the Park Road and thus forms a principal side elevation.

The garage measures 6 metres in width and 9.6 metres in length, the eaves height is 3.8 metres, and the ridge height is 4.8 metres. The garage, including the roof is finished in grey cladding with brick trim, with the walls partially finished in smooth plaster. Two clear perspex panels are present on the eastern elevation. On the front northern elevation, a roller shutter door is present measuring 3.4 metres in height and 3.2 metres in width.

Paragraph A11 of the Addendum states that buildings within the residential curtilage such as garages should be subordinate in scale and be a similar style to the existing property, taking account of material, the local character, and the level of visibility of the building from surrounding views.

The floorspace of the proposed garage is 57.6 sqm, which is 14.4 sqm less than that of the dwelling. Although subordinate in scale to the dwelling, due to the size, scale and finishes, the building has the characteristics of a commercial or industrial building. Correspondence with the agent on 4 February 2022 confirmed that the applicant requires a garage of that size to store his work machinery including a digger, trailer, and van. The agent also specified that there is no utility room in the dwelling and that the applicant also uses the garage to house the washing machine/tumbler dryer and boiler. It is considered that the agent has demonstrated that the proposed garage is required for personal use and storage of personal vehicles/machinery, ancillary to the residential use of the dwelling.

Due to the garage abutting the public road adjacent to the western boundary and its level of visibility from surrounding views, it is considered the building has a detrimental visual impact on the immediate area. To the north and south of the application site lies a band of mature trees and hedgerow some 6 metres in height. When travelling in a southern direction along the Park Road towards the Mallusk Road the northern band of trees screen the garage from long distance

views and the southern band of trees provides a reasonable backdrop to the development.

However, the most prominent view of the garage is when travelling northwards along the Park Road from the Mallusk Road and Park Road junction. Despite the tree lined southern boundary, the entire western side elevation and a part of the southern rear elevation is open to long distance critical views. Concerns regarding visual prominence was raised with the agent and correspondence dated 4 February 2022 stated that the applicant is intending to set a laurel hedge along the western boundary to provide screening and thus softening its visual appearance.

Addressing the concerns outlined above, the agent has provided revised drawings namely Drawing Numbers 02/2 and 04 date stamped 30 March 2022 which proposed a change in the design of the garage and includes a detailed proposed planting scheme. The design changes include replacing the grey cladding on the western and northern elevations only with dash render to match that of the dwelling. As illustrated on Drawing Number 04 date stamped 30 March 2022, the existing 1-metre-high western boundary wall is to be reduced to 0.6 metres in height to form a planter, which is proposed to be planted out with 4 metre high mature native species, in an attempt to screen the garage from the prominent views to the north.

In the context of the surrounding area including that of the historical setting of Mallusk graveyard, it has been determined that the revised design changes and proposed planting would not soften the visual presence of this industrial style building.

It is considered that the industrial design of the garage fails to respect the design characteristics of the existing dwelling on the site and its surrounding environment and therefore has a visually harmful effect on the character and appearance of the immediate streetscape and area. It is determined that the garage, if permitted would result in an unduly obtrusive feature in the streetscene, thereby adversely affecting the visual amenities of the area and setting an unwelcome precedent for similar proposals.

Neighbour Amenity

There are no neighbouring properties abutting the site to the west and the closest residential property is neighbouring property No. 32 Park Road, which is located directly to the east. A separation distance of 8.5 metres remains between the garage and the common eastern boundary and some 9.5 metres to the dwelling. Given the separation distance it is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents. It is also considered that the garage will not have any negative impacts on neighbouring properties in relation to overlooking, due to the opaque qualities of the perspex windows.

Impact on Trees and Environmental Quality of the Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality as the proposal will not involve the loss of any vegetation.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

Flooding

The application site does not lie within a 1 in 100-year fluvial floodplain, however, Flood Maps (NI) indicate that a small proportion of the lands on which the garage is located experiences surface water flooding.

The proposal measures some 57.6 sqm and in accordance with Policy FLD 3 of PPS 15 it is considered that this proposal is consistent with the definition of minor development (a footprint less than 150 sqm). Given the scale of the proposal and that hardstanding already exists within the affected area, it is not considered necessary to seek the submission of a Drainage Assessment. In accordance with Policy FLD 3 of PPS 15 it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

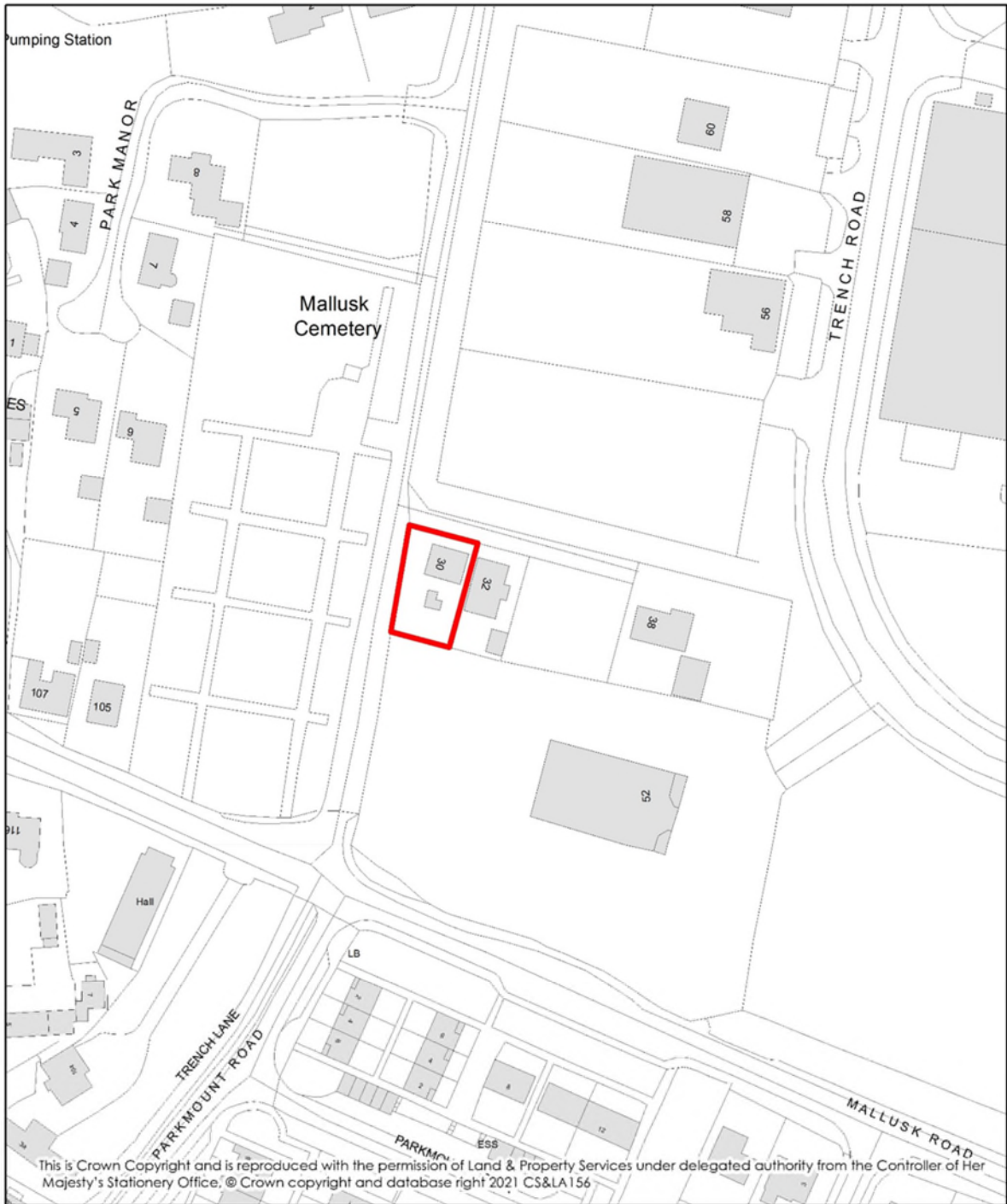
CONCLUSION

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


- It is considered that the development by virtue of its siting, scale and design will have a detrimental impact upon the character and appearance of the area;
- The proposal will not unduly affect the privacy or amenity of neighbouring residents;
- 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
- There will be no increase in flood risk as a result of the proposed development.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASON FOR REFUSAL**

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy EXT 1 of the Addendum to Planning Policy Statement 7 'Residential Extensions and Alterations', in that the garage by reason of its scale, siting and design, if permitted, would not be sympathetic with the design characteristics of the existing dwelling on site and would have a detrimental impact on the appearance of the surrounding area.



Site Location Map

 Site Boundary

Reference: LA03/2021/1121/F

Location: 30 Park Road, Mallusk, Newtownabbey

Proposal: Retention of Detached Garage



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2021/0645/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed cattle/storage/dual purpose shed and cattle crush facilities
SITE/LOCATION	Approx 65m NNE of 7 Creggan Road, Randalstown, BT41 3LN
APPLICANT	Mr B McKeown
AGENT	D M Kearney Design
LAST SITE VISIT	30 July 2021
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: Alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 65 metres to the northeast of No. 7 Creggan Road, Randalstown. The site is located outside of any development limits designated in the Antrim Area Plan 2001. The site is accessed via an existing laneway which serves a number of other existing dwelling houses. It consists of a corner section of a large agricultural field. The sites northern boundary remains undefined, the eastern boundary is defined with hedging and the southern and western boundaries are defined by mature trees at a height of approximately 8 metres. The site is relatively flat and has a good backdrop provided by the mature trees to the rear and is visible when travelling along the Creggan Road with views from the application site in a southeasterly direction towards Lough Neagh. A number of redundant buildings bound the application site to the south. One of which was an existing dwelling which has recent approval for replacement granted under planning application Ref: LA03/2021/0281/F.</p>	
RELEVANT PLANNING HISTORY	
<p>PLANNING HISTORY Planning Reference: LA03/2021/0281/F Location: 31m North East of no. 7 Creggan Road, Randalstown Proposal: Replacement dwelling & garage Decision: Permission Granted – 11 May 2021</p> <p>Planning Reference: LA03/2019/0688/O Location: 31m North East of no. 7 Creggan Road, Randalstown Proposal: Replacement dwelling & garage Decision: Permission Granted – 25 September 2019</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The Plan offers no specific guidance on this proposal.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- No objection

DAERA (NIEA) – Insufficient information has been submitted

Shared Environmental Services – Additional information required

DAERA (Countryside Management Branch) – No objection

REPRESENTATION

One (1) neighbouring property was notified of the application and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- The Impact on the Natural Environment
- The Siting of the Building
- Integration and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Other Matters

Principle of Development

The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of its council area. The SPPS retains some existing Planning Policy Statements (PPS) one of which is 'Sustainable Development in the Countryside' (PPS21).

Policy CTY 1 of PPS 21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. It goes on to say that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

One of these types of development is for development on an active and established agricultural or forestry holding in accordance with the policy provisions of CTY 12. For the purposes of defining an active and established farm paragraph 5.56 of Policy CTY 12 indicates that the definition for an active farm is the same as that provided within Policy CTY 10.

This policy requires that a farm business is to be active and established. DAERA's Countryside Management Branch have been consulted on the application and have responded to confirm that the Farm Business ID was issued on 1 January 2003 and therefore has been in existence for more than six years. DAERA have, however, also confirmed the business has not claimed Single Farm Payment (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri-Environment Schemes. DAERA's response also highlights that the proposed site is on lands associated with another farm business.

The agent has advised that the applicant does not claim Single Farm Payment on the lands as they have just recently been purchased. In the absence of DAERA being able to confirm that SFP has been claimed on the lands for the last six years it is imperative that the agent provide additional information to demonstrate that the applicant is indeed an active farmer.

The agent has submitted evidence to include documentation for the Basic Farm Payment Scheme (BFPS) which indicates that the application site which has been recently purchased has claimed BFPS for 2021. This claim has been validated and is awaiting payment according to this documentation. The applicant has also

provided his Herd Book which demonstrates that he does have a herd of cows and has done so consistently from 2013. On the basis of the information provided together with DAERA's consultation response it is considered that farm business was active and established for the purposes of the policy and the principle of a farm building on the holding may be acceptable provided it is necessary for the efficient operation of the agricultural holding. It should be noted that the application site is located approximately 0.88 km from the applicant's main farm holding which is located further south of the Creggan Road. The agent has advised that the proposed shed is required for the housing of pedigree cows. The applicant wishes to keep this pedigree herd separate from his commercial herd in order to prevent/mitigate the spread of disease. He has stated that this is particularly important when looking after a pedigree herd due to the risk of an animal contracting Infectious Bovine Rhinotracheitis or Jhones Disease for example, which would have a very significant impact on the sales and values of this animal.

The applicant has provided a map to show the uses of his existing farm buildings at the main farm holding. These include, tool shed, housing for 3 no. pedigree animals, storage shed, silo/hay storage and storage shed for commercial and pedigree animals. It would be considered acceptable to allow the farmer an additional shed for his required purpose as there does appear to be limited opportunities to house the pedigree cattle within his existing buildings.

It is accepted that a new shed can be considered necessary for the efficient use of the agricultural holding and the principle of development is acceptable subject to a number of site specific issues.

The impact on the Natural Environment

The proposed shed is a 'dry shed' and does not contain any underground/slotted tanks. The existing mature trees to the south and west of the application site are to be retained as part of the proposal. There are no built heritage features within relative proximity to the application site and therefore the proposal will not have any detrimental impact on built heritage.

The application site lies within 7.5 kms of Lough Neagh and Lough Beg SPA/Ramsar and Rea's Wood and Farris Bay SAC. Shared Environmental Services (SES) have therefore requested the submission of further information in order to progress a Habitats Regulations Assessment. This information is required to include SCAIL 1 modelling to be undertaken with respect to point source ammonia emissions from the unit and is also required to be undertaken on grazing and any land spreading of slurry, associated with the unit, where that land spreading occurs within 7.5kms of any European/Internationally designated site.

Although the applicant/agent is aware of the additional information sought by SES it has not specifically been requested by officers given the concerns with the principle of development. However given that this information has not been provided, a precautionary approach has been adopted due to the potential impact from ammonia emissions which may have a detrimental impact on the natural heritage/protected sites and therefore the proposal cannot comply with criteria (d) of Policy CTY 12 and Policy NH1 of PPS 2.

The Siting of the Building

Policy CTY 12 advises that where a new building is proposed applications will also need to provide sufficient information to confirm that, there are no suitable existing buildings on the farm, the design and materials are sympathetic to the locality and that the proposal is sited beside the existing farm business.

The application site is located approximately 0.88 km from the applicant's existing farm business. The policy provides exceptional circumstances whereby consideration may be given to an alternative site away from the existing farm business on the basis that there are no other sites available at any other group of buildings on the holding. These exceptional cases are where; the building is essential for the efficient functioning of the business or where there are demonstrable health and safety reasons.

As noted above the applicant has provided his main rationale for the off site farm shed as he wants to keep his pedigree herd and commercial herd separate in order to mitigate/prevent the spread of disease. A letter from Firmont Veterinary Clinic supports this argument and also highlights legislation which permits the movement of animals only if they are fit to travel ie. animals who would not be fit to travel could be, some pregnant females'/new-born mammals. The veterinary practice is of the opinion that in order to meet the requirements of such legislation while farming these lands away from the farm holding that the applicant would greatly benefit from a permanent facility at the application site.

A letter from the Rivers Trust has also been submitted in support of the application. This letter makes the argument that the grazing period of the applicant's livestock needs to be increased in order to reduce ammonia emissions. This letter argues that a new shed at this location would allow livestock handling facilities and provide livestock shelter and access to the grazing platform which would extend the potential for grazing by up to 4 months. This additional information alludes to the importance of reducing ammonia emissions particularly at the applicant's farm given its close proximity to Lough Neagh (ASSI).

While the rationale provided in support of the application is noted it is considered that the proposal still fails to be considered as an exceptional case. The applicant owns lands surrounding his main farm holding and it is concluded that it has not been sufficiently demonstrated why this additional shed could not be located closer to the existing farm group (while still employing ample distance for separation for cross infection purposes). While the building at the application site may extend the grazing period and could reduce ammonia emissions, it could also allow for the applicant to increase their herd numbers given the additional capacity of sheds on the holding, thereby having a negative impact on ammonia emissions.

If the Council permitted a shed at the proposed location this may lead to an increase in herd numbers and farming activities at this outfarm of which the Council would have no control. It is concluded that, the proposed development does not provide an exceptional case for a new farm building sited at an alternative site away from the existing farm business and its buildings.

Impact on Character and Integration

Policy CTY 13 states that a new building will be unacceptable where it is a prominent feature in the landscape, lacks long established natural boundaries, relies on new planting for integration or the design is inappropriate for the site and its locality. In addition criteria (b) of CTY12 requires that the proposal is appropriate in terms of character and scale to its rural location, while criteria (c) requires that it visually integrates into the local landscape. Policy CTY 14 states that a new building will be unacceptable where it is unduly prominent in the landscape, results in suburban style build up, does not respect the pattern of development in the area or adds to ribbon development.

The proposed shed is to be sited in the corner of an existing agricultural field. There are existing mature trees along the southern and western site boundaries which lie to the rear of the proposed shed. The proposed shed has a width of 9.2 metres, a length of 18 metres and height of 6.25 metres. The roof and walls are to be finished in a dark green coloured cladding with a roller shutter door on the front elevation and sliding doors on the rear. The shed will provide 2 No. cattle pen areas, a feeding area and a machinery area. The design of the building is considered to be typical of any shed type building found in the rural area.

Only one site boundary remains undefined and the presence of the mature trees along the southern and western boundaries would be considered to provide a substantial back drop and enclosure for the proposed shed. The proposed shed is sited to cluster with a redundant dwelling and its associated outbuilding which lies adjacent and to the south of the application site. It should be noted that these buildings are however not part of the applicant's own farm holding or under his ownership.

Overall it is considered that the design, appearance and location of the shed is acceptable in terms of integration and rural character.

Neighbour Amenity

The existing dwelling at No. 7 Creggan Road is the closest occupied neighbouring dwelling. It is located approximately 80 metres from the application site. This neighbour has been notified of the application and has made no objections to the application. Given the separation distance employed from this dwelling together with the existing mature boundary treatment (particularly to the south and west) at the application site it is considered that there will be no significant detrimental impact on this neighbouring property resultant from the proposal.

It is also noted that there is a recent planning approval granted under Planning Application Reference LA03/2021/0281/F for a replacement dwelling on the site immediately adjacent and to the south of the proposed shed. There is currently a redundant dwelling house on this site which upon site visit was unoccupied and appeared to be used as outbuildings/ for storage purposes. The Council's Environmental Health Section has been consulted in relation the application and has responded with no objections.

As noted above the application site benefits from the presence of mature trees along the southern boundary (adjacent to the site for the replacement dwelling).

These trees will likely act as a buffer between the proposed farm shed and this approved dwelling house.

Given the scale of the proposal, the type of shed (no slurry tank/storage) and that Environmental Health has raised no concerns with the proposal, it is concluded that the proposal would not have any significant detrimental impact on the amenity of any nearby residential dwellings.

CONCLUSION

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

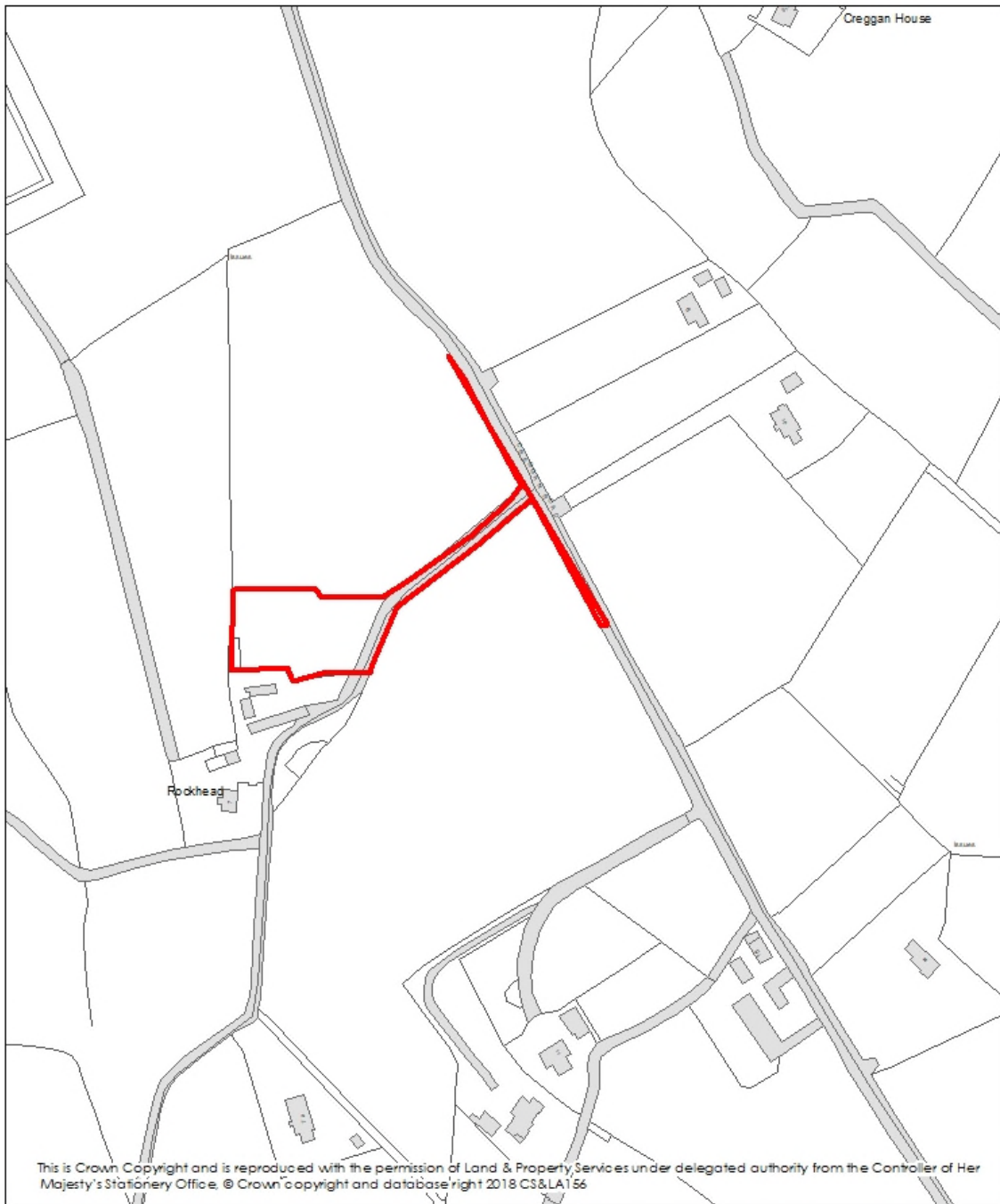
- The principle of the development is considered unacceptable given the site's location away from the existing farm business.
- The proposal would not have a significant detrimental impact on the character of the rural area.
- The proposal could successfully integrate into its receiving rural environment.
- There are no concerns in relation to neighbour amenity.
- It has not been demonstrated that the proposal would not have a detrimental impact on natural heritage in terms of ammonia emissions.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the proposed development does not provide an exceptional case for a new farm building sited at an alternative site away from the existing farm business and its buildings
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside and Policy NH1 of PPS2 Natural Heritage, in that the proposed development may have a detrimental impact on the site selection features of a European Designated Site through increased ammonia emissions.




Site Location Plan

Application Reference: LA03/2021/0645/F

Proposed cattle/storage/dual purpose shed and cattle crush facilities

Approx 65m NNE of 7 Creggan Road, Randalstown

60 0 60
Metres



COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2021/0435/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Below ground agricultural effluent storage tank
SITE/LOCATION	130 metres North West of 8 Ballydonnelly Road BT41 3JG and access taken 20 metres East of 135 Church Road Antrim
APPLICANT	Hugh O'Donnell
AGENT	Paul Mallon
LAST SITE VISIT	2 June 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 130 metres northwest of No. 8 Ballydonnelly Road, Toomebridge and within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP). The application site is located within an isolated location and there are no direct neighbouring properties to any site boundaries.</p> <p>The site comprises part of a large agricultural field which is set approximately 270 metres north of Church Road and approximately 240 metres west of Ballydonnelly Road. The northern and eastern boundaries of the application site are defined by 1.5 metre high hedging, the western boundary is defined by a post and wire fence and the remaining southern boundary is undefined as it is cut out of a larger agricultural field. The site is accessed onto Church Road and the topography of the site rises significantly in a northerly direction away from the Church Road and Ballydonnelly Road.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2005/0378/O Location: 270 metres south-west of 15 Ballydonnelly Road, Randalstown Proposal: Site of Dwelling & Garage Decision: Permission Refused (08.02.2006)</p> <p>Appeal Reference: 2006/A0886 Location : 270m south-west of 15 Ballydonnelly Road, Randalstown Proposal: Dwelling & garage Decision: Appeal Dismissed (26.02.2008)</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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.

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

CONSULTATION

Shared Environmental Services- No objection.

Historic Environmental Division: No objection.

Council Environmental Health Section – No objection.

Northern Ireland Environmental Agency – No objection.

DAERA Countryside Management Inspectorate Branch- Advise that the farm business identified on the PIC Form has been in existence since 19/11/1991, is Category 1 and the business has claimed payments through the Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years.

REPRESENTATION

Two (2) neighbouring properties were notified and two (2) letters of objection have been received from one (1) property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- The proposal is contrary to CTY 12 of PPS 21 as there are no other buildings within the application site and there is no 'exceptional circumstances' for an alternative site away from existing buildings;
- A tank at the proposed location is not necessary for the efficient use of the agricultural holding and lands at the existing farm holding have not been considered;
- The odour and pollution arising from the proposal would have detrimental residential amenity impacts;
- The proposal would have an adverse impact on the natural environment as the proposal would rely on new landscaping and significant ground works.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on the Natural Environment
- Neighbour Amenity
- Design and Impact on Character and Appearance of the Area
- Access, Movement 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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development. One of these is agricultural development in accordance with Policy CTY 12.

Policy CTY 12 outlined that planning permission will be granted for development on an active and established agricultural or forestry holding where it is demonstrated that;

- a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;
- b) in terms of character and scale it is appropriate to its location;
- c) it visually integrates into the local landscape and additional landscaping is provided as necessary;
- d) it will not have an adverse impact on the natural or built heritage; and
- e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

Firstly, for the proposed development to be considered appropriate it must relate to an active and established agricultural holding as noted in the policy headnote of CTY 12. The justification and amplification section of Policy CTY 12, states that for the purposes of this policy the determining criteria for an active and established business will be that set out under Policy CTY 10.

In this regard, the Department for Agriculture Environment and Rural Affairs (DAERA) were consulted on the proposal with regards to the farm business ID submitted as part of the application. DAERA responded stating that the farm business ID identified on the PIC form has been in existence for more than 6 years (since 19 November 1991). DAERA also confirmed that the farm business is Category 1 and that the applicant has been claiming through the Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years. The agent has submitted a supporting statement under Document No. 01 date stamped the 16 July 2021. The document outlines that the required need for an underground slurry tank is due to a combination of economic and environmental considerations. The agent has outlined that the existing slurry storage facility at the main farm located at Loup Road is at full capacity for the quantity of cattle owned. It is accepted that a further slurry storage facility is necessary for the efficient use of the agricultural holding. The principle of a farm building may therefore be acceptable subject to the other site specific issues contained within Policy CTY 10.

It has been demonstrated therefore that the proposal meets the essential criteria for development on a farm holding. However, as this is for a new building, the applicant must also provide sufficient information to confirm the following:

- There are no suitable existing buildings on the holding that can be used;
- The design and materials are sympathetic to the locality and adjacent buildings;
- The proposal is sited beside existing farm buildings.

The agent has stated in Document 01 date stamped the 16 July 2021 that the existing slurry storage facility at the main farm located at Loup Road is at full capacity for the quantity of cattle owned. It is accepted in this instance that given the nature of the proposed agricultural tank to provide storage for slurry, that this could not reasonably be accommodated within any standard agricultural building. Whilst the agent has confirmed that the existing slurry tank is at full capacity, no other information has been provided regarding the availability of other existing tanks on the holding.

The proposed slurry store is not sited beside any existing farm buildings on the holding. The agent has stated within Document No. 01 date stamped 16 July 2021 that the applicant's main farm holding includes approximately 16 acres of land and is located at Loup Road. The applicant also owns a further outfarm of approximately 55 acres of land at Ballydonnelly Road sited approximately 3 miles from the main farm holding.

Policy CTY 12 does allow for the exceptional consideration of an agricultural building away from existing farm buildings, provided there are no other sites available at another group of buildings on the holding, and where:

- it is essential for the efficient functioning of the business; or
- there are demonstrable health and safety reasons.

The agent has outlined within Document No. 01 date stamped the 16 July 2021 that the existing slurry storage facility at Loup Road is at capacity and instead of constructing a new tank at the existing farm holding and transporting the slurry over a 2/3 day period, that it is more practical to build a tank at the outfarm. The agent has stated that this will allow the applicant to transport slurry from the main farm to the outfarm, specifically over the less busy winter months thereby reducing and causing less annoyance to both road users and neighbours.

In this case, it is noted that the agent has relied on the need for the proposed tank at the application site in order to reduce the number of tractor/trailer journeys required between the main farm and the outfarm some three miles apart and thus resulting in a reduced impact on road users and neighbours. However, it is considered that the same amount of journeys would be required to fill the proposed tank as would be the case to carry out the spraying of fields during the relevant spraying season. Therefore, it is considered that the proposal would not reduce the amount of tractor/trailer movements required between both the main farm and the out farm.

It is therefore not considered that the proposal has provided an exceptional circumstance to demonstrate the need for an alternative site away from the main farm holding at Loup Road and therefore the proposal is considered to fail the policy requirements of CTY 12. Furthermore, no demonstrable health and safety concerns have been expressed by the agent/applicant to justify an alternative site away from the main farm holding.

Third party comments received in objection to the proposal from the closest neighbouring property have outlined that the application does not comply with CTY 12 as it has not been demonstrated that a suitable site for the proposed tank exists at the main farm holding and that the proposed location provides merely a more convenient location rather than an exceptional circumstance. This view by the objector is sustained in this regard as outlined above.

Having taken the above into account it is considered that there are no exceptional reasons present as to why the proposed building is located away from existing farm buildings and therefore the proposed development fails the policy provisions of CTY 12 of PPS 21.

Impact on the Natural Environment

Northern Ireland Environmental Agency (NIEA) were consulted as part of the application and outlined that reducing ammonia emissions across Northern Ireland is a key priority, however, there are significant challenges regarding agricultural development, in areas where the critical loads at designated sites, are currently exceeded.

In line with DAERA's current operational protocol, NED will only accept an additional loading capacity of 10% of the Critical Level for designated sites that are located within 7.5 km of the proposal. This includes potential in combination impacts of other installations that could contribute to nitrogen emissions.

The applicant has submitted a SCAIL Assessment (Document No. 03 date stamped 09/12/2021). NED carried out an in-house SCAIL Assessment using the input figures from the applicant's assessment. SCAIL calculated the Process Contribution (PC), from the proposal at the following designated sites which are within 7.5km of the proposal; Lough Neagh and Lough Beg SPA, Lough Beg ASSI, Lough Neagh ASSI, Toome ASSI, Shane's Castle ASSI. For each of these sites the Process Contribution has been calculated as <1% of the Critical Level. This is in line with DAERA's operational protocol.

Using the information submitted, NED is content that the proposal is unlikely to have an unacceptable adverse impact on non-designated sites within the consultation area. The Air Quality Modelling Report indicates that the process contribution at this site is <50%, in line with the current policy for habitats outside designated sites.

Additionally, SES were consulted and have outlined that the SCAIL Assessment demonstrates that ammonia emissions from the proposed covered slurry tank will be negligible. Therefore, it is considered that given the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site and there is no hydrological connection to any European sites.

Neighbour Amenity

The closest neighbouring property to the application site is No. 8 Ballydonnelly Road which is located approximately 130 metres to the southeast. Concerns have been raised by the occupier of this neighbouring property which have outlined the potential for odour and pollution risks that may arise from the tank which in turn would have a detrimental impact on the amenity of this neighbouring dwelling.

In this regard, the Council's Environmental Health Section (EHS) were consulted as part of the proposal and it was outlined within EHS's consultation responses that the nearest dwelling is over 100m away to the southeast of the proposed development. Information submitted on Form P1 states that there will be approximately 4 vehicle movements per day for 3-4 days per year. There are no other farm buildings at the proposed site and therefore, there are no Environmental Health objections to this application.

Taking the above consultation responses into consideration it is considered that the objector concerns related to the potential odour or pollution impacts arising from the

proposed tank are not significant in this case given the separation distance and limited vehicular movements to the application site.

Impact on Appearance and Character of Area

All buildings in the countryside must integrate with its surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21.

Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. The application site is set approximately 270 metres from Church Road and is accessed via a long narrow agricultural laneway. In this case the application site is defined by existing vegetation to the northern and eastern boundaries by 1.5-metre-high hedging. In addition, the proposed tank is primarily underground with only 0.35 metres of built form to project above ground level. Therefore, given the set back from the public road, a backdrop of existing vegetation and the relatively low level height of the proposal, it is considered that the proposed tank at this location would be sufficiently integrated into this rural setting and is therefore compliant with Policy CTY 13.

Policy CTY 14 of PPS 21 indicates that a new building will be unacceptable where it would be unduly prominent in the landscape, results in a suburban style build-up of development and does not respect the traditional pattern of development. The proposal is not considered to create or add to a ribbon of development given that there is no adjacent development to the application site. In addition, despite the rise in land levels towards the application site from the public road it is not considered that the proposed development would be unduly prominent in the landscape.

Third party objections have raised concern that the proposed development would have a detrimental impact on the environment as significant ground works are required and new tree planting is required along the application boundary closest to this neighbouring property. For the reasons outlined above it is not considered that the proposed development would have a detrimental impact on the rural environment and therefore these issues could not be sustained as reasons for refusal.

Access, Movement and Parking

The proposed underground agricultural tank is to be accessed using an existing agricultural access point and laneway off Church Road. Given that the access point and laneway is already utilised by the applicant to serve the out farm at Ballydonnelly Road and the number of journeys to the site are not intended to increase above the existing traffic movements, it was not considered necessary to consult DfI Roads. For the reasons outlined above it is considered that the access point to serve the site will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

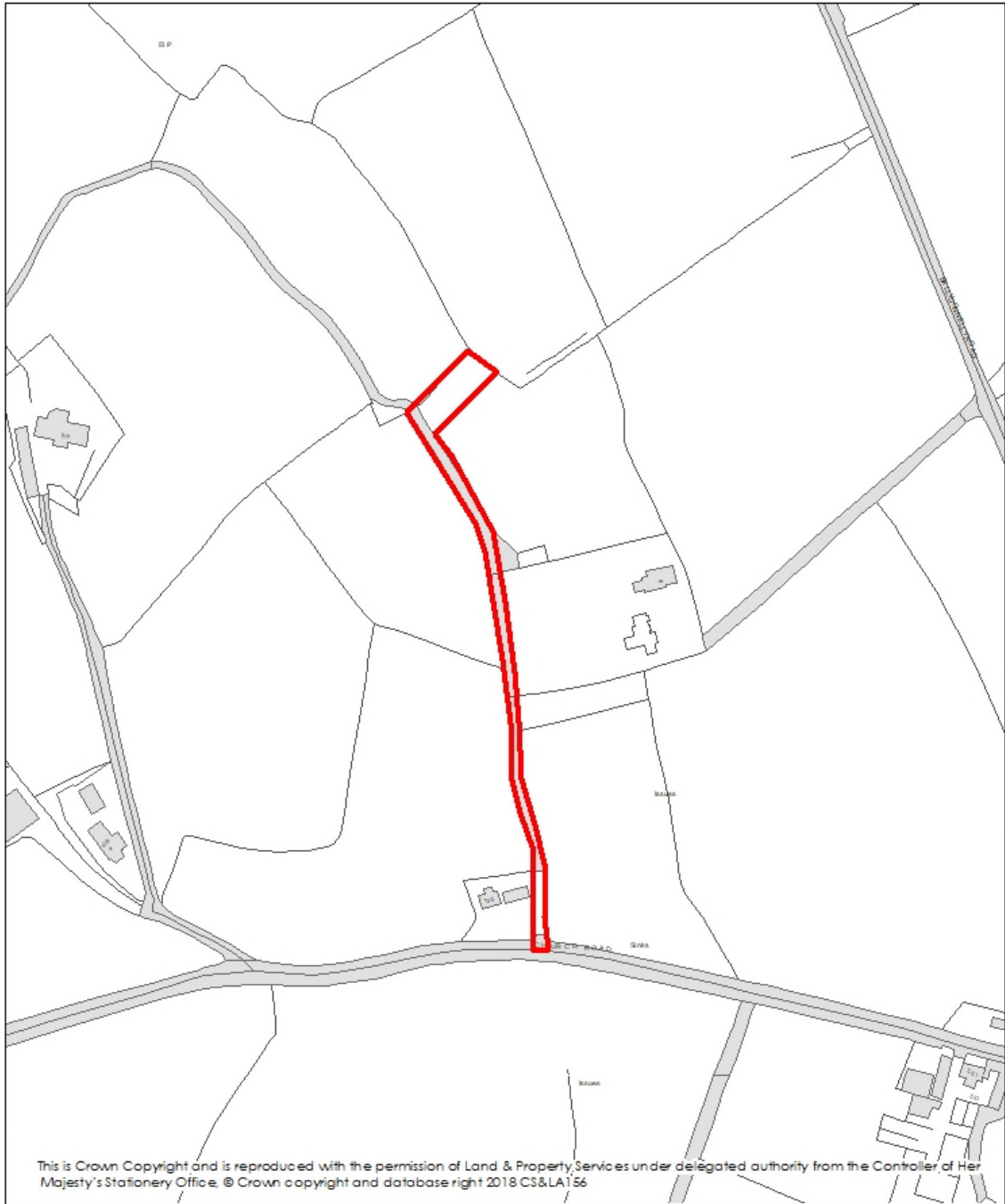
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 12 of PPS 21 in that, it has not been demonstrated that the proposed off site agricultural building provides an exceptional circumstance for an alternative site away from existing farm buildings;

- The application site is able to provide a suitable degree of integration in compliance with CTY 13 of PPS 21;
- The proposal will not result in a detrimental change to the rural character in accordance with CTY 14 of PPS 21;
- There are not considered to be any significant neighbour amenity impacts as a result of the proposal.
- There are no issues with the proposed access arrangement and road safety.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the proposed development does not provide for an exception to the policy which would allow for the proposed farm building to be sited away from the existing farm cluster.



Site Location Plan
 Application Reference: LA03/2021/0435/F

Below ground agricultural effluent storage tank
 130m North West of 8 Ballydonnelly Road
 Toomebridge, Antrim

0 60 120 Metres

Site boundary

COMMITTEE ITEM	3.16
APPLICATION NO	LA03/2021/1008/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed farm shed for storage
SITE/LOCATION	Approx. 300m South of 7 Ballylurgan Road, Randalstown, BT41 2NN
APPLICANT	Mr Mark McCann
AGENT	CMI Planners Ltd
LAST SITE VISIT	5 November 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 300 metres south of 7 Ballylurgan Road, Randalstown and is within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is at a roadside location and encompasses a large portion of an agricultural field. The northern, eastern and western boundaries of the site are defined by a post and wire fence, with some low level sparse shrubs to the southern section of the eastern boundary. The southern boundary is undefined as the site is a portion of land cut out of a larger agricultural field.</p> <p>The topography of the site falls gently in an easterly direction away from the public road. The application site is located within an isolated location and there are no direct neighbouring properties to any of the site boundaries.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1981/0112 Location: Drumsough, Ballylurgan Road, Randalstown Proposal: Tipping To Raise Land To Form Agricultural Land Decision: Permission Granted</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account</p>	

will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Department for Infrastructure Roads- No objection subject to conditions

Council Environmental Health Section – No objections

Northern Ireland Environmental Agency – No objections

DAERA Countryside Management Inspectorate Branch- Advise that the farm business identified on the PIC Form has been in existence since 14/12/1994, is Category 1 and the business has claimed payments through the Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years.

DAERA further advised that the proposed application site is located on land that payments are not currently being claimed by the farm business.

REPRESENTATION

No neighbours were notified of the application as no occupied properties about the site. One (1) letter of objection was received.

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

- The application site is located on lands previously used as a refuse landfill site by Antrim Borough Council;
- Waste rubbish evident on the surface due to recent agricultural activity;

- Impact on nearby countryside and watercourses as a result of pollution;
- No required need for a farm building at this location.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Location of the Farm Building
- Impact on the Natural Environment
- Neighbour Amenity
- Design and Impact on Character and Appearance of the Area
- Access, Movement 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 Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development. One of these is agricultural development in accordance with Policy CTY 12. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Policy CTY 12 outlined that planning permission will be granted for development on an active and established agricultural or forestry holding where it is demonstrated that;

- a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;
- b) in terms of character and scale it is appropriate to its location;

- c) it visually integrates into the local landscape and additional landscaping is provided as necessary;
- d) it will not have an adverse impact on the natural or built heritage; and
- e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

Firstly, for the proposed development to be considered appropriate it must relate to an active and established agricultural holding as noted in the policy headnote of CTY 12.

The Department for Agriculture Environment and Rural Affairs (DAERA) was consulted on the proposal with regard to the Farm Business ID submitted as part of the application. DAERA responded stating that the Farm Business ID identified on the P1C form has been in existence for more than 6 years (since 14 December 1994). DAERA also confirmed that the farm business is Category 1 and that the applicant has been claiming Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years. However, it is noted that the Basic Payment Scheme or Agri Environmental Scheme have not been claimed on the lands relating to the application site. The agent has submitted a number of invoices between the years 2011-2021 that include confirmation of the Basic Payment Scheme to DAERA. The invoices provided include the applicants name and address. It is therefore considered that the applicant is able to demonstrate active farming for each of the last 6 years.

Therefore, the principle of a building on the farm is acceptable subject to a number of other site specific policy provisions outlined under CTY10.

Location of the Farm Building

The description of the application outlines that the proposed farm shed is for storage purposes. Additional information was requested with regards to the confirmation of the materials to be stored on the site and other supporting information was requested from the agent. Subsequently, further information was received by the Planning Section on the 19 January 2022 which included DAERA maps outlining the applicant's farm holding as demonstrated on Document 01 date stamped 19 January 2022.

Additionally, the agent was asked to provide supporting information on how the proposal was necessary for the efficient functioning of the agricultural holding. Further documentation was received under Document No. 02 date stamped 21 March 2022 comprising a Supporting Statement for the proposal. The agent has stated that the applicant became a member of the farm business in 1991 and became the sole owner in 2019 following the passing of the applicant's father. The applicant is a sheep farmer with a flock of over 20 animals and the proposed farm building will be used to store fodder and machinery. The agent has further outlined that the existing farm building located at No. 64 Barnish Road, adjacent to the applicant's mothers dwelling is no longer available for farm use. Photographs from the inside of the existing farm building have been provided which demonstrate that it is currently used for the storage of tractors, trailers, a quad bike and a lawnmower. For these reasons the agent argues that a new agricultural store is necessary for the future functioning of his farm business.

As noted above it has been stated that the applicant is a sheep farmer with an associated flock number and requires this farm shed for the storage of fodder and machinery. In this case it is not clear why the existing building can no longer be used for farming purposes other than the proximity of the shed to the applicant's mother's dwelling, given that it has allegedly been used as an agricultural building to serve the farm business for a number of years. Additionally, the internal photographs provided within Document 02 date stamped 21 March 2022 do not appear to correlate with the external appearance of the existing farm shed noted as being the only agricultural building serving the farm holding currently. An accumulation of the difference in material finishes to external and internal walls, the positioning of the garage shutter door and the roof shape of the internal photographs calls into question the authenticity of the photographs provided.

It is considered that on the basis of the information provided that it has not been sufficiently demonstrated that the proposed farm shed is necessary for the efficient use of the agricultural holding.

In addition to this, as the proposal is for a new building the applicant is also required to provide sufficient information to confirm the following:

- There are no suitable existing buildings on the holding that can be used;
- The design and materials are sympathetic to the locality and adjacent buildings;
- The proposal is sited beside existing farm buildings.

The entirety of the applicant's farm holding is outlined under Document 01 date stamped the 19 January 2022. The applicant's address is noted as being 42C Barnish Road, which is located approximately 830 metres west of the application site. The agent has outlined under Document 02 date stamped 21 March 2022 that the applicant's existing farm building is located within the domestic curtilage of No. 64 Barnish Road, which is noted as being the applicant's mother's dwelling. As stated above the agent has outlined that the existing farm building is no longer available for farm use due to the proximity of the mother's dwelling. As a result of this it has been outlined within Document 02 date stamped 21 March 2022 that the proposed building would be the first agricultural building on the applicant's land.

CTY 12 of PPS 21 provides an exception for farm buildings sited on an alternative site away from existing farm buildings, provided there are no other sites available at another group of buildings on the holding, and where:

- it is essential for the efficient functioning of the business; or
- there are demonstrable health and safety reasons

In this case the application site is located some 800 metres away from the applicant's dwelling and some 400 metres northeast of the existing farm building located at 64 Barnish Road. The agent has stated within Document 02 date stamped 21 March 2022 that the proposed new location avoids any conflict with neighbours as it was specifically chosen not to conflict with residential issues.

In regard to this, given the nature of living within a rural location it is not uncommon for agricultural buildings to be located within proximity to residential properties. Therefore it is not considered that the proposed site located in isolation from any other development including the applicant's dwelling or existing farm building is an appropriate reason for an alternative site away from the farm holding. There are a

number of other agricultural field's that are part of the applicant's farm holding located in much closer proximity to the existing buildings on the farm, namely the applicants home and associated buildings.

No demonstrable health and safety concerns have been expressed by the applicant to justify an alternative site.

It is noted here that further comments expressed by the objector relate to there being no requirement for a farm building at this location given that the applicant's farm business is located within a 1-mile radius of the site. It is considered that this point of objection is considered a material consideration in the assessment of the application.

Having taken the above into account it is considered that there have been no exceptional reasons presented to justify a proposed farm building away from existing farm buildings.

Impact on the Natural Environment

Northern Ireland Environmental Agency (NIEA) were consulted as part of the application and are content that the proposal will not have an adverse impact upon the natural environment based on the below comments;

- Any feed materials being stored are dry/compound feeds and not silage;
- No animals are to be housed;
- Any farm machinery is for storage and the premises are not being used as a commercial repair / end of life facility.

One third party representation was received in objection to the proposed development. The objector outlines that the application site was once part of a refuse landfill site associated with the former Antrim Borough Council and that recent farming activities have resulted in rubbish at the surface due to the shallow land. Further comments state that the pollution caused by this would have an effect on the nearby countryside/watercourse.

It is noted that the objection comments relate to an historical 1981 permission on the site under planning reference T/1981/0112 which approved the tipping of the land to raise the land levels for agricultural use. Upon consultation with the Council's Environmental Health Section (EHS), no objection to the proposal was offered as the proposed development is for an agricultural farm shed as opposed to a residential/domestic use.

Northern Ireland Environmental Agency (NIEA) were consulted, specifically the Water Management Unit (WMU) which considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content provided the applicant refers and adheres to the relevant standing advice and subject to the caveat contained in the explanatory note.

Taking the above consultation responses into consideration it is not considered that the points relating to the previous use of the application as a landfill site and subsequent concerns that may arise as a result of developing the land would not warrant a refusal of the application on this issue.

Neighbour Amenity

The closest neighbouring property to the application site is No. 7 Ballylurgan Road which is located approximately 270 metres north. Therefore, it is not considered that a farm shed at the proposed location would have any adverse neighbour amenity impacts to any nearby residential dwellings.

Impact on Appearance and Character of Area

All buildings in the countryside must integrate with its surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21.

The proposed farm shed is substantial and measures 20 metres by 20 metres and features a low pitch roof with an overall ridge height of 6.5 metres from ground level. A single roller door approximately 5 metres in length is proposed along the front elevation. The farm shed is proposed to be set back off the Ballylurgan Road by approximately 85 metres. The top half of the building is finished in insulated wall cladding and the lower half is finished in wet dashed render. The overall design, character and scale of the proposed farm shed is generally characteristic of an agricultural building.

Policy CTY 13 requires that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. The application site is a roadside location that is accessed directly off Ballylurgan Road. The proposed agricultural building is to be sited some 85 metres back from the roadside edge and lacks established natural boundaries to all site boundaries with the exception of some low level sparse shrubbery. Despite the setback, long critical views of the site would be achieved when travelling along the Ballylurgan Road in both directions given the lack of existing vegetation defined both along the road side boundary and the application site boundaries.

As demonstrated on Drawing No. 02 date stamped 14 October 2021 a planting schedule comprising native species hedgerows and trees are to be planted along the northern and southern site boundaries. Whilst it is accepted that the proposed planting would go some way to aiding the integration of the proposed shed, it would take a considerable amount of time for planting to provide any sort of screening to the proposed building and the reliance solely on new planting to provide integration is unacceptable. Therefore, given the lack of existing vegetation and the open characteristics of the site and surrounding area, it is considered that the proposed development would be a prominent and obtrusive feature in the landscape.

Policy CTY 14 of PPS 21 indicates that a new building will be unacceptable where it would be unduly prominent in the landscape, results in a suburban style build-up of development and does not respect the traditional pattern of development. The proposal is not considered to create or add to a ribbon of development given that there is no adjacent development to the application site. However, given the isolated location away from all other development and lack of established vegetation, it is considered that the proposed agricultural building would be unduly prominent in the landscape and would therefore result in a detrimental change to the rural character which is contrary to Policy CTY 14 of PPS 21.

It is considered that for the reasons outlined above that the proposal fails to meet the requirements of CTY 13 and CTY 14 of PPS 21.

Movement, Access and Parking

The proposed farm shed is to be accessed off Ballylurgan Road. Consultation was carried out with DfI Roads which raised no objections to the proposal. Therefore, it is deemed that the access point to serve the site will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

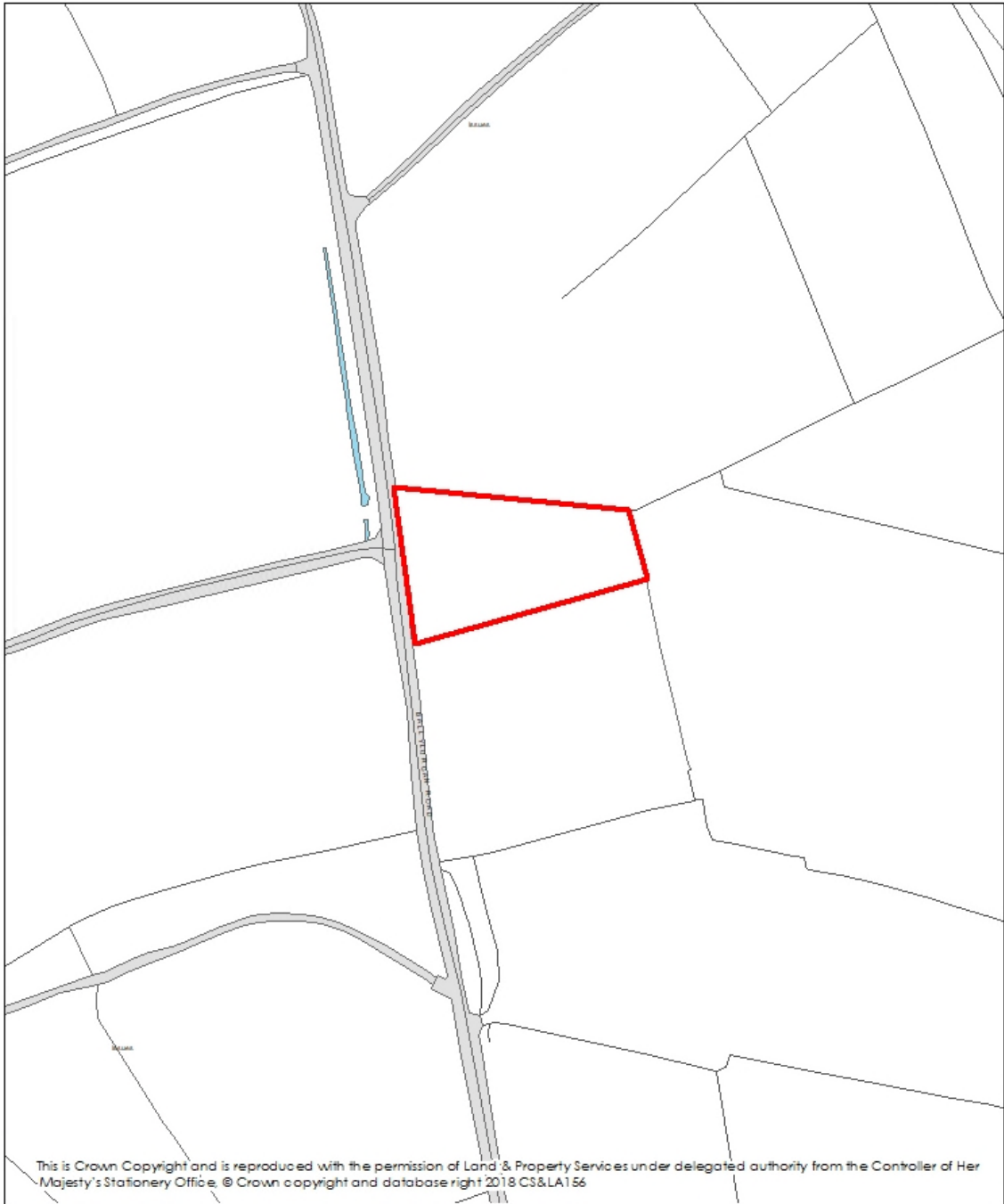
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 12 of PPS 21 in that, it has not been demonstrated that the proposed farm shed is necessary for the efficient use of the agricultural holding and does not provide an exception for a farm building sited to an alternative site away from existing farm buildings;
- The application site is unable to provide a suitable degree of integration contrary to CTY 13 as it is not sufficiently integrated by existing vegetation or visually linked or clustered to existing farm buildings;
- The proposal would be unduly prominent in the landscape contrary to CTY 14;
- There are not considered to be any neighbour amenity impacts as a result of the proposal;
- There are no issues with the proposed access arrangement and road safety.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development has not demonstrated that the proposed development is necessary for the efficient use of the agricultural holding and does not provide an exception for a farm building sited to an alternative site away from existing farm buildings.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 14 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the building would, if permitted, would be unduly prominent in the landscape.

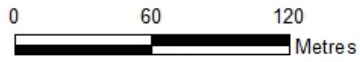



Site Location Plan

Application Reference: LA03/2021/1008/F

Proposed farm shed for storage

Approx. 300m South of
7 Ballylurgan Road
Randalstown, BT41 2NN



 Site boundary



COMMITTEE ITEM	3.17
APPLICATION NO	LA03/2021/0972/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Change of use of dwelling to religious meeting room with associated parking
SITE/LOCATION	36 Ballyrobin Road, Templepatrick, BT39 0JH
APPLICANT	Neil Cooper (Trustee)
AGENT	Jackie Milliken
LAST SITE VISIT	11 th November 2021
CASE OFFICER	Name: Ashleigh Wilson Tel: 028 903 Ext 340429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the rural area, outside any settlement limits as defined within the Antrim Area Plan 1984 – 2001.</p> <p>The application site comprises a single storey bungalow with a pitched roof. The bungalow has a narrow and elongated floor plan with concrete interlocking roof tiles, pale coloured rough dash render and wooden window frames.</p> <p>The dwelling has been subject to several additions, which include a pitched roof and relatively shallow single storey projection running perpendicular to the floor plan at the front elevation and a two storey flat roofed extension at the southwestern gable. Permission was granted in 2017 for an upper storey and garage extension, including partial use of the dwelling as a Bed and Breakfast accommodation and increasing the curtilage of the dwelling to provide an access route to a proposed new garage in the rear garden.</p> <p>The dwelling is set back approximately 25 metres from the access road, which in turn is set back approximately 45 metres from the Ballyrobin Road and well screened from the road by a linear stand of mature trees at the edge of the public road.</p> <p>The northeastern boundary is defined by mature, deciduous trees abutting an agricultural lane. The southwestern boundary is physically undefined, however there are conifer trees marking the existing southwestern boundary of the dwelling curtilage. An area of hardstanding is located in front of the dwelling and a small garden area is located within the northern corner of the site. The northwestern boundary is defined by a dashed wall of approximately one (1) metre in height which is supplemented by mature hedging at approximately 12 metres in height.</p>	

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0826/F

Location: 36 Ballyrobin Road, Templepatrick, Ballyclare, BT39 0JH

Proposal: Upper storey and garage extension, including partial use of the dwelling as Bed & Breakfast accommodation and increasing the curtilage of the dwelling to provide an access route to a proposed new garage in the rear garden

Decision: Permission Granted (05.03.2018)

Planning Reference: T/1989/0114

Location: 36 Ballyrobin Road, Templepatrick, Ballyclare, BT39 0JH

Proposal: Roofspace conversion

Decision: Permission Granted (08.05.1989)

Planning Reference: T/1985/0475

Location: 36 Ballyrobin Road, Templepatrick, Ballyclare, BT39 0JH

Proposal: Alterations and additions to dwelling

Decision: Permission Granted (05.12.1985)

Planning Reference: T/1979/0150

Location: Camwood 36 Airport Road, Templepatrick

Proposal: Alterations and additions to bungalow

Decision: Permission Granted (02.05.1979)

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located outside any settlement limit and lies in the countryside as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

NI Water – No objection

DfI Roads – No objection, subject to a condition.

REPRESENTATION

No neighbouring properties were notified as no properties abut the application site boundary, and eleven (11) letters of support have been received. The full representations made regarding this proposal are available to view online at the Planning Portal (www.planningni.gov.uk).

- Actively seeking to find suitable land/accommodation for some 8 years;
- 3 existing halls in Glengormley area have been sold as members of the congregation have moved to the rural area;
- There are too many at the nearest Loanends room to have collective worship;
- Location of meeting room is close by to the members of the congregation that would use it;
- No other properties in the area are suitable;
- The room would provide a quiet, secluded, central location with safe access and good parking where families could meet;
- The proposal would secure the upkeep and retention of the property;
- Church is an important and necessary part of life and a unique feature of the church is that all members of each family participate in communion and there is a constraint on numbers.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Flood Risk

Policy Context and Principle of Development

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

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located and regional planning policy is also material to determination of the proposal. The application site is outside any settlement limit defined in AAP and located within the countryside. There are no specific operational policies relevant to the determination of the application in the Plan.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS 21) and the Strategic Planning Policy Statement for Northern Ireland.

The SPPS and Policy CTY 1 of PPS 21 sets out the types of development that are considered to be acceptable in principle in the countryside and one of the accepted types of development within the SPPS and Policy CTY 4 of PPS 21 is the conversion and re-use of existing buildings for non-residential use. Policy CTY 4 states that 'planning permission will be granted to proposals for the sympathetic conversion of, with adaptation, if necessary, a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.' Paragraph 6.73 of the SPPS states however that provision should be made for the sympathetic conversion and re-use, with adaptation if necessary, of a 'locally important building'. The SPPS therefore introduces a change to what was previously accepted under Policy CTY 4, that being, the building to be converted has to be one of 'local importance'. The SPPS does not define 'locally important' but rather gives a list of examples such as former school houses, churches and older traditional barns and outbuildings. The existing building is a dwelling, and no evidence has been presented as to why this particular building is locally important and therefore the proposal does not meet this policy.

Policy CTY 1 also allows for a necessary community facility to serve the local rural population. The supporting text to Policy CTY 1 provides no definition of community facilities, however, a church can be considered to fall within the definition of community facilities. Policy PSU 1 'Community Needs' of 'The Planning Strategy for Rural Northern Ireland' allows for sufficient land to be allocated to meet community needs. The policy also states that should circumstances require that new sites are needed, land will be identified by individual site assessment or through the process of preparing a development plan.

The applicant's agent provided additional information throughout the processing of the application to seek to provide justification for the proposal. The applicant's concept statement outlines the requirement for the facility for the Brethren Christian Church to use the existing vacant dwelling as a meeting room for a congregation to use. The full congregation have a facility in Mallusk. The existing congregation then gather in small subdivision meeting rooms and use these rooms for the Lord's Supper on Sunday mornings and a prayer meeting on Monday evenings. The smaller halls / meeting rooms are considered by the congregation as essential as the maximum number that can come to the Lord's Supper and partake of the sacraments is approximately 40 – 50 persons. The congregation at the nearest hall at Loanends has outgrown the capacity (over 91) of that hall.

The supporting information indicates that members attend different halls such as Loanends, and some of the halls around Glengormley. These would have been their nearest halls when they lived in that area. Over the last few years the majority of the congregation have moved away from Glengormley/ Mallusk to more rural addresses. The congregation are a very private family orientated group and moving to rural settings helps with their privacy wishes.

A spreadsheet has been provided indicating the addresses of the families and the various halls they would eventually attend should this application be successful. The group have been trying to secure a premises for some years now. The supporting information states that they have looked at Loanends old schoolhouse but it was too close to the existing Loanends Hall. Properties were looked at within the development limits of Templepatrick adjacent to the roundabout but this was seen as too dangerous because it was so near the junction. They approached another hall in Templepatrick but it was not successful and not for sale. The requirement for the facility in the countryside location is to have it within close proximity to the majority of the congregation that use it.

A further supporting document was submitted on 22 February 2022 highlighting the congregation's requirement for the halls in Belfast and surrounding areas:

1. The number of PBCC congregation in Belfast is approximately 300;
2. The Main City Hall is -9 Hydepark Road, Mallusk, BT36 4PY. This Meeting Hall is used nearly every day throughout the year. (Pre Covid);
3. Belfast PBCC has other smaller meeting halls (subdivisions) at the following addresses:-
 - Carnmoney -2 Ballyduff Road, Glengormley, BT36 6PA
 - Carwood -58 Carwood Park, Glengormley, BT36 5JR. Plans to sell this when other halls are obtained.
 - Hydepark -7 Hydepark Road, Newtownabbey, BT36 4PY
 - Sandyknowes -Antrim Road, Newtownabbey, BT36 7PP
 - Loanends -182 Seven Mile Straight, Muckamore, BT41 4QY. (Over full)
 - Lower Size Hill, Ballyclare- construction to commence soon
 - Antrim Road -723 Antrim Road, Templepatrick, BT39 0AR. (Temporary cabin)

During the past 12 years the PBCC congregation has slowly been moving out of the inner town areas of Glengormley and surrounding area and moving to Ballyclare, Ballynure, Templepatrick, Parkgate and Loanends areas.

The following meeting halls have therefore been sold:

- 75 Antrim Road Newtownabbey BT36 7PS
- 10 Ballyduff Road BT36 Carnmoney
- Glebecoole Park BT36 6HX

A fundamental principle the PPBC use is for the congregation members to go to their nearest meeting hall which they seek to ensure is not more than 2 miles from any church members house. This has not been able to be adhered to due to the congregation moving out to new areas. Some members have to travel considerable distances from their homes to be able to have the Lord's Supper and assemble for prayer.

After searching the area for many years the congregation felt that the application site was the ideal location for the following reasons;

- It has planning permission for a very large extension for a bed and breakfast and it was concluded that permission should therefore be easily acquired for a small meeting hall.
- It is situated on a quiet, little used public road.
- Adjacent to commercial premises and close to a much larger meeting hall
- Is close to many of the local congregation
- Will relieve the overfull Loanends Hall.
- The property is virtually derelict and had been on the market a long time with no residential purchasers acquiring it.
- The whole site and road will be tidied and cleaned up which will improve the area for everyone's benefit

The supporting document also indicates a map showing the location of the congregation members who would use the facility. This highlights that members would be travelling through and past other existing settlement limits such as Parkgate and Templepatrick to access the facility. There is limited details with regards to availability of suitable sites within nearby settlement limits.

The supporting information demonstrates that there are a number of halls available however, congregation members are relocating and therefore existing facilities are being sold and new facilities are considered by the congregation to be required. While the supporting information identifies a local rural catchment area located within a short travel distance it does not demonstrate this is a necessary community facility to serve the local rural population. It is considered that it has not been demonstrated why this development is essential in the rural location and could not be located within a settlement.

Design and Appearance

It is proposed to remove some internal walls to create a large internal meeting room. The proposal involves refurbishment of the kitchen and bathrooms. The front door and step are to be replaced to provide disabled access. The front driveway and turning area will be re-surfaced to provide extra parking within the site. There will be no change to the external appearance of the dwelling and it is considered the small area of additional hardstanding will not have a significant visual impact due to the existing vegetation along the roadside (northwestern) boundary.

Neighbour Amenity

The site is located within a rural area, the site is not adjacent to any properties outside the ownership of the applicant and as such it is considered that the proposal will not result in an unacceptable impact on the amenity of any residential properties in the area. The Council's Environmental Health Section has been consulted and has advised that there are no objections to the proposal.

Impact on Character and Appearance of the Area

The SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 of PPS21 - Integration and Design of Buildings in the Countryside states that a new building will be unacceptable where the design of the building is inappropriate for the site and its locality. The Strategic Planning Policy Statement (SPPS) reinforces this and states that

in all circumstances proposals for development in the countryside must not have an adverse impact on the rural character of the area.

The minimal changes to the dwelling along with established mature vegetation will ensure that the proposed development is well screened from view and will integrate on the site when approaching the site travelling on the laneway and main Ballyrobin Road. It is therefore considered that the proposed development will not have an adverse impact on the character and appearance of the area.

Access, Movement and Parking

The proposed access is to be taken off a minor road off Ballyrobin Road. 12no. parking spaces have been indicated to the front of the property and the majority of this area is currently hardstanding. DfI Roads has been consulted and has no objection to the proposal, subject to conditions.

CONCLUSION

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

- The principle of development is considered unacceptable;
- It is considered a dwelling on this site will not have a detrimental impact on the character and appearance of the area; and
- The proposal is considered to result in adverse impacts on neighbouring properties as a result of the proposed access arrangements.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, 'Sustainable Development in the Countryside' in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

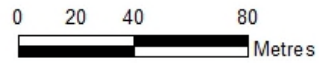



Site Location Plan

Application Reference: LA03/2021/0972/F

Change of use of dwelling to religious meeting room with associated parking

36 Ballyrobin Road
 Templepatrick
 BT39 0JH



 Site boundary



COMMITTEE ITEM	3.18
APPLICATION NO	LA03/2021/0322/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed drive thru bakery/coffee shop, kiosk, indoor/outdoor seating, public toilets, landscaping and car parking
SITE/LOCATION	26 Market Square, Antrim
APPLICANT	Colin Johnston Clear Partnership
AGENT	Mr Smyth Ltd
LAST SITE VISIT	16 July 2021
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the Central Carpark adjacent to Antrim Castle Mall, within the settlement limits, Central Area and Conservation Area of Antrim as defined by the Antrim Area Plan (AAP) 1984-2001.</p> <p>The Council owned site currently exists as a car park serving customers of Castle Mall, visitors to Antrim Castle Gardens and the wider facilities within Antrim, Town Centre. A toilet block occupies the eastern portion of the site; this is subject to a separate application for consent to demolish approved in March 2022 under reference LA03/2021/0577/DCA.</p> <p>The southern and eastern boundaries of the site is undefined and lie within the existing car park. The western boundary is defined by a low 1m high wall separating the car park from the Dublin Road. The northern boundary has a similar boundary treatment, beyond which is Castle Way.</p> <p>Castle Mall shopping centre is located immediately south of the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2021/0577/DCA. Location: 26 Market Square, Antrim Proposal: Demolition of toilet block. Decision: Consent Granted (21.03.2022)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p>	

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limits of Antrim. The plan also defined the site as within the Central Area. The plan highlights the Central Area as the area of main shopping focus in Antrim.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Department for Infrastructure Roads- No objection

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

Northern Ireland Environment Agency: Regulation Unit- No objection subject to conditions

REPRESENTATION

Four (4) neighbouring properties notified and no letters of representation have been received

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Other matters

Policy Context and Principle of Development

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal.

The application site is located within the settlement limit and Central Area of Antrim in AAP. Paragraph 16.14 of AAP states that it is the Department's policy to consolidate the Central Area as the main shopping focus in Antrim.

The application proposes the development of a drive thru restaurant with associated facilities. The Planning (Use Classes) Order (Northern Ireland) 2015 indicates that a proposal for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises constitutes a "Sui-Generis" use.

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

In respect of the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the relevant PPSs.

In the context of the proposal, it is considered that Development Control Advice Note 4 (DCAN 4), which is a retained planning document under the SPPS, provides the most relevant advice for consideration of proposals of this nature. DCAN 4 distinguishes between units selling hot food, from normal retail shopping uses.

Within DCAN 4 the preferable locations for hot food restaurants are town centres, followed by district centres and local centres.

Within this policy context, coupled with the site within a town centre environment, it is considered that the principle of development on the site is acceptable subject to design and other criteria to be assessed forthwith in this report.

Design and Appearance

The proposed drive-thru restaurant is relatively modest in size at 199m². The building is rectangular in shape with a flat roof and maximum ridge height of 5.25m above ground level. The building is to be completed using aluminium cladding to external walls and roofing coloured grey. Aluminium window and door frames are to be used. These materials would be befitting of a modern drive-thru restaurant.

There is a proposed outdoor seating area to the west of the main building and a bike stand. Access to the drive-thru will be taken at the southeastern corner of the site and continues around the western end of the site in a clockwise fashion.

Overall, the design and materials of the proposal are acceptable and in keeping with a town centre location. The proposal is subordinate to the adjacent shopping centre and will not have a dominant effect on the site and surrounding area.

Impact on Character and Appearance of the Area

The proposal is located within Antrim's designated conservation area, however it is noted that the site is currently a hard surfaced car park holding little architectural merit. However, the Department's Historic Buildings Unit (HBU) was consulted on the proposal, given its potential impact upon existing listing buildings nearby, these are:-

- HB20/08/005 Antrim Castle Gatehouse Market Square Antrim Co Antrim (Grade B1)
- HB20/08/006B Gateway 22 Market Square Antrim Co Antrim (Grade B1)
- HB20/08/006A 22 Market Square Antrim Co Antrim BT41 4AW (Grade B1)

These are listed buildings of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.

The applicant has provided computer generated imagery to show how the finished project would look in relation to a number of these buildings.

HED Historic Buildings considers the proposal now complies with SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

HBU recognises that the setting of the proposal significantly overlaps with the existing shopping centre to the south and this, therefore, lessens its visual impact upon the listed buildings, particularly when viewed from the north, along Castle Way and its junction with Dublin Road.

It is considered that the works involved will invigorate this part of Antrim town centre, by replacing a redundant toilet block with a modern drive-thru restaurant. It is considered there will be no detrimental impact upon this area of Antrim Town nor upon any building or structure of architectural interest.

Neighbour Amenity

The closest neighbouring properties to the site lie in excess of 75m away to the northeast along Menin Road. Not only is this considered a significant distance, but there is also a busy intervening road (Castle Way) and a high wall associated with the Dublin Road PSNI station in between. These factors ensure there will be no detrimental impact in terms of noise upon these dwellings and only limited distant inter-visibility which will produce no ill effect upon the residential amenity.

The council's Environmental Health Section (EHS) was consulted on the proposals and offered no objections in relation to neighbour amenity. No objections or other representations have been received towards the development.

Other Matters

The proposed development site is in close proximity to ground used previously as a saw mill and gas works. Given the potential risks of land contamination, EHS requested that a Preliminary Risk Assessment be undertaken in their consultation response dated 13 May 2021.

As a result, the applicant submitted a Preliminary Risk Assessment prepared by RSK, Document 01.

The report stated that, as per the Land Contamination: Risk Management (LCRM) guidance, a Generic Quantitative Risk Assessment (GQRA) was required to obtain site specific data to quantify the potential pollutant linkages detailed within the initial conceptual site model (CSM). An intrusive ground investigation was recommended to inform a GQRA.

EHS is content to offer pre commencement conditions to carry out further investigative reports. Regulation Unit of NIEA has also offer similar conditions.

DFI Roads offers no objections to the proposal subject to conditions.

CONCLUSION

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

- The principle of the development is considered acceptable
- The design of the proposal is acceptable
- The proposal will not have an unacceptable impact upon the character or appearance of the site and the surrounding area.
- There will be no significant detrimental impact upon neighbouring properties
- No consultee or member of the public has objected towards the development.

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 proposed planting shall be carried out in accordance with approved drawing No.02A date stamped 17 February 2022. The planting shall be carried out in the first available season after the building hereby approved becomes operational. Trees shall be allowed to grow on and retained at a minimum height of 4m thereafter. If any tree is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree 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.

3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number 02A bearing the date stamp 17 February 2022, 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.

4. Prior to any construction activities being undertaken, an intrusive investigation, including sampling and monitoring, shall be undertaken at the development site. This information shall be submitted to Antrim and Newtownabbey Borough Council in the form of a Generic Quantitative Risk Assessment (GQRA) for agreement.

The contaminated land report shall be in accordance with Land Contamination Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and shall be completed by a competent person.

Reason: To ensure the land is suitable for use and to control any risk to human health arising from land contamination.

5. No construction activities shall be undertaken within the site hereby approved, until a detailed remediation strategy and implementation plan, has been submitted and agreed with Antrim and Newtownabbey Borough Council.

Reason: To ensure the land is suitable for use and to control any risk to human health arising from land contamination.

6. The development hereby approved shall not become operational until the mitigation measures as presented within the agreed remediation strategy and implementation plan have been fully implemented and verified to the satisfaction of the Council.

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

7. There shall be no amendments or deviations from the remediation and verification recommendations contained within the agreed detailed remediation strategy and implementation plan without the prior written approval of the Council.

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

8. Verification documentation shall be submitted in the form of a verification report, to the Council. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all risks posed by contamination.

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

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

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

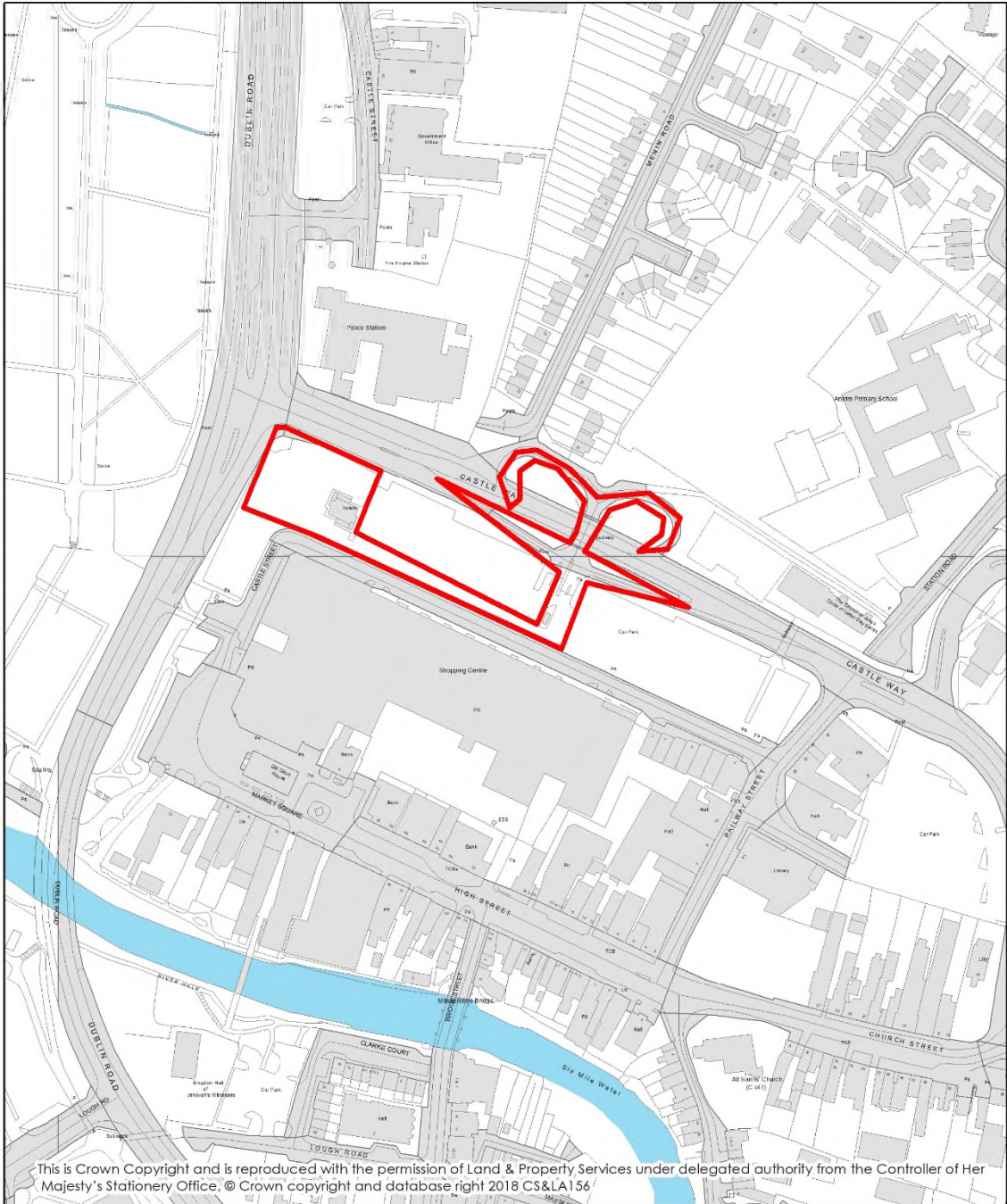
10. Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to be agreed with the Planning Section and Environmental Health before being implemented.

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

11. After completing any remediation works required under Condition 10 and prior to the operation of the development, a verification report shall be submitted for agreement with Antrim and Newtownabbey Borough Council Planning Section. This report shall be in accordance with Land Contamination Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and be completed by a competent person.

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

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

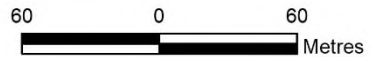


Site Location Plan

Application Reference: LA03/2021/0322/F

Proposed drive thru bakery/coffee shop, kiosk,
indoor/outdoor seating, public toilets, landscaping and car parking

26 Market Square
Antrim



PART TWO

OTHER PLANNING MATTERS

ITEM 3.19

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during March 2022 under delegated powers together with information relating to planning appeals is **enclosed** for Members' information.

There was one appeal decided by the Planning Appeals Commission in relation to Antrim and Newtownabbey Borough Council LA03/2018/1138/F (Appeal Reference: 2019/A0202). The proposal was for rounding off to Glenoak Grange Meadows to include 1 detached dwelling and a pair of attached dwellings at lands to the east of Glenoak Grange Meadows, Crumlin. The appeal was allowed with conditions. A copy of the decision is **enclosed**.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning

ITEM 3.20

P/PLAN/083 OUTCOME OF PLANNING APPEAL LA03/2018/1138/F

The purpose of this report is to provide an update following the decision by the Planning Appeals Commission (PAC) to allow (with conditions) LA03/2018/1138/F (Appeal Reference: 2019/A0202) for the rounding off to Glenoak Grange Meadows to include 1 detached dwelling and a pair of attached dwellings at lands to the east of Glenoak Grange Meadows, Crumlin.

Background

There were a significant number of objections (10) to the application, however, Officers recommended that the application be granted planning permission. At the Planning Committee meeting of the 16 September 2019 the Committee voted to refuse planning permission contrary to the Officer recommendation on the basis that that the additional housing would result in overdevelopment onto the existing shared service road which would be detrimental to road safety. A decision to refuse planning permission was issued on the 18 September 2019.

Following the refusal of planning permission, the applicant submitted a further planning application under planning application reference LA03/2020/0202/F. This application proposed a rounding off to Glenoak Grange Meadows to include 2 no. detached dwellings and detached garages at lands 40m NE of No. 1 and 20m South of No. 5 Glenoak Grange Close, Crumlin. This application was on the same lands as the previous application, however, it reduced the overall scheme from three dwellings to two dwellings. Once again the application was contentious and a total of 18 objections were received. Given the earlier Committee decision to refuse planning permission (Ref: LA03/2018/1138/F) the Officers recommended the application for refusal which was endorsed by the Planning Committee at its meeting of the 16 August 2021. A decision to refuse the application was issued shortly thereafter.

Around the same time as the applicant submitted planning application reference: LA03/2020/0202/F, the applicant also submitted an appeal to the PAC against the refusal of planning application LA03/2018/1138/F (the earlier application). Although the decision to refuse permission was made contrary to Officer recommendation, the Planning Section prepared a Statement of Case to the PAC setting out the rationale as to why planning permission should be refused.

On 30 March 2022, the PAC have decided to uphold the appeal and grant planning permission subject to a number of conditions. (copy decision **enclosed**).

Planning Appeals

In addition to the appeal against planning application, LA03/2018/1138/F, the applicant has also submitted an appeal to the decision to refuse planning application LA03/2020/0202/F. The reason for refusal for both applications mirrored each other and related to the capacity of the internal estate road of Glenoak Grange to facilitate the additional traffic which would be generated by the

development. As the PAC have recently approved planning application ref: LA03/2018/1138/F, which proposed three dwellings, this sets a significant change in circumstances for how the planning application LA03/2020/0202/F, the scheme for two houses would be assessed if it was now presented to Committee.

In the circumstances where the PAC have upheld a scheme for three dwellings, it is likely that they would also approve a lesser scheme for two dwellings on the same lands. In the circumstances the Officer view is to present a Statement of Case, which identifies that while the Council disagrees with the decision, that the decision of the PAC to grant 3 dwellings was information not before the Council when it made its decision on LA03/2020/0202/F, however, the Council recognises its significance as a material consideration and its relevance to the determination of the appeal LA03/2020/0202/F.

RECOMMENDATION: that the Report is noted and that the approach by Officers is deemed to be acceptable.

Prepared by: Barry Diamond, Head of Planning and Development Management

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning

ITEM 3.21

P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENTS

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). Four (4) PANs were registered recently the details of which are set out below.

PAN Reference:	LA03/2022/0175/PAN
Proposal:	Proposed residential development in substitution for approved commercial/industrial development on part of 'mixed use' site approved under U/2008/0146/O and U/2012/0213/RM
Location:	Lands to East of Hillhead Road and to South East of Templepatrick Road off slip Ballyclare BT39 9DS
Applicant:	Ballyvesey Holdings
Date Received:	4 March 2022
12 week expiry:	27 May 2022

PAN Reference:	LA03/2022/0206/PAN
Proposal:	Proposed residential development of c. 80 no dwellings (comprising mix of detached, semi-detached and apartments), garages, landscaping and open space, and all other associated site
Location:	Land at 1 Enkalon Industrial Estate Randalstown Road to the north and east of Oriel Lodge/29 Randalstown Road north east of 28 Castlewater Gardens and south east of Steeple Burn
Applicant:	Lotus Homes (UK) Ltd
Date Received:	16 March 2022
12 week expiry:	8 June 2022

PAN Reference:	LA03/2022/0230/PAN
Proposal:	Proposed residential development comprising of up to 44 dwellings, garages, landscaping, open space and all associated site works
Location:	Lands to the East of no 92 Ballyeaston Road Ballyclare; lands to the North East of no 13-27 Elizabeth Gardens Ballyclare
Applicant:	Blue Horizon (Ballycorr) Ltd
Date Received:	28 March 2022
12 week expiry:	20 June 2022

PAN Reference:	LA03/2022/0260/PAN
Proposal:	Proposed erection of 1 no. storage and distribution warehouse and 1 no. light industrial unit, associated car

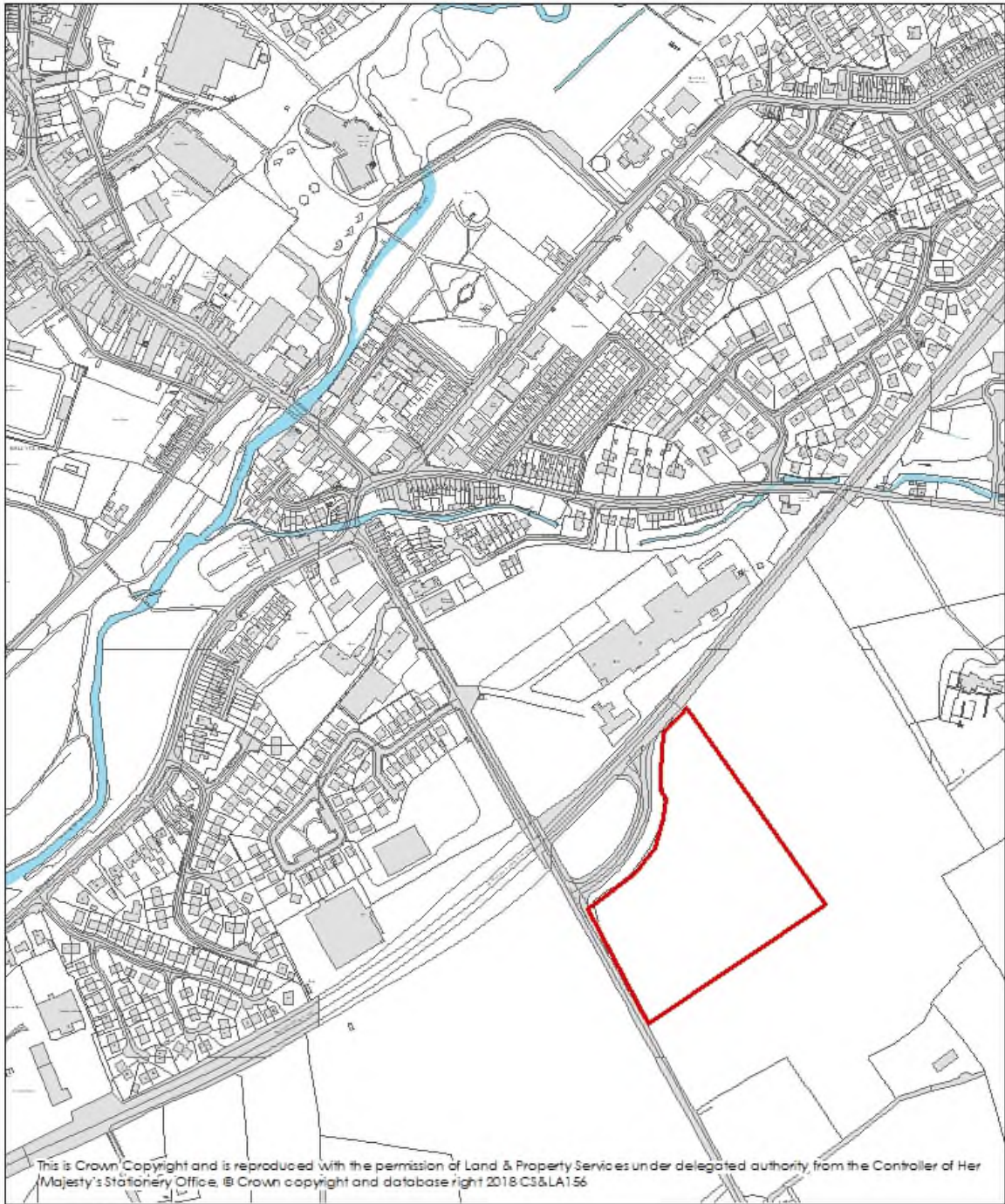
Location:	parking/service yard, landscaping and all other associated site and access works Lands approx. 255m south/east of MT Wholesale Warehouse, Houston Business Park and immediately south of 610-626 Doagh Road Newtownabbey
Applicant:	Kemark No 2 Ltd
Date Received:	31 March 2022
12 week expiry:	23 June 2022

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

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning



Site Location Plan

50 25 0 50 100 150 200



Metres



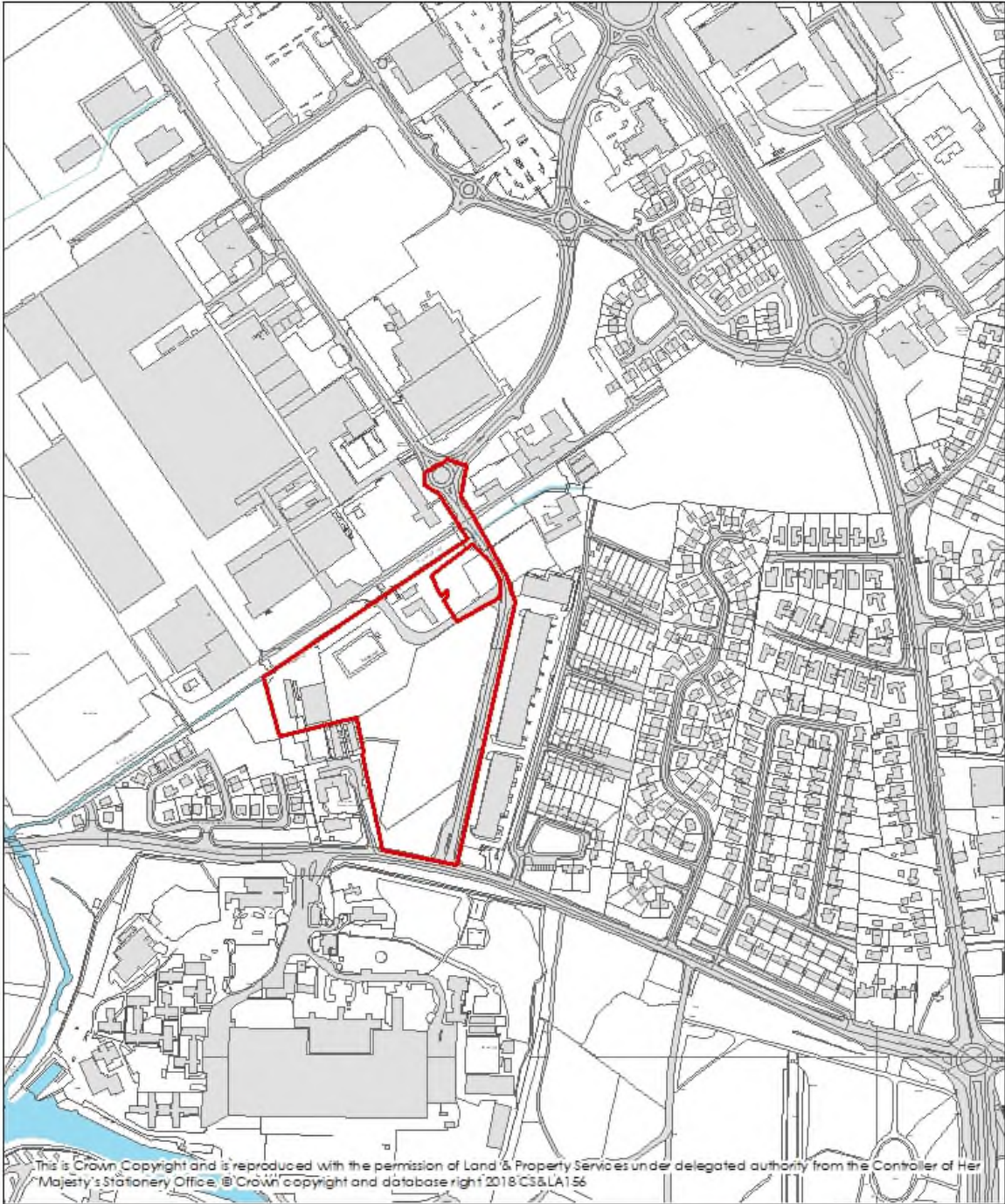
Application Reference: LA03/2022/0175/PAN

Proposal: Residential development in substitution for approved commercial/industrial development approved under U/2008/0146/O and U/2012/0213/RM.

Location: Lands to East of Hillhead Road and to South East of Templepatrick Road off slip Ballyclare

 Site boundary





Site Location Plan

50 25 0 50 100 150 200




Metres



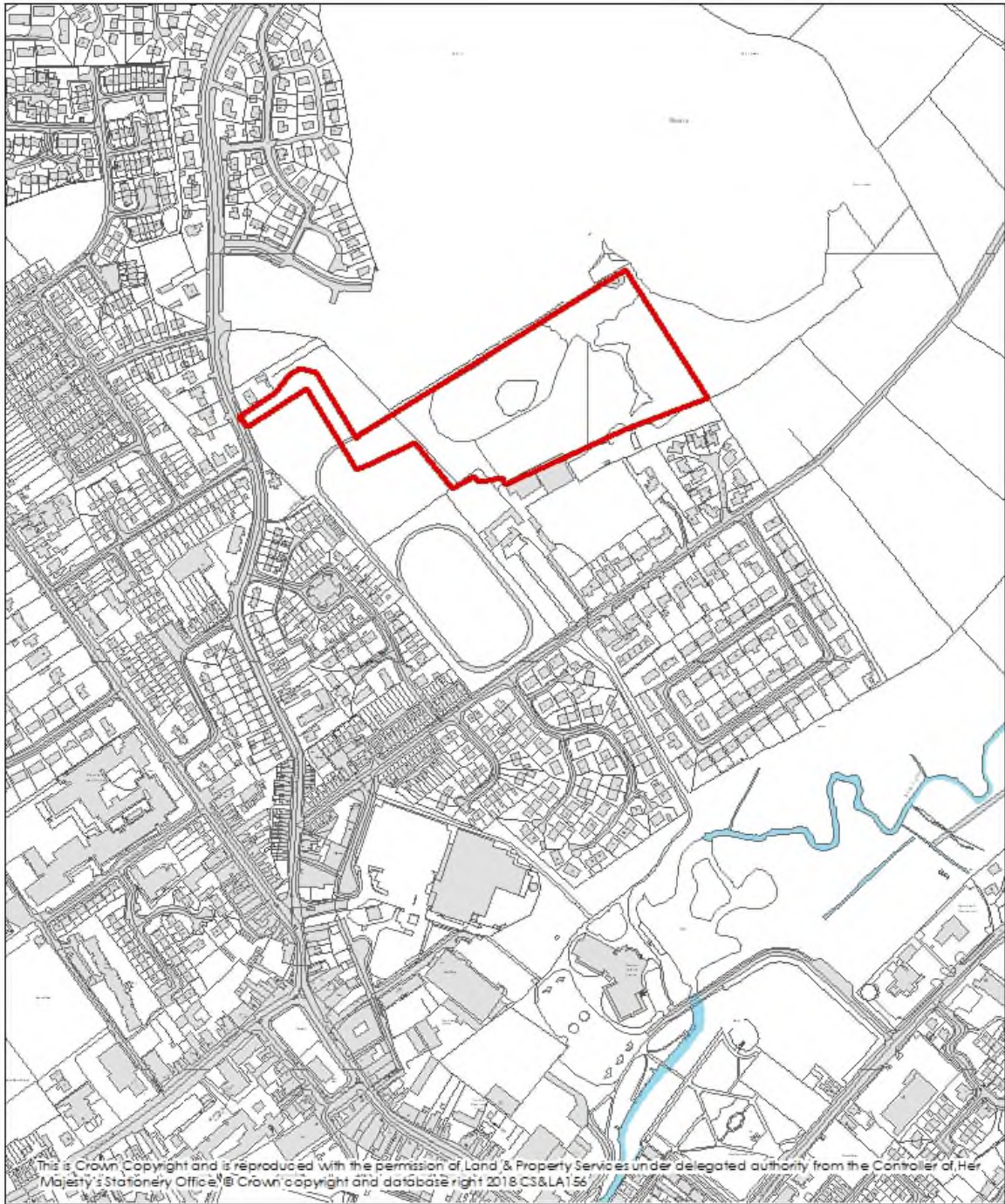
Application Reference: LA03/2022/0206/PAN

Proposal: Residential development of c. 80 no dwellings, garages, landscaping and open space, and all other associated site

 Site boundary

Location: Land at 1 Enkalon Industrial Estate Randalstown Road to the north and east of Oriel Lodge/29 Randalstown Road north east of 28 Castlewater Gardens and south east of Steeple Burn





Site Location Plan

50 25 0 50 100 150 200




Metres



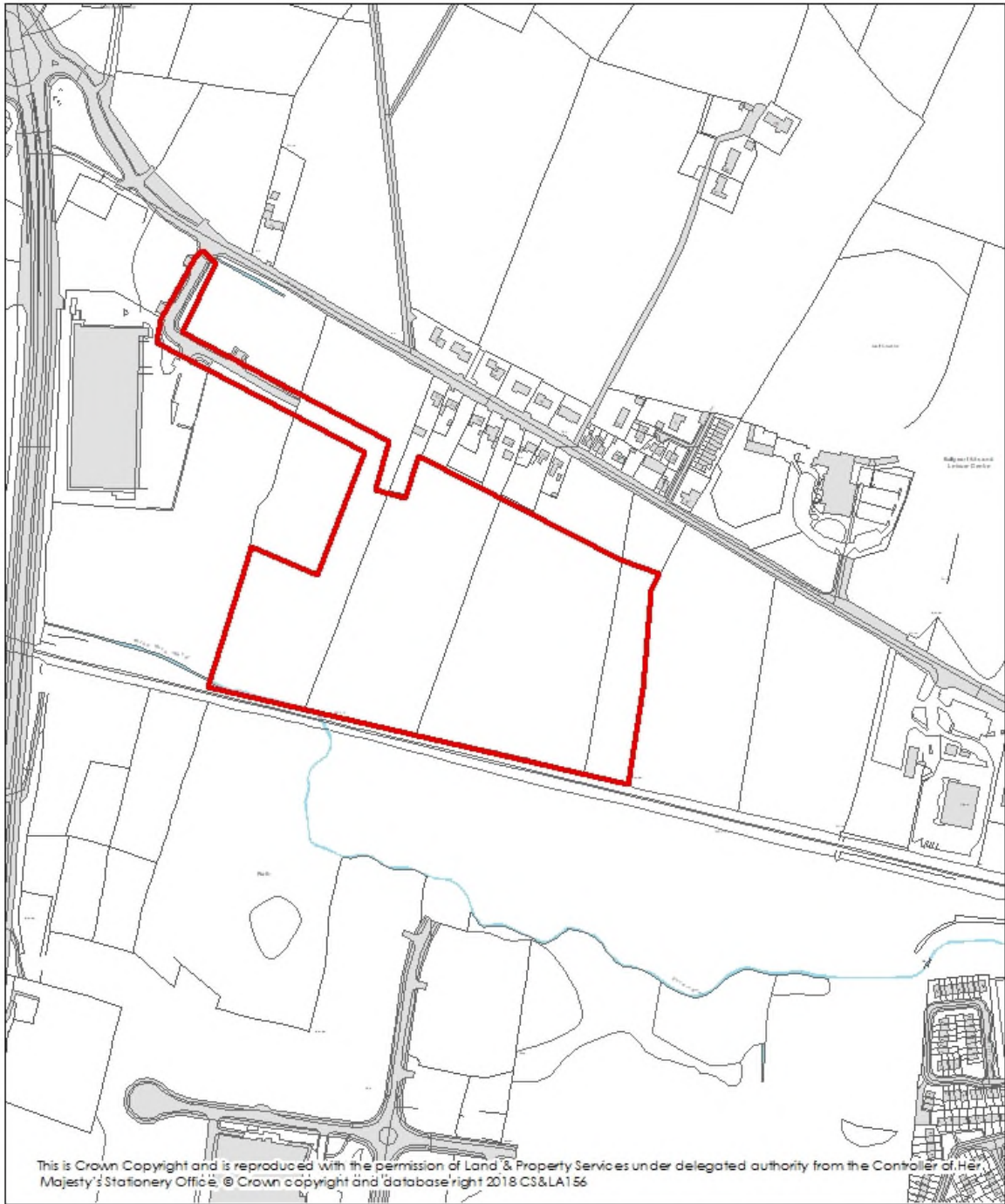
Application Reference: LA03/2022/0230/PAN

Proposal: Residential development comprising of up to 44 dwellings, garages, landscaping, open space and all associated site works

Location: Lands to the East of no 92 Ballyeaston Road, Ballyclare; lands to the North East of no 13-27 Elizabeth Gardens Ballyclare

 Site boundary





Site Location Plan

50 25 0 50 100 150 200



Metres



Application Reference: LA03/2022/0260/PAN

Proposal: Erection of 1 no. storage and distribution warehouse and 1 no. light industrial unit, associated car parking/service yard.

Location: Lands approx. 255m south/east of MT Wholesale Warehouse, Houston Business Park and immediately south of 610-626 Doagh Road Newtownabbey

 Site boundary



ITEM 3.22

P/PLAN/83 NISRA PLANNING STATISTICS 2021/2022 – THIRD QUARTERLY BULLETIN FOR THE PERIOD OCT TO DECEMBER 2021

The third quarterly provisional planning statistics for 2021/22 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which is **enclosed**, was released in March 2022.

The Quarterly Bulletin advises that both planning activity and processing performance in 2020/21 and the first three quarters of 2021/22 were impacted by the restrictions put in place due to the coronavirus pandemic. It indicates that this should be borne in mind and caution taken when interpreting these figures and when making comparisons with other time periods and performance across Councils.

The figures show that during the period from Oct to December 2021, the total number of planning applications received in Northern Ireland was 3,163, a decrease of 5% on the previous quarter and down 12% on the same period a year earlier. The total number of decisions issued during this period was 3,238, down 1 from the previous quarter but up 8% from the same period a year earlier.

During this third quarter period a total of 201 new applications were received by Antrim and Newtownabbey Borough Council. Comparing this quarter with the same period in 2020/21 10 Councils reported a decrease in the number of applications received. However, Antrim and Newtownabbey Borough Council were the only Council to report an increase over the same period (3.6%).

Major Planning Applications

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council was within the 30-week target time in the first nine months of 2021/22 for **Major** planning applications with an average processing time of 25.1 weeks and the Council ranks as only one of 2 Councils in Northern Ireland to meet the statutory target compared to the average processing time of all Councils which was 55.9 weeks.

Local Planning Applications

The DfI figures show that the Council took on average 12.8 weeks to process and decide **Local** planning applications during the first nine months of 2021/22 against the statutory target of 15 weeks. This performance ranks the Council as only one of three Councils to meet the target compared to the average of 16.8 weeks for all Councils.

Enforcement

In relation to enforcement, the DfI figures highlight that the Council's planning enforcement team took an average of 26.1 weeks during the nine months of 2021/22 to process 77.3% of enforcement cases against a target of 70% within 39 weeks. The greatest decrease in the number of live cases was in Antrim and

Newtownabbey Borough Council with a 66.3% decrease in the number of cases from the pandemic period.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning

ITEM 3.23

P/PLAN/056 NORTHERN IRELAND ASSEMBLY PUBLIC ACCOUNTS COMMITTEE PLANNING IN NORTHERN IRELAND

Members will recall that in February, the Planning Committee were circulated the Department for Infrastructure's Review of the Planning Act 2011 and the Northern Ireland Audit Office report into Planning IN Northern Ireland.

Planning Committee Members are now also advised that the Northern Ireland Assembly Public Accounts Committee has published a report into Planning in Northern Ireland (**enclosed**). A range of witnesses were interviewed by the Committee to inform the report including the Department for Infrastructure, SOLACE, NILGA, Local Government and third party groups.

The Committee has made 12 recommendations, full details of which are in the published report, including the establishment of a Commission to undertake a fundamental review to ascertain the long-term, strategic changes that are needed to make the planning system fit for purpose and recommends that this should be led by someone independent from the Department.

Planning Officers will update Planning Committee regarding any further updates regarding the progress of the Public Accounts Committee recommendations.

Council Officers have also received an invite from the Chief Planner, Angus Kerr, to attend a work shop in April on "Planning Improvement – Way Forward" following the Public Account Committee Report.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning.

ITEM 3.24

P/FP/LDP/1 LOCAL DEVELOPMENT PLAN, QUARTERLY UPDATE (Q4) JANUARY TO MARCH 2022

The Council's Local Development Plan (LDP) advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the fourth quarter (Q4) of the 2021-2022 business year (January to March 2022).

Local Development Plan Independent Examination

Members are reminded that the previous quarterly update advised that the Council's LDP Draft Plan Strategy (DPS) had been forwarded by the Department for Infrastructure (DfI) to the Planning Appeals Commission (PAC) to cause an Independent Examination (IE) to be carried out.

The PAC has now appointed a Commissioner to undertake the IE, who has completed their initial check of the DPS and its supporting information. The IE timetable has now been published, indicating that remote hearings will commence on 3 May 2022, for an initial two-week period. The examination will then pause and recommence on 20 June for a further anticipated 2-week period. Further information and updates in relation to the IE are available to view on the PAC website: <https://www.pacni.gov.uk/antrim-newtownabbey>

In preparation for the IE, Officers from the Forward Planning Team are continuing to engage with the Council's legal services, statutory partners and those consultants appointed during the plan preparation process.

In compliance with the Planning Section's Statement of Community Involvement, it is anticipated a meeting of the LDP's Project Management Team will be reconvened, and take place upon completion of the DPS IE process (autumn 2022).

The PAC has recently published and updated Hearing Programme (Version 2) and Questions for Weeks 1 and 2 (Version 1) **enclosed**. The Independent Examination will commence on Tuesday 3 May at 10.30 am. The PAC will provide a YouTube link on its website (www.pacni.gov.uk) each day for the public and interested parties to watch the proceedings.

Revised Planning Scheme of Delegation (March 2022)

Members are reminded that the Council has agreed to a Revised Planning Scheme of Delegation, to include for Local Development Plan matters. This will allow for circumstances where Planning Officers attending the IE are able to agree to any minor typographical, clarificatory or factual modifications which do not materially alter the Plan. For any non-minor changes, Officers will be required to consult with party representatives, whilst any potential major changes would be required to come before Council for agreement.

LDP: Statements of Common Ground (March 2022)

Members are also reminded that the Council has agreed in principle to enter into Statements of Common Grounds (SoCG) with Belfast City Council (BCC) and Lisburn & Castlereagh City Council (LCCC). These documents are considered as a means of best practice in working together in relation to areas of agreement on particular issues, and engagement continues with these councils on these matters.

Local Development Plan Working Group Updates

(a) Coastal Forum

The most recent meeting of the Department for Agriculture and Rural Affairs/Department for Infrastructure (DAERA/DfI) Coastal Forum took place on 14 March 2022, co-chaired by Ministers Mallon and Poots. Updates were provided regarding the Coastal Forum Work Programme.

The minutes of the previous meeting of the Working Group on 24 January 2022 are **enclosed** for information.

(b) Belfast Metropolitan Area Spatial Working Group

A meeting of the Belfast Metropolitan Area Spatial Working Group (MASWG) took place virtually on 9 March 2022, hosted by Ards and North Down Borough Council (A&NDBC). Updates were received from various councils and consultees in relation to LDP matters. The group also heard from DfI in relation to its work on Transport Plans and there was discussion around the NI Audit Report into Planning Matters, as well as the Renewable and Low Carbon Energy Consultation from DfI.

A copy of the agreed minutes for the previous meeting which took place on 26 November 2021 are **enclosed** for information. The next meeting of the Working Group is due to take place in May, hosted by Belfast City Council (date to be confirmed).

(c) Belfast Metropolitan Transport Plan (BMTP) Project Board Meeting

The first meeting of the reconvened BMTP Project Board took place on 29 March 2022. A representative from DfI's Transport Planning Modelling Unit (TPMU) and the appointed consultant provided an update on progress relating to the BMTP and its evolving evidence base. It is anticipated a draft version of the BMTP will be published at the end of 2022.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Principal Planning Officer (Interim)

Agreed by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning

ITEM 3.25

P/PLAN/083 CORRESPONDENCE FROM DEPARTMENT FOR INFRASTRUCTRE – UPDATE ON THE PLANNING PORTAL

Members will recall that the Planning Committee agreed that the Chair should write to the Department regarding issues with the operation of the current planning portal. A copy of the Department's response is **enclosed** for information.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Development and Planning.